



Casey C. Grant, P.E.
Secretary, Standards Council

26 July 2003

To: Interested Parties

Subject:

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|---|-------------------------------------|
| Standards Council Decision (Final): | D#03-24 |
| Standards Council Agenda Item: | SC#03-7-15/16/17/18/19/23/24 |
| Date of Decision*: | 25 July 2003 |
| TIAs (No. 737/738/739/740/741/742/743, and 737R/739R/740R/741R/742R/743R): NFPA 101 [®] , <i>Life Safety Code</i> [®] , 2003 edition and NFPA 5000 [™] , <i>Building Construction and Safety Code</i> [™] , 2003 edition | |

Dear Interested Parties:

Attached is the final decision of the Standards Council on the above referenced matter.

Sincerely,

A handwritten signature in cursive script that reads "Casey C. Grant".

Casey C. Grant, P.E.
Secretary, NFPA Standards Council

c: D. Berry, M. Brodoff, R. Cote, D. Matthews, L. Nisbet, R. Solomon, L. Winnett
Members, TC on Assembly Occupancies
Members, TCC on NFPA 101, and TCC on NFPA 5000
Members, NFPA Standards Council
Individuals Providing Appeal Commentary

*NOTE: Participants in NFPA's codes and standards making process should know that limited review of this decision may be sought from the NFPA Board of Directors. For the rules describing the available review and the method for petitioning the Board for review, please consult section 1-7 of the NFPA Regulations Governing Committee Projects and the NFPA Regulations Governing Petitions to the Board of Directors from Decisions of the Standards Council. Notice of the intent to file such a petition must be submitted to the Clerk of the Board of Directors within 15 calendar days of the Date of Decision noted in the subject line of this letter.



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| Standards Council Decision (Final): | D#03-24 |
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| TIAs (No. 737/738/739/740/741/742/743, and 737R/739R/740R/741R/742R/743R): NFPA 101 [®] , <i>Life Safety Code</i> [®] , 2003 edition and NFPA 5000 [™] , <i>Building Construction and Safety Code</i> [™] , 2003 edition | |

At its meeting of 16 July 2003, the Standards Council held a hearing relating to appeals on a set of proposed Tentative Interim Amendments (TIAs) addressing certain life safety issues in the 2003 editions of NFPA 101[®], *Life Safety Code*[®] and NFPA 5000[™], *Building Construction and Safety Code*[™]. Pending the receipt of additional information, the Council considered and acted on these appeals at a subsequent meeting on 25 July 2003. As indicated in this decision, the Council has voted to issue seven TIA's, all of which have received approval of the responsible Technical Committee.

The Technical Committee on Assembly Occupancies (Technical Committee) is the technical consensus body responsible for the subjects addressed by these TIAs. As a preliminary matter, it is helpful to note that six of the seven TIA's at issue are revised versions of earlier TIA's that the Technical Committee was considering as it attempted to develop consensus. The following chart summarizes all original and revised TIA's with the TIA numbers suffixed with an "R" representing the final revised versions:

