



## National Fire Protection Association

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# MEMORANDUM

TO: NFPA Technical Committee on Board and Care Facilities

FROM: Gregory Harrington, Staff Liaison

DATE: November 16, 2010

SUBJECT: NFPA 5000 ROC TC FINAL Ballot Results (A2011)

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The Final Results of the NFPA 5000 ROC Letter Ballot are as follows:

**20 Members Eligible to Vote**  
**20 Returned**  
**No Negatives**  
**1 Abstention on every ballot item (H. Kowalenko)**  
**Please note that there was no more than 1 abstention on any ballot item.**

There are two criteria necessary to pass ballot [(1) affirmative  $\frac{2}{3}$  vote and (2) simple majority].

- (1) The number of affirmative votes needed for the proposal/comment to pass is **13**.  
(20 eligible to vote - 0 not returned - 1 abstention =  $19 \times 0.66 = 12.54$ )
- (2) In all cases, an affirmative vote of at least a simple majority of the total membership eligible to vote is required. This is the calculation for simple majority:  
[20 eligible  $\div$  2 = 10 + 1 = **(11)**]

Reasons for negative votes, etc. from alternate members are not included unless the ballot from the principal member was not received.

According to the final ballot results, all ballot items received the necessary  $\frac{2}{3}$  required affirmative votes to pass ballot.

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5000-65 Log #49 BLD-BCF  
(7.4.1, 7.5, and 7.6)

Final Action: Accept in Principle

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**Submitter:** Technical Correlating Committee on Building Code,

**Comment on Proposal No:** 5000-88

**Recommendation:** Review the action taken by BLD-BLC on proposal 5000-88.

**Substantiation:** Proposal 5000-88 considers removal of the story height limits and area criteria from Chapter 7. No correlative action was considered as to how the allowable construction types for the occupancy chapters would be handled (in the \_\_.1.5.1 Section) without such content.

**Committee Meeting Action:** Accept in Principle

Reject Proposal 5000-88.

**Committee Statement:** In NFPA 101, Table 32.3.1.3 for new, large board and care facilities limits the story height that can be occupied for a given building construction type. The height and area provisions of NFPA 5000 Chapter 7 do the same so the occupancy chapter in NFPA 5000 does not have a building construction table like that in NFPA 101. If the height and/or area provisions are deleted from NFPA 5000 Chapter 7, the occupancy chapter will be left under-protected. The provisions of NFPA 101 and NFPA 5000 will be technically different. Buildings constructed to the NFPA 5000 provisions for new construction will most likely be judged deficient by the NFPA 101 requirements applicable to existing buildings.

The committee has strived to keep the requirements of NFPA 101 and NFPA 5000 parallel and equivalent. It is premature to delete the height and/or area requirements as the occupancy technical committee has not had sufficient notice to respond adequately by, for example, adding material to its occupancy chapter.

**Number Eligible to Vote:** 20

**Ballot Results:** Affirmative: 19 Abstain: 1

**Explanation of Abstention:**

KOWALENKO, H.: I was recently appointed to this committee and have not been involved in the discussions.

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5000-91 Log #65 BLD-BCF  
(8.11.4.1)

Final Action: Accept in Principle

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**Submitter:** Technical Correlating Committee on Building Code,

**Comment on Proposal No:** 5000-97a

**Recommendation:** Reconsider the action on this proposal to determine if latching is required or not. Section 8.11.4.2 (3) appears to not require the latching hardware but implies that the occupancy chapters can offer a different option. The Occupancy Chapter TCs should review their chapter provisions applicable to smoke barriers and, if it is the TC's desire, revise text so as to specifically require latching in the appropriate locations.

**Substantiation:** The occupancy chapters might need to be correlated with the change made to 8.11.4.2(3).

**Committee Meeting Action:** Accept in Principle

No action.

**Committee Statement:** Smoke barrier doors in board and care facilities are already exempted from the requirement for positive latching via 26.3.3.7.20.

**Number Eligible to Vote:** 20

**Ballot Results:** Affirmative: 19 Abstain: 1

**Explanation of Abstention:**

KOWALENKO, H.: See my Explanation of Abstention on Comment 5000-65 (Log #49).

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5000-102 Log #72 BLD-BCF  
(8.15.1, 8.15.4, 22.3.2, 23.3.1, 24.3.1, 25.3.2X, 26.3.3.2X)

**Final Action: Accept in Principle**

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**Submitter:** Technical Correlating Committee on Building Code,  
**Comment on Proposal No:** 5000-104b

**Recommendation:** Review the actions taken on Proposals 5000-104a, 5000-166, 5000-167, 5000-168, 5000-169, and 5000-170 to ensure there is a consistent treatment of this subject.

**Substantiation:** This proposal relates to the need to provide a separation between garages and living spaces in residential occupancies. Each committee is being asked to review the base criteria proposed for chapter 8 and determine if further correlation within the occupancy chapters is necessary.

