



Informal Interpretation Report Number 8632



Date March 24, 2022

Edition 2021

Section 101.4 Referenced codes

Question:

If the Florida Fire Prevention and Life Safety Codes permit a higher occupant load than Table 1004.1 which would also require an additional exit, which occupant load prevails? The Florida Building Code's lower occupant load does not require another exit, so it seems the Florida Building Code might prevail as by providing the greater degree of safety with a lower occupant load? Or, is the permitted load under the Florida Fire Prevention the posted load and the code requirements for that load are applied?

Answer:

This would be easier to answer if the specific occupancy was given. Typically, the code providing the greatest degree of life safety would prevail. Since the FFPC per the requester allows a higher occupant load but also increases the number of exits, this does not appear as decreasing life safety. The occupant load calculated based on FBC-B Table 1004.5 is not an absolute number. Section 1004.5.1 permits an increased occupant load with a limit of one occupant per 7 sq. ft. of occupiable floor space. (Please note this is not based on gross or net floor area, but occupiable floor space.) Application of Section 1004.5.1 would most likely increase the number of required exits. I believe this section would provide the building official and fire official the means to resolve any issue of differences between the codes.

On 03/24/2022 at 8:11 AM

Commentary:

For information, this information is excerpted from the 2021 Florida Statutes regarding the oversight and review process:

553.73 F.S. (11)(a) In the event of a conflict between the Florida Building Code and the Florida Fire Prevention Code and the Life Safety Code as applied to a specific project, the conflict shall be resolved by AGREEMENT between the local building code enforcement official and the local fire code enforcement official in favor of the requirement of the code which offers the greatest degree of lifesafety or alternatives which would provide an equivalent degree of lifesafety and an equivalent method of construction.

553.79 F.S. (2) In addition, an enforcing agency may not issue any permit for construction, erection, alteration, modification, repair, or demolition of any building until the appropriate firesafety inspector certified pursuant to s. 633.216 has reviewed the plans and specifications required by the Florida Building Code, or local amendment

thereto, for such proposal and found that the plans comply with the Florida Fire Prevention Code and the Life Safety Code.

Notice:

The Building Officials Association of Florida, in cooperation with the Florida Building Commission, the Florida Department of Business & Professional Regulation, ICC, and industry and professional experts offer this interpretation of the Florida Building Code in the interest of consistency in their application statewide. This interpretation is informal, non-binding and subject to acceptance and approval by the local building official.