

PERTINENT SECTIONS OF THE MUNICIPAL CODE OF
CHICAGO RELATING TO BUILDINGS AND FIRE PREVENTION.

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54-c. Every Assembly Unit shall have frontage upon one or more open spaces consisting of streets not less than thirty feet wide or public alleys or other open spaces not less than ten feet wide which lead directly to a street. Frontage requirements shall be determined according to capacity- and shall comply with the requirements established in Table 54-3.

TABLE 54-3. FRONTAGE REQUIRED FOR ASSEMBLY UNITS.

Capacity		Frontage	
Type I Schools	Other Assembly Units	On Street	On Street or Other Open Space
501 or less	200 or less	One side
501 to 1000	200 to 800	One side	One Side
1001 to 2500	More than 800	One side	Two Sides
More than 2500	Two sides	One Side
	Three sides	One Side

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54-5. (a) The floor construction and enclosing partitions of assembly rooms having a capacity exceeding 300 persons shall be of construction providing fire resistance of not less than two hours.

(b) The floor construction and enclosing partitions of assembly rooms having a capacity not exceeding 300 persons shall be of construction providing fire resistance of not less than one hour.

(c) Partitions, floor constructions and ceiling construction enclosing all public corridors of Assembly Units shall be of construction providing fire resistance of not less than one hour.

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54-8. Every room or space in an Assembly Unit shall comply with the applicable requirements of chapter 67 and -with the special exit requirements of sections 54-8.1 to 54-8.12, inclusive:

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54-8.1. The minimum number of exits from every room, space or seating level in Assembly Units shall be not less than the following:

Capacity	Minimum Number of Exits
50 or less	1
51 to 300	2
301 to 1,000	3
More than 1,000	4

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54-8.2. (a) Schools.

The capacity of exits in schools shall be computed as follows:

- (1) Stairs and other vertical exits:
100 persons per unit of exit width.
- (2) Doorways, corridors and horizontal exit connections:
115 persons per unit of exit width.

When lockers are installed in corridors of schools, the full required clear width of the corridor shall be provided between locker doors when open.

(b) Assembly Units other than Schools.

The capacity of exits in Assembly Units other than schools shall be computed as follows:

- (1) Stairs and other vertical exits:
60 persons per unit of exit width.
- (2) Doorways, corridors and horizontal exit connections:
90 persons per unit of exit width.

Doors located at the end of an aisle and serving only that aisle shall not be required to have a width greater than the width of the aisle as provided in section 54-8.7.

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54-8.5. Every exterior exit of an Assembly Unit shall open directly to a public way or to an exit court or exit passageway complying with the following requirements:

(a) Construction of Exit Courts. The walls of every exit court shall be of construction providing fire resistance of not less than three hours. No door openings shall be permitted in any wall of such court except the exit doors from the Assembly Unit. Such door openings shall be protected with Class D or Class E fire doors. Every window opening in the walls of an exit court located below a level thirty feet above the top of the highest exit doorway shall be protected with a fire window or other approved opening protective assembly complying with the requirements of chapter 65.

(b) Construction of Exit Passageways, Every exit passageway shall be separated from other portions of the building by walls, floors and ceilings providing fire resistance of not less than three hours. There shall be no openings through such separation other than the required exit doors leading thereto.

(c) Width of Exit Courts and Exit Passageways. The minimum width of an exit court or exit passageway shall be not less than five feet, six inches. Such width shall be increased where necessary to provide a clear width at every point equal to twenty-two inches for each 90 persons served. Such increase in width shall be cumulative in the direction of exit,

(d) Ramps. Differences in level in exit courts and exit passageways shall be accommodated by ramps having a grade of not more than one in eight.

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54-8.7. All aisles and seating in Assembly Units shall comply with the requirements of this section.

(a) Arrangement of Aisles. Every aisle shall lead to an exit door or to another aisle leading directly to an exit.

(b) Seating. No row of seats shall have more than fourteen seats between aisles and not more than seven seats abutting an aisle at one end only, with the following exceptions:

- (1) In Assembly Units of Type I-A or I-B construction, other than theaters, there may be not more than twenty seats between aisles and not more than ten seats abutting an aisle at one end only.
- (2) When the distance between rows of seats is increased above that required by paragraph 54-8.7(e), the number of seats between aisles may be increased by one seat for each inch that such distance is increased; provided, however, that in no case shall there be more than ten seats in a row abutting an aisle on one end only.
- (3) When the distance between rows of seats is increased above that required in paragraph 54-8.7(e), by an amount of eight inches, rows not exceeding forty-eight seats between aisles shall be permitted.

