

STATE OF NEW YORK

420

2023-2024 Regular Sessions

IN ASSEMBLY

January 9, 2023

Introduced by M. of A. L. ROSENTHAL, EPSTEIN -- read once and referred to the Committee on Agriculture

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:

1 Section 1. The agriculture and markets law is amended by adding a new
2 section 409 to read as follows:

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

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

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

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

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

4 (b) For the purposes of this section,

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

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

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

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