

Introduced by

Senator Meyer

Representatives Fegley, Guggisberg, Pyle

1 A BILL for an Act to amend and reenact sections 18-01-05, 18-01-06, and 18-08-09,  
2 subsection 2 of section 18-08-12, sections 18-09-02, 18-12-16, and 18-12-25 of the North  
3 Dakota Century Code, relating to the reporting of fires and fire losses to the state fire marshal,  
4 misconduct at fires, fire inspections of state buildings, rules for storage and handling of liquefied  
5 petroleum gases, fire alarms in school buildings, and reference data used in the fire prevention  
6 code for school buildings; and to repeal section 18-01-08 of the North Dakota Century Code,  
7 relating to compensation of fire officials for reporting fires.

8 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

9 **SECTION 1. AMENDMENT.** Section 18-01-05 of the North Dakota Century Code is  
10 amended and reenacted as follows:

11 **18-01-05. Insurance companies to report fire losses to state fire marshal.**

12 Each insurer authorized to transact fire insurance business in this state is hereby required  
13 to report to the state fire marshal, either directly or through an approved agency, fire losses on  
14 property insured in the company, giving the name of the insured, the date of the fire, the amount  
15 of loss, the loss paid, the character of the property destroyed or damaged, and the supposed  
16 cause of the fire. Provided, however, the state fire marshal may waive the reporting of such  
17 losses which are deemed unimportant because of the small amount involved to the end that a  
18 saving in time and expense will result. This report must be mailed or sent as an electronic  
19 record to the state fire marshal as soon as possible after notice of loss is received by the  
20 company. This report must be in addition to, and not in lieu of, any report the company may be  
21 required to make by any law of this state to the insurance commissioner.

22 **SECTION 2. AMENDMENT.** Section 18-01-06 of the North Dakota Century Code is  
23 amended and reenacted as follows:

1           **18-01-06. Fire chiefs and auditors or secretaries of cities and rural fire protection**  
2 **districts must report fires.**

3           Within thirty days after the occurrence of any fire in which property in a city or rural fire  
4 protection district has been destroyed or damaged ~~in an amount which exceeds twenty five-~~  
5 ~~dollars~~, an organization that is contracted by a political subdivision for fire protection or the fire  
6 chief of such city or rural fire protection district, if a fire department is maintained therein, or the  
7 auditor of the city or the secretary of the rural fire protection district, if a fire department is not  
8 maintained therein, shall report the cause, if known, and the origin and circumstances of the fire  
9 and the name of the owner and occupant of such property, to the state fire marshal ~~or enter the~~  
10 ~~information in the national fire incident reporting system software.~~ Reports shall be submitted in  
11 a form compliant and compatible with the national fire incident reporting requirements. Such  
12 report must show whether such fire was the result of carelessness, accident, or design. The  
13 provisions of this section must be complied with, insofar as the same are applicable, if the fire is  
14 of unknown origin, regardless of the amount of damage caused thereby.

15           **SECTION 3. AMENDMENT.** Section 18-08-09 of the North Dakota Century Code is  
16 amended and reenacted as follows:

17           **18-08-09. Misconduct at fires - Penalty.**

- 18           1. Every person who, at any ~~building~~unwanted fire, disobeys the lawful orders of a public  
19 officer or firefighter, or resists or interferes with the lawful efforts of any firefighter or  
20 company of firefighters to extinguish the fire, or acts in a manner calculated to prevent  
21 the fire from being extinguished, or forbids, prevents, or dissuades others from  
22 assisting to extinguish the fire, is guilty of a class A misdemeanor.
- 23           2. As used in this section, "~~building~~unwanted fire" means a fire ~~in a dwelling, commercial-~~  
24 ~~building, or other building or structure used by humans as a residence or place of~~  
25 ~~business, or as a storage or holding place for animals or goods~~not used for cooking,  
26 heating, or recreational purposes or one not incidental to the normal operations of the  
27 property.

