

**SENATE . . . . . No. 1301**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Kenneth J. Donnelly***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to enhanced fire protection in new one and two family dwellings.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Kenneth J. Donnelly</i>	<i>Fourth Middlesex</i>	
<i>Ruth B. Balse</i>	<i>12th Middlesex</i>	<i>1/26/2017</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>1/30/2017</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/31/2017</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>2/1/2017</i>

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By Mr. Donnelly, a petition (accompanied by bill, Senate, No. 1301) of Kenneth J. Donnelly, Ruth B. Balsler, Shawn Dooley, Patrick M. O'Connor and others for legislation relative to enhanced fire protection in new one and two family dwellings. Public Safety and Homeland Security.

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Ninetieth General Court  
(2017-2018)**  
\_\_\_\_\_

An Act relative to enhanced fire protection in new one and two family dwellings.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Chapter 148 of the General laws, as appearing in the 2014 Official Edition,  
2 is hereby amended by inserting after section 26I the following section:-

3 Section 26J. In any city or town which accepts the provisions of this section, every newly  
4 constructed building, designed or used for residential occupancy and containing not more than 2  
5 dwelling units, shall be protected throughout with an adequate system of automatic sprinklers  
6 installed in accordance with the provisions of the state building code. The provisions of this  
7 section shall apply to any such newly constructed building for which a building permit is issued  
8 on or after 1 year from the acceptance of this act by a city or town.

9 The head of the fire department shall enforce the provisions of this section.

10 Whoever is aggrieved by the head of the fire department's interpretation, order,  
11 requirement, direction or failure to act under the provisions of this section, may, within 45 days

12 after the service of notice thereof, appeal from such interpretation, order, requirement, direction,  
13 or failure to act, to the board of appeals as provided in section 201 of chapter 6.

14 SECTION 2. Section 27A of said chapter 148, as so appearing, is hereby amended by  
15 inserting after the word “service.”, in line 19, the following sentence:- This section shall not  
16 apply to the seasonal shut-off of automatic sprinklers installed in accordance with the provisions  
17 of section 26J of chapter 148, when such shut off has been conducted in accordance with the  
18 procedures established by the Board of Fire Prevention Regulations. For purposes of this section,  
19 the Board shall determine what constitutes a seasonal shutoff of automatic sprinklers.