

sale or sold in original packages, except when administered in single doses on the premises, which have been put up ready for sale to consumers by pharmacists, manufacturing pharmacists, manufacturers of proprietary medicines, wholesale grocers, or wholesale druggists, under qualified supervision: Provided, however, That the proprietary medicines or household drugs sold or offered for sale shall not contain any opium, coca leaves, chloral, or any of the salts derivatives or compounds thereof in any quantity whatsoever: Provided, also, That remedial agencies that are administered hypodermically, intramuscularly or intravenously, and all medicinal substances containing barbituric acid or its compounds, and biologicals (except those biologicals distributed to State and county health officers), and medicines containing substances of glandular origin (except intestinal enzymes and all liver products), shall be sold only by registered pharmacists or assistant pharmacists employed by or conducting a registered pharmacy. Any person violating the provisions of this section shall be guilty of a misdemeanor, and, upon conviction, shall be sentenced to pay a fine of not less than fifty dollars (\$50.00) or more than five hundred dollars (\$500.00), or imprisonment for not more than one year, or either or both, in the discretion of the court.

Proviso.

Proviso.

Penalties for violation of this section.

APPROVED—The 14th day of January, A. D. 1952.

JOHN S. FINE

—
No. 518

AN ACT

To amend the title and to further amend sections two, four, five, seven and fifteen of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (Pamphlet Laws 465), entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction and ways of egress, equipment, and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," by excluding cities of the first class and second class and including cities of the second class A for the licensing of projectionists, covering in Class I buildings not formerly covered, and authorizing the increase of ways of egress.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Safety in buildings.

Title, act of
April 27, 1927,
P. L. 465,
amended.

Section 1. The title of the act, approved the twenty-seventh day of April, one thousand nine hundred twenty-seven (Pamphlet Laws 465), entitled "An act to provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction and ways of egress, equipment, and maintenance; providing for the licensing of projectionists; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts," is hereby amended to read as follows:

Amended title.

An Act

To provide for the safety of persons employed, housed, or assembled in certain buildings and structures not in cities of the first class, second class, and second class A, by requiring certain construction and ways of egress, equipment, and maintenance; providing for the licensing of projectionists, *except in cities of the first class and second class*; requiring the submission of plans for examination and approval; providing for the promulgation of rules and regulations for the enforcement of this act; providing for the enforcement of this act by the Department of Labor and Industry and, in certain cases, by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act; and repealing certain acts.

Section 2, said
act, as last
amended by act
of May 28, 1937,
P. L. 1016,
further amended.

Section 2. Section two of said act, as last amended by the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (Pamphlet Laws 1016), is hereby further amended to read as follows:

Section 2. Classes of Buildings.—The following are the classes of buildings and structures which it is intended that this act shall cover:

Class I Buildings.—Factories, power plants, mercantile buildings, hotels, office buildings, hospitals, asylums, public and private institutions, *convalescent and nursing homes*, schools, colleges, *school and college auditoriums and gymnasiums when used for public assemblages*, airports, *airport buildings*, airplane hangars, dormitories, warehouses, garages, *farm buildings where they are used on a commercial basis*, and all other buildings specified by the department, not enumerated in Classes II, III, IV, and V, wherein persons are employed, housed or assembled.

Class II Buildings.—Theatres and motion picture theatres.

Class III Buildings.—Public halls, dance halls, banquet halls, lodge halls, churches, skating rinks, armory halls, or any other auditorium in which the public assembles, not used for any of the other purposes mentioned in this act.

Class IV Buildings.—Tenement houses, apartment houses, apartment hotels, club houses, lodging houses, and rooming houses.

Class V Buildings.—Grandstands, stadiums and amphitheatres, and summer theatres.

Section 3. Section four of said act, as last amended by the act, approved the fifth day of July, one thousand nine hundred forty-seven (Pamphlet Laws 1356), is hereby further amended to read as follows:

Section 4, said act, as last amended by act of July 5, 1947, P. L. 1356, further amended.

