

STATE OF NEW YORK

3078--A

Cal. No. 198

2019-2020 Regular Sessions

IN SENATE

February 1, 2019

Introduced by Sen. ADDABBO -- read twice and ordered printed, and when printed to be committed to the Committee on Domestic Animal Welfare -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

AN ACT to amend the agriculture and markets law, in relation to requiring the installation and testing of fire protection systems at pet stores

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 407 of the agriculture and markets law is renumbered section 408 and a new section 407 is added to read as follows:

§ 407. Fire protection requirements for pet stores. All pet dealers licensed under this article shall provide fire protection measures for every premises at which the dealer houses animals in accordance with the provisions of this section.

1. Fire protection systems. (a) Approved devices, equipment and systems or combinations of systems used to detect a fire, activate a fire alarm, extinguish or control a fire, control or manage smoke and products of a fire or any combination thereof shall be provided in all retail and wholesale establishments utilized by a pet dealer to permanently or temporarily house, sell or trade animals. Fire protection systems shall be installed, inspected, tested and maintained per appropriate codes and referenced standards herein: if in the five boroughs of the city of New York per New York city building code and New York city fire code or outside of the five boroughs of the city of New York per the New York state uniform fire prevention and building code and the state energy conservation construction code for the correct occupancy type and any approved "more restrictive local standards".

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

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1 (b) If any fire protection system becomes inoperative at any time, the
2 pet dealer shall take immediate action to notify the code enforcement
3 office and have the system restored to proper working order.

4 2. Application. (a) The provisions of this section shall apply to
5 existing buildings and to buildings hereafter erected but shall not
6 include buildings zoned residential.

7 (b) For the purposes of this section,

8 (1) "pet dealer" shall have the same meaning as "pet dealer" as
9 defined in subdivision four of section four hundred of this article, and

10 (2) "animal" shall have the same meaning as "companion animal" as
11 defined in subdivision five of section three hundred fifty of this chap-
12 ter.

13 § 2. The commissioner of agriculture and markets shall promulgate
14 rules, regulations and standards as he or she deems necessary to imple-
15 ment the provisions of this act on or before its effective date and, in
16 conjunction with the appropriate agency, whether the New York state
17 department of state code enforcement and administration division, New
18 York city department of buildings or New York city fire department,
19 shall establish standards for the installation, operation and inspection
20 of fire protection systems installed pursuant to the provisions of this
21 act.

22 § 3. This act shall take effect one year after it shall have become a
23 law, except that buildings in existence or new construction with pres-
24 ently approved plans as of the effective date of this act shall have
25 until the following year to comply with the provisions of this act.