

ORDINANCE NO. \_\_\_\_\_, SERIES 2014

**AN ORDINANCE RELATING TO COMPLIANCE WITH AND THE ENFORCEMENT OF LOUISVILLE METRO CODE OF ORDINANCES CHAPTER 94 AND THE INSTALLATION OF SMOKE DETECTORS (As Amended).**

**Sponsored By: Council Member Peden**

**WHEREAS**, Louisville Metro Code of Ordinances Chapter 94.04 provides for the owners of dwellings and dwelling units to install suitable smoke detectors to protect dwelling and dwelling unit inhabitants and to support in fire prevention efforts; and

**WHEREAS**, in order to provide for the further safety of dwelling and dwelling unit inhabitants, it has become necessary to require dwelling and dwelling unit owners to install smoke detectors on all levels of a dwelling or dwelling unit, and to permit designated enforcement representatives the authority to install smoke detectors on all levels of a dwelling or dwelling unit

**WHEREAS**, in order to ensure compliance with LMCO Chapter 94, the Chief of the Fire Department, Fire District, or Code Official or any of their designated representatives, are hereby authorized and directed to enforce all provisions of LMCO Chapter 94; and

**BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:**

**SECTION I:** LMCO §94.01 of the LMCO is hereby amended to read as follows:

**DWELLING FLOOR.** Each story or level contained within a Dwelling, which is used for, but not limited to, living, sleeping, recreation, cooking, eating or other personal sentient type activities. Such areas may consist of singular or multiple stories or levels.

**DWELLING UNIT FLOOR.** Each story or level contained within a Dwelling Unit, which is used for, but not limited to, living, sleeping, recreation, cooking, eating or other personal sentient type activities. Such areas may consist of singular or multiple stories or levels.

**SECTION II:** LMCO §94.02(A) of the LMCO is hereby amended to read as follows:

(A) ~~In~~ On all dwelling units floors, and upon each dwelling unit floor, smoke detectors powered by a hard wire AC primary power source or a self-monitored, non-removal ten-year lithium battery shall be installed and maintained after the effective date of this subchapter. Single station detectors presently installed utilizing standard batteries may continue to be used as long as the units remain operational. Should an inspection of the concerned properties reveal these units out of service due to a low or no battery, it will be cause to replace the units with at least smoke detectors powered by a hard wire AC primary power source or a self-monitored, non-removal ten-year lithium battery.

**SECTION III:** LMCO §94.04(C) of the LMCO is hereby amended to read as follows:

(C) Any designated representative, as identified in paragraph (A), who discovers a failure to comply with §94.02(A), may remediate the failure to comply by installing a one (1) suitable smoke detector. Costs of remediation shall be assessed to the Owner of the Dwelling or Dwelling Unit. Costs of remediation shall be capped at Fifty Dollars (\$50), exclusive of any other fines, fees or penalties that may be assessed.

**SECTION IV:** This Ordinance shall take effect upon its passage and approval.

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H. Stephen Ott  
Metro Council Clerk

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Jim King  
President of the Council

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Greg Fischer  
Mayor

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Approval Date

**APPROVED AS TO FORM AND LEGALITY:**

Michael J. O'Connell  
Jefferson County Attorney

BY: \_\_\_\_\_

SmokeDetectorOrdinanceAmendment2014

02.19.14