28           **SECTION 4. AMENDMENT.** Subsection 2 of section 18-08-12 of the North Dakota Century  
29 Code is amended and reenacted as follows:

- 30           2. For purposes of this section, a "fire inspection" is a procedure performed in  
31 accordance with standards set forth in the state building code, the fire protection code

1           of the local jurisdiction, or the ~~code of the national fire protection association~~ rules set  
2           forth in North Dakota Administrative Code chapter 10-07-01.

3           **SECTION 5. AMENDMENT.** Section 18-09-02 of the North Dakota Century Code is  
4 amended and reenacted as follows:

5           **18-09-02. State fire marshal to make rules.**

6           The state fire marshal shall adopt rules setting forth minimum general standards covering  
7 the design, construction, location, installation, and operation of equipment for storage, handling,  
8 transporting by tank truck, tank trailer, and utilizing liquefied petroleum gases and specifying the  
9 odorization of said gases and the degree thereof. The rules must be such as are reasonably  
10 necessary for the protection of the health, welfare, and safety of the public and persons using  
11 such materials and must be in substantial conformity with the generally accepted standards of  
12 safety concerning the same subject matter. The rules must substantially comply with national  
13 standards for the design, installation, construction of containers, and pertinent equipment for the  
14 handling and storage of liquefied petroleum gases, such as those promulgated by the  
15 international code council and the national fire protection association.

16           **SECTION 6. AMENDMENT.** Section 18-12-16 of the North Dakota Century Code is  
17 amended and reenacted as follows:

18           **18-12-16. Fire alarm systems.**

19           ~~Every new school building and every addition to a school building must be equipped with an~~  
20 ~~approved electrical, closed circuit, supervised fire alarm system with the supply fused ahead of~~  
21 ~~the main switch or disconnect, except that this does not apply to one room schools. The fire~~  
22 ~~alarm disconnect must be painted red and clearly marked DISCONNECT, and the control panel~~  
23 ~~must have an automatic outlet which can be connected to the city system.~~

24           ~~New fire alarm systems in additions must be connected to systems in the existing building~~  
25 ~~so that all stations throughout the entire building will actuate all alarms.~~

26           ~~Fire alarm systems must be painted red in color and be clearly marked FIRE ALARM.~~

27           ~~Manual stations must be located in the kitchen area, public assembly areas, auditorium~~  
28 ~~stages, main office, and in corridors, preferably near exits or stairs, so that it will not be~~  
29 ~~necessary to travel more than one hundred feet [30.48 meters] from the door of any room to~~  
30 ~~reach a station on the same floor. A pull box station must be located in the main office of a~~  
31 ~~school or elsewhere if directed by the local fire authorities and connected directly to the local~~

1 ~~fire department in localities which are equipped with a pull box system. This pull box station may~~  
2 ~~be independent of the fire alarm system in the school building. Automatic fire alarm systems~~  
3 ~~must be provided in boiler and furnace rooms, kitchens, and dangerous storage rooms over one~~  
4 ~~hundred square feet [9.29 square meters] in area.~~

5 ~~Fire alarm signals must be located throughout the building so that persons in all areas of~~  
6 ~~the building, including high noise areas, will be able to hear the signal.~~

7 ~~Fire alarm signals must have an auditory sound distinct from other signals in use in the~~  
8 ~~building for other purposes.~~

9 ~~All fire alarm equipment must be listed for its intended use by underwriters laboratories,~~  
10 ~~incorporated.~~

11 ~~The wiring in the fire alarm systems and controls must be installed in a metallic raceway~~Fire  
12 alarm systems for school buildings must be installed in accordance with the rules set forth in  
13 North Dakota Administrative Code chapter 10-07-01.

14 **SECTION 7. AMENDMENT.** Section 18-12-25 of the North Dakota Century Code is  
15 amended and reenacted as follows:

16 **18-12-25. Reference data.**

17 The following data must be used as reference and as an aid in the interpretation of this  
18 chapter:

- 19 1. State and local fire and building codes.
- 20 2. The National Electrical Code - national fire protection association.
- 21 3. The International Fire Code.
- 22 4. The national fire protection association.

23 **SECTION 8. REPEAL.** Section 18-01-08 of the North Dakota Century Code is repealed.