(c) Transverse Aisles.

- (1) Transverse aisles leading to exits shall be provided at the rear of every seating level unless there are exits at the end of each longitudinal aisle.

- (2) Transverse aisles shall be provided in all seating levels so that in no case shall there be a difference of level exceeding twelve feet between intermediate aisles nor six feet from the lowest seat platform and a transverse aisle; provided, however, that in lieu of such transverse aisles there may be vomitories or other direct exits from each longitudinal aisle located at the same maximum difference of level.

(d) Width of Aisles.

- (1) No aisle shall be less than thirty-six inches in width except that aisles with seats on one side only, and aisles serving not more than sixty seats, may have a minimum width of thirty inches.
- (2) Transverse aisles shall have a minimum width of forty-four inches.
- (3) Aisles shall be increased in width where necessary to provide a clear width at every point equal to eighteen inches for each 100 persons served. Such increase shall be cumulative in the direction of normal exit.

(e) Spacing of Rows.

- (1) Rows of seats without backs shall be not less than twenty-eight inches apart measured from corresponding points of adjacent rows.
- (2) Rows of seats with backs shall be spaced not less than thirty-four inches apart, measured back to back except that such distance may be reduced to thirty-two inches when the thickness of the back does not exceed three-fourths inch.

54-8.7(e) (1). By adding a new sentence to read as follows:

- (1) Rows of seats without backs shall be not less than twenty-eight inches apart measured from corresponding points of adjacent rows. Telescoping bleachers without backs shall be not less than twenty-four inches apart measured from corresponding points of adjacent rows.
(Amend. 5-28-58, Coun. J. p. 7799)

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90-4. Any building, structure, enclosure, place or premises, perilous to life or property by reason of the construction of such building or structure or by reason of the condition or quantity of its contents, or the use of the building or its contents, or the use of the enclosure or the overcrowding at any time of persons therein, or by reason of deficiencies in such fire alarm or fire prevention equipment, as may be required by the fire regulations of this code, or where conditions

exist which would hamper or impede the fire department in combating a fire in or on the building, is hereby declared to be a nuisance and the division marshal in charge of the bureau of fire prevention is empowered and directed to cause any such nuisance to be abated.

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90-10.2. A Class II standard fire alarm system shall be installed:

(a) In every institutional building more than two stories in height and in every two-story institutional building which has a floor area in excess of eight thousand square feet.

(b) In every school over one story in height which has over one hundred students.

(c) In every Class I hotel which has sleeping accommodations for over one hundred persons. (Revised. Coun. J. 3-16-55, P. 9645.)

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90-13. Instruction cards describing in detail the code employed and specifying the exit or exits to be used in any emergency shall be posed in conspicuous locations in buildings equipped with a Class II or Class III standard fire alarm system, as follows:

(a) In institutional buildings: At each sending station, at the head nurse's desk on each floor, at the telephone switchboard, in the general office, engine room and in rooms where attendants work or assemble.

(b) In schools: At each sending station, in the auditorium, engine room and general office.

(c) In Class I hotels: At each sending station at the switchboard, in the office, engine room, work rooms and in public assembly rooms, (Revised. Coun. J 3-16-55, P. 9645.)

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90-14. (a) Before work is begun on the installation or extension of a fire alarm system, complete plans and specifications of the proposed installation shall be submitted to the bureau of fire prevention and the bureau of electrical inspection for examination and approval. The provisions of chapter 64 requiring the installation of fire alarm systems are hereby declared retrospective as well as prospective and shall apply to both existing buildings and buildings hereafter constructed, altered or converted.

(b) The standard fire alarm system shall be a closed circuit system of a type approved by the bureau of electrical inspection and the bureau of fire prevention,

(c) Source of Supply, All standard fire alarm systems shall be energized and actuated by electrical current from not less than a 115 and 230 volt service. The fire alarm circuit and the supervisory circuit shall be supplied directly with 115 volts. There shall be no transformer. (Revised. Coun. J. 3-16-55, P. 9645.)