| COUNCIL AGENDA # | TIA # | SECTIONS OF NFPA 101/5000 | TYPE OF FACILITY | SUBJECT |
|---------------------|----------|---------------------------------|---------------------|--|
| 03-7-15 | 737 | 101: 12.2.5.4.1 & 13.2.5.4.1 | New & Existing | No festival seating unless Life Safety (LS) evaluation |
| | 737R | 101: 12.2.5.4.1 & 13.2.5.4.1 | New & Existing | Restrict festival seating if Occupant Load (OL) >250 unless LS evaluation |
| 03-7-16 | 738 | 101: 12.7.5 & 13.7.5 | New & Existing | Crowd managers required for all occupancies of assembly |
| 03-7-17 | 739 | 101: 13.3.5.1 | Existing | Sprinkler (existing) nightclub type facilities with OL>300 |
| | 739R | 101: 13.3.5.1 | Existing | Sprinkler (existing) nightclub type facilities & festival seating venues, with OL>100 |
| 03-7-18 | 741 | 101: 12.3.5.1.1 & 12.7.1 | New | Sprinkler (new) specially defined assembly occupancies, & require egress inspections |
| | 741R | 101: 12.3.5.1 | New | Sprinkler (new) nightclub type facilities and festival seating venues |
| 03-7-19 | 742 | 101: 13.3.5.1 & 13.7.1 | Existing | Sprinkler (existing) specially defined assembly occupancies, & require egress inspections |
| | 742R | 101: 12.7.1 & 13.7.1 | Existing | Require means of egress inspection and record keeping |
| 03-7-23 | 740 | 5000: 16.2.5.4.1 | New | No festival seating unless Life Safety (LS) evaluation |
| | 740R | 5000: 16.2.5.4.1 | New | Restrict festival seating if Occupant Load (OL) >250 unless LS evaluation |
| 03-7-24 | 743 | 5000: 16.3.5.1.1 | New | Sprinkler (new) specially defined assembly occupancies |
| | 743R | 5000: 16.3.5.1.1 | New | Sprinkler (new) nightclub type facilities and festival seating venues |

Note: Shaded areas of table are revised or re-confirmed TIAs from TC meeting on 7-8 July 2003

The genesis of these TIAs began with discussions that took place at a public forum and special meeting of the Technical Committee held on 13 March 2003 in Boston MA. This meeting was held in response to the E2 nightclub crowd crush incident in Chicago IL and The Station nightclub fire in West Warwick Rhode Island, both of which occurred in February 2003 and collectively resulted in 121 fatalities.

TIAs 737, 738, 739 and 740 were generated by the Technical Committee at its 13 March meeting. Subsequently, additional TIAs were received from the International Fire Marshals Association (IFMA), and these TIAs (741, 742 and 743) were then grouped for processing with the TIAs generated by the Technical Committee. In accordance with the NFPA Regulations Governing Committee Projects (Regulations), all seven TIAs were submitted for public review and letter ballots of the Technical Committee and the Technical Correlating Committees responsible for NFPA 101[®] and NFPA 5000[™]. With respect to these letter ballots, some passed and some failed the ballots in various respects. For purposes of this decision, however, it is only necessary that TIA 738 received the necessary three-fourths majority on both technical merit and emergency nature to pass the ballot of Technical Committee.

The Technical Committee held a second meeting on 8-9 July 2003 for the purpose of further evaluating these seven TIAs and the public comment received, and generating revisions if deemed appropriate. At this meeting the Technical Committee had the benefit of additional event analysis documentation available on the Chicago and Rhode Island incidents, a report of a Technical Committee appointed Task Group that studied The Station fire using computer modeling techniques, and a review of various legislative activity and public commentary.

At the July 8-9 meeting, the Technical Committee concluded that it was satisfied with TIA 738, which had been previously and successfully letter balloted. With respect to the other six TIA's, however, the Technical Committee, based on the public review and other input and discussion, decided to make some revisions, and the Technical replaced and superseded the original six TIA's with revised TIA's designated as TIA 737R, 739R, 740R, 741R, 742R and 743R. These six revised TIA's were then submitted to a letter ballot of the Technical Committee in accordance with the Regulations. As of the Standards Council hearing on July 16, preliminary ballot results indicated that all six revised TIAs received the necessary three-fourths majority on both technical merit and emergency nature to pass the ballot of the Technical Committee.

The seven remaining TIA's - TIA 738 and the six revised TIA's 737R, 739R, 740R, 741R, 742R and 743R – were thereafter forwarded to the Standards Council for consideration and action. A hearing was held at the Council meeting of 16 July 2003, at which presentations were made in favor of the issuance of the TIA's. As indicated above, however, the ballot results available to the Council on six of the TIA's were at that point preliminary, since a final recirculation of the ballots required by NFPA Regulations would not be completed until July 24, 2003. Following the hearing, therefore, the Council tabled the matter until all final ballot results were available. Final ballot results confirmed the preliminary results that the Technical Committee supported the revised TIAs. The final results having been obtained, the Council reconvened via a telephone conference on 25 July 2003.