Section 4. Ways of Egress.—From every floor of buildings, enumerated in section two of this act, there shall be proper and sufficient ways of egress and means of escape from fire and panic: Provided, That in all buildings hereafter erected, or adapted for any of the purposes enumerated in section two of this act, there shall be not less than two (2) ways of egress, as remote from each other as possible, except that the requirement for two means of egress shall not be applicable to buildings two stories or less in height with an occupancy of not more than three persons above the ground floor, when it is determined by the department that adequate means of egress are available to all occupants, and except that there may be one means of egress of fire-resistive construction in the case of tenement houses, apartment houses and apartment hotels not over three stories in height, with not more than a gross area of three thousand (3000) square feet on each floor between exterior and fire walls, comprising a maximum of six (6) apartments, under regulations which may be promulgated by the Department of Labor and Industry: *And further provided, That in every building the department may require additional means of egress where, in its judgment, the means of egress are not sufficient.*

In buildings of more than one story, *except in special purpose buildings as defined by the department*, all means of egress shall be located inside the building, at least one of [which] *the two required interior stairs* shall be an enclosed stair tower of fire-resistive construction and in addition thereto, there may be used as a fire escape, a mechanically operated device suitable for use as a means of escaping from windows, and which shall consist of a steel cable lifebelt and mechanical brake, which is automatically put into action by the presence

of weight at the end of the cable. Where the department finds, after proper investigation, that, in buildings erected prior to the passage of this act, the internal ways of egress herein provided for cannot be installed, it may direct that such means of egress be provided as will, in its judgment, to better advantage carry out the intent and purpose of this section. The Department of Labor and Industry may order fire walls, [or] smoke barriers, [or both] *additional fireproofing, or the enclosure of vertical openings*, to be built in buildings already erected, or which may hereafter be erected, where in its judgment the erection of such fire walls, [or] smoke barriers, *additional fireproofing, or the enclosure of vertical openings* is necessary to the reasonable safe protection of the occupants. The ways of egress shall be free from obstruction, lighted, and ready for instant use at all times. Fire escapes, now in use or hereafter erected, shall be painted at least once a year, and be kept in safe condition, and up to such standard requirements as may be specified by the Department of Labor and Industry. *The means of egress for special purpose buildings shall be approved by the Department of Labor and Industry.*

Section 5, said act, as amended by act of May 2, 1929, P. L. 1523, further amended.

Section 4. Section five of said act, as amended by the act, approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws 1523), is hereby further amended to read as follows:

Section 5. Theatres, Motion Picture Theatres and Places of Public Assembly.—In every theatre, motion picture theatre, and place of public assembly, the construction of the building, the exits from the stage, dressing rooms and auditorium, the type and location of exit lights and signs, the width and location of aisles and the arrangement of seats, the construction and use of projection rooms and the equipment contained therein, the height of ceilings and the ventilation of the auditorium, the construction and type of proscenium walls, arches and curtains, drop curtains and sky borders, and the amount, type and location of fire preventing and extinguishing equipment for the stage, dressing room, projection rooms, or other parts of the building, shall be such as to provide reasonable and adequate protection for all persons who may assemble therein. Neither on or about the stage, auditorium, balconies or galleries, nor in any other part of the buildings covered by this section, shall any inflammable or explosive oil or material be used or stored, except when special permission is granted by the Department of Labor and Industry and in accordance with specifications set forth by the said department. There shall be no smoking in any auditorium, balcony or gallery of any theatre or motion pic-

ture theatre. All electrical wiring and appliances in such buildings shall be installed in a safe manner, and so maintained.

In all buildings, except schoolhouses, normal schools, academies, and colleges hereafter erected or adapted for any of the purposes designated in this section, the auditorium *or gymnasium when used for public assembly* shall not be located above or below the ground level: Provided, That the Department of Labor and Industry shall have the power to permit the auditorium to be located above or below the ground level, when in its judgment the number, width, and arrangement of exits, the seating capacity, and the extent of use for such purposes render such auditorium *or gymnasium* free from additional hazard.

