



# Florida Division of State Fire Marshal

The Florida Fire Marshals and Inspectors Association,  
"Organization" (§633.026)

## **Informal Interpretation Request**

**Date:** 4/4/23

**NFPA Document Number:** NFPA 101

**Paragraph Reference:** 20.1.3.3

***Explain how the Petitioner's substantial interests are being affected by the LFO's interpretation of the NFPA citation above:***

LFO's interpretation adds substantial construction cost to the new ambulatory health care occupancy including a fire rated barrier with fire rated penetrations, fire dampers, fire rated doors and door hardware.

***Enter a statement of the LFO's interpretation of the NFPA citation above and identify the manner in which the statement was rendered:***

A new ambulatory health care occupancy has a business area located inside of it that contains administrative and staff support functions for the ambulatory health care occupancy such as a reception area, a waiting area, manager office, scheduling office, business office, staff break and locker rooms, staff toilets, electrical rooms, storage room, and mechanical room. All of these business and staff areas support and are intermingled with the ambulatory health care occupancy's utility systems such as HVAC, and electrical systems and are owned and operated by the ambulatory health care provider. This business and other areas that support the ambulatory health care occupancy are too large to be considered "incidental" to the AHC occupancy. For this reason, the design utilizes the Mixed Occupancy option of 6.1.14.3 to meet the Multiple Occupancy requirements without the fire barrier separation required for a Separated Occupancy.

LFO stated Section 20.1.3.3 (2) and Exhibit 20/21.2 of the 2018 NFPA 101 Handbook does not permit the use of the Mixed Occupancy option described in Section 6.1.14.3 without a fire barrier separation and instead requires separation by at least a 1-hour fire rated barrier. LFO stated Section 20.1.3.3 (2) requires 1-hour fire rated construction around all sections that are not defined as an ambulatory health care occupancy regardless of whether they are intermingled and support the ambulatory health care occupancy, and regardless of whether these sections are designed as a Mixed Occupancy to meet Section 6.1.14.3 and provide all of the fire safety requirements of the most restrictive occupancies involved.

***Enter a statement of the interpretation that the Petitioner contends should be given to the NFPA citation above and a statement supporting the Petitioner's interpretation:***

Petitioner contends that Section 20.1.3.1 that references Section 6.1.14, permits the use of either Mixed or Separated occupancy and that Section 20.1.3.3 is a specific permission for an ambulatory health care occupancy that, if chosen, allows a Separated Occupancy, as described in Section 6.1.14.4, to reduce the

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Rulings herein expressed are not the formal position of the Florida State Fire Marshal's Office

Florida Fire Marshals and Inspectors Association | P. O. Box 325 Hobe Sound, FL 33475 | Tel 772-349-1507 | Fax 772-546-6675

Website: [www.FFMIA.org](http://www.FFMIA.org) | Email: [info@ffmia.org](mailto:info@ffmia.org) | [http://www.myfloridacfo.com/sfm/bfpr/bfpr\\_index.htm](http://www.myfloridacfo.com/sfm/bfpr/bfpr_index.htm)



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required fire rated construction separation from 2-hours to 1-hour and that this section permits the use but does not require the use of a Separated Occupancy described in 6.1.14.4.

This is evident by the statement in Section 20.1.3.3, "Sections of ambulatory health care occupancies **shall be permitted** to be classified as other occupancies..." in fact, Section 20.1.3.3, allowing this reduction in fire rating for a Separated occupancy, is unique to ambulatory health care occupancies unlike Section 18.1.3.3 that uses this same language but without this unique permission to reduce fire ratings between Separated Occupancies.

Petitioner contends that when the Mixed Occupancy option of Section 6.1.14.3 and referenced by Section 20.1.3.1 is utilized to meet the requirements of Section 20.1.3 Multiple Occupancies, Section 20.1.3.3 (2) **does not prohibit** the use of the Mixed Occupancy option with no fire barrier separation.

***Explain how the Petitioner's substantial interests are being affected by the question below:***

Petitioner's substantial interest would be affected by the LFO's interpretation of Section 20.1.3.3 (2) because this interpretation would add cost, delay, and complexity to this project. The non-fire rated smoke partition would have to be upgraded to a 1-hour fire rated barrier, fire dampers would have to be added to the duct system, and fire rated doors and hardware would have to be added to these areas.

***Enter the Petitioner's question concerning an interpretation of the FFPC:***

When the complying Mixed Occupancy option of Section 6.1.14.3, which is referenced by Section 20.1.3.1, is utilized to meet the requirements of Section 20.1.3 Multiple Occupancies, does Section 20.1.3.3 (2) **require** the Mixed Occupancy be separated with a 1-hour fire rated barrier just like a Separated Occupancy would be that is located inside of the ambulatory health care occupancy?

Answer: Yes

Commentary: The majority of the responding committee Members (4) do believe that the 1-hour fire rated barrier is required even if the provisions of the Life Safety Code mixed occupancies are applied.

Note:

The desisting opinion of the other committee members (3) are as follows:

Section 20.1.3.1 does not require separation. This section is an exemption which allows the design professional to take the business portions of the AHCF and classify those portions as a business occupancy, as long as a 1-hour separation is in place. If the design professional chooses to classify those business occupancy portions of the AHCF as an AHCF use, then no separation is required under this section. (Note the NFPA 101 Handbook commentary to 20.1.3.)

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Note that the provisions of 20.3.7 will still require greater separation requirements than the provisions of 6.1.14. Specifically, 20.3.7.1 requires 1 HR separation to other occupancies regardless of the provisions of 6.1.14. (Note the NFPA 101 Handbook commentary to 20.3.7.)

**Region 1** - Delegate: **Byron Bennett**, Fire Chief North Bay Fire Control District  
Alternate: **William (Michael) Hall**, Fire Chief, Marianna Fire Rescue

**Region 2** – **Jason R. Greisl** Division Chief of Fire Prevention/Fire Marshal Tallahassee Fire **Yes**

**Region 3** - Delegate: **James Groff**, Jacksonville Fire Rescue **No**  
Alternate:

**Region 4** - Delegate: **Cheryl Edwards**, Lakeland Fire Rescue **Yes**  
Alternate: **Karl Thompson** **No**

**Region 5** - Delegate: **Anthony Apfelbeck**, Altamonte Springs Building and Fire Safety Department **No**  
Alternate: **Christina Diaz**, Seminole County Fl.

**Region 6** - Delegate: **Robert Salvaggio**, Cape Corral Fire Rescue **Yes**  
Alternate: **Janet Washburn**,

**Region 7** - Delegate: **(Kenneth) Sean Brown**, Broward Sheriff Fire Rescue & Emergency Services Department  
**Yes**

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## Committee Region Map



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