

C

West's Alaska Statutes Annotated [Currentness](#)

Title 18. Health, Safety, and Housing

▢ [Chapter 70](#). Fire Protection

▢ [Article 1](#). Prevention and Investigation ([Refs & Annos](#))

→ **§ 18.70.095. Smoke and carbon monoxide detection devices**

(a) Smoke detection devices shall be installed and maintained in all dwelling units in the state, and carbon monoxide detection devices shall be installed and maintained in all qualifying dwelling units in the state. The smoke detection devices must be of a type and shall be installed in a manner approved by the state fire marshal. The carbon monoxide detection devices must have an alarm and shall be installed and maintained according to manufacturers' recommendations.

(b) In a dwelling unit occupied under the terms of a rental agreement or under a month-to-month tenancy,

(1) at the time of each occupancy, the landlord shall provide smoke detection devices and, if the dwelling unit is a qualifying dwelling unit, carbon monoxide detection devices; the devices must be in working condition, and, after notification of any deficiencies by the tenant, the landlord shall be responsible for repair or replacement; and

(2) the tenant shall keep the devices in working condition by keeping charged batteries in battery-operated devices, if possible, by testing the devices periodically, if possible, and by refraining from permanently disabling the devices.

(c) If a landlord did not know and had not been notified of the need to repair or replace a smoke detection device or a carbon monoxide detection device, the landlord's failure to repair or replace the device may not be considered as evidence of negligence in a subsequent civil action arising from death, property loss, or personal injury.

(d) In this section,

(1) "dwelling unit" has the meaning given in [AS 34.03.360](#);

(2) "landlord" has the meaning given in [AS 34.03.360](#);

(3) “qualifying dwelling unit” means a dwelling unit that

(A) contains or is serviced by a carbon-based-fueled appliance or device that produces by-products of combustion;

(B) has an attached garage or carport; or

(C) is adjacent to a parking space;

(4) “rental agreement” has the meaning given in [AS 34.03.360](#);

(5) “tenant” has the meaning given in [AS 34.03.360](#).

CREDIT(S)

SLA 1975, ch. 148, § 1; SLA 1988, ch. 129, §§ 1, 2; [SLA 2004, ch. 60, §§ 1--4](#).

LIBRARY REFERENCES

[Health](#) 🔑 391, 393.

Westlaw Key Number Searches: 198Hk391; 198Hk393.

[C.J.S. Health and Environment](#) §§ 35, 51 to 64.

NOTES OF DECISIONS

Construction and application 1

1. Construction and application

Statutory provision for smoke detectors in motels is not a sufficient norm to supersede all others, even if under the Uniform Building Code smoke detectors alone or in combination with other devices might have been a sufficient substitute for one-hour fire-resistant construction of motel wherein fatal fire occurred. AS 18.70.095.

[Northern Lights Motel, Inc. v. Sweaney, 1977, 561 P.2d 1176, on rehearing 563 P.2d 256. Innkeepers](#) 🔑 10.28

AS § 18.70.095, AK ST § 18.70.095

Current through legislation effective June 26, 2009 passed during the 1st Reg. Sess. of the 26th Legislature (2009).

(c) 2009 Thomson Reuters

END OF DOCUMENT