



**OCTOBER 18, 2013 COMMENTS OF THE APARTMENT AND OFFICE BUILDING  
ASSOCIATION OF METROPOLITAN WASHINGTON ON THE**

**DEPARTMENT OF CONSUMER AND REGULATORY AFFAIRS  
CONSTRUCTION CODES COORDINATING BOARD**

**OCTOBER 4, 2013  
THIRD NOTICE OF PROPOSED RULEMAKING**

**Subtitle 12 G Property Maintenance Code Supplement of 2013**

Strike Section 704.2 of the International Property Maintenance Code in its entirety and insert new Sections 704.2 and 704.2.1 in the Property Maintenance Code in its place to read as follows:

**704.2 Smoke alarms.** Single- or multiple-station smoke alarms shall be installed and maintained in Group R or I-1 occupancies, regardless of *occupant* load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of *bedrooms*.
2. In each room used for sleeping purposes.
3. In each story within a *dwelling unit*, including *basements* and cellars but not including crawl spaces and uninhabitable attics. In dwellings or *dwelling units* with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Single- or multiple-station smoke alarms shall be installed in other groups in accordance with the *Fire Code*.

**704.2.1 Existing occupancies.** Existing Group I-1 and R occupancies shall have a 36 month period, commencing on the date of adoption of the 2013 edition of the *D.C. Construction Codes* in accordance with Section 122 of the *Building Code*, to install smoke alarms that comply with the requirements of Section 704.2.

**AOBA COMMENT:** The above provision is inconsistent with existing statutory language governing the locations of smoke detectors and must be stricken absent a statutory repeal and adoption of authorizing language. Specifically, current law does require, as is being proposed here, alarms to be installed *in each room used for sleeping purposes*. Under current law the requirement to install a smoke detector in the sleeping unit is only applicable to efficiencies. The District must revise 704.2.1 (2) to reflect current DC Code. AOBA's proposed changes are in red. The District must also strike 704.2.1 as that would no longer be applicable.

**704.2 Smoke alarms.** Single- or multiple-station smoke alarms shall be installed and maintained in Group R or I-1 occupancies, regardless of *occupant* load at all of the following locations:

2. ~~In each room used for sleeping purposes.~~ **In an efficiency, the owner shall install the smoke detector in the room used for sleeping.**

#### **DC OFFICIAL CODE § 6-751.03. Locations**

(a) The owner of each dwelling unit shall install at least 1 smoke detector to protect each sleeping area. **In an efficiency, the owner shall install the smoke detector in the room used for sleeping. In all other dwelling units, the owner shall install the smoke detector outside the bedrooms but in the immediate vicinity of the sleeping area.**

(b) The owner of each hotel and motel shall install at least 1 smoke detector to protect each guest room or guest suite. The owner of each dormitory shall install at least 1 smoke detector to protect each resident room or resident suite. For the purpose of this subsection, "guest suite" or "resident suite" means a combination of rooms that are always occupied as a single unit. The owner of the hotel, motel or dormitory shall install the smoke detectors as directed by the Mayor of the District of Columbia.

(c) The owner of each hospital, nursing home, jail, prison, and residential-custodial care facility shall install smoke detectors as directed by the Mayor of the District of Columbia and as follows:

(1) In each corridor that is adjacent to a room used for sleeping, but in no case may the smoke detectors be spaced further apart than 30 feet or more than 15 feet from any wall; or

(2) In each room used for sleeping.

(d) An owner subject to this subchapter shall install each smoke detector on the ceiling at a

minimum of 6 inches from the wall, or on a wall at a minimum of 6 inches from the ceiling.

(e) An owner subject to this subchapter may not install a smoke detector in a dead air space, such as where the ceiling meets the wall.

***See also 14 DCMR 904.4*** Each owner or operator of a housing business shall install smoke detectors and comply with the requirements of the Smoke Detector Act of 1978 (D.C. Law 2-81).