

HOUSE No. 65

Bill accompanying the recommendations of the Fire Prevention Commissioner for the Metropolitan District (see House, No. 64). Mercantile Affairs. January 9.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twenty.

AN ACT

Relative to the Better Prevention of Fires throughout the Metropolitan District.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section seven of chapter seven hundred
2 and ninety-five of the acts of nineteen hundred and four-
3 teen is hereby amended by inserting the words:—or
4 buildings or structures thereon,—after the word “lot”,
5 in the second line,—so as to read as follows:—*Sec-*
6 *tion 7.* No part of any building used for habitation, nor
7 that part of any lot or buildings or structures thereon
8 within fifty feet of any building so used, shall be used for
9 the storage, keeping or handling of any combustible
10 article for other than domestic purposes, or of any article
11 or material that may be dangerous to the public safety
12 as a fire menace, unless a permit has first been obtained

13 therefor from the commissioner. No part of any such
14 building shall be used as a carpenter's shop nor for the
15 storage, keeping or handling of feed, hay, straw, excelsior,
16 shavings, sawdust, cotton, paper stock, feathers, or rags,
17 except under such terms and conditions as the com-
18 missioner may prescribe.

1 SECTION 2. Section twenty-seven of chapter seven
2 hundred and ninety-five of the acts of nineteen hundred
3 and fourteen is hereby amended by inserting after the
4 word "act", in the second line, the words: — or any rules
5 or regulations made hereunder, — so as to read as follows:
6 — *Section 27.* Except as is otherwise hereinbefore pro-
7 vided, any person violating any provision of this act, or
8 any rules or regulations made hereunder, shall be guilty
9 of a misdemeanor and liable to a fine of fifty dollars for
10 each offence, or, in case of a continuing offence after a
11 notice of such violation, to a fine not exceeding ten dol-
12 lars for every day during which the violation continues.

1 SECTION 3. Section ten of chapter seven hundred and
2 ninety-five of the acts of nineteen hundred and fourteen
3 is hereby amended by striking out after the word "or",
4 in the third line, the words "for the business of", and
5 inserting in place thereof the words:—tailoring, or any
6 such building within which persons are engaged in,—
7 and by striking out after the words "sprinklers", in the
8 sixteenth line, the words "that no such order shall apply
9 to any building unless four or more persons live or are
10 usually employed therein above the second floor," so as
11 to read as follows:—*Section 10.* Any building within
12 the metropolitan district used in whole or in part for the
13 purpose of woodworking or tailoring, or any such building
14 within which persons are engaged in manufacturing or

15 working upon wooden, basket, rattan, or cane goods or
16 articles, or tow, shavings, excelsior, oakum, rope, twine,
17 string, thread, bagging, paper, paper stock, cardboard,
18 rags, cotton or linen garments or goods, or rubber,
19 feathers, paint, grease, soap, oil, varnish, petroleum,
20 gasoline, kerosene, benzine, naphtha, or other inflammable
21 fluids, and any buildings in the metropolitan district used
22 in whole or in part for the business of keeping or storing
23 any of such goods or articles, except in such small quan-
24 tities as are usual for domestic use, or for use in connec-
25 tion with and as incident to some business other than
26 such keeping or storing, shall, upon the order of the
27 commissioner, be equipped with automatic sprinklers.

1 SECTION 4. Section one of chapter two hundred and
2 eighty of the acts of nineteen hundred and five, as amend-
3 ed, is hereby further amended by inserting after the
4 word "inflammable", in the eleventh line, the words:—
5 gases or, — and by inserting after the word "com-
6 pounds", in the twelfth line, the words: — or other gases,
7 fluids, or compounds, which may become dangerous to the
8 public safety as a fire or explosion menace, — so as to
9 read as follows:— *Section 1.* The powers and duties
10 heretofore conferred and imposed upon cities and towns
11 and the mayors and aldermen, city councils and select-
12 men thereof, by chapter one hundred and two of the
13 Revised Laws, to regulate the keeping, storage, use,
14 manufacture, sale, handling, transportation or other dis-
15 position of gunpowder, dynamite, crude petroleum or any
16 of its products, or explosive or inflammable gases, or
17 fluids or compounds, or other gases, fluids or compounds,
18 which may become dangerous to the public safety as a fire
19 or explosion menace, tablets, torpedoes, or any explo-
20 sives of a like nature, or any other explosives, except fire-

21 works and firecrackers, are hereby conferred and imposed
22 upon the detective and fire inspection department of the
23 district police, except as to the transportation of said ex-
24 plosives by steam railroads.

1 SECTION 5. The fire prevention commissioner for the
2 metropolitan district, immediately upon being informed by
3 report or otherwise that a building or other structure or
4 anything attached or connected therewith in any city or
5 town is specially unsafe in case of fire, may inspect the
6 same; and if it appears to him to be specially unsafe in
7 case of fire, he shall first in writing notify the owner or
8 agent or any person having an interest therein to remove
9 it or make it safe in case of fire. The fire prevention
10 commissioner for the metropolitan district may affix in a
11 conspicuous place upon the exterior walls of the building
12 a notice of its unsafe condition, which notice shall not be
13 removed or defaced without authority from him. Who-
14 ever is so notified shall be allowed until twelve o'clock
15 noon on the day following the service of the notice in
16 which to begin the work of making such building safe in
17 case of fire or in removing such structure, and he shall
18 employ sufficient labor speedily to make it safe or remove
19 it; and such owner or interested person shall for every
20 day's continuance of refusal or neglect to make said
21 building safe or to remove the same, after being so noti-
22 fied, forfeit to the city or town in which the structure is
23 located not less than ten dollars nor more than fifty dol-
24 lars.

