

CHAPTER 73

STATE FIRE MARSHAL

NOTE: The original act creating the office of state fire marshal, L. 1905, c. 331, as amended by L. 1907, c. 451, and modified by L. 1911, c. 203, is entirely superseded by chapter 73, derived from L. 1913, c. 564.

73.09 BUILDINGS REPAIRED OR TORN DOWN, ENTRANCE TO.

The statute authorizing the state fire marshal to condemn and order torn down a building which by reason of age, dilapidated condition, or other defect is especially liable to fire, and is so situated as to endanger life and limb, or other buildings or property in the vicinity, is a valid exercise of the police power of the state. A structure coming within the purview of the statute may be regarded as a nuisance and abated as such. *State Fire Marshal v Sherman*, 201 M 594, 277 NW 249.

An examination or inspection of premises must be made without the use of force to effect an entry. OAG May 9, 1935 (197-c).

73.10 STRUCTURES REPAIRED OR DEMOLISHED.

See note under section 73.09.

73.12 ORDER TO BE IN WRITING.

Proceedings under this chapter distinguished from actions under section 549.04 as relates to taxable costs. OAG Jan. 19, 1944 (196-s).

73.13 NOTICE, SERVICE ON OWNER.

Amended by L. 1947 c. 417 s. 1.

73.14 WRITTEN OBJECTIONS FILED BY OWNER.

Amended by L. 1947 c. 417 s. 2.

73.15 HEARING.

Amended by L. 1947 c. 417 s. 3.

See notes under section 73.09.

73.16 FAILURE TO COMPLY WITH ORDER.

Amended by L. 1947 c. 417 s. 4.

73.20 FIRE INSURANCE COMPANIES TO PAY COST OF MAINTENANCE.

Power of state to levy premiums on foreign insurance corporations from risks within the state. 30 MLR 545.

73.22 RECORDS TO BE PUBLIC, EXCEPT IN CERTAIN CASES.

In view of the defendant's testimony, and other evidence in this trial where murder is charged, and including defendant's written statement, there was no error in the court's refusal to require a deputy fire marshal to produce the original notes taken by him prior to the execution by the defendant of the statements referred to. *State v Poelaert*, 200 M 30, 273 NW 641.

73.26 DECLARATION FOR PUBLIC SAFETY.

The statutes grant certain powers relating to construction of school houses to the department of education, but it is the duty of the fire marshal to use his discretion as to the adequacy of exits, as to means and number. OAG Jan. 7, 1941 (197-G).

73.29 STATEMENT NOT USED IN CIVIL ACTION, WHEN.

Defensive actions; extent of insured's right to participate in dividends; insurer's liability for insured's attorney's fees. 31 MLR 380.