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90-15. The supervising circuit shall be provided with a trouble bell arranged to ring continuously in case of energy failure, an open circuit or a ground in the fire alarm circuit. The trouble bell shall be located so that, in the opinion of the division marshal in charge of fire prevention, it will be within audible range of some responsible person in the building. The trouble bell circuit shall be provided with a silencing switch in such a manner that the act of silencing the bell by the operation of the switch automatically and positively transfers the trouble bell to a red lamp near the trouble bell. Immediately adjoining such trouble bell there shall be a sign with the words "Fire Alarm System Trouble Bell" in 1/4 inch black letters, (Revised. Coun. J. 3-16-55, p. 9645.)

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90-16. (a) All electrical wiring, devices and equipment shall comply with the provisions of chapters 86, 87, 88 and with the special requirements in section 88-725.45.

(b) The current used for electrical supervision shall be sufficient to retain in normal condition all relays and other devices in a positive and reliable manner with a suitable factor of safety and to prevent the derangement by jars, shocks or vibrations.

(c) All devices shall be so located and mounted that accidental operation shall not be caused by vibration or jarring.

(d) Any fire alarm system which fails to function properly shall be repaired and placed in good operating condition within 24 hours. (Revised. Coun. J. 3-16-55, P. 9645.)

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90-17. It shall be the duty of every owner, manager or person in control of any church, school, theatre, hospital, hotel, department store, public assembly unit, institutional building or building used for a nursery, hospital, infirmary, asylum,

or home for aged, blind, insane or dependent persons, to summon the Chicago fire department immediately upon the discovery of fire in any such building. (Revised. Coun. J. 3-16-55, P. 9645; amend. 10-17-56, p. 3370.)

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90-22. Extinguishers shall be inspected annually, shall be recharged as specified in aforesaid Pamphlet No. 10, and maintained in good condition and ready for immediate use at all times. Every such fire extinguisher which employs a cylinder shell at a static or working pressure in excess of 100 pounds per square inch shall be subjected to a hydrostatic pressure test five years after the date of manufacture and every five years thereafter as prescribed in said Pamphlet No. 10. (Amended. Coun. J. 3-14-57, p. 4440.)

90-22.1. Every standard fire extinguisher shall have attached thereto a tag which clearly indicates the dates of inspection and recharging, the signature of the person performing the work, and the license number of the service man. The color and form of the tag shall be determined by the division marshal in charge of fire prevention; provided, however, that the color used for any one year shall be different from the color used for the previous year. The tag shall have clearly imprinted thereon in numerals no less than 1/2 inch in height the year for which it is issued.

Every such fire extinguisher which has passed the hydrostatic pressure test as herein required shall be provided with a metal label or tag as prescribed in Pamphlet No. 10 entitled "Standards for the Installation, Maintenance and Use of First Aid Fire Appliances" published by the National Fire Protection Association in June, 1956, as amended. (Passed. Coun. J. 3-14-57, P. 4440.)

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90-24. Except as otherwise herein specifically provided, the floor of every room used for the manufacture or sale of flammable articles or merchandise, or upon which there accumulates any amount of flammable waste material, or waste material tending to produce spontaneous combustion, shall be thoroughly cleaned and all such waste material shall be removed therefrom at least once every twenty-four hours.

All such material shall be either destroyed as soon as removed, as required by this section, or it may be kept in a room, the construction and location of which shall be subject to the approval of the division marshal in charge of the bureau of

fire prevention, and in such case all such material shall be removed from such room and from the building in which such room is located at least once a week.

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90-25. Oily rags and waste shall be kept during the day in approved waste cans of heavy galvanised iron, having four inch legs and self-closing covers and shall be removed from the building each night.

Rubbish shall not be allowed to accumulate in any part of any building, nor outside of and adjacent to any buildings and especial care shall be paid to air, elevator and air shafts, under benches in closets, in dark and out-of-the-way places around electric machinery, steam pipes and in premises and buildings in which oils are stored or used.

