



Revised Statutes Annotated of the State of New Hampshire [Currentness](#)

Title XII. Public Safety and Welfare ([Refs & Annos](#))

[Chapter 153](#). State Board of Fire Control ([Refs & Annos](#))

<[RSA 153:10-a effective January 1, 2010; see also RSA 153:10-a-effective until January 1, 2010.]>

→ 153:10-a Automatic Fire Warning Devices and Carbon Monoxide Detection Devices in Dwellings.

I. Each unit contained in a multi-unit dwelling shall be equipped with automatic fire warning devices and carbon monoxide detection devices. On every floor level and in each common stairway and in each common hallway of a multi-unit dwelling, there shall be an automatic fire warning device and carbon monoxide detection device.

II. Every single family dwelling which is built or substantially rehabilitated after January 1, 2010, shall be equipped with an automatic fire warning device and a carbon monoxide detection device.

II-a. Every rental unit as defined in [RSA 153:1](#), IX-a shall be equipped with at least one automatic fire warning device and one carbon monoxide detection device. An automatic fire warning device shall be located in each hallway or area which is adjacent to a sleeping area. The provisions of this paragraph shall be in addition to any requirements under paragraph II. The owner of the rental unit shall be responsible for maintaining the automatic fire warning device and carbon monoxide detection device in a suitable condition.

III. The state fire marshal may adopt such rules pursuant to RSA 541-A as necessary to enforce paragraphs I, II, and II-a. The state fire marshal shall either enforce the provisions of this section or appoint the appropriate municipal authority to enforce the provisions of this section.

IV. Any party aggrieved by the state fire marshal's interpretation, order, requirement, or direction under the provisions of this section may, within 45 days after the service of notice, appeal to the supreme court under RSA 541.

V. The state fire marshal may grant authority in writing to local fire authorities to issue citations for violations of fire safety rules adopted under RSA 153:10-a and [RSA 153:10-b](#). A citation for violations issued under this paragraph shall carry the penalty set forth in [RSA 153:24](#).

VI. Any ordinance or bylaw enacted by a city, town, village district, or precinct, or any rule or regulation adopted for licensure by a governmental agency which contains more stringent requirements than the provisions of this section shall not be made void by this section and shall remain in full force and effect.

VII. Whenever the enforcement authority observes a violation of this section, he or she shall prepare a written notice of violation describing the substandard condition and specifying a time limit for the elimination of the violation. The written notice of violation shall be served by the enforcement authority or the authority's designee upon the owner or the owner's duly authorized agent or upon the occupant or other person responsible for the violation. Such notice of violation shall be served either by certified mail to the last known post office address or by delivering it personally to such person or persons.

HISTORY

Source. 1979, 480:1. 1981, 497:2. 1983, 446:2; 450:2. 1985, 347:9. 1986, 14:3; 102:4, eff. July 18, 1986. 2009, 46:1, eff. Jan. 1, 2010.

Amendments--2009. Substituted “Automatic Fire Warning Devices and Carbon Monoxide Detection Devices in Dwellings” for “Fire Protection and Warning Devices in Multi-Family Dwellings” in the section catchline.

Paragraph I: Inserted “and carbon monoxide detection devices” following “devices” in the first sentence and substituted “fire warning device and carbon monoxide detection device” for “warning device” in the second sentence.

Paragraph II: Substituted “2010” for “1982” and added “and a carbon monoxide detection device” following “device”.

Paragraph II-a: Inserted “and one carbon monoxide detection device” following “warning device” in the first and fourth sentences.

Paragraph III: Deleted “he thinks are” following “541-A as” and substituted “I, II, and II-a. The state fire marshal” for “I and II. He”.

Paragraph VII: Inserted “or she” following “section, he” in the first sentence and substituted “the authority's” for “his” and “the owner's” for “his” in the second sentence.

--**1986.** Chapter 14 rewrote the section catchline, deleted former par. I-a, and rewrote par. V.

Chapter 102 added par. VII.

--**1985.** Paragraph I-a: Added.

--1983. Paragraph I: Amended generally by ch. 450.

Paragraph II: Chapter 450 deleted “or single family dwelling unit within a multiple family dwelling” following “single family dwelling” and substituted “device” for “system” following “fire warning”.

Paragraph II-a: Added by ch. 446.

Paragraph V: Chapter 450 substituted “subject to a reasonable penalty as determined by the state fire marshal” for “guilty of a violation” following “shall be”.

Paragraph VI: Added by ch. 450.

--1981. Substituted “rehabilitated” for “altered” following “substantially” in the first sentence and deleted the second sentence in par. I, added a new par. II, redesignated former par. II as par. III, rewrote the first sentence and added the second sentence in that paragraph, redesignated former par. III as par. IV and deleted “thereof” following “notice” and substituted “under” for “pursuant to” preceding “RSA 541” in that paragraph, and redesignated former par. IV as par. V and substituted “adopted under it” for “promulgated thereunder” following “rules” in that paragraph.


CROSS REFERENCES

Establishment of procedure for issuance of warnings and citations generally, see [RSA 47:17](#).

Fire safety standards for community living facilities, see [RSA 126-A:21](#).

LIBRARY REFERENCES

West Key Number

Health and Environment  32.

[Landlord and Tenant](#)  164(1).

Westlaw Topic

Westlaw Topic Nos. 199, [233](#).

CJS

[C.J.S. Health and Environment §§ 28 to 36, 52](#).

[C.J.S. Landlord and Tenant § 417](#).

ANNOTATIONS

Noncompliance 1

1. Noncompliance

This section, requiring that landlords equip, locate, and maintain fire warning devices in rental units, constitutes a standard of conduct for landlords and efforts that fall short of compliance with this section violate this standard, regardless of whether such efforts were reasonable. [Broderick v. Watts \(1992\) 136 N.H. 153, 614 A.2d 600.](#)

N.H. Rev. Stat. § 153:10-a, NH ST § 153:10-a

Updated with laws currently effective July 14, 2009 through Chapter 148 of the 2009 Reg. Sess., not including changes and corrections made by the State of New Hampshire, Office of Legislative Services

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