

Smoke Alarm Compliance Statement

For Use by Unidocs member Agencies or where approved by your Local Jurisdiction
Authority Cited: California Health and Safety Code

California Law requires that "Dwelling units intended for human occupancy" be provided with operable smoke detectors (smoke alarms). The building owner is responsible for installing, testing, and maintaining smoke alarms in hotels, motels, lodging houses, and common stairwells of apartment complexes and other multiple-dwelling complexes. [California Health and Safety Code §13113.7 (See Page 2)]

A. Installation of Smoke Alarms

The owner shall supply and install smoke alarms in:

- **All new** multi-family residential units constructed since January 1, 1985; and
- **All other existing** multi-family residential units by no later than January 1987.

B. Types of Alarms

- **Listing:** Smoke alarms must be approved and listed by the State Fire Marshal and installed in accordance with the manufacturer's instructions.
- **Type:** Smoke alarms may be either photoelectric type or photo-ionization type.
- **Power:** In new construction, smoke alarms shall be powered by the building wiring along with a battery back up. In existing buildings, smoke alarms may be solely battery powered.

C. Maintenance of Smoke Alarms

Each owner/manager is required to:

- Test and maintain smoke alarms in each dwelling unit of hotels, motels, lodging houses, and common stairwells of apartment complexes and other multiple-dwelling complexes. Smoke alarms shall be tested semi-annually per the manufacturer's instructions (NFPA 72, Table 10.3.1).
- Provide maintenance records to fire or building inspectors upon request.
- Notify tenants at least 24 hours prior to accessing the dwelling for smoke alarm installation, maintenance or testing.

Facility Name (if applicable): _____

Address: _____ City: _____

Certification: Smoke alarms are installed in the multi-family building identified above in accordance with the Health and Safety Code. They have been inspected and tested and are in proper working order. (Attach copy of receipt if inspected by an independent company)

Owner/Agent Name (please print): _____

Owner/Agent Signature: _____ Date: _____

Agency Use Only

Comments: _____



Smoke Detector

Health and Safety Code §13113.7

- (a) Except as otherwise provided in this section, a smoke detector, approved and listed by the State Fire Marshal pursuant to Section 13114, shall be installed, in accordance with the manufacturer's instructions in each dwelling intended for human occupancy within the earliest applicable time period as follows:
- (1) For all dwelling units intended for human occupancy, upon the owner's application on or after January 1, 1985, for a permit for alterations, repairs, or additions, exceeding one thousand dollars (\$1,000).
 - (2) For all other dwelling units intended for human occupancy on or after January 1, 1987. However, if any local rule, regulation, or ordinance, adopted prior to the compliance dates specified in paragraphs (1) and (2) requires installation in a dwelling unit intended for human occupancy of smoke detectors which receive their power from the electrical system of the building and requires compliance with the local rule, regulation, or ordinance at a date subsequent to the dates specified in this section, the compliance date specified in the rule, regulation, or ordinance shall, but only with respect to the dwelling units specified in this section, take precedence over the dates specified in this section. The State Fire Marshal may adopt regulations exempting dwellings intended for human occupancy with fire sprinkler systems from the provisions of this section, if he or she determines that a smoke detector is not reasonably necessary for fire safety in the occupancy. Unless prohibited by local rules, regulations, or ordinances, a battery operated smoke detector, which otherwise meets the standards adopted pursuant to Section 13114 for smoke detectors, satisfies the requirements of this section.
- (b) "Dwelling units intended for human occupancy," as used in this section, includes a duplex, lodging house, apartment complex, hotel, motel, condominium, stock cooperative, timeshare project, or dwelling unit of a multiple unit dwelling complex. For the purpose of this part, "dwelling units intended for human occupancy" does not include manufactured homes as defined in Section 18007, mobile homes as defined in Section 18008, and commercial coaches as defined in Section 18001.8.
- (c) The owner of each dwelling unit subject to this section shall supply and install smoke detectors required by this section in the locations and in the manner set forth in the manufacturer's instructions, as approved by the State Fire Marshal's regulations. In the case of apartment complexes and other multiple dwelling complexes, a smoke detector shall be installed in the common stairwells. All fire alarm warning systems supplemental to the smoke detector shall also be listed by the State Fire Marshal.
- (d) A high rise structure, as defined in subdivision (b) of Section 13210 and regulated by Chapter 3 (commencing with Section 13210), and which is used for purposes other than as dwelling units intended for human occupancy, is exempt from the requirements of this section.
- (e) The owner shall be responsible for testing and maintaining detectors in hotels, motels, lodging houses, and common stairwells of apartment complexes and other multiple dwelling complexes. An owner or the owner's agent may enter any dwelling unit, efficiency dwelling unit, guest room, and suite owned by the owner for the purpose of installing, repairing, testing, and maintaining single station smoke detectors required by this section. Except in cases of emergency, the owner or owner's agent shall give the tenants of each such unit, room, or suite reasonable notice in writing of the intention to enter and shall enter only during normal business hours. Twenty-four hours shall be presumed to be reasonable notice in absence of evidence to the contrary. The smoke detector shall be operable at the time that the tenant takes possession. The apartment complex tenant shall be responsible for notifying the manager or owner if the tenant becomes aware of an inoperable smoke detector within his or her unit. The owner or authorized agent shall correct any reported deficiencies in the smoke detector and shall not be in violation of this section for a deficient smoke detector when he or she has not received notice of the deficiency.
- (f) A violation of this section is an infraction punishable by a maximum fine of two hundred dollars (\$200) for each offense.
- (g) This section shall not affect any rights which the parties may have under any other provision of law because of the presence or absence of a smoke detector.
- (h) This section shall not apply to the installation of smoke detectors in single-family dwellings or factory built housing which is regulated by Section 13113.8, as added by Assembly Bill No. 2285 of the 198384 Regular Session.

[Extracted 10/03 from Official California Legislation at www.leginfo.ca.gov/calaw.html.]