1 SECTION 6. Section thirteen of chapter seven hundred
2 and ninety-five of the acts of the year nineteen hundred
3 and fourteen is hereby amended by inserting after the
4 letter "H", in the thirty-third line, the words: — Regu-
5 lating the method of construction of chimneys, the instal-

6 lation of heating plants, and, — and by adding after the
7 forty-seventh line the following new paragraphs: — N.
8 Requiring the installation of automatic sprinklers in such
9 buildings as may be located at the boundaries of fire
10 zones or districts, which said boundaries shall be deter-
11 mined by the commissioner after consultation with the
12 mayors and the heads of fire departments of cities and
13 boards of selectmen and the heads of fire departments
14 of towns. O. Designating the location of unpierced fire
15 walls. P. Requiring the installation of fire windows,
16 constructed with metal or metal covered sashes and
17 frames with wired glass, — so as to read as follows: —
18 *Section 13.* In addition to the powers given by sections
19 one to twelve, inclusive, the commissioner shall have
20 power to make orders and rules relating to fires, fire pro-
21 tection and fire hazard binding throughout the metropoli-
22 tan district, or any part of it, or binding upon any person
23 or class of persons within said district, limited, however,
24 to the following subjects: —

25 A. Requiring the keeping of portable fire extinguishers,
26 buckets of water or other portable fire extinguishing
27 devices on any premises by the occupant thereof, and
28 prescribing the number and situation of such devices.

29 B. Prohibiting or regulating the accumulation, and
30 requiring the removal, of combustible rubbish, including
31 waste paper, cardboard, string, packing material, saw-
32 dust, shavings, sticks, rags, waste leather and rubber,
33 boxes, barrels, broken furniture and other similar light or
34 combustible refuse.

35 C. Prohibiting or regulating the setting or burning of
36 fires out of doors.

37 D. Causing obstacles that may interfere with the
38 means of exit to be removed from floors, halls, stairways
39 and fire escapes.

40 E. Ordering the remedying of any condition found to
41 exist in or about any building or other premises, or any
42 ship or vessel in violation of any law, ordinance, by-law,
43 rule or order in respect to fires and the prevention of
44 fire.

45 F. Causing any vessel moored to or anchored near any
46 dock or pier to be removed and secured in some designated
47 place: *provided*, that such vessel is on fire or in danger of
48 catching fire, or is by reason of its condition or the nature
49 of its cargo a menace to shipping or other property.

50 G. Requiring and regulating fire drills in theatres,
51 public places of amusement, and public and private
52 schools.

53 H. Regulating the method of construction of chim-
54 neys, the installation of heating plants, and requiring the
55 cleaning of chimney flues and vent pipes.

56 I. Requiring proper safeguards to be placed and main-
57 tained about or over roof skylights.

58 J. Prohibiting or regulating smoking in factories,
59 workshops and mercantile establishments.

60 K. Requiring that all signs and advertising devices
61 erected on buildings shall be approved by said com-
62 missioner.

63 L. Causing to be made public all violations of fire
64 prevention laws by posting placards on buildings or prem-
65 ises, and by publishing in the daily newspapers the names
66 of the owners and specifying the buildings in which the
67 violation occurs.

68 M. Defining the classes of buildings to be equipped
69 with sprinkler protection under the authority of this act.

70 N. Requiring the installation of automatic sprinklers
71 in such buildings as may be located at the boundaries of
72 fire zones or districts, which said boundaries shall be
73 determined by the commissioner after consultation with

74 the mayors and the heads of fire departments of cities and
75 boards of selectmen and the heads of fire departments
76 of towns.

77 O. Designating the location of unpierced fire walls.

78 P. Requiring the installation of fire windows, con-
79 structed with metal or metal covered sashes and frames
80 with wired glass.

1 SECTION 7. Section twenty-two of chapter seven hun-
2 dred and ninety-five of the acts of nineteen hundred and
3 fourteen is hereby amended by striking out the words
4 "in such cases", in the seventh and eighth lines, and in-
5 serting in place thereof the words:— in all cases where
6 such rules or orders require the making of additions to
7 or changes in the premises themselves, such as would
8 immediately become real estate and be the property of the
9 owner of the premises, — so as to read as follows:—
10 *Section 22.* In any case where buildings or other premises
11 are owned by one person and occupied by another under
12 lease or otherwise, the orders of the commissioner shall
13 apply to the occupant alone, except where such rules or
14 orders require the making of additions to or changes in
15 the premises themselves, such as would immediately be-
16 come real estate and be the property of the owner of the
17 premises. In all cases where such rules or orders require
18 the making of additions to or changes in the premises
19 themselves, such as would immediately become real estate
20 and be the property of the owner of the premises, the
21 rules or orders shall affect the owner and not the occupant
22 and, unless it is otherwise agreed between the owner and
23 the occupant, the occupant whose use of the premises has
24 caused the making of such additions or changes, in addi-
25 tion to his rent or other payments shall, after the addition
26 or changes are made, pay a reasonable per cent of the

27 cost thereof annually to the owner of the premises. No
28 rule or order shall be made or enforced which requires an
29 expenditure by the owner or occupant of more than five
30 per cent of the last annual assessed valuation of the land
31 and buildings to which such rule or order relates.