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90-44. (a) In every theater, public assembly unit or open air assembly unit and in every room or in any portion of such units which is used as a place of assembly there shall be conspicuously posted signs indicating the number of persons who may legally occupy such rooms and space. Such signs shall read as follows:

OCCUPANCY BY
MORE THAN
.... PERSONS
IS DANGEROUS
AND UNLAWFUL

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Commissioner of Buildings
City of Chicago

(b) Such signs shall be furnished by the department of buildings and shall be fifteen inches in width by twelve inches in height. The lettering thereon indicating the lawful occupancy shall be of bold gothic type in red on a background of white, shall not be less than one inch in height and the numerals shall be one and one-quarter inches in height, and such lettering and numerals shall be properly spaced to provide good visibility. The fee for each such sign so issued shall be ten dollars.

(c) Such signs shall be illuminated, shall be durable, and shall be substantially secured to wall or partition.

(d) Such sign shall be located at the main entrance to such space or room so as to be conspicuously visible to a person

entering such space or room. (Amend. Coun. J. 3-13-45, p. 3152; 11-30-53, P. 6100.)

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90-44.1. The number of persons permitted to occupy theaters, public assembly units and open air assembly units shall be as approved by the department of buildings and shall be in conformity with the provisions of chapter 48. (Added. Coun, J. 3-13-45, P. 3152; amend. 5-21-52, p. 2421.)

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OBSTRUCTING EXITS OR OPEN AREAS

90-47. It shall be unlawful to lock or fasten any door or other means of exit from any building, room or space where persons are gathered for any other than domestic purpose, during any of the time in which such space is so occupied, in any manner such as will not permit immediate opening from within of such means of exit without the use of a key and without special knowledge.

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90-48. No person shall at any time place an encumbrance of any kind whatsoever before or upon any fire escape, balcony or ladder intended as a means of escape from fire. It shall be the duty of every member of the police and fire departments, who shall discover any fire escapes encumbered in any manner, to report forthwith to the bureau of fire prevention and the said bureau shall immediately notify the owner and the tenant to remove such encumbrances.

It shall be unlawful for any person to place, store or keep, or permit to be placed, stored or kept under or at the bottom of any stairway, inside or outside, elevator or other shaft in any building, any combustible or flammable materials, fluids, or compounds, nor shall any such combustible or flammable materials be placed or stored or kept in any place where ignition or burning would obstruct or render hazardous, egress from a building. No obstruction shall be permitted in hallways of tenement houses or apartment houses.

All required width of doors, aisles and passageways within and leading into or out of theaters, churches and all other places of public assemblage shall be kept free from easels, signs, standards, campstools, chairs, sofas, benches and any other article which would obstruct the required width of exit or delay the exit of the audience, congregation or assemblage during the entire time during which any show, performance, service, exhibition, lecture, concert, ball or other assemblage

may be held, and it shall be unlawful for any person to sit or stand or remain seated or standing, or to allow any other person so to remain in any such place of public assemblage in any aisle under any circumstances, or in any exit or passage required for the safe exit of the assemblage. Clear passage from all exits and on all sidewalks must at all times be maintained outside of all theaters and other places of public assemblage.

No aisle, passageway or stairway In any store shall be obstructed with tables, show cases, or other obstruction during hours said store is open to the public.

It shall be the duty of the commissioner of police to render assistance in the enforcement of the provisions of this section, and to direct and require police officers to enter all places of public assemblage for such purpose.

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90-49. Spaces required as safety clearances shall be maintained free of obstruction and encumbrance by any combustible material.

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SMOKING RESTRICTIONS

90-62. Smoking or the carrying of a lighted cigar, pipe or cigarette is prohibited:

- (a) In every hazardous use room, building or premises;
- (b) In every institutional building except in the administration office on the first floor and in rooms designated as smoking rooms;
- (c) In every theater except in rooms designated as smoking rooms;
- (d) In every church, school, garage or hangar;
- (e) In every building or premises occupied as a circus, stock show, or horse show; also in every public assembly unit where the combustible nature and quantity of contents are, in the opinion of the division marshal in charge of fire prevention, hazardous to life and property from fire.

(Amend. Coun. J. 6-22-49, p. 4454.)

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90-63. Standard "No Smoking" signs shall be conspicuously posted in every room, building or premises where smoking is prohibited. A standard "No Smoking" sign shall have a white field with the words -"No Smoking" printed in red letters four inches high with one-half inch face. (Amend. Coun. J. 6-22-49, P. 4454.)

