

**Ceres Department of Public Safety
Emergency Services Division**

**Information Bulletin on
Residential Smoke Detectors**

This bulletin serves as a summary of the California State Laws related to the installation of Smoke Detectors in RESIDENTIAL OCCUPANCIES and it should NOT be used as the basis for any legal action. For the full text of the California State Laws related to the installation of Smoke Detectors in Residential Occupancies, visit <http://www.leginfo.ca.gov/calaw.html>.

DWELLINGS OFFERED FOR RENT (House/Apartment/Condominium)

California Health & Safety Code Section 13113.7 requires that the owner of all dwelling units offered for rent to provide operable smoke detector(s) at the time the tenant (s) take possession of the dwelling unit. Section 13113.7 also requires the owner to maintain smoke detector(s) in an operable condition, and allows the owner or authorized agent to enter the dwelling unit (With a minimum of 24 hours prior written notice) to inspect, replace, or repair smoke detector(s). **This Section also requires the tenant to immediately notify the owner or the owner's authorized agent when the smoke detector(s) are not working.** Smoke detectors may be electric (Hard-wired) or battery powered. The minimum requirement for smoke detectors is:

- a. One smoke detector in each sleeping room.
- b. One smoke detector in the hallway outside of the sleeping rooms.
- c. If the dwelling is multi-story or multi-level, there shall be at least one smoke detector on each floor.

Failure to comply with this requirement may result in a fine of \$ 500.00 per violation/per day.

California Penal Code Section 148.4 makes it a crime for any person to tamper with fire protection equipment. Disconnecting a smoke detector, removing the battery from a smoke detector, or removing the smoke detector is a violation of California Penal Code Section 148.4 and is **punishable by a fine of up to \$ 1,000.00, and up to six (6) months in jail.**

OWNER-OCCUPIED DWELLINGS

California State Health & Safety Code Section 13113.8 requires that all single-family residences sold after January 1, 1996 shall have smoke detectors. The seller is responsible for providing the buyer or the buyer's agent with a written statement indicating the residence in equipped with operating smoke detectors at the time of sale. The minimum requirement for smoke detectors is:

- a. One smoke detector in each sleeping room.
- b. One smoke detector in the hallway outside of the sleeping rooms.
- c. If the home is multi-story or multi-level, there shall be at least one smoke detector on each floor level.
- d. Smoke detectors may be electric (Hard-wired) or battery powered.

* The term "Sold" indicates transfer of ownership in any form. (Sale, donation, transfer, trade, gift, etc...)