

Bridges.
Supervisors.

1913, P. L. 1374.

Repeal.

that may hereafter be enacted, for the construction, repair, alteration, or maintenance of any township bridge, it shall not be necessary for such township supervisors to procure permits from any other department consenting to the construction, repair, alteration, or maintenance of such bridge. This act shall not repeal or modify any of the provisions of the act of the twenty-sixth day of July, one thousand nine hundred and thirteen (Pamphlet Laws, one thousand three hundred and seventy-four), known as The Public Service Company Law.

Section 2. All acts and parts of acts inconsistent with this act be and the same are hereby repealed.

APPROVED—The 18th day of July, A. D. 1917.

MARTIN G. BRUMBAUGH.

No. 357.

AN ACT

To amend an act approved May third, one thousand nine hundred and nine, entitled "An act for the safety of persons from fire or panic in certain buildings, not in cities of the first and second classes, by providing proper exits, fire-escapes, fire-extinguishers, and other preventives of fire; by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection; and by providing proper penalties for any violation of the same."

Department of
Labor and In-
dustry.
Public safety.

Construction of
certain buildings.

Section 1. act of
May 3, 1909 (P.
L. 417), cited for
amendment.

Section 1. Be it enacted, &c., That section one of an act, approved May third, one thousand nine hundred and nine, entitled "An act for the safety of persons from fire or panic in certain buildings, not in cities of the first and second classes, by providing proper exits, fire-escapes, fire-extinguishers, and other preventives of fire; by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection; and by providing proper penalties for any violation of the same," which reads as follows:—

"Section 1. Be it enacted, &c., That every building in this Commonwealth, other than buildings situated in cities of the first and second classes, having more than two stories, and buildings having one or more galleries above the first or ground floor, now used or hereafter to be used, in whole or in part, as a public building, office building, and not of fireproof construction, public or private institution, sanatorium, surgical institute, asylum, hospital, schoolhouse, academy, dormitory, college, theatre, public hall, lodge hall, or place of public resort; and every building in which persons

are usually employed above the second story, in a factory, workshop, or mercantile establishment; every hotel, restaurant, apartment-house, boarding-house, or lodging-house, in which persons reside or lodge above the second story; and every tenement-house, apartment-house, or flat occupied by two or more families above the first story,—shall be provided with proper ways of egress, or means of escape from fire, sufficient for the use of all persons accommodated, assembled, employed, lodged, or residing therein; and such ways of egress and means of escape shall be kept free from obstruction, in good repair, and ready for use, at all times; and all rooms above the second story in said buildings shall be provided with more than one way of egress or escape from fire, which shall be placed as near as practical at opposite ends or sides of the room, and leading to fire-escapes on the outside of such buildings or to stairways on the inside. Where any of said buildings is designated for the use or occupancy of fifty or more persons, the external doors of the same shall open outward and be so constructed or arranged as to afford, when open, an unobstructed external passageway of not less than five feet in the clear, and shall have landings, inside the external doorways, of dimensions not less than four feet between the external doors and the adjoining stairways, said landings to be of a width not less than the stairway approaches thereto," is hereby amended to read as follows:—

Section 1. That every building in this Commonwealth, other than buildings situated in cities of the first and second classes, having more than two stories, and buildings having one or more galleries above the first or ground floor, now used or hereafter to be used, in whole or in part, as a public building, office building, public or private institution, sanatorium, surgical institute, asylum, hospital, schoolhouse, academy, dormitory, college, hotel, restaurant; and every building used or hereafter to be used, in whole or in part, as a theatre, moving-picture theatre, public hall, lodge hall, or place of public resort; and every building in which persons are employed above the second story, in a factory, workshop, or mercantile establishment; and every boarding-house or lodging-house, used exclusively for such purpose, in which persons reside or lodge above the second story; and every tenement-house, apartment-house, or flat occupied by two or more families above the first story,—shall be provided with proper ways of egress, or means of escape from fire, sufficient for the use of all persons accommodated, assembled, employed, lodged, or residing therein; and such ways of egress and means of escape shall be kept free from obstruction, in good repair, properly lighted, and ready for use at

Ways of egress.

