



# Florida Division of State Fire Marshal

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

## **Informal Interpretation**

**Date:** August 14, 2013

**NFPA Document Number:** NFPA 1

**Edition:** 2009

**Paragraph Reference:** 18.3.2

**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:

Sparta Fitness & Martial Arts is currently leasing a facility at the southwest corner of Bearss Avenue and Nebraska Avenue in unincorporated Hillsborough County. When Sparta moved to that facility in 2010, the Hillsborough County Fire Marshal had required Sparta to install a fire tank to provide fire protection. The existing facility is not sprinklered, and is not required to be for its current use.

A Wal-Mart is under construction at the northwest corner of Bearss Avenue and Nebraska Avenue. Sparta's existing leased facility is at the southwest corner. As part of construction, Wal-Mart has extended a 10" water main across Nebraska Avenue. Wal-Mart has installed hydrants at the northwest and northeast corners of the intersection. These hydrants are approximately 250' and 400' from the existing building, and supply adequate fire protection to the existing building under NFPA 1. The fire tank is no longer required at the existing site. The owner/lessor of the existing site has confirmed that he has no objection to the tank being moved off of the property.

As an investment in their members, Sparta has purchased a new property approximately 200 feet southeast of their current leased facility so that they may own their own facility. The project architect has determined that a sprinkler system will not be required at the new facility. Sparta had intended to relocate the existing fire tank to the new facility to supply fire protection. The existing fire tank was designed and constructed to meet the water supply requirements of NFPA 1142 for the building at the existing site. With a calculated volume of 147,533 cubic feet, an OHC of 7, and a CC of IIB, the required water supply has been calculated to be 15,807 gallons. The capacity of the fire tank is 16,000 gallons, which meets water supply requirements for the new site. The tank will be installed and plumbed to meet NFPA codes.

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

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The Hillsborough County Fire Marshal has stated that he has established a requirement that all new projects, additions or changes of occupancy within 1,800 feet of an existing municipal service water main must extend the service main to provide appropriate fire service via fire hydrant at the owner's expense. Sparta's engineer has consulted with City of Tampa Water, and determined that this would require an approximately 1,000 foot water main extension at a cost of approximately \$180,000.00.

Sparta has already invested approximately \$100,000.00 in their fire tank, which was approved as a form of fire supply in 2010 by the Fire Marshal. The Fire Marshal has now stated in writing that he will not allow Sparta to use that tank at the new site (approximately 200' from the existing site), but will instead require a water main extension which would increase the cost of the overall project by an additional 50%. The Fire Marshal's 1,800 foot threshold is not a requirement of NFPA, the Florida Building Code, or the Hillsborough County Land Development Code, but is instead an unwritten, uncodified threshold created by the Fire Marshal.

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

Will a fire protection tank which is designed and installed in accordance with the Florida Fire Prevention Code meet the water supply requirements of NFPA 1 Paragraph 18.3.2?

**Answer: Yes**

While the answer is "Yes", the Authority Having Jurisdiction still must be approached to decide which of the methods described in 18.3.2 is best fitting for his particular department. Also, please note the word "approved".

18.3.2\* Where no adequate or reliable water distribution system exists, approved reservoirs, pressure tanks, elevated tanks, fire department tanker shuttles, or other **approved** systems capable of providing the required fire flow shall be permitted.

NFPA 1, definitions

3.2.1\* Approved. Acceptable to the authority having jurisdiction.

Committee Answer Submitted by,  
Wesley Hayes, Chair  
Informal Fire Code Interpretation Committee

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