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- (2) Doors in the smoke partitions required by 6.1.14.4.67(1) are equipped with positive latching hardware.
- (3) The atrium meets the provisions of 8.6.7 of NFPA 101 that are applicable to new atriums.

[101:6.1.14.4.6]

Chapter 7 Reserved

Chapter 8 Reserved

Chapter 9 Reserved

Chapter 10 General Safety Requirements

10.1 Fundamental Requirements.

10.1.1 Every new and existing building or structure shall be constructed, arranged, equipped, maintained, and operated in accordance with this *Code* so as to provide a reasonable level of life safety, property protection, and public welfare from the actual and potential hazards created by fire, explosion, and other hazardous conditions.

10.1.2* *Life Safety Code.* Every new and existing building shall comply with this *Code* and NFPA 101.

10.1.3 Building Code. Where a building code has been adopted, all new construction shall comply with this *Code* and the building code.

10.1.4 Structural Hazards.

10.1.4.1 Where structural elements have visible damage, the AHJ shall be permitted to require a technical analysis prepared in accordance with Section 1.15 to determine if repairs are necessary to restore structural integrity.

10.1.4.2 Where the technical analysis recommends repairs to the structure, such repairs shall be made.

10.1.5 Any person who deliberately, or through negligence, sets fire to or causes the burning of any combustible material in such a manner as to endanger the safety of any person or property shall be deemed to be in violation of this *Code*.

10.1.6 The AHJ shall have the authority to prohibit any or all open flames or other sources of ignition where circumstances make such conditions hazardous.

10.1.7 Listed and Labeled. Listed and labeled equipment, devices, and materials shall be installed and used in accordance with the listing limitations and the manufacturers' instructions.

10.2 Owner/Occupant Responsibilities.

10.2.1 The owner, operator, or occupant shall be responsible for compliance with this *Code*.

10.2.2 The owner, operator, or occupant of a building shall notify the AHJ prior to a change of occupancy as specified in 4.5.7 and 10.3.4.

10.2.3 The AHJ shall be permitted to require the owner, operator, or occupant to provide tests or test reports, without expense to the AHJ, as proof of compliance with the intent of this *Code*.

10.2.4 The owner, operator, or occupant of a building that is deemed unsafe by the AHJ shall abate, through corrective action approved by the AHJ, the condition causing the building to be unsafe either by repair, rehabilitation, demolition, or other corrective action approved by the AHJ.

10.2.5 The owner, operator, or occupant, or any person in control of a building or premises shall keep records of all maintenance, inspections, and testing of fire protection systems, fire alarm systems, smoke control systems, emergency evacuation and relocation drills, emergency action plans, emergency power, elevators, and other equipment as required by the AHJ.

10.2.6 All records required to be kept shall be maintained until their useful life has been served, as required by law, or as required by the AHJ.

10.2.7 Minimum Fire Prevention Inspection Frequencies for Existing Occupancies.

10.2.7.1 Fire prevention inspections shall occur on existing premises in compliance with the minimum inspection frequency schedule specified in Table 10.2.7.1.

Table 10.2.7.1 Minimum Inspection Frequency

Occupancy Risk Classification	Frequency
High	Annually
Moderate	Biennially
Low	Triennially
Critical infrastructure	Per AHJ

[1730:Table 6.7]

10.2.7.2 Where required or permitted by the AHJ, the required fire prevention inspection shall be conducted by an approved party that is qualified in accordance with NFPA 1031.

10.2.7.3 The AHJ shall be permitted to approve alternative qualifications for the approved party specified in 10.2.7.2.

10.2.7.4 The provisions of 10.2.7 shall not apply to detached one- and two-family dwellings or townhomes.

10.3 Occupancy.

10.3.1 No new construction or existing building shall be occupied in whole or in part in violation of the provisions of this *Code*.

10.3.2 Existing buildings that are occupied at the time of adoption of this *Code* shall remain in use provided that the following conditions are met:

- (1) The occupancy classification remains the same.
- (2) No condition deemed hazardous to life or property exists that would constitute an imminent danger.

10.3.3* Buildings or portions of buildings, except for routine maintenance or repair, shall not be occupied during construction, repair, or alteration without the approval of the AHJ if required means of egress are impaired or required fire protection systems are out of service.



10.3.4 Change of Use or Occupancy Classification.

10.3.4.1 In any building or structure, whether or not a physical alteration is needed, a change from one use or occupancy classification to another shall comply with 4.6.7 of NFPA 101. [101:4.6.11]

10.3.4.2 Occupancy classifications and subclassifications, as defined, shall be in accordance with Chapter 6.

10.4 Building Evacuation.

10.4.1 Persons shall not fail to leave a building when notified to do so or when directed by the AHJ as a result of a known or perceived emergency.