all times; and all rooms above the second story in said buildings shall be provided with more than one way of egress or escape from fire, which shall be placed as near as practical at opposite ends or sides of the building, and leading to stairways on the inside, or, where not possible to provide such stairways, to stair-towers or fire-escapes on the outside of such buildings: Provided, That in all such buildings hereafter erected such ways of egress or means of escape from fire shall be located within the walls of the building, and at least one of such ways of egress or means of escape from fire shall be an enclosed stair-tower of fire-resistive construction. Except that properly constructed bridges between two separate buildings, or parts of buildings, separated by approved fire-walls, may be accepted in lieu of such inside stairway by the Commissioner of Labor and Industry: And provided further, That the Commissioner of Labor and Industry may order fire-walls to be built in buildings already erected, or which may hereafter be erected, where in his judgment the erection of such fire-walls is necessary to the reasonably safe protection of the inmates. Such ways of egress or means of escape from fire, or fire-walls, shall be in accordance with standards drawn up by the Industrial Board of the Department of Labor and Industry. Where any of said buildings is designated for the use or occupancy of fifty or more persons, the external doors of the same shall open outward, shall be kept unlocked and ready for instant use at all times, and be so constructed or arranged as to afford, when open, an unobstructed passageway of not less than five feet in the clear. Where such doors lead from stairways, there shall be landings inside the external doorways of dimensions not less than four feet between the external doors and the adjoining stairways; said landings to be of a width not less than the stairway approaches thereto.

Section 2. That section two of said act, which reads as follows:—

“Section 2. In all theatres, opera houses, or other buildings, where stage scenery, moving pictures, or other apparatus is used, there shall be provided one or more direct exterior doorways from the stage, and for dressing-rooms under the stage a direct exterior doorway shall be provided; and all said doorways shall be not less than three feet in width, and the passageways to and from the same shall be unobstructed and properly lighted. Neither on or about the stage, auditorium, or galleries shall any inflammable or explosive oil be used for lighting purposes; and all lights on or about the stage, and electric wires and appliances for electric switches, shall be safely guarded. All drop-

Proviso.

Proviso.

Fire-walls.

Doors.

Section 2, act of
May 3, 1909, cited
for amendment.

curtains and sky-borders shall be of an approved non-combustible substance; and on each side of the stage standpipes of at least two inches in diameter shall be provided, with hose and attachments of not less than one and one-half inches in diameter, and of proper and sufficient quantity. There shall also be provided for each side of the stage not less than two fire-extinguishers, and one cask of not less than forty-two gallons capacity, which shall be kept full of water, and two buckets for each cask; buckets and casks to be painted red, and kept in readiness for immediate use. All auditoriums and galleries of said buildings, as described in this section, shall be provided with a center aisle and two side aisles, each of a width of not less than four feet in the clear, and providing a continuous unobstructed passageway to the main exits and to the exits leading to the fire-escapes; and the words 'Exit to fire-escape,' in large, legible, illuminated letters shall be posted and kept posted before each fire-escape exit; and all exits shall open outward, and shall be kept unlocked and ready for instant use, from the opening of said buildings to the close of each and every entertainment therein," is hereby amended to read as follows:—

Section 2. In every theatre, moving-picture theatre, opera house, or other building, where stage scenery, moving-picture or other apparatus is used, or entertainments are given, there shall be provided one or more direct exterior doorways from the stage, and for dressing-rooms direct exterior doorways shall be provided,—all of the said doorways to be not less than five feet in width in the clear, and to be equipped with approved panic bolts. The passageways leading to such exits shall not be obstructed and shall be properly lighted. At each exit there shall be a colored illuminated sign, with the word "Exit" thereon, and in the said passageways there shall be signs indicating the direction of the said exits. Neither on or about the stage, auditorium, or galleries, nor in any other part of the building in which the said theatre, moving-picture theatre, opera house, or public hall is located, shall any inflammable or explosive oil be used or stored. All lights on or about the stage and throughout the auditorium shall be properly guarded. All electrical wiring and appliances in such buildings shall be installed according to specifications set forth in the Pennsylvania Electrical Code of rules adopted by the Industrial Board of the Department of Labor and Industry, and so maintained.

There shall be a proscenium curtain constructed of wire-woven asbestos of not less than two pounds per square yard, or of sheet metal, and all other drop-

Theatres, opera houses, etc.

Doorways.

Exits.

Lighting.

Electrical wiring, etc.

Proscenium curtain.

Curtains and borders. curtains and sky-borders on the stage shall be of an approved non-combustible substance; and on each side of the stage there shall be standpipes of at least two inches in diameter, with hose and nozzle and rack for same, such hose and attachments to be not less than one and one-half inches in diameter, of sufficient quantity, and properly maintained. There shall also be provided for each side of the stage not less than two chemical fire-extinguishers of an approved type, and one cask, of not less than forty-two gallons capacity, which shall be kept full of water, and two buckets for each cask; the said buckets and casks to be painted red. The said fire-extinguishers and casks shall be kept free from any obstruction and in readiness for immediate use at all times.

Standpipes, etc.

Hose.

Fire-extinguishers.

Cask.

Buckets.

