

For More Info...

For more information on these laws and their application to properties inside the City of Morgantown, please contact the Morgantown Fire Department or Morgantown Code Enforcement Department.

389 Spruce Street
Morgantown, WV 26505
(304) 284-7480 (Fire Dept.)
(304) 284-7401 (Code Enforcement)

For information about carbon monoxide safety, please visit the following websites:

www.usfa.fema.gov/citizens/co/index.shtm
www.cpsc.gov/cpscpub/pubs/466.html



[CUSTOMER NAME]
[STREET ADDRESS]
[ADDRESS 2]
[CITY, ST ZIP CODE]

City of Morgantown
389 Spruce Street
Morgantown, WV 26505
Address Correction Required



New West Virginia Carbon Monoxide Detector Laws

Provided by the
Morgantown Fire
Department
and
Morgantown Code
Enforcement



Enforcement Begins March 1, 2013

Phone: (304) 284-7480 (Fire Dept.)
Web site: www.morgantownfd.org

Phone: (304) 284-7401 (Code Enforcement)
Web site: www.morgantownwv.gov



Dear Property Owner:

The West Virginia State Legislature passed Senate Bill 597 last session requiring single station carbon monoxide detectors in all apartment buildings, boarding houses, dormitories, long-term care facilities, adult or child care facilities, assisted living facilities, one-and-two family dwellings intended to be rented or leased, hotels, and motels where fuel burning appliances are permanently installed or other equipment exists that emits carbon monoxide as a by-product of combustion.

The City of Morgantown Fire Marshal's Office and Code Enforcement Department will begin to enforce the requirements of West Virginia Code §29-3-16a on March 1, 2013.

Property owners should be aware the state law is in effect as of September 1, 2012. The City of Morgantown just recently became aware of the new law, and is sending this notice to all registered property owners. We recommend that property owners begin to assess their residential units to determine compliance options.

§29-3-16a. Smoke detectors in one- and two-family dwellings; carbon monoxide detectors in residential units; penalty.

(f) An operational single station carbon monoxide detector with a suitable alarm or a combination smoke detector and carbon monoxide detector, which shall be alternating current (AC) powered, either plugged directly in to an electrical outlet that is not controlled by a switch or hardwired into an alternating current (AC) electrical source, with battery back up, and be installed, maintained, tested, repaired or replaced, if necessary, in accordance with the manufacturer's direction:

(1) In any newly constructed residential unit which has a fuel-burning heating or cooking source including, but not limited to, an oil or gas furnace or stove;

(2) In any residential unit which is connected to a newly constructed building, including, but not limited to, a garage, storage shed or barn, which has a fuel-burning heating or cooking source, including, but not limited to, an oil or gas furnace or stove;

(3) **Effective September 1, 2012**, in either a common area where the general public has access or all rooms in which a person will be sleeping that are adjoining to and being directly below and above all areas or rooms that contain permanently installed fuel-burning appliances and equipment that emit carbon monoxide as a byproduct of combustion located within all apartment buildings, boarding houses, dormitories, long-term care facilities, adult or child care facilities, assisted living facilities, one- and two- family dwellings intended to be rented or leased, hotels and motels.

(g) **Effective January 1, 2013**, all single station carbon monoxide detectors with a suitable alarm or a combination smoke detector and carbon monoxide detectors shall be hardwired into an alternating current (AC) electrical source, with battery backup, when installed in all newly constructed apartment buildings, boarding houses, dormitories, hospitals, long-term care facilities, adult or child care facilities, assisted living facilities, one- and two-family dwellings intended to be rented or leased, hotels and motels.

(h) In any long-term care facility that is staffed on a twenty-four hour, seven day a week basis, the single station carbon monoxide detector with a suitable alarm or a combination smoke detector and carbon monoxide detector shall only be required to be installed in an area of the facility that permits the detector to be audible to the staff on duty.

(i) Any person installing a carbon monoxide detector in a residential unit shall inform the owner, lessor or the occupant or occupants of the residential unit of the dangers of carbon monoxide poisoning and instructions on the operation of the carbon monoxide detector installed.

(j) When repair or maintenance work is undertaken on a fuel-burning heating or cooking source or a venting system in an existing residential unit, the person making the repair or performing the maintenance shall inform the owner, lessor or the occupant or occupants of the unit being served by the fuel-burning heating or cooking source or venting system of the dangers of carbon monoxide poisoning and recommend the installation of a carbon monoxide detector.

(k) Any person who violates any provision of this section is guilty of a misdemeanor and, upon conviction thereof, for a first offense, shall be fined \$250. For a second offense, the person is guilty of a misdemeanor and, upon conviction thereof, shall be fined \$750. For a third and subsequent offenses, the person is guilty of a misdemeanor and, upon conviction thereof, shall be fined \$2000.

(l) A violation of this section may not be considered by virtue of the violation to constitute evidence of negligence or contributory negligence or comparative negligence in any civil action or proceeding for damages.

(m) A violation of this section may not constitute a defense in any civil action or proceeding involving any insurance policy.

(n) Nothing in this section shall be construed to limit the rights of any political subdivision in this state to enact laws imposing upon owners of any dwelling or other building described in subsection (a) or (f) of this section a greater duty with regard to the installation, repair and replacement of the smoke detectors or carbon monoxide detectors than is required by this section.