

**To:** Prospective Liquor License and Tavern Owners  
**From:** Fire Prevention and Investigation Section (FPIS)  
**Date:** April 2007  
**Subject:** Fire code requirements and information pertinent to fire and life safety requirements for Drinking and Dining Establishments (A and B Occupancies)

Whenever someone applies for a license or license ownership is transferred, the building the license applies to is inspected. This inspection is conducted by an FPIS Deputy State Fire Marshal or by a representative from your local fire department, provided the department has an inspection division.

The following information lists fire code deficiencies common to occupancies that fall within this category. The information is intended to assist you in evaluating the relative fire and life safety of the building for which you are applying for a liquor license, and to help you avoid unanticipated expenditures. This information may help you determine if the property complies with the Fire Code or will require expensive and/or extensive modifications.

The Fire and Building Codes typically classify on-premise liquor sales establishments in one of two occupancy classes, based on the usable square footage of floor space that is open to and regularly used by the public:

- A business establishment (B Occupancy) is defined as a drinking and dining establishment that has an occupant load of less than 50 and contains less than 750 square feet of usable floor space.
- An assembly occupancy (A Occupancy) is defined as any building or portion of a building that has more than 750 square feet intended for food and/or drink consumption, including banquet halls, night clubs, restaurants, bars and taverns. Most bars, taverns, restaurant/bars and casinos belong in this category.

#### **Fire Code Deficiencies Common to “B” Occupancies**

- Lack of an approved fire suppression system to protect the ventilating hoods over kitchen cooking surfaces.
- Obsolete Dry Chemical Fire Suppression Systems.
- Lack of a required K-class fire extinguisher for kitchen use.
- The use of extension cords as a substitute for permanent wiring.

#### **Fire Code Deficiencies Common to “A” Occupancies**

- Lack of an approved fire suppression system to protect the ventilating hoods over kitchen cooking surfaces.
- Obsolete Dry Chemical Fire Suppression Systems.
- Lack of a required K-class fire extinguisher for kitchen use.
- No indication of occupant limit. The limit must be posted in a conspicuous place near the main exit.
- The use of extension cords as a substitute for permanent wiring.
- Insufficient or inadequate exits:
  - At least two approved exits are required where the occupant load is 50 or more.
  - Exit doors must swing in the direction of departure.
  - Exit doors shall be openable, from the inside, without the use of a key or any special knowledge or effort. Exit doors shall not be locked, chained, bolted, latched or otherwise made unusable. All locking devices must be of an approved type.
  - Exit signs shall be installed at the required exit from the rooms, areas or where otherwise necessary to clearly indicate the direction of departure.
- Inadequate exit illumination. Exit illumination must be provided and maintained. Exits and exit signs must be provided with emergency power, and be maintained in an operable condition.

These are only the most commonly found deficiencies. Other deficiencies may be found during an inspection. For further information or assistance, please contact your local fire department, fire prevention official or the Fire Prevention and Investigation Section at (406) 444-2050.