In all auditoriums and galleries of the said buildings, as described in this section, there shall be at least one aisle, of a width of not less than four feet in the clear throughout its entire length, leading to the exits; and no person shall be permitted to stand in, nor any obstruction be permitted in, any aisle or in the line of passage between an aisle and an exit. There shall be not more than six seats between any one seat and an aisle, nor more than fourteen seats between any two aisles, and all seats shall be securely fastened to the floor during all performances or entertainments. The word "Exit," in large, legible, illuminated letters shall be posted and kept posted at each and every exit; and all exits shall be equipped with approved panic bolts, shall open outward, and shall be kept unobstructed and ready for instant use from the opening of the said buildings to the close of each and every performance or entertainment therein.

Aisles.

No obstruction.

Seats.

Marking of exits.

Location of auditorium.

In all buildings hereafter erected or adapted for any of the purposes designated in this section, the auditorium shall not be located above or below the ground level. And any such auditorium or place of assembly, used for any of the purposes set forth in this section, shall conform to this provision on or before June first, one thousand nine hundred and twenty.

Section 3. That section three of said act, which reads as follows:—

Section 3, act of May 3, 1909, cited for amendment.

"Section 3. In addition to the foregoing means of escape from fire, all such buildings as are enumerated in section one of this act that are more than two stories in height, and buildings having one or more galleries above the first floor, shall have one or more fire-escapes on the outside of said buildings, as may be directed by the Chief Factory Inspector or a deputy factory inspector, except in such cases as he may deem such fire-escape to be unnecessary, in consequence of

adequate provision having been already made for safety in event of fire or panic; and in such cases of exemption, the said Chief Factory Inspector or a deputy factory inspector shall give the owner, lessee or occupant of said building a certificate to that effect and his reason therefor. And such fire-escapes as are provided for in this section shall be of wrought iron, constructed according to specifications to be issued or approved by the Department of Factory Inspection, and shall be connected with each floor above the first, firmly fastened and secured, and of sufficient strength to sustain a weight of not less than four hundred pounds per step, on a safety factor of four; each of which fire-escapes shall have landings or balconies at each story, capable of sustaining a weight of not less than eighty pounds per square foot, guarded by railings not less than three feet in height, and embracing one or more windows or doors at each story, and connecting with the interior by easily accessible and unobstructed openings; and all the balconies or landings shall be connected by external iron stairways, placed at a slant of not more than forty-five degrees, protected by well secured handrails; the stairway steps to be not less than six inches in width and twenty-four inches in length. Fire-escapes now in use and hereafter erected must be painted once a year, and be kept in safe condition and up to the standard requirements of this section," is hereby amended to read as follows:—

Section 3. In addition to the foregoing means of escape from fire, all such buildings as are enumerated in section one of this act that are more than two stories in height, and buildings having one or more galleries above the first or ground floor, shall have one or more fire-escapes, as may be directed by the Commissioner of Labor and Industry, or, under his instructions, by the Chief Inspector or an inspector of the Department of Labor and Industry. And such fire-escapes as are provided for in this section shall be constructed according to specifications to be issued or approved by the Department of Labor and Industry. Fire-escapes now in use and hereafter erected must be painted at least once a year, and be kept in safe condition and up to the standard requirements of this section.

Fire-escapes.

Section 4. That section four of said act, which reads as follows:—

"Section 4. That where any of the aforementioned buildings are so constructed that a fire-escape cannot be erected upon the same without trespassing upon the property of the owner or owners of adjoining lands or buildings, and where permission to erect fire-escapes has been refused by said owners of adjoining lands or

Approval.

Section 4, act of
May 3, 1909, cited
for amendment.

buildings, it shall be the duty of the owner or owners of any of the aforementioned buildings, constructed as aforesaid, to erect an internal fireproof means of escape, the same to be located and erected under the direction of the Chief Factory Inspector. Should the construction of any of the aforesaid buildings be such as will neither permit of an external iron fire-escape nor of an internal fireproof escape, it is hereby enjoined upon the Chief Factory Inspector to notify, in writing, the owner or owners of any building so constructed, to discontinue the occupancy of the whole or of a part of said building for any of the purposes which make said building amenable to the fire-escape provisions of this act," is hereby amended to read as follows:—

When fire-escapes cannot be erected.

Section 4. Where any of the aforementioned buildings are so constructed that a fire-escape cannot be erected upon the same without trespassing upon the property of the owner or owners of adjoining lands or buildings, or upon a public thoroughfare, and where permission to erect fire-escapes has been refused by the said owner or owners of adjoining lands or buildings, or by the municipal authorities of the municipality in which the said building is located, it shall be the duty of the owner or owners of any of the aforementioned buildings, constructed as aforesaid, to erect an internal fireproof means of escape, the same to be located and erected under the direction of the Commissioner of Labor and Industry, or, under his directions, by the Chief Inspector of the Department of Labor and Industry. Should the construction of any of the aforesaid buildings be such as will neither permit of an external iron fire-escape, nor of an internal fireproof escape, it is hereby enjoined upon the Commissioner of Labor and Industry to notify, in writing, the owner or owners of any building so constructed, to discontinue the occupancy of the whole or of a part of the said building for any of the purposes which make the said building amenable to the fire-escape provisions of this act.

