

OFFICE OF THE STATE FIRE MARSHAL
STATE OF ILLINOIS

Statute, Rule or Standard Policy Interpretation: **Use of NFPA 101A for Apartment Building Occupancies**

Title:	Fire Prevention and Safety
Part:	41 Ill. Adm. Code 100
Section Number:	100.7(b)
Section Title:	Modifications to the Life Safety Code
Policy Number:	10-FP-001

Purpose: This policy provides for guidance to ensure uniform enforcement of the 2000 edition of the National Fire Protection Association’s *Life Safety Code*. Specifically, the policy addresses the ability to apply NFPA 101A *Guide on Alternative Approaches to Life Safety* (2001) Chapter 7 “*Fire Safety Evaluation System for Board and Care Occupancies*” and more specifically the Section 7.7 “*Worksheets for Evaluating Fire Safety in an Apartment Building with Board and Care Occupancies*” to apartment building occupancies that do not contain board and care operations.

Scope: Statewide

Current Code: Chapters 30 and 31 of the State-adopted 2000 edition of the NFPA *Life Safety Code* apply to new and existing apartment buildings respectively. The Life Safety Code references a supporting document – NFPA 101A for methods of evaluating alternative approaches to fire safety for buildings that cannot comply with the prescriptive requirements of the Life Safety Code. However, NFPA 101A does not contain an independent chapter pertaining specifically to apartment building occupancies.

Enforcement Policy: The OSFM will allow the application of NFPA 101A to demonstrate equivalent protection in apartment building occupancies. More specifically, the use of Section 7.7 “*Worksheets for Evaluating Fire Safety in an Apartment Building with Board and Care Occupancies*” may be applied to apartment buildings regardless of whether they contain board and care occupancies or board and care clients receiving personal care services.

Reason: Several apartment building occupancies have been found to be noncompliant with the NFPA’s *Life Safety Code* which has been adopted by the OSFM for statewide enforcement in Illinois. Although the reasons vary, often a lack of required sprinkler protection or a fire alarm system is the source of noncompliance.

NFPA 101A was developed to offer building owners and authorities having jurisdiction an objective method/instrument for determining if occupant safety equivalent to that provided by compliance with the Life Safety Code is achieved. However, NFPA 101A does not offer a chapter or evaluation scoring process specific to apartment building occupancies. Therefore, no consistent and formalized evaluation process exists for owners of noncomplying apartment buildings to demonstrate equivalent protection. NFPA 101A “*Guide on*

Alternative Approaches to Life Safety” does include an evaluation process for apartment buildings that contain a residential board and care occupancy. Examination of that NFPA 101A process reveals that the parameters being evaluated pertain to areas outside of individual apartments and are based upon the degree of compliance with the Life Safety Code’s chapter applicable to apartment buildings (as opposed to any evaluation of the building’s compliance with parameters pertaining to the presence of residential board and care homes).

Therefore, the OSFM believes that application of the NFPA 101A evaluation instruments and worksheets intended to be applicable to an apartment building containing a board and care occupancy may be applied to apartment buildings in general (even when they do not contain board and care occupants) to prove equivalent safety to that required by the *Life Safety Code*.

Also, Mr. Robert Solomon, NFPA’s chief building fire protection engineer and Assistant Vice President - Building and Life Safety Codes, confirmed to the OSFM in his 2009 correspondence his belief that this approach appears reasonable and has merit and that it is “a reasonable approach that can be considered by the OSFM to evaluate unsprinklered apartment buildings”.

Effective Date: August 2010