

IN THE SENATE

BY SENATOR BARR

SENATE BILL NO. 25

IN THE LEGISLATURE OF THE TERRITORY OF ALASKA

TWENTY-SECOND SESSION

A BILL

For an Act entitled: "An Act to establish an office of Fire Marshal within the Department of Territorial Police; setting forth powers and duties; and setting an effective date."

BE IT ENACTED BY THE LEGISLATURE OF THE TERRITORY OF ALASKA:

Section 1. There is hereby created within the Department of Territorial Police the office of Fire Marshal. The Fire Marshal shall be designated by the Territorial Police Board with the approval of the Superintendent of Police, and shall be under the direct supervision of, and responsible to, the Superintendent of Police, and shall serve full time at the assigned duty or duties imposed by this Act. His rate of pay shall be set by the Board, but shall never be equal to the salary of the Superintendent of Police nor less than the prevailing pay rate of a Captain. The functions of the office shall be to foster, promote, regulate, and develop ways and means of protecting life and property against fire and panic.

Section 2. The Fire Marshal shall be an employee of the Department of Territorial Police and shall exercise the functions of a police officer. The Fire Marshal shall aid in the enforcement of all laws and ordinances and any rules and regulations adopted under the provisions of this Act and other laws not inconsistent therewith relating to fires or to fire prevention and protection; and shall encourage the adoption of

1 fire prevention measures by means of education, and shall pre-
2 pare or cause to be prepared for dissemination information re-
3 lating to the subject of fire prevention and extinguishment.

4 Section 3. If there is reason to believe that any fire
5 has resulted from crime or that crime has been committed in
6 connection with any fire, the Fire Marshal shall report that
7 fact in writing to the United States District Attorney of the
8 judicial division in which the fire occurred. If the fire
9 occurred in an incorporated city having a regularly organized
10 fire department, such investigations and reports shall be made
11 in conjunction with the fire official of that area.

12 Section 4. The Fire Marshal is hereby authorized to
13 assist, receive assistance from, and otherwise cooperate with
14 any investigator or agent employed by any Fire Insurance Company
15 licensed to do business within the Territory of Alaska, or with
16 any such investigator or agent employed by any association of
17 such insurance companies.

18 Section 5. The Fire Marshal may enter upon or into any
19 commercial, business, or public property during any reasonable
20 business hours for the ^{purpose} of making inspections of such
21 property, or for the ^{purpose} of abatement of fire hazards.

22 Section 6. During the existence of a fire, the Fire Marshal
23 may protect ^{by removal or otherwise} any property which is affected thereby until the
24 arrival of the owner or claimant. If the owner or claimant does
25 not take charge of ^{said} the property within 24 hours, the Fire Mar-
26 shal may store it at the owner's or claimant's expense.

27 Section 7. The Fire Marshal may abate fire hazards exist-
28 ing on any commercial, business, or public property which exists
29 in violation of law or regulations made in compliance with law,

1 the abatement shall be by the owner, and the Fire Marshal may
2 take appropriate action to assure such abatement.

3 Section 8. The Fire Marshal, with the advice and approval
4 of the Superintendent of Territorial Police and the Attorney
5 General shall prepare and adopt rules and regulations establish-
6 ing minimum standards for the prevention of fire and for the
7 protection of life and property against fire and panic in any
8 building or structure used or intended for use as an asylum,
9 jail, mental hospital, hospital, sanitarium, home for aged,
10 children's nursery, children's home or institution, school, or
11 any similar occupancy of any capacity, and in any theater, dance
12 hall, skating rink, auditorium, roadhouse, hotel, motor court,
13 assembly hall, meeting hall, night club, fair building, or
14 similar place of assemblage of any capacity. Rules and regula-
15 tions adopted pursuant to this section shall establish minimum
16 standards relating to the means of egress and the adequacy of
17 exits from the installation and maintenance of fire extinguish-
18 ing and fire alarm systems in, the storage and handling of com-
19 bustible or explosive materials or substances, and the installa-
20 tion and maintenance of appliances, equipment, decorations, and
21 furnishings that present a fire, explosion or panic hazard, and
22 such minimum standards shall be predicated on the height and fire
23 resistive qualities of the building or structure and the type of
24 occupancy for which it is used. The rules and regulations shall
25 apply to auxiliary or accessory buildings used or intended for
26 use with any of the occupancies mentioned in this section. Viola-
27 tion of any rule or regulation shall be deemed a violation of this
28 Act. In preparing and adopting rules and regulations affecting
29 public schools, the Fire Marshal shall also secure the advice of

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the Department of Education.

Section 9. The Fire Marshal and the chiefs of any city fire department and their authorized representatives in their respective areas, may enforce rules and regulations that have been formally adopted by the Fire Marshal for the prevention of fire or for the protection of life and property against fire or panic. All police officers of the Department of Territorial Police are hereby authorized to assist the Fire Marshal in the enforcement of the provisions of this Act and rules and regulations made and promulgated in accordance with this Act. The authority herein conferred shall, in addition to the provisions of this Act, extend to the enforcement of the provisions of Sections 65-5-1 through 65-5-19, Alaska Compiled Laws Annotated, 1949, as amended.

Section 10. This Act shall take effect and be in force from and after its passage and approval, or upon its becoming law without such approval, and it is so enacted.