Internal means of escape.

When neither can be established.

Notice to discontinue use.

Section 5. That section five of said act, which reads as follows:—

Section 5. act of May 3, 1909, cited for amendment.

"Section 5. To better secure compliance with the provisions of the foregoing sections of this act, the owner or owners of any building now used for other purposes than aforesaid, which is to be adapted to any of the aforesaid uses, or of any building to be erected for any of the aforesaid purposes, shall, before adapting or erecting any such building, submit to the Chief Factory Inspector architectural designs and specifications of such building, showing that compliance with the requirements of the foregoing sections

is provided for therein, and such building shall not be so adapted or erected without the approval of the Chief Factory Inspector," is hereby amended to read as follows:—

Section 5. The owner or owners, or his or their architect or contractor, of any building now used for other purposes than aforesaid, and which is to be adapted to any of the aforesaid uses, or of any building to be erected for any of the aforesaid purposes, shall, before adapting or erecting any such building, submit to the Department of Labor and Industry detailed architectural designs and specifications of such building, in duplicate, showing that compliance with the foregoing sections is provided for therein; and work on the adaption or erection of such building shall not be begun without the approval of the Commissioner of Labor and Industry, or, under his directions, by the Chief Inspector of the Department of Labor and Industry, or such other person or persons as he may appoint to perform such service: Provided, That the Industrial Board of the Department of Labor and Industry shall have the authority to make, amend, or repeal rules for the approval of such designs and specifications, and for carrying out the other provisions of this act: And provided, That the said Industrial Board shall have authority to receive and hear appeals of those affected by this act; and, after public hearing, may, in specific cases or classes of cases, make, amend, or repeal rules for the adoption of other methods than those herein specified, where, in its judgment, such order will to better advantage enforce the intent and purpose of this act.

Adapting or erecting of buildings.

Design and specifications shall be submitted.

Proviso.

Rules.

Proviso.

Appeals.

Section 6. That section six of said act, which reads as follows:—

"Section 6. The owner or owners of any of the buildings mentioned in the foregoing provisions of this act, who shall wilfully fail or refuse to comply with the provisions of this act, or who shall wilfully fail or refuse to observe the orders for the enforcement of this act, issued to said owner or owners by the Chief Factory Inspector or a deputy factory inspector, shall be deemed guilty of a misdemeanor, and, on conviction thereof, shall be punished by a fine of five hundred dollars, or six months' imprisonment, or either or both, in the discretion of the court. And in case of fire occurring in any of said buildings, in the absence of such doorways, landings, exits, fire-escapes, or fire preventives, as provided for in this act, the owner or owners aforesaid shall be liable for damages, in case of death or personal injury, the result of fire or panic in any of said buildings; and such action for damages may be maintained by any person now authorized by law to sue, as in other case of loss by death or injuries," is hereby amended to read as follows:—

Section 6, act of May 3, 1906, cited for amendment.

Failure or refusal
to comply.

Section 6. Any person who shall fail or refuse to comply with the provisions of this act, or who shall fail or refuse to observe orders for the enforcement of this act, issued by the Commissioner of Labor and Industry, or, under his directions, by the Chief Inspector or an inspector of the Department of Labor and Industry, or who shall hinder or delay any officer of the said department in the performance of duty in the enforcement of this act, shall, upon conviction thereof, be punished by a fine of not more than five hundred dollars (\$500.00), or not more than six months' imprisonment, or either or both, in the discretion of the court.

Penalty.

Prosecutions.

Prosecutions for violations of this act may be instituted by the Commissioner of Labor and Industry, or, under his directions, by any inspector of the Department of Labor and Industry, and shall be in the form of summary criminal proceedings instituted before a magistrate, alderman, or justice of the peace. Upon conviction, after a hearing, the sentences provided in this act shall be imposed, and shall be final unless an appeal be taken in the manner prescribed by law.

Fines.

All fines collected under this act shall be forwarded to the Commissioner of Labor and Industry, and by him paid into the State Treasury for the use of the Commonwealth.

Liability for
damages.

And in case of fire or panic occurring in any of the said buildings, in the absence of such doorways, landings, exits, fire-escapes, fire preventives, or other safeguards which it is the intent and purpose of this act to have provided, the owner or owners, aforesaid, shall be liable for damages, in case of death or personal injury, the result of fire or panic in any of said buildings; and such action for damages may be maintained by any person now authorized by law to sue, as in other case of loss by death or injuries.

Repeal.

Section 7. All acts or parts of acts inconsistent with this act are hereby repealed.

APPROVED—The 18th day of July, A. D. 1917.

MARTIN G. BRUMBAUGH.