

2945

2009-2010 Regular Sessions

I N S E N A T E

March 6, 2009

Introduced by Sen. NOZZOLIO -- read twice and ordered printed, and when printed to be committed to the Committee on Housing, Construction and Community Development

AN ACT to amend the executive law, in relation to certain uniform fire prevention and building code standards

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph c of subdivision 4 of section 378 of the execu-
2 tive law, as added by chapter 707 of the laws of 1981, is amended to
3 read as follows:
4 c. no combustible material shall be placed in such amounts and
5 locations as would cause existing fire protection equipment and systems
6 to be substantially overburdened, nor shall any material be placed in
7 such manner as would cause safe exit to be significantly impeded. FOR
8 PURPOSES OF THIS SECTION COMBUSTIBLE MATERIAL SHALL NOT INCLUDE THE
9 DISPLAY OF FRESH CUT EVERGREEN TREES IN PLACES OF PUBLIC ASSEMBLY OR
10 GOVERNMENTAL FACILITIES THAT ARE CONSTRUCTED IN ACCORDANCE WITH PARA-
11 GRAPH B OF THIS SUBDIVISION AND PROTECTED BY FIRE DETECTION EQUIPMENT
12 PROVIDED THAT THE FRESH CUT TREE IS (1) NOT DIRECTLY EXPOSED TO HEAT OR
13 UNLISTED ELECTRICAL DEVICES WHICH COULD CAUSE IGNITION; (2) NOT PLACED
14 IN A MANNER WHICH UNREASONABLY RESTRICTS ACCESS TO A STAIRWELL AND/OR
15 EXIT; (3) PROPERLY CARED FOR TO INCLUDE ADEQUATE WATER ON A DAILY BASIS;
16 (4) IMMEDIATELY REMOVED IF DRYNESS IS EVIDENT; AND (5) IS SUPPORTED BY A
17 DEVICE THAT SHALL HOLD THE TREE SECURELY AND BE OF ADEQUATE SIZE TO
18 AVOID TIPPING OVER THE TREE; and
19 S 2. This act shall take effect immediately.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets
[] is old law to be omitted.

LBD00730-01-9