



Florida Division of State Fire Marshal

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

Informal Interpretation

Date: November 24, 2014

NFPA Document Number: NFPA 101

Edition: 2009

Paragraph Reference: 4.6.1.2

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:

Grace Manor Suites in Lakeland was purchased as an existing building then built out, furnished and decorated to be a large, beautiful, modern assisted living facility. The builder installed automatic sprinkler systems throughout the building, including the attic, smoke alarms and a mag-locking system on the doors, all of which open automatically if the sprinklers or fire alarms go off or if the electricity goes off. A staff member sits at the front desk 24 hours a day to allow entry and exit of those who do not require specialized security measures. The Facility was approved by the local Fire Marshall inspector as being in conformity with the laws, Rules and Code. Then, recently, after one family complained to the local fire marshal that they could not exit through doors at the back of the facility late at night (but had to exit through the front door), the local Fire Marshal determined that the first inspectors were wrong and that the doors of this ALF that houses 40% dementia & Alzheimer's residents must be unlocked; that providing a 4-digit door code to residents families (for egress) is unacceptable and that anyone inside the building should be able to exit through any door at any time.

The Life Safety Code has recently been modernized to keep up with the reality that facilities, including Assisted Living Facilities, that house "memory care" residents need to be able to assure their safety and security to prevent elopement, injury and, sometimes, death. The NFPA has recognized that hundreds of citizens with dementia and Alzheimer's Disease now live in assisted living facilities and that the LSC must be changed (see 33.2.2.5.5.3 in the new 2015 Life Safety Code). In keeping with the fact that the Code sections are guidelines (not law) and that the Code at 4.6.1.2 allows some lee-way in interpretation, can the local Fire Marshals in Florida allow state-of-the-art systems such as mag-locks on the facilities as long as the requirements of 33.2.2.5.5.4 (LSC 2015) are met?

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 | Email: info@ffmia.org | http://www.myfloridacfo.com/sfm/bfpr/bfpr_index.htm



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

In keeping with the fact that the Code sections are guidelines (not law) and that the Code at 4.6.1.2 allows some lee-way in interpretation, can the local Fire Marshals in Florida allow state-of-the-art systems such as mag-locks on the facilities as long as the requirements of 33.2.2.5.5.4 (LSC 2015) are met?

Answer: Yes

Committee Answer Submitted by,
Region 1: Bruce Teston
Region 2: John Gatin
Region 3: Jim Groff
Region 4: Phil Gugliete
Region 5: Tony Apfelbeck
Region 6: Bob Salvaggio
Region 7: Bryan Parks

Committee Answer Submitted by,
Bryan Parks, Chair
Informal Fire Code Interpretation Committee

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