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41-6. It shall be the duty of the commissioner of buildings to cause an investigation to be made of all complaints made to the department which come within its jurisdiction. A record of such investigation shall be kept on file together with the reports and findings signed by the inspector or inspectors. (Passed. Coun. J. 6-30-54, p. 7832.)

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64-3« (a) Fire alarm system conforming to the requirements of chapter 90 of this code shall be provided in buildings of the following occupancies:

- (1) Hotels having a capacity of more than twenty-five persons above- the second floor except in buildings of Types I-A, I-B or I-C construction.
- (2) Institutional Units more than one story high.
- (3) Schools more than one story high.

(b) A city fire alarm box shall be located within a distance of 100 feet from the principal entrance of every institutional building or theater and every assembly unit other than a theater having a capacity of more than 1,000 persons.

(c) -- There shall be installed and maintained in every theater inter-communicating systems of telephones with stations on each floor of public space, on each side of the stage, in the engine room and boiler room, in the manager's office, and in the projection room.

Section 64-3 (b) is changed to read as follows:

(b) A city fire alarm box shall be located within a distance of 100 feet from the principal entrance of every institutional building or theater and every assembly unit other than a theater having a capacity of more than 1,000 persons, and every existing or pre-ordinance building and every building hereafter erected, two stories or more In height, used in whole or in part as a Type I school with 100 or more occupants or used in whole as a Type II school. The fire alarm systems provided for herein shall be directly connected to the City Fire Alarm Box. (Amend. 1-21-59, Coun. J. p. 9627.)

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90-21. All standard fire extinguishers shall be installed in the manner prescribed in Pamphlet No. 10 entitled "Standards for the Installation, Maintenance and Use of First Aid Fire Appliances" published by the National Fire Protection Association in June 1956, as amended, in every location where required

by this code. Every required or non-required fire extinguisher when installed, shall be fully charged and ready for immediate use. Where an extinguisher is likely to be obscured by piles of stock, lumber or otherwise, a sign shall be installed and maintained which will mark the location of such extinguisher in a manner legible at a distance of at least 50 feet. (Amended. Coun. J. 3-14-57, P. 4440.)

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44-2. The commissioner of buildings shall determine the number of persons which every building or room used for public purposes may accommodate according to the provisions of chapter 48 of this code, and shall certify the same to the bureau of fire prevention and the city clerk. No more than the number so certified shall be allowed in such room at any one time, in any building used for a hospital, business unit, theater, open air assembly unit, public assembly unit, church, or school. (Amended. Coun. J. 12-30-49, p. 5579.)

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54-2. The total capacity of a school shall be determined in accordance with the occupancy content factors established in section 48-12.1, except that rooms not used or used only occasionally by students shall not be included in computing each total capacity. Such rooms and spaces include the following:

Assembly rooms and gymnasiums.
Cafeterias and lunchrooms. Locker,
toilet and storage rooms. Corridors and
other circulation space. Service and
equipment rooms.

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48-13-1. Assembly Units and Open Air Assembly Units, the occupancy content shall be based on the capacity of the rooms or spaces used for assembly purposes and shall be determined as follows:

(a) In rooms or spaces with fixed seating, the occupancy content shall be the actual number of seats provided. When no divisions between seats are provided, fixed seating shall be computed at eighteen inches per person.

(b) In rooms or spaces without fixed seating, the occupancy content shall be determined by the dividing of the net floor area (excluding the areas occupied by elevators, toilet rooms, stairways, other shaft enclosures, and by permanent fixtures such as bowling alleys, bars, cigar counters, exit facilities,

entrance vestibules, lunch counters and serving spaces for same, etc. by the floor area per person established in the following table:

Occupancy	Floor Area per person
(1) School class rooms and recreation rooms ..	20 sq. ft.
(2) School laboratories and shops	30 sq. ft.
(3) Museums, libraries and similar uses	20 sq. ft.
(4) Restaurants	15 sq. ft.
(5) Other assembly uses	6 sq. ft.

(Amend. Coun. J. 3-14-57, P. 4430.)