10.4.2* Persons shall not fail to leave any overcrowded premises when ordered to do so by the AHJ.

10.4.3* Persons shall not fail to leave a building when a fire alarm system is activated, unless otherwise provided for in an approved building fire evacuation plan or during routine testing or maintenance.

10.5* Fire Drills.

10.5.1 Where Required. Emergency egress and relocation drills conforming to the provisions of this Code shall be conducted as specified by the provisions of Chapter 20 of this Code or Chapters 11 through 42 of NFPA 101, or by appropriate action of the AHJ. Drills shall be designed in cooperation with the local authorities. [101:4.7.1]

10.5.2* Drill Frequency. Emergency egress and relocation drills, where required by Chapter 20 of this Code or Chapters 11 through 42 of NFPA 101, or the AHJ, shall be held with sufficient frequency to familiarize occupants with the drill procedure and to establish conduct of the drill as a matter of routine. Drills shall include suitable procedures to ensure that all persons subject to the drill participate. [101:4.7.2]

10.5.3 Orderly Evacuation. When conducting drills, emphasis shall be placed on orderly evacuation rather than on speed. [101:4.7.3]

10.5.4* Simulated Conditions. Drills shall be held at expected and unexpected times and under varying conditions to simulate the unusual conditions that can occur in an actual emergency. [101:4.7.4]

10.5.5 Relocation Area. Drill participants shall relocate to a predetermined location and remain at such location until a recall or dismissal signal is given. [101:4.7.5]

10.5.6* A written record of each drill shall be completed by the person responsible for conducting the drill and maintained in an approved manner. [101:4.7.6]

10.6 Reporting of Fires and Other Emergencies.

10.6.1 Fire Reporting.

10.6.1.1 The person discovering any unwanted fire, regardless of magnitude, shall immediately notify the fire department.

10.6.1.2 Facilities that have established on-premises fire-fighting organizations and have coordinated and arranged procedures approved by the AHJ shall not need to notify the fire department.

10.6.1.3* The owner, manager, occupant, or any person in control of such building or premises, upon discovery of an unwanted fire or evidence of a previous unwanted fire that had apparently been extinguished, shall immediately notify the fire department.

10.6.1.4 Persons shall not make, issue, post, or maintain any regulation or order, written or verbal, that would require any person to take any unnecessary delaying action prior to reporting a fire to the fire department.

10.6.2 Persons shall not deliberately or maliciously turn in an alarm of fire when in fact that person knows that no fire exists.

10.6.3 Notification of unauthorized discharge of hazardous materials shall be in accordance with Chapter 60.

10.6.4 Any person who willfully makes any false, fraudulent, misleading, or unfounded report or statement or willfully misrepresents any fact with the intention of misleading any fire department personnel or who interferes with the operation of the fire department shall be in violation of this Code.

10.7 Tampering with Fire Safety Equipment.

10.7.1 Persons shall not render any portable or fixed fire-extinguishing system or device or any fire-warning system or device inoperative or inaccessible.

10.7.1.1 As necessary during emergencies, maintenance, drills, prescribed testing, alterations, or renovations, portable or fixed fire-extinguishing systems or devices or any fire-warning system or device shall be permitted to be made inoperative or inaccessible.

10.7.2 Persons shall not render a fire protection system or device inoperative during an emergency unless by direction of the incident commander.

10.7.3 Persons, except a person authorized by the AHJ, shall not remove, unlock, destroy, or tamper with in any manner any locked gate, door, or barricade; chain; enclosure; sign; tag; or seal that has been required by the AHJ pursuant to this Code.

10.8 Emergency Action Plans.

10.8.1 Where Required. Emergency action plans shall be provided for high-rise, health care, ambulatory health care, residential board and care, assembly, day-care centers, special amusement buildings, hotels and dormitories, detention and correctional occupancies, educational, underground and windowless structures, facilities storing or handling materials covered by Chapter 60, or where required by the AHJ.

10.8.2 Plan Requirements.

10.8.2.1* Emergency action plans shall include the following:

- (1) Procedures for reporting of emergencies
- (2) Occupant and staff response to emergencies
- (3)* Evacuation, relocation and shelter-in-place procedures appropriate to the building, its occupancy, emergencies, and hazards
- (4) Appropriateness of the use of elevators
- (5) Design and conduct of fire drills
- (6) Type and coverage of building fire protection systems
- (7) Other items required by the AHJ

[101:4.8.2.1]



10.8.2.2 Emergency action plans shall be submitted to the AHJ for review when required by the AHJ.

10.8.2.3 Emergency action plans shall be reviewed and updated as required by the AHJ. [10L-4.8.2.3]

10.9 Smoking.

10.9.1 Where smoking is considered a fire hazard, the AHJ shall be authorized to order the owner in writing to post "No Smoking" signs in conspicuous, designated locations where smoking is prohibited.

