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SENATE BILL NO. 183

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on General Laws

on January 28, 2004)

(Patron Prior to Substitute—Senator Blevins)

A BILL to amend and reenact § 36-99.5:1 of the Code of Virginia, relating to the Uniform Statewide Building Code; certain housing facilities.

Be it enacted by the General Assembly of Virginia:**1. That § 36-99.5:1 of the Code of Virginia is amended and reenacted as follows:**

§ 36-99.5:1. Smoke detectors and other fire detection and suppression systems in assisted living facilities, adult day care centers, multifamily housing for seniors and nursing homes and facilities.

A. Battery- or AC-powered smoke detector devices shall be installed in all assisted living facilities, multifamily housing for seniors and adult day care centers licensed by the Department of Social Services, regardless of when the building was constructed. The location and installation of the smoke detectors shall be determined by the Uniform Statewide Building Code.

The licensee shall obtain a certificate of compliance from the building official of the locality in which the facility or center is located, or in the case of state-owned buildings, from the Department of General Services.

The licensee shall maintain the smoke detector devices in good working order.

B. The Board of Housing and Community Development shall promulgate regulations in accordance with the Administrative Process Act (§ 2.2-4000 et seq.) establishing standards for requiring (i) smoke detectors and (ii) such other fire detection and suppression systems as deemed necessary by the Board to increase the safety of persons in assisted living facilities, multifamily housing for seniors, nursing homes and nursing facilities. All nursing homes and nursing facilities which are already equipped with sprinkler systems shall comply with these regulations. For the purposes of this section, "multifamily housing for seniors" means a building or portion thereof housing more than 16 persons on a 24-hour basis that is (i) provided under any state or federal program that is specifically designed and operated to assist elderly persons, as defined in the state or federal program; (ii) intended for, and solely occupied by, persons 62 years of age or older; or (iii) intended for, and solely occupied by, at least one person 55 years of age or older per unit.

2. That the provisions of this act shall apply to all new construction of multifamily housing for seniors begun on or after July 1, 2004.