CHAPTER 48. By deleting present section 48-13.1 (c) and substituting therefor the following:

48-13.1 (b). In rooms or spaces without fixed seating, the occupancy content shall be determined by the dividing of the net floor area (excluding the areas occupied by elevators, toilet rooms, stairways, other shaft enclosures, and by permanent fixtures such as bowling alleys, bars, cigar counters, exit facilities, entrance vestibules, lunch counters and serving spaces for same, etc.) by the floor area per person established in the following table: (Amend. 3-14-57, Coun. J. p. 4430.)

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54-8-.3. (a) Exits shall be located as remote from each other as is practicable. In rooms, spaces or seating levels . having fixed seats and requiring more than two exits, the exits shall be so located as to serve both sides of the front half and both sides of the rear half of the seating level.

(b) All required stairs in Type I Schools shall open directly to the outside air or to a public vestibule or lobby leading to the outside. The travel distance from the stairway to the outside exit door of such vestibule or lobby shall not exceed twenty feet.

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12-25. The division marshal in charge of the bureau of fire prevention and his assistants are hereby empowered to enter any building, structure, or premise, whether completed or in the course of construction, for the purpose of determining whether such buildings, structures or premises have been or are being constructed and maintained in accordance with the fire regulations of this code. It shall be unlawful to exclude them from any such building, structure or premises.

The division marshal in charge of the bureau of fire prevention shall make, or cause to be made, regular inspections, with sufficient frequency to secure efficient supervision of all buildings, structures, or places used either for manufacturing or commercial purposes, or occupied or frequented by large numbers of people, and of all school buildings, public halls, churches, institutional buildings, theaters, multiple dwellings and all places of amusement, recreation or employment, (a) to determine the safety of the occupants of such buildings, structures, or places in the event of fire, panic, or accident, (b) to examine the working order and repair of all doors, fire escapes, fire fighting appliances; the condition and maintenance of exits, corridors, stairways, and fire escapes and their approaches with regard to obstructions; the disposition, the quantity, arrangement and protection of stock, combustible material and rubbish, heating devices and ovens, flammable liquids and explosives with regard to safety from fire; the protection of hazardous machinery, appliances and apparatus and, (c) to ascertain whether the fire regulations of this code are being efficiently carried out.

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12-27. The division marshal in charge of the bureau of fire prevention, upon discovering or having his attention directed to any violations of the provisions of this code relating to structural instability of any building or structure, shall take such immediate and proper action as will conserve the safety of the occupants of such buildings and structures and of the public and, shall at once notify the commissioner of buildings and turn the matter over to him for his supervision and disposal.

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12-28. It shall be the duty of the division marshal in charge of the bureau of fire prevention to inspect such premises as are required under the provisions of this code to maintain certain safety clearances, to ascertain whether such provisions are complied with. In case of any non-compliance, the said division marshal shall serve the required notice upon the owner, lessee or occupant of such premises to comply forthwith with such provisions for safety clearances.

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12-29. It shall be the duty of the division marshal in charge of the bureau of fire prevention to allow no more persons to enter any public assembly unit, assembly hall in a school, or theater, than the number of persons certified to by the department of buildings, and which number of persons appears on the license issued therefor. Should the said

division marshal find any such place occupied by more than the properly certified number of people, he shall close said public assembly unit, assembly hall in a school, or theater, and recommend the revocation of the license issued for said place. The said division marshal shall forward all the facts and evidence pertaining to the overcrowding to the corporation counsel for prosecution.

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12-30. In case it is found that any of the fire regulations of this code are being violated, or that any building, structure, or place, or its contents, or any appliance or equipment thereof, is in such condition as to be the probable cause of fire, or as likely to endanger life or safety in case of fire, panic, or other accident, the division marshal in charge of the bureau of fire prevention shall give notice in writing to the owner, occupant, lessee, or person in possession, charge, or control of such building, structure, or place to make such changes, alterations, or repairs, or to perform such work, or to take such action, as the provisions of this code, or the safety of any person, in or about such building, structure, or place, may require, within such time as shall be designated by the said division marshal, which shall in no event exceed fifteen days after receipt of such notice.

