S T A T E O F N E W Y O R K

9416

I N A S S E M B L Y

February 29, 2012

Introduced by M. of A. MAGEE, RUSSELL -- read once and referred to the Committee on Governmental Operations

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:

Section 1. Paragraph c of subdivision 4 of section 378 of the executive law, as added by chapter 707 of the laws of 1981, is amended to read as follows:

c. no combustible material shall be placed in such amounts and locations as would cause existing fire protection equipment and systems to be substantially overburdened, nor shall any material be placed in such manner as would cause safe exit to be significantly impeded. FOR PURPOSES OF THIS SECTION COMBUSTIBLE MATERIAL SHALL NOT INCLUDE THE DISPLAY OF FRESH CUT EVERGREEN TREES IN PLACES OF PUBLIC ASSEMBLY OR GOVERNMENTAL FACILITIES THAT ARE CONSTRUCTED IN ACCORDANCE WITH PARAGRAPH B OF THIS SUBDIVISION AND PROTECTED BY FIRE DETECTION EQUIPMENT PROVIDED THAT THE FRESH CUT TREE IS (1) NOT DIRECTLY EXPOSED TO HEAT OR UNLISTED ELECTRICAL DEVICES WHICH COULD CAUSE IGNITION; (2) NOT PLACED IN A MANNER WHICH UNREASONABLY RESTRICTS ACCESS TO A STAIRWELL AND/OR EXIT; (3) PROPERLY CARED FOR TO INCLUDE ADEQUATE WATER ON A DAILY BASIS; (4) IMMEDIATELY REMOVED IF DRYNESS IS EVIDENT; AND (5) IS SUPPORTED BY A DEVICE THAT SHALL HOLD THE TREE SECURELY AND BE OF ADEQUATE SIZE TO AVOID TIPPING OVER THE TREE; and

S 2. This act shall take effect immediately.

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

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