



# Florida Division of State Fire Marshal

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

## **Informal Interpretation**

**Date:** May 13, 2014

**NFPA Document Number:** 101

**Edition:** 2009 (FFPC 2010)

**Paragraph Reference:** 12.3.5.2

**For purpose of this petition, pertinent factors do not include the name of the governmental agency or persons representing that agency. Petitioners are discouraged from making any personal assertions about an agency or agency official. If this involves an actual situation, briefly explain all of the pertinent factors.**

**Actual Situation Explanation:**

Our company owns a 5,936-square-foot masonry-construction warehouse in a local downtown that is used for parking cars throughout the week. The warehouse was built in 1923-25. It has steel trusses and is a large, open, unobstructed one-room +- space with direct access to the outdoors on three sides. For the past six years or more, twice or three times per month, usually on weekends, nonprofit organizations and private individuals have staged gatherings in this warehouse, such as catered dinners (no cooking), wedding receptions, parties, retail events with vendors at tables, and musical performances. In October 2013, this activity came to the attention of the local jurisdiction and their fire marshal ordered these activities to cease in the garage until sprinklers are installed. The perimeter walls of the garage total 324 linear feet. Of this, 47.6 feet are egress points. No point in the warehouse is more than 55 feet from a direct egress. (A PDF diagram of the warehouse and egress points has been sent by email.) Our contracts with groups and individuals that rent the garage for events and activities can and have required that at least two of the carriage-style large egress doors be left open when the warehouse is occupied. The contracts also prohibit open flame (candles) and our company's representatives are on-site to supervise the rental activities.

**Question** (*should be worded so that it can be answered with either "Yes" or "No"*):

1. Does Section 12 "New Assembly" of the NFPA Life Safety Code 101 apply to our situation and our episodic use of the building for activities as described require the installation of fire sprinklers?

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

3108 S.E. 21st Court | Okeechobee, FL 34974-6331 | Phone: (863) 467-8991 | Fax: (863) 467-8991

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)



# Florida Division of State Fire Marshal

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

**Answer: Yes**

The current occupancy classification of the building is a storage occupancy and is being used as an assembly occupancy several times a month. A change of occupancy classification has occurred but it is within the same Hazard Category Classification as noted in Table 43.7.3. When this occurs, the requirements of 43.7.2.1 shall apply: "(2) Automatic sprinkler and detection, alarm, and communications system requirements and the requirements for hazardous areas applicable to new construction for the occupancy created by the change". In this case, the new occupancy created shall comply with chapter 12 for automatic sprinklers. If the occupant load is less than 100 than a fire sprinkler system would not be required but considering what they put in the request, it does not appear that it would be less than 100. While a floor plan was not submitted with this request, an open 5936 square foot warehouse would have a gross occupant load of 397 for a tables and chairs set-up and a gross occupant load of 848 when being used as a dance floor. They would not meet the fire sprinkler exceptions noted in paragraph 12.3.5.3 as they use the space for retail vendors at times. The "episodic" use of the building as an assembly would not come into play as they have been using the space two or three times a month for the past six years and does not meet the definition of episodic (of or limited in duration).

Committee Answer Submitted by,

A handwritten signature in cursive script that reads "Wesley W. Hayes".

Wesley Hayes, Chair

Informal Fire Code Interpretation Committee

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

3108 S.E. 21st Court | Okeechobee, FL 34974-6331 | Phone: (863) 467-8991 | Fax: (863) 467-8991

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)