

BILL NO. 31-0178

Thirty-first Legislature of the Virgin Islands

August 17, 2015

An Act amending title 23 Virgin Islands Code, chapter 9, section 605 to provide for the determination of occupant load factor for public buildings and the posting of signage indicating their occupant load factor

PROPOSED BY: Senator Justin Harrigan, Sr.

1 *Be it enacted by the Legislature of the Virgin Islands:*

2 **SECTION 1.** Title 23 Virgin Islands Code, chapter 9, section 605 is amended as
3 follows:

4 (a) subsection (a) is amended by inserting “to determine the load occupant factor”;
5 after “hazard,”; and

6 (b) By redesignating subsections (d) and (e) as subsections (f) and (g),
7 respectively and redesignating the remaining subsections accordingly and by
8 adding new subsections (d) and (e) to read:

9 “(d) The Director shall notify the owner or the lessee of a public building in
10 writing of the building’s occupant load factor and not later than 90 days after the
11 notification, the owner or the lessee shall post signage at the entrance of the building and
12 in other conspicuous places stating the occupant load capacity of the building. Failure of

1 a lessee or owner to post the occupant load factor signs subjects him to the penalties
2 provided for in section 610 of this title.

3 (e) As used in sections 603 and 605(c), “public building,” “places of public
4 assembly,” and “enclosed areas for public assembly” mean any portion of any place in
5 which the public is invited or permitted, regardless of whether that place is owned in whole
6 or in part by, rented or leased by private persons, or entities, the Government of the Virgin
7 Islands, agencies or instrumentalities of the Government of the Virgin Islands, regardless
8 of whether a fee is charged for admission, to include, but is not limited to: the enclosed
9 portions of restaurants and eat-in establishments; bars, taverns, clubs, lounges, and cabaret;
10 resorts, guesthouses and inns; laundromats; malls, shopping centers, retail stores and
11 service establishments; financial institutions; healthcare facilities; nursing homes;
12 auditoriums; galleries; museums; arenas; theaters; bowling alleys; skating rinks and other
13 indoor recreational facilities; hospices, and adult and child daycare facilities and other
14 enclosed places of public assembly.”

15 **SECTION 2.** Not later than 90 days after the effective date of this Act, the Director
16 of Fire Services shall have completed the determination of the occupant load factor and
17 notified the owner or lessees of the occupant load factor for all the buildings identified in
18 Section 1.

19 **BILL SUMMARY**

20 Section 1 of this bill amends title 23Virgin Islands Code, chapter 9, section 605 to
21 provide that the Director of the Virgin Islands Fires Services shall determine the occupant
22 load factor for all public buildings, places of assembly and enclosed areas for public
23 assembly in the Virgin Islands and notify the owners and lessee of the occupant load factor.
24 It also provides that the owner or lessee must post signage advising of the occupant load
25 factor not later than 90 days after receiving notice of the building’s occupant load factor.
26 It also provides for penalties for failure to comply with the provision.

1 Sections 2 provides that the Director of Fire Services must make the determination
2 of the occupant load factor and notified the owner or lessees of the occupant load factor for
3 all buildings within 90 days after the effective date of the Act.

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10 **BR15-0497/August 25, 2015/SLR**

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