Following a review and consideration of all the information available to it, the Council has voted to issue the seven TIA's supported by the Technical Committee. Specifically, the Council is issuing TIAs 737R, 738, 739R, 741R and 742R on the 2003 edition of NFPA 101[®], and TIAs 740R and 743R on the 2003 edition of NFPA 5000[™]. (As a procedural detail the Council did not issue the superseded TIAs 737, 739, 740, 741, 742 and 743, which were also transmitted to the Council.)

The following is a summary of the TIAs on this matter that have been issued by the Standards Council on the 2003 edition of NFPA 101[®], *Life Safety Code*[®]:

| COUNCIL AGENDA # | TIA # | SECTIONS OF NFPA 101, 2003 ED. | TYPE OF FACILITY | SUBJECT |
|------------------|-------|--------------------------------|------------------|---|
| 03-7-15 | 737R | 101: 12.2.5.4.1 & 13.2.5.4.1 | New & Existing | Restrict festival seating if Occupant Load (OL) >250 unless LS evaluation |
| 03-7-16 | 738 | 101: 12.7.5 & 13.7.5 | New & Existing | Crowd managers required for all assembly occupancies |
| 03-7-17 | 739R | 101: 13.3.5.1 | Existing | Sprinkler (existing) nightclub type facilities & festival seating venues, with OL>100 |
| 03-7-18 | 741R | 101: 12.3.5.1 | New | Sprinkler (new) nightclub type facilities and festival seating venues |
| 03-7-19 | 742R | 101: 12.7.1 & 13.7.1 | Existing | Require means of egress inspection and record keeping |

The following is a summary of the TIAs on this matter that have been issued by the Standards Council on the 2003 edition of NFPA 5000[™], *Building Construction and Safety Code*[™]:

| COUNCIL AGENDA # | TIA # | SECTIONS OF NFPA 5000, 2003 ED. | TYPE OF FACILITY | SUBJECT |
|------------------|-------|---------------------------------|------------------|---|
| 03-7-23 | 740R | 5000: 16.2.5.4.1 | New | Restrict festival seating if Occupant Load (OL) >250 unless LS evaluation |
| 03-7-24 | 743R | 5000: 16.3.5.1.1 | New | Sprinkler (new) nightclub type facilities and festival seating venues |

All of these TIA's were supported by the Technical Committee, the consensus body with primary responsibility for developing consensus on technical issues such as those addressed by these TIA's. The Technical Committee also agreed that the issues involved were of an emergency nature requiring prompt action through the TIA process. The Council, therefore, has little difficulty in concluding, based on the vote of the Technical Committee, that the TIA's should be issued. In this regard, the Council notes that the issues addressed by these TIA's have received extensive review. This includes not only two separate meetings of the Technical Committee dedicated to the development and consideration of these TIAs, but also extensive public review, including publication of the original TIA's and an unprecedented public forum held by the Technical Committee.