In case the changes, alterations, repairs, or requirements ordered by notices of the division marshal in charge of the bureau of fire prevention are not made or performed to the satisfaction of the said division marshal within the time specified in said notice, he shall make returns of such violations of this code, or of any default of such notice, to the corporation counsel for prosecution,

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43-4. All drawings and plans for the construction, erection, addition to, or alterations of any building or other structure, for which a permit is required shall first be presented to the commissioner of buildings for examination and approval as to proper use of building and premises and as to compliance in all other respects with the Chicago zoning ordinance and shall thereafter be presented to the board of health, the department of smoke inspection, fire department, department of boiler inspection, and department of public works for submission to the proper official of these departments and bureaus for his examination and approval with regard to such provisions of this code, as are within the duty of such office to enforce, and after said drawings and plans have been examined and passed upon, the same shall be returned to the commissioner of buildings where they shall be taken up for examination and approval by the commissioner of buildings.

In every new building and in every existing building undergoing extensive remodeling where a new electric service or a new electric distribution center is to be installed, ample space shall be provided within the main walls of the building for the electric service equipment, metering equipment, distribution cabinets, cutout cabinets, transformers and other equipment necessary for an electric installation and ample working space around the said equipment. This space shall be readily accessible to every tenant of said building who has electric equipment for light, heat or power which is supplied through the above mentioned equipment. (Amend. Coun. J. 7-26-55, P. 882.)

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44-2. The commissioner of buildings shall determine the number of persons which every building or room used for public purposes may accommodate according to the provisions of chapter 48 of this code, and shall certify the same to the bureau of fire prevention and the city clerk. No more than the number so certified shall be allowed in such room at any one time, in any building used for a hospital, business unit, theater, open air assembly unit, public assembly unit, church, or school. (Amend. Coun. J. 12-30-49, p. 5579.)

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46-2. The commissioner of buildings and his assistants shall make an annual inspection of all theaters, churches, schools, public assembly units, and open air assembly units; and also all buildings over one story in height, except single dwellings, multiple use buildings consisting of business and dwelling units two stories or less in height, and multiple dwellings three stories or less in height, unless such multiple dwellings are lodging or rooming houses with sleeping accommodations for twenty or more persons. It shall be the duty of every owner, agent, lessee, or occupant of any such building and of the person in charge or control of the same to permit the making of such annual inspection by the commissioner of buildings or by a duly authorized building inspector at any time upon demand being duly made. (Amend. Coun. J. 2-25-43, p. 8412.)

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46-5. Where the result of such inspection shall show that such building fails in any respect to comply with the building provisions of this code, it shall be the duty of the commissioner of buildings to notify the owner, agent, lessee or occupant of such building to this effect and to specify wherein such building fails to comply with the requirements of the building provisions of this code; and it shall thereupon become the joint and several duty of such owner, agent, lessee, or

occupant to proceed forthwith to make whatever changes or alterations may be necessary to make such building comply in all respects with the requirements of the building provisions of this code, and to complete such changes and alterations within thirty days after the receipt of such notice.

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90-4. Any building, structure, enclosure, place or premises, perilous to life or property by reason of the construction of such building or structure or by reason of the condition or quantity of its contents, or the use of the building or its contents, or the use of the enclosure or the overcrowding at any time of persons therein, or by reason of deficiencies in such fire alarm or fire prevention equipment, as may be required by the fire regulations of this code, or where conditions exist which would hamper or impede the fire department in combating a fire in or on the building, is hereby declared to be a nuisance and the division marshal in charge of the bureau of fire prevention is empowered and directed to cause any such nuisance to be abated.

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90-5. (a) Right to demand survey. The owner, lessee or occupant of any building, structure, enclosure, place or premises affected by any order or notice of the bureau of fire prevention, may make written demand upon the division marshal in charge of the bureau of fire prevention, for a survey of such building, structure, enclosure, place or premises, to determine whether or not such order is valid and reasonable, which demand for survey must be served upon said division marshal by leaving a copy thereof at his office in the city hall within forty-eight hours, Sundays and holidays excepted, after the service of the order or notice referred to in such demand. Said demand for a survey shall contain the name of the person to act as surveyor on behalf of the one making the demand.

(b) Duty of division marshal. Upon receipt of a demand for survey, the said division marshal shall immediately issue an order for the same, naming therein the person to act as surveyor on behalf of the bureau of fire prevention, who shall be an officer or employee of said bureau and said order shall also name the person theretofore selected by the one making the demand for the survey.

