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To <joe.bigelow@dca.state.fl.us>

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Subject Amendment to DCA 08-DEC-193

History: This message has been replied to.

*DCA 08-DEC-193
 Amendment*

**FILING AND ACKNOWLEDGEMENT
 FILED, on this date, with the designated
 Clerk, receipt of which is hereby
 acknowledged.**

Paula P. Ford 7/29/08
 Paula P. Ford
 Commission Clerk Date

Amendment to Petition for Declaratory Statement DCA 08-DEC-193

This amendment is to clarify for DCA the nature of the involvement of the Petitioner and circumstances bringing about the request for a declaratory statement.

Petitioner is employed by the City of South Daytona as a plans examiner and inspector.

The site involved is a tanning salon build out in a relatively new strip mall. Most of the tanning booths are located in an open area of the business. The open area has emergency lighting. The tanning booths in the open area are free standing, factory-built units and have two compartments. The first compartment is used to change clothing and has a lockable door to ensure privacy. The first compartment has an inner door that is used to enter the actual tanning booth. Upon entering the tanning booth, the inner door is closed to complete the tanning envelope. The tanning booth unit is internally lit during normal operation. The ceiling of the tanning compartment has a large fan and grill that allows adequate natural, artificial, or emergency light, external to the unit to enter, for dressing and egress.

One clamshell type tanning booth is located in a separate windowless room with artificial lighting and no emergency light. This tanning room has a door, lockable, while the room is in use.

The tanning salon has two windowless, single-occupant restrooms with artificial lighting and no emergency lights. One restroom is for male use and the other is for female use. Both restrooms have doors that are lockable while in use.

The doors of the tanning room and restrooms open into an area that adjoins the general open area.

Section 1006.1.1 FBC requires egress illumination for certain areas of exit access and exit discharge. The restrooms and tanning room do not appear to qualify for emergency lighting as defined in Section 1006.1.1 FBC.

The windowless restrooms and tanning room are required to have artificial lighting, per Section

1205 FBC.

The build out was issued a permit with the emergency light layout, as noted above. During the course of construction, there was discussion between our department and the fire department about requiring emergency lights in both the restrooms and the one tanning room. The logic being that the unsuspecting and unfamiliar public could become disoriented and may not be able to quickly and safely find the door during a loss of power to the normal artificial lighting. In addition, many users of tanning rooms are naked while using the equipment. This further complicates the situation. The general contractor doing the build out was requested to install emergency lights in the restrooms and tanning room prior to final inspection. He declined, stating that the code did not require lighting during a power outage. Clarify if the code requires artificial lighting in these areas at all times when they are occupied.

Signed:

Richard Mihalich