10.9.2 In areas where smoking is permitted, noncombustible ashtrays shall be provided.

10.9.3 Removal or destruction of any required "No Smoking" sign shall be prohibited.

10.9.4 Smoking or depositing any lighted or smoldering substance in a place where required "No Smoking" signs are posted shall be prohibited.

10.10 Open Flames, Candles, Open Fires, and Incinerators.

10.10.1 Permits. Permits, where required, shall comply with Section 1.12.

10.10.1.1 Permits shall not be required for cooking and recreational fires.

10.10.1.2 Where burning is conducted on public property or the property of someone other than the permit applicant, the permit applicant shall demonstrate that permission has been obtained by the appropriate government agency, the owner, or the owner's authorized agent.

10.10.1.3 When limits for atmospheric conditions or hours restrict burning, such limits shall be designated in the permit restrictions.

10.10.1.4 Instructions or stipulations of permit shall be followed.

10.10.2 The AHJ shall have the authority to prohibit any or all open flames, candles, and open, recreational, and cooking fires or other sources of ignition, or establish special regulations on the use of any form of fire or smoking material where circumstances make such conditions hazardous.

10.10.3 Outdoor Fires.

10.10.3.1* Outdoor fires shall not be built, ignited, or maintained in or upon hazardous fire areas, except by permit from the AHJ.

10.10.3.2 Permanent barbecues, portable barbecues, outdoor fireplaces, or grills shall not be used for the disposal of rubbish, trash, or combustible waste material.

10.10.4 Open Fires.

10.10.4.1 Permitted open fires shall be located not less than 50 ft (15 m) from any structure.

10.10.4.2 Burning hours shall be prescribed by the AHJ.

10.10.4.3 Recreational fires shall not be located within 25 ft (7.6 m) of a structure or combustible material unless contained in an approved manner.

10.10.4.4 Conditions that could cause a fire to spread to within 25 ft (7.6 m) of a structure shall be eliminated prior to ignition.

10.10.5 Fire Attendant.

10.10.5.1 Open, recreational, and cooking fires shall be constantly attended by a competent person until such fire is extinguished.

10.10.5.2 This person shall have a garden hose connected to the water supply or other fire-extinguishing equipment readily available for use.

10.10.6 Cooking Equipment.

10.10.6.1 For other than one- and two-family dwellings, no hibachi, grill, or other similar devices used for cooking, heating, or any other purpose shall be used or kindled on any balcony, under any overhanging portion, or within 10 ft (3 m) of any structure.

F L F L **10.10.6.1.1** Listed electric portable, tabletop grills, not to exceed 200 square inches of cooking surface, or other similar apparatus shall be permitted.

10.10.6.2 For other than one- and two-family dwellings, no hibachi, grill, or other similar devices used for cooking shall be stored on a balcony.

10.10.6.3* Listed equipment permanently installed in accordance with its listing, applicable codes, and manufacturer's instructions shall be permitted.

10.10.7 Installation of Patio Heaters. The installation of patio heaters shall comply with 69.3.13.

10.10.8 Incinerators and Fireplaces.

10.10.8.1 Incinerators, outdoor fireplaces, permanent barbecues, and grills shall not be built, installed, or maintained without prior approval of the AHJ.

10.10.8.2 Incinerators, outdoor fireplaces, permanent barbecues, and grills shall be maintained in good repair and in a safe condition at all times.

10.10.8.3 Openings in incinerators, outdoor fireplaces, permanent barbecues, and grills shall be provided with an approved spark arrester, screen, or door.

10.10.9 Open-Flame Devices.

10.10.9.1* Welding torches, air pots, decorative torches, and other devices, machines, or processes liable to start or cause fire shall not be operated or used in or upon any areas, except by permit from the AHJ.

10.10.9.2 Flame-employing devices, such as lanterns or kerosene road flares, and fuses shall not be operated or used as a signal or marker in or upon any areas unless at the scene of emergencies or railroad operations. (See Chapter 16 and Chapter 63 for additional guidance.)

10.10.9.3 The use of unmanned, free-floating sky lanterns and similar devices utilizing an open flame shall be prohibited.

10.10.10* Discontinuance. The AHJ shall be authorized to require any fire or smoke to be immediately discontinued if the fire is determined to constitute a hazardous condition.