(c) Survey procedure. In the event that the two persons thus named" are unable to agree concerning survey and their report thereon, they shall select a third person to act with them on such survey, and a report signed by any two of the three surveyors thus selected shall be conclusive. In the

event that the two surveyors selected as above set forth, cannot agree concerning the survey and their report thereon and cannot agree upon the selection of a third person to act with them in connection with such survey, said third person shall be selected and appointed by the chief justice of the municipal court on application made in writing by the aforesaid division marshal, of which application the said fire marshal shall give at least twenty-four hours notice, in writing, to the applicant for such survey, and a report signed by any two of the three surveyors thus selected shall be conclusive. The date and hour when the survey shall be made shall be stated in the order therefor, and no change shall be made in such date and hour, except by written stipulation duly signed by said division marshal and the applicant for such survey. A copy of such order shall be served upon the person demanding the survey by personal delivery to him at least twenty-four hours previous to the hour fixed in the order for the holding of such survey, and he shall have the right to be present and to be heard at such survey, in person or by agent or attorney. The surveyors shall meet at the time and place prescribed in the order of their appointment, and shall survey the building, structure, enclosure, place or premises referred to in said order, and to consider the merits of the order of the bureau in respect to which the survey has been demanded,

(d) Report of survey. After such survey and consideration, the surveyors shall prepare and sign a report of their proceedings and determination which shall be filed in the bureau of fire prevention, and a copy thereof shall be given the person demanding such survey upon his application therefor. The determination of the surveyors in any such case shall be final and conclusive.

(e) Surveyor's fees. Each person, other than an officer or employee of the bureau of fire prevention, designated to act as a surveyor, pursuant to the provisions of this section, shall be paid the sum of twenty-five dollars for such survey in which he participates upon the filing of the report thereof in the bureau.

(f) Payment of expenses. As a condition precedent to the ordering of a survey, the person demanding the same shall deposit with the division marshal in charge of the bureau of fire prevention the sum of one hundred dollars to indemnify the city for the expense of the survey, in the event that the surveyors confirm the order of the bureau. Such sum shall be returned to the depositor, in the event that the surveyors shall report such order as invalid or unreasonable. In case the report of the surveyors is to the effect that the order of the division marshal, which was the subject of such survey, was in all respects, valid and reasonable, all the expenses of the survey shall be paid out of the fund herein required

to be deposited with the division marshal by the person demanding such survey, and the balance remaining, if any, shall be returned to such person.

(g) Closing buildings. If the order or notice subject to survey requires any building or premises to be closed on account of its dangerous condition such order or notice shall not be stayed pending the determination of the reasonableness and validity thereof. (Amend. Coun. J. 1-31-45, P. 2981.)

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90-48. No person shall at any time place an encumbrance of any kind whatsoever before or upon any fire escape, balcony or ladder intended as a means of escape from fire. It shall be the duty of every member of the police and fire departments, who shall discover any fire escapes encumbered in any manner, to report forthwith to the bureau of fire prevention and the said bureau shall immediately notify the owner and the tenant to remove such encumbrances.

It shall be unlawful for any person to place, store or keep, or permit to be placed, stored or kept under or at the bottom of any stairway, inside or outside elevator or other shaft in any building, any combustible or flammable materials, fluids or compounds, nor shall any such combustible or flammable materials be placed or stored or kept in any place where Ignition or burning would obstruct or render hazardous, egress from a building. No obstruction shall be permitted in hallways of tenement houses or apartment houses.

All required width of doors, aisles and passageways within and leading into or out of theaters, churches and all other places of public assemblage shall be kept free from easles, signs, standards, campstools, chairs, sofas, benches and any other article which would obstruct the required width of exit or delay the exit of the audience, congregation or assemblage during the entire time during which any show, performance, service, exhibition, lecture, concert, ball or other assemblage may be held, and it shall be unlawful for any person to sit or stand or remain seated or standing, or to allow any other person so to remain in any such place of public assemblage in any aisle under any circumstances, or in any exit or passage required for the safe exit of the assemblage. Clear passage from all exits and on all sidewalks must at all times be maintained outside of all theaters and other places of public assemblage.

No aisle, passageway or stairway in any store shall be obstructed with tables, show cases, or other obstruction during hours said store is open to the public.

It shall be the duty of the commissioner of police to render assistance in the enforcement of the provisions of this section, and to direct and require police officers to enter all places of public assemblage for such purpose.