In deciding to issue the TIA's, however, the Council has had to resolve one difficulty with respect to three of the TIA's. In addition to the balloting of the Technical Committee, all seven TIA's were also balloted in accordance with NFPA Regulations through the responsible Technical Correlating Committee. In the case of the two TIA's to NFPA 5000 (TIA's 740R and 743R), this was the NFPA 5000 Technical Correlating Committee, and with respect to the TIAs to NFPA 101[®] (TIA's 737R, 738, 739R, 741R, and 742R), it was the NFPA 101 Technical Correlating Committee. Three of the TIA's did not pass the Technical Correlating Committee ballot, and these were the two on NFPA 5000 and TIA 738 on NFPA 101. An examination of those ballots reveals, however, that objections posed against these TIA's were not based on the correlation and coordination concerns that are the primary charge of the Technical Correlating Committees, but rather on disagreement based on technical issues that were raised and fully considered by the Technical Committee. In addition, the two TIA's on NFPA 5000 propose revisions to that document that are identical to those proposed in two TIA's to NFPA 101 that received support of the NFPA 101 Technical Correlating Committee. Not issuing the TIA's to NFPA 5000 would itself create a serious correlation problem by creating inconsistency between NFPA 101 and NFPA 5000. In these circumstances, and given the clear support of the Technical Committee on the important technical and safety issues at stake, the Council has no difficulty finding clear and substantial basis to reject the recommendations of the Technical

Correlating Committees concerning TIA's 738, 740R, and 743R, and to issue them along with TIA's 737R, 739R, 741R, and 742R.

Council member Isman recused himself from deliberations and vote on TIAs 739, 739R, 741, 741R, 742, 742R, 743 and 743R.

SC #03-7-15/16/17/18/19/23/24
D#03-24



Tentative Interim Amendment

NFPA 101®
Life Safety Code®
2003 Edition

Reference: 12.2.5.4.1 and 13.2.5.4.1
TIA 03-1 (NFPA 101)
(SC 03-7-15/Log No. 737R)

Pursuant to Section 5 of the NFPA Regulations Governing Committee Projects, the National Fire Protection Association has issued the following Tentative Interim Amendment to NFPA 101®, *Life Safety Code*®, 2003 edition. The TIA was processed by the Safety to Life Committee, and was issued by the Standards Council on July 25, 2003, with an effective date of August 14, 2003.

A Tentative Interim Amendment is tentative because it has not been processed through the entire standards-making procedures. It is interim because it is effective only between editions of the standard. A TIA automatically becomes a proposal of the proponent for the next edition of the standard; as such, it then is subject to all of the procedures of the standards-making process.

Revise 12.2.5.4.1 and 13.2.5.4.1 to prohibit festival seating in assembly occupancies with occupant load more than 250 without a life safety evaluation as follows:

12.2.5.4.1 Festival seating, as defined in 3.3.188.1, shall be prohibited within a building, unless otherwise permitted by the following:

- (1) Festival seating shall be permitted in assembly occupancies having occupant loads of 250 ~~1000~~ or less.
- (2) Festival seating shall be permitted in assembly occupancies where occupant loads exceed 250 ~~1000~~ and ~~where~~ an approved life safety evaluation has been performed. (See 12.4.1.)

13.2.5.4.1 Festival seating, as defined in 3.3.188.1, shall be prohibited within a building, unless otherwise permitted by the following:

- (1) Festival seating shall be permitted in assembly occupancies having occupant loads of 250 ~~1000~~ or less.
- (2) Festival seating shall be permitted in assembly occupancies where occupant loads exceed 250 ~~1000~~ and ~~where~~ an approved life safety evaluation has been performed. (See 13.4.1.)



Tentative Interim Amendment

NFPA 101®

Life Safety Code®

2003 Edition

Reference: 12.7.5 and 13.7.5
TIA 03-2 (NFPA 101)
(SC 03-7-16/Log No. 738)

Pursuant to Section 5 of the NFPA Regulations Governing Committee Projects, the National Fire Protection Association has issued the following Tentative Interim Amendment to NFPA 101®, *Life Safety Code*®, 2003 edition. The TIA was processed by the Safety to Life Committee, and was issued by the Standards Council on July 25, 2003, with an effective date of August 14, 2003.

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Revise 12.7.5 and 13.7.5 to lower the threshold for crowd managers in assembly occupancies as follows:

12.7.5* Crowd Managers.

