

Nixon Proposed Amendments:

Amendment #1: Amend Section 706.2.1.1 Detector locations:

“Carbon monoxide detectors shall be installed in the following locations:

1. In the immediate vicinity of all fossil fuel burning ~~appliances~~ heater or fireplaces.
2. In the vicinity of all sleep rooms or areas.
3. ~~In attached garages and within the immediate vicinity of the interior door to the attached garage on the residence side of door.~~
4. ~~In the immediate vicinity of any other appliance or device that may produce carbon monoxide.”~~

Rationale: *By amending #1 and eliminating #3 and #4 it brings the language in the ordinance to match up with the language in the Carbon Monoxide Standards Alarm Act.*

Amendment #2: Amend Section 706.2.5.1 Owner’s Responsibilities

Owner’s responsibilities. The owner of a tenant occupied residential dwelling shall:

1. Install approved and operating carbon monoxide detectors in accordance with this section.
 2. Ensure that carbon monoxide detectors are installed and operating in accordance with this section prior to the commencement of new occupancy of the dwelling.
 3. Instruct each new tenant on the operation, testing and battery replacement of the carbon monoxide detectors within the dwelling.
 4. ~~Replace any required carbon monoxide detector that is defective and or malfunctioning except in such cases where the defect or malfunction is caused by the tenant.~~
 4. Not be responsible for the maintenance, repair or replacement of an approved carbon monoxide alarm or the care and replacement of batteries while the building is occupied.
- Responsibility for maintenance and repair of carbon monoxide alarms shall revert to the owner of the building upon vacancy of the rental property.

Rationale: *By amending #4 it brings the language in the ordinance to match the language in the Carbon Monoxide Standards Alarm Act which clearly states maintenance, repair and replacement is the responsibility of tenant when the property is occupied.*

This amendment was withdrawn by Nixon

Amendment #3: Amend section 706.2.5.2 Tenant’s responsibilities

Tenant’s responsibilities. The tenant of every dwelling unit shall:

1. Keep and maintain carbon monoxide detectors in good repair.
2. Test each carbon monoxide detector in accordance with the manufacturer’s recommendations and the requirements of this section.
3. Immediately replace any carbon monoxide detector that is stolen, removed or rendered inoperable or ineffective due to willful or negligent damage.
4. Immediately notify the owner in writing of any missing, defective or malfunctioning carbon monoxide detector(s).
5. Replace batteries as needed.
6. Pay for any re-inspection fee or fines issued by the City of York as a result of tenant’s failure to uphold their responsibilities in this section.

Rationale: *By adding #5 it makes it crystal clear that the tenant is responsible for replacing the batteries as it states in the Carbon Monoxide Alarm Standards Act.*

By adding #6 it clears up any confusion as to who is responsible for payment of fines and re-inspection fees that resulted because of the tenant’s failure to uphold their responsibilities in ensuring their own safety.