



BOBBY JINDAL
GOVERNOR

DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONS

Public Safety Services



H. BUTCH BROWNING
STATE FIRE MARSHAL

MEMORANDUM

To: LA Licensed Architects
LA Licensed Engineers
Felicia Cooper, Deputy Asst Secretary/Plan Review, OSFM
Chief Dan Wallis, Deputy Asst Fire Marshal Enforcement/Emergency Services, OSFM
Stephen Gogreve, Manager, OSFM
Pat Aronstein, Manager, OSFM
Plan Review Staff, OSFM

From: Don Zeringue, Chief Architect/Plan Review, OSFM

Approved by: Chief Butch Browning, State Fire Marshal 

Date: August 15, 2011

RE: Fire Protection and Means of Egress requirements for Commercial Buildings

Act 391 of the 2011 Louisiana Regular Session becomes effective on August 15 of this year. This bill enacts R.S. 40:1730.23.G, which states "A parish or municipality may accept determinations made by the state fire marshal as they pertain to life safety and fire protection as required in this Part." In order to allow for uniform application of this provision, the following procedures are being implemented by this office:

- 1) EFFECTIVE IMMEDIATELY, this office will include plan review and inspection for compliance with the requirements of the currently adopted International Building Code (IBC) Chapter 9 - Fire Protection Systems, and Chapter 10 - Means of Egress as part of the functions of this office. The provisions of these chapters will be combined and coordinated with the provisions of the currently adopted NFPA 101 Life Safety Code and its referenced standards. A single plan review letter will be issued to cite the more restrictive provisions of these codes.
- 2) EFFECTIVE AUGUST 15th, the currently established "Proposed Equivalency to code – Request for Appeal" review process by this office will include a review for equivalent provisions of Chapters 9 and 10 of the IBC. Reasonable proposals for equivalent methods of compliance with these requirements will be reviewed. This office may accept these proposed "alternative arrangements provided a minimum acceptable level of life safety is achieved to the satisfaction of the state fire marshal." (R.S. 40:1574). These written determinations may be submitted to a parish or municipal permitting authority for concurrence in accordance with new law.

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8181 INDEPENDENCE BOULEVARD, BATON ROUGE, LA 70806
(225) 925-4911 1-800-256-5452

BACKGROUND

The core mission of this office is to protect life and property from the hazards of fire or explosion, to ensure the safety of our citizens in the constructed environment, to provide equal access to disabled individuals and to promote the efficient use of energy in commercial buildings. Generally, the Fire Marshal is required to “take all steps necessary and proper to protect life and property from the hazards of fire and of panic which may arise from fire or from the threat of fire and explosion.”

This office has historically adopted and uniformly applied the basic national codes and standards that are necessary in order to achieve this mission and have the least amount of impact on economic development. The devastation to property caused by natural disasters in recent years has triggered the adoption of the Louisiana State Uniform Construction Code (LSUCC) which, in some cases, duplicates or exceeds the basic fire protection and life safety protection requirements enforced by this office. The adopted law mandates enforcement of the LSUCC by parishes and municipalities while this office has maintained uniform enforcement of the basic requirements. The law also stipulates that no part shall be construed so as to prevent the state fire marshal from enforcing the fire protection, life safety, handicapped accessibility, and high rise laws of this state, the enforcement of which are his statutory and regulatory responsibility.

Since the adoption of the LSUCC, there have been multiple requirements of state adopted codes pertaining to fire protection and means of egress. There have also been, in some cases, inconsistencies in the interpretation and application of these provisions. The new law that becomes effective on August 15, 2011 and the new review procedures that are being implemented by this office will allow for coordination between state and local official, uniform application of the provisions of state adopted requirements as they pertain to fire protection and means of egress in commercial buildings, and for appeal option where the strict provisions of the adopted code hamper economic development.

The procedures addressed in this memo cover only the fundamental fire protection and means of egress requirements of the IBC located in Chapters 9 and 10. Additional requirements of the LSUCC that also address fire protection and means of egress and are above and beyond these two chapters will not be addressed by this office.