12.7.5.1 ~~In assembly~~ Assembly occupancies having occupant loads exceeding 1000, shall be provided with a minimum of one trained crowd manager or crowd manager supervisor. Where the occupant load exceeds 250, additional trained crowd managers or crowd manager supervisors shall be provided at a ratio of 1 crowd manager/supervisor for every 250 occupants unless otherwise permitted by the following:

- (1) This requirement shall not apply to assembly occupancies used exclusively for religious worship with an occupant load not exceeding 2000.
- (2) The ratio of trained crowd managers to occupants shall be permitted to be reduced where, in the opinion of the authority having jurisdiction, the existence of an approved, supervised automatic sprinkler system and the nature of the event warrant.

12.7.5.2 The crowd manager shall receive approved training in crowd management techniques.

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- (1) This requirement shall not apply to assembly occupancies used exclusively for religious worship with an occupant load not exceeding 2000.
- (2) The ratio of trained crowd managers to occupants shall be permitted to be reduced where, in the opinion of the authority having jurisdiction, the existence of an approved, supervised automatic sprinkler system and the nature of the event warrant.

13.7.5.2 The crowd manager shall receive approved training in crowd management techniques.



Tentative Interim Amendment

NFPA 101®
Life Safety Code®
2003 Edition

Reference: 13.3.5.1
TIA 03-3 (NFPA 101)
(SC 03-7-17/Log No. 739R)

Pursuant to Section 5 of the NFPA Regulations Governing Committee Projects, the National Fire Protection Association has issued the following Tentative Interim Amendment to NFPA 101®, *Life Safety Code®*, 2003 edition. The TIA was processed by the Safety to Life Committee, and was issued by the Standards Council on July 25, 2003, with an effective date of August 14, 2003.

A Tentative Interim Amendment is tentative because it has not been processed through the entire standards-making procedures. It is interim because it is effective only between editions of the standard. A TIA automatically becomes a proposal of the proponent for the next edition of the standard; as such, it then is subject to all of the procedures of the standards-making process.

Insert a new 13.3.5.1 (and renumber existing 13.3.5.1 through 13.3.5.3) to require sprinklers in existing nightclubs and similar assembly occupancies with occupant load exceeding 100 as follows:

13.3.5.1 Where occupant load exceeds 100, the following assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7:

- (1) Bars
- (2) Dance Halls
- (3) Discotheques
- (4) Nightclubs
- (5) Assembly occupancies with festival seating



Tentative Interim Amendment

NFPA 101®
Life Safety Code®
2003 Edition

Reference: 12.3.5.1
TIA 03-4 (NFPA 101)
(SC 03-7-18/Log No. 741R)

Pursuant to Section 5 of the NFPA Regulations Governing Committee Projects, the National Fire Protection Association has issued the following Tentative Interim Amendment to NFPA 101®, *Life Safety Code®*, 2003 edition. The TIA was processed by the Safety to Life Committee, and was issued by the Standards Council on July 25, 2003, with an effective date of August 14, 2003.

A Tentative Interim Amendment is tentative because it has not been processed through the entire standards-making procedures. It is interim because it is effective only between editions of the standard. A TIA automatically becomes a proposal of the proponent for the next edition of the standard; as such, it then is subject to all of the procedures of the standards-making process.

Insert a new 12.3.5.1 (and renumber existing 12.3.5.1 through 12.3.5.3) to require sprinklers in new nightclubs and similar assembly occupancies as follows:

12.3.5.1 The following assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 9.7:

- (1) Bars
- (2) Dance Halls
- (3) Discotheques
- (4) Nightclubs
- (5) Assembly occupancies with festival seating



Tentative Interim Amendment

NFPA 101®
Life Safety Code®
2003 Edition

Reference: 12.7.1 and 13.7.1
TIA 03-5 (NFPA 101)
(SC 03-7-19/Log No. 742R)

Pursuant to Section 5 of the NFPA Regulations Governing Committee Projects, the National Fire Protection Association has issued the following Tentative Interim Amendment to NFPA 101®, *Life Safety Code*®, 2003 edition. The TIA was processed by the Safety to Life Committee, and was issued by the Standards Council on July 25, 2003, with an effective date of August 14, 2003.

