

# HOUSE . . . . No. 1665

---

## The Commonwealth of Massachusetts.

---

HOUSE OF REPRESENTATIVES, April 28, 1920.

The committee on Bills in the Third Reading, to whom was referred the Bill relative to the use of automatic sprinklers in buildings in the city of Boston (House, No. 1618), report recommending that the same be amended by the substitution of the accompanying bill.

For the committee,

JAMES T. POTTER.

## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twenty.

### AN ACT

Relative to the Use of Automatic Sprinklers in Tenement Houses in the City of Boston, and to Appeals from Decisions of the Building Commissioner.

*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 forty-five of chapter five hundred  
2 and fifty of the acts of nineteen hundred and seven, as  
3 amended by section ten of chapter seven hundred and  
4 eighty-two of the acts of nineteen hundred and fourteen  
5 and by section four of chapter three hundred and fifty-  
6 two of the Special Acts of nineteen hundred and fifteen,  
7 is hereby further amended by striking out the fourth  
8 paragraph and substituting the following paragraphs:—  
9 Stairway enclosures, and elevator, light, ventilating and  
10 dumb-waiter shafts in all tenement houses, now or here-  
11 after existing, being more than three stories high and  
12 containing more than ten suites, shall be provided with a  
13 system of automatic sprinklers approved as to situation,  
14 arrangement and efficiency by the building commissioner.  
15 As to existing tenement houses of first class construc-  
16 tion, and as to existing tenement houses of second or third  
17 class construction in which any stairway enclosure, ele-  
18 vator, light, ventilating or dumb-waiter shaft is fireproof,  
19 as defined in section thirty-three of chapter five hundred

20 and fifty of the acts of nineteen hundred and seven, as  
21 amended by section fourteen of chapter one hundred and  
22 seventy-three of the Special Acts of nineteen hundred and  
23 eighteen, the commissioner may waive the provisions of  
24 this section in respect to automatic sprinklers, except in  
25 cases where, in his opinion, a fire hazard exists.

26 The building commissioner may order the basement or  
27 cellar of any tenement house more than three stories in  
28 height and having more than ten suites to be provided  
29 with a system of automatic sprinklers approved by him as  
30 to location, arrangement and efficiency unless the ceilings  
31 of such basements or cellars and all partitions therein are  
32 protected with fireproofing as provided in section thirty-  
33 three of this act. If the ceilings and partitions of such  
34 a basement or cellar are protected, as aforesaid, with fire-  
35 proofing, the commissioner may, nevertheless, require to  
36 be installed therein a system of automatic sprinklers  
37 approved by him as to situation, arrangement and  
38 efficiency, provided that he finds a hazardous fire con-  
39 dition to exist in such basement or cellar.

1 SECTION 2. Said section forty-five, amended as afore-  
2 said, is hereby further amended by striking out the words  
3 "In every existing tenement house which is more than  
4 three stories in height, and having more than eight  
5 suites, and in every such tenement house hereafter  
6 erected", in the first, second and third lines of the sixth  
7 paragraph, and substituting the words:— In every tene-  
8 ment house now or hereafter existing which is more than  
9 three stories high and has more than eight suites, — by  
10 inserting after the word "shafts", in the fourth line, the  
11 words:— and stairways, — by inserting after the word  
12 "basement", in the fifth line, the words:— or cellar, —  
13 by striking out the words "a fireproof self-closing door",

14 in the seventh line, and substituting the words:— fire-  
15 proof self-closing doors, — and by striking out all after  
16 the word “door”, so that the said paragraph will read as  
17 follows:—

18 In every tenement house now or hereafter existing  
19 which is more than three stories high and has more than  
20 eight suites, all elevator, ventilating and dumb-waiter  
21 shafts, and all stairways shall be enclosed in the base-  
22 ment or cellar by masonry walls not less than eight inches  
23 thick, or by two-inch solid metal and plaster partitions  
24 with fireproof self-closing doors.

1 SECTION 3. Section seven of said chapter five hundred  
2 and fifty is hereby amended by striking out the word  
3 “ten”, in the fourth line, and substituting the word:—  
4 thirty, — so that the first paragraph of the said section  
5 will read as follows:—

6 An applicant for a permit whose application has been  
7 refused may appeal therefrom within ninety days. A  
8 person who has been ordered by the commissioner to incur  
9 any expense may within thirty days after being notified  
10 of such order appeal therefrom by giving to the commis-  
11 sioner notice in writing of his appeal. Such notice or a  
12 certified copy thereof shall at once be transmitted by the  
13 commissioner to the board of appeal. After notice given  
14 to such parties as the board shall order, a hearing shall be  
15 had, and the board shall affirm, annul or modify said  
16 refusal or order. The board may vary the provisions of  
17 this act in specific cases which appear to them not to  
18 have been contemplated by this act although covered by  
19 it, or in cases where manifest injustice is done, provided  
20 that the decision of the board in such a case shall be  
21 unanimous and shall not conflict with the spirit of any  
22 provision of this act.