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GOVERNOR

LOUISIANA DEPARTMENT OF PUBLIC SAFETY & CORRECTIONS
PUBLIC SAFETY SERVICES




DANIEL H. WALLIS
STATE FIRE MARSHAL

OFFICE OF STATE FIRE MARSHAL

MEMORANDUM 2023-01

To: Building Owners
Business and Industry Partners
LA Licensed Architects and Engineers

From: Joe Delaune, Chief Architect/Plan Review, OSFM

Approved: Chief Daniel H. Wallis, State Fire Marshal 

Date: November 21, 2022

RE: Fire Protection and Life Safety requirements for Commercial Buildings

The Louisiana State Uniform Construction Code (LSUCC) has been updated and amended by the LSUCC Council and will become effective on January 1, 2023. A complete list of the referenced codes and associated amendments can be found on the LSUCC Council website here: <http://lsuccc.dps.louisiana.gov/>.

Since the inception of the LSUCC, this office has coordinated adoptions of the later editions of the National Fire Protection Association’s Life Safety Code (NFPA 101) along with the LSUCC Council adoptions of the International Code Council (ICC) publications. However, in order to allow for further coordination and uniform application of the fire protection and life safety requirements of the state adopted codes, the later edition of NFPA 101 will not be adopted at this time and the currently adopted 2015 edition of NFPA 101 will remain in effect.

EFFECTIVE JANUARY 1, 2023

The Louisiana Administrative Code (LAC), Title 55, Part V, Section 303.A., currently provides for plan review of “the fire protection and life safety provisions of the most recently adopted *International Building Code (IBC)* by the Louisiana State Uniform Construction Code Council” by this office. As such, plans that are submitted to this office for review after the effective date will include review for compliance with all applicable fire protection and life safety provisions of the referenced adopted code, including those that are not solely contained within Chapter 9, “Fire Protection Systems” and Chapter 10, “Means of Egress”. The additional provisions of the amended LSUCC/IBC will be further coordinated with the current provisions of the 2015 edition of the NFPA 101 Life Safety Code.

Inspections and other evaluations of buildings by this office will be limited to the fire protection and life safety features of the IBC that are contained within Chapters 9 and 10 of the LSUCC/IBC and to the current 2015 edition of the NFPA 101 Life Safety Code at this time (ref. LAC 55:V:103.B). Rules that outline procedures for inspections and other evaluations of buildings to include the additional fire protection and life safety features of the LSUCC/IBC, and that will reference newer editions of other codes and standards will follow. A currently targeted effective date of January 1, 2024 is anticipated (ref. LAC 55:V:103.B). In the interim, fire protection system design and installation will be permitted to be in accordance with the editions of standards and codes referenced by the LSUCC, or in accordance with the editions currently adopted (ref. LAC 55:V:303).

BACKGROUND

The Office of State Fire Marshal was first established by Act 122 of the 1904 Legislative Session. Since that time, various laws have been enacted to establish specific fire protection and life safety requirements applicable to “public buildings”. The NFPA 101 Life Safety Code and the Southern Standard Building Code were first established by Act 656 of the 1974 Legislative Session as the minimum standards to be applied to all “structures”. This law, Louisiana Revised Statute (L.R.S.) 40:1578.6, requires (in summary) all commercial building construction to comply with the rules and regulations promulgated by the fire marshal, which shall establish as minimum standards the aforementioned codes. L.R.S. 40:1563(F) of law further clarifies that the fire marshals rulemaking and enforcement authority is extended to any other law for which he is given responsibility for supervision or enforcement, (such as provisions of the LSUCC law that address fire protection and life safety requirements for structures). Rules are promulgated and published in the Louisiana Administrative Code (LAC) Title 55, Part V, to clarify the applicable requirements. Full enforcement becomes effective 180 days after promulgation.

Act 12 of the 2005 First Extraordinary Session created the State Uniform Construction Code in response to the devastation caused by hurricanes, and in an effort to maintain reasonable standards of construction. Therein, the LSUCC Council was established and is mandated to evaluate, adopt, and amend only the latest editions of the International Code Council (ICC) code publications, including the IBC, which became fully effective on January 1, 2007. The law mandates enforcement of the LSUCC by parishes and municipalities. Also included within the referenced publications are provisions that pertain to fire protection and life safety, areas that the Legislature entrusts to the OSFM for supervision or enforcement. L.R.S. 1730.39(B) of the law recognizes this authority and specifically states that “nothing in this 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.” L.R.S. 40:1730.23.H of this law further states that “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.”

This office has included plan review of Chapter 9, “Fire Protection Systems” and Chapter 10, “Means of Egress” of the IBC, and have reviewed proposals for equivalent methods of compliance with these requirements since 2011 (ref. LAC 55:V:303.A and Memorandum dated August 15, 2011). Inspection by this office for compliance began on July 1, 2014 (ref. LAC 55:V:103.B). These chapters entirely contain features of life safety and fire protection, the majority of which are also contained within the National Fire Protection Associations Life Safety Code, NFPA 101. The provisions of these chapters are combined and coordinated with the provisions of the NFPA 101 Life Safety Code during the review and inspection.

SUMMARY

The OSFM is required to establish by rule NFPA 101 and the IBC (formerly the SSBC) as minimum standards for commercial buildings, however no mandatory timeline for adoption of later editions is imposed. The LSUCC Council is required to adopt and amend the ICC books within five years of publication in order to update the Louisiana State Uniform Construction Code (LSUCC), which in some cases duplicate, exceed, or otherwise conflict with the minimum fire protection and life safety protection provisions of NFPA 101 adopted by this office.

It is necessary to apply the provisions of nationally recognized consensus codes in Louisiana, however the two code development bodies referenced by law (NFPA and ICC) have not assisted with our efforts of coordination. Therefore the procedures that are being implemented by this office will allow for better support between state and local officials, provide for uniform application of the provisions of state adopted requirements as they pertain to fire protection and life safety in commercial buildings, and allow for equivalent options where compliance with the strict provisions of the adopted codes are impractical.

The procedures addressed in this memo cover only the fire protection, life safety, handicapped accessibility, and high rise laws of this state found in the LSUCC for which the state fire marshal has statutory and regulatory responsibility.