A Tentative Interim Amendment is tentative because it has not been processed through the entire standards-making procedures. It is interim because it is effective only between editions of the standard. A TIA automatically becomes a proposal of the proponent for the next edition of the standard; as such, it then is subject to all of the procedures of the standards-making process.

Insert a new 12.7.1 and 13.7.1 (and renumber existing 12.7.1 through 12.7.11 and 13.7.1 through 13.7.11) to require means of egress inspections as follows:

12.7.1 Means of Egress Inspection.

12.7.1.1 The building owner or agent shall inspect the means of egress to ensure it is maintained free of obstructions, and correct any deficiencies found, prior to each opening of the building to the public.

12.7.1.2 The building owner or agent shall prepare and maintain records of the date and time of each inspection on approved forms, listing any deficiencies found and actions taken to correct them.

13.7.1 Means of Egress Inspection.

13.7.1.1 The building owner or agent shall inspect the means of egress to ensure it is maintained free of obstructions, and correct any deficiencies found, prior to each opening of the building to the public.

13.7.1.2 The building owner or agent shall prepare and maintain records of the date and time of each inspection on approved forms, listing any deficiencies found and actions taken to correct them.



Tentative Interim Amendment

NFPA 5000™

Building Construction and Safety Code™

2003 Edition

Reference: 16.2.5.4.1

TIA 03-1 (NFPA 5000™)

(SC 03-7-23/Log No. 740R)

Pursuant to Section 5 of the NFPA Regulations Governing Committee Projects, the National Fire Protection Association has issued the following Tentative Interim Amendment to NFPA 5000™, Building Construction and Safety Code™, 2003 edition. The TIA was processed by the Building Code Committee, and was issued by the Standards Council on July 25, 2003, with an effective date of August 14, 2003.

A Tentative Interim Amendment is tentative because it has not been processed through the entire standards-making procedures. It is interim because it is effective only between editions of the standard. A TIA automatically becomes a proposal of the proponent for the next edition of the standard; as such, it then is subject to all of the procedures of the standards-making process.

Revise 16.2.5.4.1 to prohibit festival seating in assembly occupancies with occupant load more than 250 without a life safety evaluation as follows:

16.2.5.4.1 Festival seating, as defined in 3.3.474.1, shall be prohibited within a building unless otherwise permitted by the following:

~~Exception No. 1:~~ (1) Festival seating shall be permitted in assembly occupancies having occupant loads of 250 ~~1000~~ or less.

~~Exception No. 2:~~ (2) Festival seating shall be permitted in assembly occupancies where with occupant loads exceed greater than 250 ~~1000~~ with and an approved life safety evaluation has been performed. (See 16.4.1.)



Tentative Interim Amendment

NFPA 5000™

Building Construction and Safety Code™

2003 Edition

Reference: 16.3.5.1.1
TIA 03-2 (NFPA 5000™)
(SC 03-7-24/Log No. 743R)

Pursuant to Section 5 of the NFPA Regulations Governing Committee Projects, the National Fire Protection Association has issued the following Tentative Interim Amendment to NFPA 5000™, Building Construction and Safety Code™, 2003 edition. The TIA was processed by the Building Code Committee, and was issued by the Standards Council on July 25, 2003, with an effective date of August 14, 2003.

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Insert a new 16.3.5.1.1 (and renumber existing 16.3.5.1.1 and 16.3.5.1.2) to require sprinklers in new nightclubs and similar assembly occupancies as follows:

16.3.5.1.1 The following assembly occupancies shall be protected throughout by an approved, supervised automatic sprinkler system in accordance with Section 55.3:

- (1) Bars
- (2) Dance Halls
- (3) Discotheques
- (4) Nightclubs
- (5) Assembly occupancies with festival seating