The auditoriums *or gymnasia* of schoolhouses, normal schools, academies, and colleges hereafter erected *and when used for public assembly* shall not be placed above the first floor level nor below the grade level.

Section 5. Section seven of said act, as amended by the act, approved the twenty-fourth day of May, one thousand nine hundred thirty-three (Pamphlet Laws 996), is hereby further amended to read as follows:

Section 7, said act, as amended by act of May 24, 1933, P. L. 996, further amended.

Section 7. Licensing of Projectionists *Except in Cities of the First Class and Second Class.*—No person shall be permitted to project any motion picture, either theatrical or non-theatrical, until he has obtained a license from the Department of Labor and Industry, after passing an examination prescribed by the said department, for which fees shall be charged as hereinafter provided; and no person shall be permitted in any projection room during any performance, except licensed projectionists, apprentice projectionists, the manager or owner of the theater, or authorized officials of the Department of Labor and Industry. Any license may be suspended or revoked for due cause, but no license shall be revoked until the *projectionist or apprentice *projectionist has been granted a hearing before the Secretary of Labor and Industry. *The amendment providing for the licensing of projectionists in cities of the second class A to become effective as of the first day of January, one thousand nine hundred fifty-two.*

Every application for examination as a projectionist shall be accompanied by a fee of two dollars (\$2.00). If the applicant is successful, a certificate of competency and a license shall be issued upon payment of an additional fee of five dollars (\$5.00) for projectionists of theatrical or commercial motion pictures, or a fee of two dollars (\$2.00) for projectionists of non-theatrical mo-

* "projectionists" in original.

tion pictures. There shall be no examination fee required from apprentice projectionists, but there shall be a license fee of three dollars (\$3.00) required, the same to accompany application from the apprentice projectionist. For the annual renewal of license for a theatrical or commercial projectionist, there shall be a fee of five dollars (\$5.00) charged, the same to accompany the application for renewal of license, and, for non-theatrical projectionists, the renewal fee shall be two dollars (\$2.00). The renewal fee for apprentice license shall be one dollar (\$1.00). All fees shall be paid to the Department of Labor and Industry and by the said department paid to the State Treasurer, through the Department of Revenue, for the use of the Commonwealth.

Section 15, said act, as last amended by act of May 23, 1937, P. L. 1016, further amended.

Section 6. Section fifteen of said act, as last amended by the act, approved the twenty-eighth day of May, one thousand nine hundred thirty-seven (Pamphlet Laws 1016), is hereby further amended to read as follows:

Section 15. Enforcement.—The provisions of this act shall apply to every building enumerated in this act, including buildings owned, in whole or in part, by the Commonwealth, or any political subdivision thereof, and shall be enforced by the Secretary of Labor and Industry, by and through his authorized representatives: Provided, That nothing in this act shall be construed as affecting buildings in cities of the first class, second class, and second class A, *or the licensing of projectionists in cities of the first class and second class*, and that duly appointed chiefs of fire departments shall be equally responsible with the Secretary of Labor and Industry for the enforcement of the provisions of this act and the regulations of the Department of Labor and Industry pertaining to the removal of obstructions to and maintenance of exits, aisles, passageways, and stairways leading to or from exists in all buildings covered by this act, and the inspection and maintenance of emergency lighting systems, fire alarms and fire extinguishing apparatus.

For the purpose of enforcing the provisions of this act, all the officers charged with its enforcement shall have the power to enter any of the buildings or structures enumerated in section two of this act, and no person shall hinder or delay, or interfere with, any of the said officers in the performance of his duty, nor refuse information necessary to determine whether the provisions of this act, and the rules and regulations herein provided for, are or will be complied with.

Section 7. This act shall become effective immediately upon final enactment.

Act effective immediately.

APPROVED—The 14th day of January, A. D. 1952.

JOHN S. FINE