**Committee Meeting Action:** **Accept in Principle**

No action.

**Committee Statement:** The provisions for separation between garages and board and care facilities was addressed at the ROP stage via Proposal 5000-172a. The action on Proposal 5000-172a should meet the intent of the TCC note.

**Number Eligible to Vote:** 20

**Ballot Results:** Affirmative: 19 Abstain: 1

**Explanation of Abstention:**

KOWALENKO, H.: See my Explanation of Abstention on Comment 5000-65 (Log #49).

5000-141 Log #135 BLD-BCF  
(26.2.3.4.5 and 26.2.6)

Final Action: Accept in Principle

Submitter: Kenneth E. Isman, National Fire Sprinkler Association, Inc.

Comment on Proposal No: 5000-174g, 5000-174h

Recommendation: Revise text to read as follows:

Merge the proposed language from 5000-174g and 5000-174h into a single section 26.2.6 as follows:

"26.2.6 Attic Protection. Attics shall meet one of the following criteria:

(1) Protected throughout by a heat detection system arranged to activate the building fire alarm system in accordance with section 9.6.

(2) Protected with automatic sprinklers in accordance with 9.7.1.1(1)

(3) Constructed of non-combustible or limited combustible construction.

(4) Constructed of fire retardant treated wood in accordance with NFPA 703."

Substantiation: As the committee has seen, through a review of fires, it is possible for a building with an NFPA 13R compliant sprinkler system to have a fire in the attic that exposes occupants to heat and smoke before they can evacuate due to the unique nature of this occupancy. Some protection of the attic space is warranted. During the ROP meeting, the committee was comfortable in placing a requirement for a heat detection system in the attic where the attic was combustible. Upon further thought, the concept of combustibility may not be sufficient to handle all of the variations in design. For example, if the owner chose fire retardant treated wood, which is still considered combustible, the detection system would be required. This list provides the owner with several options.

We would be happier to just require all attics to be sprinklered in accordance with NFPA 13. But we sense from the committee's previous record that this is beyond what the committee is comfortable in doing at this time, even given recent fire experience.

Committee Meeting Action: Accept in Principle

Add a new 26.2.3.5.6 and 26.2.3.5.7 as follows:

26.2.3.5.6 Where an automatic sprinkler system is required by 26.2.3.5, attics used for living purposes, storage, or fuel-fired equipment shall be protected by an approved automatic sprinkler system in accordance with 55.3.1.1.

26.2.3.5.7 Attics not meeting 26.2.3.5.6 shall meet one of the following:

(1) Attics shall be protected throughout by a heat detection system arranged to activate the building fire alarm system in accordance with Section 55.2.

(2) Attics shall be protected with automatic sprinklers in accordance with 55.3.1.1(1)

(3) Attics shall be constructed of non-combustible or limited combustible construction.

(4) Attics shall be constructed of fire-retardant treated wood in accordance with NFPA 703. *Standard for Fire-Retardant Treated Wood and Fire-Retardant Coatings for Building Materials.*

Committee Statement: The committee action locates the attic protection provisions under the automatic sprinkler requirements and coordinates better with language in NFPA 13R and NFPA 13D. The committee action should meet the submitter's intent.

Number Eligible to Vote: 20

Ballot Results: Affirmative: 19 Abstain: 1

Explanation of Abstention:

KOWALENKO, H.: See my Explanation of Abstention on Comment 5000-65 (Log #49).

Comment on Affirmative:

LATHROP, J.: Although voting affirmatively I am concerned about the wording for this. Its states "attics not meeting 26.2.3.5.6 shall" by doing this it appears that if I do not sprinkler a space required to be sprinklered by 26.2.3.5.6 then I can do the alternative. I think it would be better to say "attics, other then those regulated (or covered or similar term) by 26.2.3.5.6 shall ....

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5000-142 Log #96 BLD-BCF  
(26.2.6 (New) )

**Final Action: Accept in Principle**

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**Submitter:** Joseph T. Holland, Hoover Treated Wood Products

**Comment on Proposal No:** 5000-174h

**Recommendation:** Accept proposal as written in Report on Proposals

**Substantiation:** While the code allows the use of 13D I believe using 13D is beyond the scope of the standard. The scope clearly states its intent.

1.1\* Scope. 1.1.1 This standard shall cover the design, installation, and maintenance of automatic sprinkler systems for protection against the fire hazards in one- and two-family dwellings and manufactured homes.

A Residential Board and Care with 16 residences and staff is clearly not a one or two family dwelling. If the committee feels the 16D is appropriate then this proposal is necessary.

**Committee Meeting Action:** Accept in Principle

See the action on Comment 5000-141.

**Committee Statement:** The action on Comment 5000-141 should meet the submitter's intent.

**Number Eligible to Vote:** 20

**Ballot Results:** Affirmative: 19 Abstain: 1

**Explanation of Abstention:**

KOWALENKO, H.: See my Explanation of Abstention on Comment 5000-65 (Log #49).