

Senate File 2355

S-5090

1 Amend Senate File 2355 as follows:

2 1. Page 1, before line 1 by inserting:

3 <Section 1. Section 100.35, Code 2009, is amended
4 to read as follows:

5 **100.35 Rules of marshal.**

6 1. The fire marshal shall adopt, and may amend
7 rules under chapter 17A, which include standards
8 relating to exits and exit lights, fire escapes,
9 fire protection, fire safety and the elimination of
10 fire hazards, in and for churches, schools, hotels,
11 theaters, amphitheaters, hospitals, health care
12 facilities as defined in section 135C.1, boarding homes
13 or housing, rest homes, dormitories, college buildings,
14 lodge halls, club rooms, public meeting places, places
15 of amusement, apartment buildings, food establishments
16 as defined in section 137F.1, and all other buildings
17 or structures in which persons congregate from time to
18 time, whether publicly or privately owned. Violation
19 of a rule adopted by the fire marshal is a simple
20 misdemeanor. However, upon proof that the fire marshal
21 gave written notice to the defendant of the violation,
22 and proof that the violation constituted a clear and
23 present danger to life, and proof that the defendant
24 failed to eliminate the condition giving rise to the
25 violation within thirty days after receipt of notice
26 from the fire marshal, the penalty is that provided
27 by law for a serious misdemeanor. Each day of the
28 continuing violation of a rule after conviction of
29 a violation of the rule is a separate offense. A
30 conviction is subject to appeal as in other criminal
31 cases.

32 2. Rules by the fire marshal affecting the
33 construction of new buildings, additions to
34 buildings, or rehabilitation of existing buildings and
35 related to fire protection, shall be substantially
36 in accord with the provisions of the nationally
37 recognized building and related codes adopted as the
38 state building code pursuant to section 103A.7 or with
39 codes adopted by a local subdivision which are in
40 substantial accord with the codes comprising the state
41 building code. The rules adopted by the fire marshal
42 shall not require the installation of fire sprinklers
43 or a related fire suppression system in a one-family
44 or two-family residential dwelling or a residential
45 building that contains no more than four dwelling
46 units.

47 3. The rules adopted by the state fire marshal
48 under this section shall provide standards for fire
49 resistance of cellulose insulation sold or used in this
50 state, whether for public or private use. The rules

1 shall provide for approval of the cellulose insulation
2 by at least one nationally recognized independent
3 testing laboratory.>
4 2. Title page, line 1, after <to> by inserting
5 <residential sprinkler requirements and to>
6 3. By renumbering as necessary.

SHAWN HAMERLINCK