



Florida Division of State Fire Marshal

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

Informal Interpretation Request

Date: 1/20/22

NFPA Document Number: NFPA 101 *Edition of the NFPA Document: 2018*

Paragraph Reference: Sections 1.3.1, 3.3.178, 3.3.88, and 3.3.228

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

We are evaluating a concrete walkway for an insurance company, where a user fell and was injured between the apartment building and the parking lot.

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

A two-story apartment building was developed in 1979 under the Standard Building Code, which defined the end of the regulated means of egress as at open air outside at ground level (Section 1102(a)). So, the regulated means of egress ended at the bottom landing of the stair, and door landings outside the ground floor units. The fall incident occurred in March 2021, when the Florida Fire Prevention Code / Life Safety Code was applicable (Section 1.3.1). This code defined the regulated means of egress as ending at land open to public use in outside air and having a clear width and height of not less than 10 feet (Section 3.3.178, 3.3.88, 3.3.228). The area of the fall was on a concrete walkway that extended from the building out from under the roof overhang for 13 feet in length. The walkway was restricted to 4 feet in width by low hedges on both sides until it reached the parking lot; so, the FFPC regulated the walkway until it reached the parking lot. The last 3-1/2 feet of the walkway had a slope that was 22%, for a rise of 9 inches.

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

Was the area of the existing walkway "grandfathered in" or exempted under some provision of the LSC?

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

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



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Examples below:



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Committee Answer: No

There is no blanket grandfathering or exemption for existing buildings to the FFPC/LSC.

The Florida Fire Prevention Code, consisting of NFPA 101, applies to both new and existing buildings and their means of egress. This includes the exit discharge which is the area described in the petition. While NFPA 101 does not create blanket grandfathering or exemptions from the code for existing buildings, NFPA 101 does have separate code sections for new vs existing buildings. In most cases, the provisions for existing buildings will be less stringent than the provisions for new buildings. In some cases, existing situation previously approved by the AHJ may be allowed to continue.

In the situation described in this petition the existing occupancy requirements are mandated by code and come from Chapter 31 Existing apartment buildings stating the following:

NFPA 101 39.2.1.1 All means of egress shall be in accordance with **Chapter 7** and this chapter.

The section of chapter 7 means of egress goes on to instruct that:

7.1.6 Walking Surfaces in the Means of Egress.

7.1.6.1 General.

7.1.6.1.1 Walking surfaces in the means of egress shall comply with **7.1.6.2** through **7.1.6.4**.

7.1.6.1.2 Approved existing walking surfaces shall be permitted.

7.1.6.2 Changes in Elevation. Abrupt changes in elevation of walking surfaces shall not exceed ¼ in. (6.3 mm).

Changes in elevation exceeding ¼ in. (6.3 mm), but not exceeding ½ in. (13 mm), shall be beveled with a slope of 1 in

2. Changes in elevation exceeding ½ in. (13 mm) shall be considered a change in level

and shall be subject to the requirements of **7.1.7**.

7.1.6.3 Level.

7.1.6.3.1 Walking surfaces shall comply with all of the following:

(1) Walking surfaces shall be nominally level.

(2) The slope of a walking surface in the direction of travel shall not exceed 1 in 20 unless the ramp requirements of **7.2.5** are met.

(3) The slope perpendicular to the direction of travel shall not exceed 1 in 48.

7.1.6.3.2 Vehicle ramps in parking structures, as permitted in **42.8.2.2.6**, and not on an accessible means of egress or other accessible element shall be exempt from the provisions of

7.1.6.3.1.

7.1.6.4* Slip Resistance. Walking surfaces in the means of egress shall be slip resistant under foreseeable conditions.

7.1.7 Changes in Level in Means of Egress.

7.1.7.1 Changes in level in means of egress shall be achieved by an approved means of egress where the elevation difference exceeds 21 in. (535 mm).

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7.1.7.2* Changes in level in means of egress not in excess of 21 in. (535 mm) shall be achieved either by a ramp complying with the requirements of **7.2.5** or by a stair complying with the requirements of **7.2.2**.

7.1.7.2.1 Where a ramp is used to meet the requirements of **7.1.7.2**, the presence and location of ramped portions of walkways shall be readily apparent.

7.1.7.2.2 Where a stair is used to meet the requirements of **7.1.7.2**, the tread depth of such stair shall be not less than 13 in. (330 mm).

7.1.7.2.3 Tread depth in industrial equipment access areas as provided in **40.2.5.3** shall be permitted.

7.1.7.2.4 The presence and location of each step shall be readily apparent.

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

Region 2 - Delegate: Vacant
Alternate: N/A*

Region 3 - Delegate: **James Groff**, Jacksonville Fire Rescue.
Alternate: **Robert Growick** Division Chief /Fire Marshall City of St. Augustine

Region 4 - Delegate: **Cheryl Edwards**, Lakeland Fire Rescue
Alternate:

Region 5 - Delegate: **Anthony Apfelbeck**, Altamonte Springs Building and Fire Safety Department
Alternate: **Christina Diaz**, Seminole County Fl.

Region 6 - Delegate: **Robert Salvaggio**, Cape Corral Fire Rescue
Alternate: **Janet Washburn**, Bonita Springs Fire Control and Rescue District

Region 7 - Delegate: **Matthew E. Welhaf**, Boca Raton Fire Rescue Services Department
Alternate: **(Kenneth) Sean Brown**, Broward Sheriff Fire Rescue & Emergency Services Department.

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Committee Region Map



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