



Florida Fire Marshals And Inspectors Association

Informal Interpretation

Date: November 26, 2008

NFPA Document Number: NFPA 101

Edition: 2003

Paragraph Reference: Section 4.6.1.2

If this involves an actual situation, explain briefly:

Plans submitted to a Fire Rescue Division were for a fully sprinkled Assembly of less than 300 persons. The system being permitted was the sprinkler alarm monitoring fire alarm, consisting of the control unit and the required one pull station and one smoke detector protecting the control unit. The AHJ responded with the comment: "There is no horn and/or strobes or smokes located in areas required. The fire alarm is essential to life safety of the building occupants. NFPA 101, 4.6.1.2. There shall be some notification devices within the assembly area, restrooms and kitchen area." A clarifying reply from the AHJ required "Pull stations by the doors, strobes in restrooms, horn/strobe in assembly area and kitchen." I could find no posted "local amendments" to the Florida Fire Prevention Code addressing this application.

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

Does Section 4.6.1.2 of NFPA 101 (Florida Fire Prevention Code) grant to the AHJ the authority to require additional protection features, such as manual initiation or occupant notification, not otherwise required by the Florida Fire Prevention Code, without the adoption a "local amendment" per Fl. Statute 633.025(4)?

Answer from Committee:

Yes.

However, when the AHJ utilizes their discretionary authority by requiring additional provisions in accordance with Section 4.6.1.2, the burden is on AHJ to prove that the additional requirements, which are not specifically provided for by the code, are truly necessary in order to be "essential for the safety of the building occupants." In order to meet this burden, the occupancy, process, system or condition would need to be one that is unique and/or unanticipated by the core requirements of the Florida Fire Prevention Code.

The situation described in the informal interpretation request does not present any unique hazard unanticipated by the Florida Fire Prevention Code or is "essential for the safety of the building occupants." If additional notification devices or initiating devices were "essential for the safety of the building occupants," the core text of the code would have required this level of protection. Therefore, the AHJ has not met the burden necessary to invoke the provisions of the Section 4.6.1.2 of NFPA 101/FFPC.

Committee Answer Submitted by,

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