

## FACT SHEET

Rule changes proposed by Office of State Fire Marshal as of 6-28-2013

- Office of State Fire Marshal (OSFM) authority comes from the Fire Investigation Act adopted by the State of Illinois legislature, but Rules must be approved by the Joint Committee on Administrative Rules (JCAR). The Fire Investigation Act grants OSFM concurrent authority in all jurisdictions across the state, but only the ability to create rules that are 'reasonable' and 'necessary'.
- The rules proposed to JCAR adopt the National Fire Prevention Association (NFPA) standard NFPA 101 (dated 2012) by reference. NFPA 101 is a very detailed standard which in turn references other documents which have complicated requirements.
- NFPA 101 requires sprinklers for ALL new residential buildings.
  - o Sprinklers are required RETROACTIVELY in all high rise buildings, and assembly occupancies such as bars, dancehalls, nightclubs, and assembly spaces with 'festival seating' (audience areas without chairs) for areas greater than 700 square feet. Restaurants with a liquor license and dancing or live music are categorized as nightclubs and religious buildings which have worshipers stand or sit on the floor will fall under the definition of 'festival seating'.
  - o There is an exception for a Life Safety Evaluation (LSE) report prepared by a licensed fire prevention engineer; however, HIGH RISE RESIDENTIAL BUILDINGS ARE NOT ELIGIBLE for the alternative to installing sprinklers because the rules state that the only acceptable standard for the LSE report is NFPA 101-A. The NFPA 101-A standard does not contain any guidelines for apartment/condo buildings. An OSFM interpretation implies that the 101-A standard for assisted living facilities could be applied to apartment/condo buildings, but it is not included in the proposed rules.
  - o ALL newly constructed single family homes and other residential buildings will be required to install sprinkler systems. Existing homes and residential buildings where more than half of the area is RENOVATED will be required to install sprinklers as well.
  - o New religious buildings with seating for over 300 people must install sprinklers.
- Mid-size residential buildings (4 or more stories/11 or more units) will be required to install fire alarm systems with pull stations. Anyone can activate a pull station which will automatically call the Fire Department. Besides the expense of the installation and the on-going maintenance, false alarms will create a nuisance for the Fire Department.
- The Life Safety Evaluation program in place in Chicago since 2005 was developed for high rise residential and Landmark buildings based on the City of Chicago building code specifically because the NFPA 101-A standard does not address residential buildings.
- Existing commercial buildings that want to avoid installing sprinklers will be required to submit to the OSFM a new LSE report that analyzes the building based on NFPA 101 even though the building was constructed using the Chicago Building Code. Sections of NFPA 101 and the Chicago Building Code are contradictory which makes it not possible to comply with both.

- The cost of retrofitting sprinkler systems as reported by the sprinkler industry does not include the significant costs of asbestos and lead abatement, upgrading plumbing and electrical systems, or the repairs to walls and ceilings resulting from punching openings to install the system. Occupants most likely will be displaced during construction.
- NFPA assumes that a response time for a fire department is 10 minutes for the analysis of the benefit of sprinkler systems. The Chicago Fire Department response time is 3 minutes.