

Fire TAC Report - May 12, 2003

The TAC met and accomplished the following:

- (1) The TAC discussed and took action on two Declaratory Statements:

DCA03-DEC-005 by Edward J. Riley, Collier County Fire Code Official.

DCA03-DEC-086 by Robert LoPiano, United Fire Spray.

- (2) The TAC discussed in general the staff proposed code changes to update the 2001 FBC to successor model codes (2003 International Building Code and the 2003 International Residential Code).

DCA03-DEC-005 by Edward J. Riley, Collier County Fire Code Official.

The answers to the following questions are limited in scope to the technical requirements of the Florida Building Code:

Request: To clarify the intent of the Florida Building Code as it pertains to residential type cooking ranges when installed in a new public school.

Case #. 1: MLK Elementary School - Building two, there are three teacher planning rooms that are each surrounded by four classrooms. Within the teacher planning room, there is a residential cooking range. This range could be used by the teachers for their own personal use, or as an instructional tool for their students.

Case #. 2: In Lewis & Clark High School - Child Care Classroom, there is a residential range in the kitchen area off the main Child Care Classroom area, but in the same overall room and not separated from the rest of the class area by partitions or doors. This range will be used by students and/or the instructor in the preparation of meals (potentially grilled cheese sandwiches, hot dogs, hamburgers, tater tots, french fries, etc.) for the pre-school children who will be in physical attendance in the classroom.

Answer: This answer is specific to the Case #1 and Case #2 described above. Statement. In accordance with Section 423.15.3, it is the intent of the FBC to allow the use of residential-type hoods when mechanically exhausted to the outside in the two cases depicted above.

Question #1: Is it the intent of Florida Building Code Sections 423.15.3 and 423.21.7 to exclude the requirements for compliance with NFPA 96?

Answer: The Florida Building Commission has no authority to interpret the Uniform Fire Safety Standards.

Question #2: Is it the intent of the Florida Building Code Section 423.1 and 423.8.1 to require compliance with the Uniform Fire Safety Standards in addition to the Florida Building Code and Section 423?

Answer: Yes.

Question #3: Several sections of the Florida Building Code refer to the "Uniform Fire Safety Standards." 4A-3.002(1) states "In the application of these rules, the terms "Rules of the State Fire Marshal" or "these rules" shall be constructed to include Title 4A, Florida Administrative Code, and all standards which are referenced and adopted therein. Title 4A shall be known as the "State Uniform Firesafety Standards." 4A-60 "Florida Fire Prevention Code" is obviously a Title 4A document. As such, is it the intent of the Florida Building Code that 4A-60 be utilized when reviewing new schools for fire code compliance?

Answer: The Florida Building Commission has no authority to interpret the Uniform Fire Safety Standards.

Question #4: If it is not the intent to use 4A-60, “Florida Fire Prevention Code”, to determine fire compliance for new school construction, what enforceable fire standards does the Florida Building Commission require?

Answer: The Florida Building Commission has no authority to interpret the Uniform Fire Safety Standards.

Question #5: If the Florida Building Commission deems that 4A-60 is the document to be used to determine fire safety requirements for new school construction, would Chapter 14 of NFPA 101, 2000 Edition be the base chapter used?

Answer: The Florida Building Commission has no authority to interpret Rule 4A-60.

Question #6: Would the cooking on residential ranges in schools be considered by the Florida Building Commission to be single-family use?

Answer: With regard to the two cases indicated above, the answer is “No”. Section 423.15.3 allows the use in home economics instructional spaces, faculty lounges, and similar areas small residential-type hoods when mechanically exhausted to the outside.

Question #7: Is it the intent of the Florida Building Commission to provide protection in accordance with NFPA 96 for residential style ranges which produce grease-laden affluent?

Answer: NFPA 96 is referenced within the Uniform Fire Safety Standard and the Florida Building Commission has no authority to interpret NFPA 96.

Question #8: If it were the intent to allow residential ranges, installed in new school facilities, to be installed without compliance with NFPA 96, would there be any restrictions imposed by the Florida Building Commission as to where these ranges could be installed?

Answer: The Florida Building Commission has no authority to interpret the Uniform Fire Safety Standards.

Question #9: The Florida Building Code Section 423.15.3 states “and similar areas”. What does this mean? (Instructional areas and faculty lounges are not similar). This could be construed to mean any location other than the main kitchen or commercial style instructional kitchen.

Answer: Answer is not possible. The question is general and falls outside the Declaratory Statement criteria.

Question #10: Are the main kitchen and instructional commercial kitchens in new facilities required by the Florida Building Commission to comply with NFPA 96? (The Florida Building Code Chapter 423 is mute on this issue however 4A58, Fire Fire Safety Rules for Existing facilities, Page 7, Right Column requires equipment in these areas to be protected in accordance with NFPA 96.)

Answer: Answer is not possible. The question is general and falls outside the Declaratory Statement criteria.

Question #11: Can the Florida Building Code or Section 423 specify an exception to the Uniform Fire Safety Code or the Florida Fire Prevention Code?

Answer: The Florida Building Commission has no authority to interpret the Uniform Fire Safety Code or the Florida Fire Prevention Code.

Question #12: Several sections of the Florida Building Code refer to the “Uniform Fire Safety Standards.” 4A-3.002 (1) States “In the application of these rules, the terms “Rules of the State Fire Marshall” or “these rules” shall be construed to include Title 4A, Florida Administrative Code, and all standards which are referenced and adopted therein. Title 4A shall be known as the “State Uniform Firesafety Standards.” 4A-60 “Florida Fire Prevention Code” is obviously as Title 4A document. As such is it the intent of the Florida Building Commission to enforce 4A-60 “Florida Fire Prevention Code”? As such is it the intent of the Florida Building Commission to enforce 4A-60 when reviewing new schools for code compliance?

Answer: The Florida Building Commission has no authority to interpret the Uniform Fire Safety Standards.

(2) DCA03-DEC-086 by Robert LoPiano, United Fire Spray.

Request: The Petitioner is requesting that the Commission review the enclosed information on the Flamebar BW11 ductwork system including all testing approvals obtained to date and determine that the product is in compliance with the intent of Chapter 7 of the Florida Building Code.

Response: Petitioner’s product is subject to the local building official’s approval. The Commission is not the authority having jurisdiction with regard to approving products for as per Rule 9B-72.