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Cook
3/9/10

CS FOR HOUSE BILL NO. 202()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVES HERRON, Millett, Tuck, Stoltze, Johansen, Keller, Crawford, Muñoz, Johnson, Richard Foster, Ramras, Peggy Wilson, Kelly, Dahlstrom, Harris, Gatto

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to municipal building code requirements for fire sprinkler systems in**
2 **certain residential buildings."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 29.10.200 is amended by adding a new paragraph to read:

5 (62) AS 29.35.144 (sprinkler fire protection systems).

6 *** Sec. 2.** AS 29.35 is amended by adding a new section to read:

7 **Sec. 29.35.144. Sprinkler systems in certain residential buildings.** (a)

8 Except as provided by (b) of this section, a municipality may not require a sprinkler
9 fire protection system to be included in the construction of all new single-family
10 residential buildings or in the construction of all new residential buildings with not
11 more than two dwelling units.

12 (b) A municipality may, by ordinance, require a sprinkler fire protection
13 system to be included in the construction of all new single-family residential
14 buildings, in the construction of all new residential buildings with not more than two

1 dwelling units, or in both types of buildings. Before adopting an ordinance to
2 implement this subsection, or before amending an ordinance to extend its coverage to
3 residential buildings described in this subsection, in addition to complying with the
4 requirements relating to the adoption of an ordinance under AS 29.25, the governing
5 body of the municipality shall

6 (1) prepare a cost-benefit analysis of the proposed ordinance as it may
7 apply to the residential buildings to which the proposed ordinance or ordinance
8 amendment will apply;

9 (2) notwithstanding the publication requirement in AS 29.25.020(b)(3)
10 or a comparable notice publication requirement of a home rule municipality, at least
11 30 days before the first scheduled public hearing for the ordinance, publish

12 (A) a summary of the ordinance or ordinance amendment and
13 the cost-benefit analysis; and

14 (B) a notice of the time and place of each scheduled public
15 hearing on the proposed ordinance or amendment; and

16 (3) notwithstanding the public hearing schedule requirement of
17 AS 29.25.020(b)(6) or comparable public hearing scheduling requirement of a home
18 rule municipality, schedule at least three public hearings on the proposed ordinance or
19 ordinance amendment to be held within a 60-day period; the governing body may not
20 consider the proposed ordinance or amendment for adoption, with or without
21 amendment, sooner than 60 days after the conclusion of the first public hearing on the
22 proposed ordinance or amendment.

23 (c) This section applies to home rule and general law municipalities.