



Division of Food and Lodging
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CHAPTER 33-33-05 SMOKE DETECTOR RULES

Section

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33-33-05-01. Smoke detectors required. Every sleeping room in a lodging establishment or assisted living facility shall be equipped with a smoke detection device which has been inspected and listed by underwriters laboratories, factory mutual engineering division or equivalent. Smoke detectors shall be installed in accordance with the manufacturer's installation instructions.

History: Effective August 1, 1988; amended effective January 1, 2008.

General Authority: NDCC 23-01-03(3), 23-09-02.1

Law Implemented: NDCC 23-09-02.1

33-33-05-02. Passageway devices - General alarm. Lodging establishments or assisted living facilities without direct access from sleeping rooms to the outside shall have hallways or exit corridors equipped with listed smoke detection devices. Hallway or exit corridor smoke detection devices shall be wired into an approved fire alarm system so as to sound an alarm when any of the smoke detection devices are activated. Audible signaling appliances shall be located so as to be clearly heard throughout the facility regardless of the maximum noise level under normal conditions of occupancy. In all cases one appliance must be installed at manufacturer's recommendations or for each thirty feet [9.15 meters] of hallway or exit corridor or fraction thereof.

History: Effective August 1, 1988; amended effective January 1, 2008.

General Authority: NDCC 23-01-03(3), 23-09-02.1

Law Implemented: NDCC 23-09-02.1

33-33-05-03. Devices for the hard of hearing. At least one sleeping room in every lodging establishment or assisted living facility shall be equipped with a listed smoke detection device capable of producing at least eighty-five decibels of sound at ten feet [3.05 meters] and capable of flashing a two hundred fifty watt bulb for a period of five minutes.

History: Effective August 1, 1988; amended effective January 1, 2008.

General Authority: NDCC 23-01-03(3), 23-09-02.1

Law Implemented: NDCC 23-09-02.1

33-33-05-04. Initial testing and certification. After a smoke detection system has been initially installed, the lodging establishment or assisted living facility owner or manager shall certify in writing to the state department of health that the system has been tested and that each smoke

detection device is working properly. Copies of written installer certifications will be accepted as owner or manager certifications.

History: Effective August 1, 1988; amended effective January 1, 2008.

General Authority: NDCC 23-01-03(3), 23-09-02.1

Law Implemented: NDCC 23-09-02.1

33-33-05-05. System inspection - Testing - Maintenance.

1. No smoke detection device shall be approved unless the device installer:
 - a. Instructs the owner or manager in the operation of the system.
 - b. Provides the owner or manager with a set of written instructions for the proper maintenance and testing of the system.
2. The owner or manager or designee of the owner or manager of a lodging establishment or assisted living facility shall test at least ten percent of the battery-operated smoke detectors weekly and at least ten percent of the hard-wired detectors monthly on a systematic basis. The owner or manager or designee of the owner or manager shall maintain written records for two years which:
 - a. Detail the date of the test, the units tested, the name of the person conducting the test, and the results of the test.
 - b. Indicate the date, results, and name of the person conducting a complete system maintenance inspection and test. Complete tests shall be conducted once each year or more often as necessary to assure proper operational condition.
3. The owner or manager of a lodging establishment or assisted living facility is responsible for, and shall cause, the necessary maintenance service or repairs to be made to ensure proper operational conditions of the smoke detection system at all times.

History: Effective August 1, 1988; amended effective January 1, 2008.

General Authority: NDCC 23-01-03(3), 23-09-02.1

Law Implemented: NDCC 23-09-02.1

