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MEMORANDUM

(AMENDMENT)

TO: Technical Committee on Residential Occupancies

FROM: Joe Yee, *Committee Administrator*

DATE: July 12, 2023

SUBJECT: Final Results Amendment 101-10 Letter Ballot on the Proposed 2024 Edition of NFPA 101

In accordance with the *Regulations Governing the Development of NFPA Standards*, the final results show the Amendment **HAS NOT** achieved the 2/3 majority vote needed to recommend approval of the Association Action by the Technical Committee. As a result, the recommendation to the Standards Council is to: Revert to previous edition text. Where no previous edition text exists the text is simply deleted.

- 32 Members Eligible to Vote**
- 3 Ballots Not Returned** (*Al-Mannai, Carter, Ramseur*)

The number of votes needed to recommend approval of the Association Action is **19**.
(32 eligible to vote - 3 not returned - 1 abstentions = $28 \times 0.66 = 18.48$)

The attached report shows the number of affirmative, negative, and abstaining votes as well as the explanation of the vote.

The transcripts from the Annual 2023 NFPA Tech Session will post on www.nfpa.org/techsession.

Appeal Closing Date for this Amendment is **July 16, 2023**.

AMENDMENT BALLOT No. 101-10

Technical Committee on Residential Occupancies

NFPA 101, *Life Safety Code*

June 22, 2023

IF YOU AGREE TO SUPPORT AMENDMENT 101-10 as recommended by the NFPA membership by vote at Tech Session, the recommended text reads as follows (*changes shown legislatively to the Second Draft*):

31.7.5 Valet Trash Collection Services.

31.7.5.1

Combustible trash or recycling materials in corridors or on egress balconies awaiting scheduled collection shall be placed completely inside a container that does not exceed a capacity of 15 gal (60 L) in corridors and 22 gal (95 L) on egress balconies.

31.7.5.2

Valet trash and recycling containers shall meet all of the following requirements:

- (1) The containers shall be of liquidtight construction.
- (2) The containers shall be equipped with lids.
- (3) The lids shall be in the fully closed position.

31.7.5.3

Containers and lids shall be constructed entirely of noncombustible materials or materials that meet a peak rate of heat release not exceeding 300 kW/m² when tested in accordance with ASTM E1354, Standard Test Method for Heat and Visible Smoke Release Rates for Materials and Products Using an Oxygen Consumption Calorimeter, at an incident heat flux of 50 kW/m² in the horizontal orientation.

31.7.5.4

Containers shall not be required to comply with 31.7.5.3 for the following:

- (1) Containers in sprinklered corridors or egress balconies in buildings provided with a sprinkler system complying with 31.3.5
- (2) Containers on egress balconies in buildings with noncombustible or limited combustibles exteriors.

31.7.5.5

Containers shall not obstruct the minimum egress width required by 31.2.3.

31.7.5.6

Containers shall not occupy a corridor for a single period exceeding 18 hours.

31.7.5.7

Combustible trash or recycling materials shall not occupy a corridor for a single period exceeding 5 hours.

31.7.5.8

Valet trash collection services shall be permitted in buildings with an approved automatic fire sprinkler system installed.

IF YOU DISAGREE WITH THE RECOMMENDATION FOR AMENDMENT 101-10 by the NFPA membership by vote at Tech Session, the recommended text (i.e. previous edition text) is shown clean below. No previous edition text exists, therefore the text supported by the membership vote is simply deleted.

No Previous Edition Section 31.7.5.8 Text

[Sections 31.7.5 through 31.7.5.7 remain]

Amendment 101-10: Accept Public Comment No. 53. NOTE: A DISAGREE vote would recommend previous edition text. Where no previous edition text exists the text is simply deleted.

Eligible to Vote: 32

Not Returned : 3

Donald Lee Carter, Ali Al-Mannai, Mitchell

Ramseur

Vote Selection

AGREE

Bradford T. Cronin

Votes Comments

18

If we are going to continue to allow trash to be placed in an exit access corridor, at the very least, this should only be allowed in a sprinkler protected building. As noted in several of the comments, the language proposed is not clear that it prohibits valet trash in non-sprinklered buildings, as was the submitter's intent. The language should be modified to the following: 31.7.5.8 Valet trash collection services shall ONLY be permitted in buildings with an approved automatic fire sprinkler system installed.

Harry L. Bradley

Agree

Nicholas A. Dawe

Agree

Joseph H. Versteeg

Agree

Josh Lambert

I agree in principal, however the section is not written in good code language. It is my understanding from the technical meeting discussions that the intent of the change was to limit valet trash to only sprinklered buildings for existing occupancies, this language does not expressly prohibit valet trash operations from non-sprinklered buildings. The language should be reworked for clarity and enforceability if it is to be included in the code.

John A. Sharry

I agree with Amendment 101-10 and believe it provides superior protection.

Jeffrey D. Zwrin

agree

David Cook

Agree. I would recommend that the new language/section seems to be better served and useful at the beginning of the section, ie: 31.7.5.1. Cause if your building is not sprinklered, you cannot have Valet Services. The reader then doesn't read the rest of the requirements that don't apply.

Eddie Sanchez

agree

Lou Richard

Agree

Stanley C. Harbuck

Agree

Michael Scott Custer
Abir Haidar
Martin R. Anderson
Mark Larson
Shamim Rashid-Sumar

Agree
Agree
Agree
Agree

Agree with the spirit of this amendment. However, recommend the following language be used at minimum: 31.7.5.8 Valet trash collection services shall be permitted where the building is protected throughout by an approved, supervised automatic sprinkler system. A reference to the appropriate section of NFPA 5000 for these automatic sprinkler system requirements may also be helpful.

Roland A. Asp

In support of the NFPA membership vote at the 2023 NFPA Technical Meeting, I am voting in agreement with Amendment 101-10 which will accept Public Comment No. 53. As noted in the committee's statement when originally rejecting PC No. 53, the language proposed by this public comment may not be the "best" language, however this language may be improved in the future with the NFPA standards revision process. At the very least, this language reenforces the NFPA membership majority vote (128 for vs 86 against) that automatic fire sprinkler systems are an important component of the overall safety of existing residential buildings.

Kevin Ryan Hall

With the increased fire load permitted in the corridors, it is critical to require sprinkler protection in existing buildings that offer valet trash services. An "approved automatic fire sprinkler system" would be installed in accordance with NFPA 13, NFPA 13R, or NFPA 13D (Based on the scope of each document) It should be noted that the intent of the requirement was to require a sprinkler system where valet trash services are utilized. As such, it would be more appropriate for the new text to state "Valet trash collection services shall ONLY be permitted in buildings with an approved automatic fire sprinkler system installed.

DISAGREE

Kenneth E. Isman

10

Section 31.7.5.8 does not make sense. The section allows the trash situation in sprinklered buildings, but does not prohibit it in unsprinklered buildings. Therefore, it achieves nothing and serves no purpose.

Richard Jay Roberts

NEMA supports the position of the fire service that interior means of egress corridors need to be free of combustibile materials even if the building is provided with an approved automatic fire sprinkler system.

Henry Paszczuk

The amendment does not address if the containers need to be secured to a wall within a corridor in some fashion to prevent them from being knocked over. I do have a concern that during an emergency the containers could be knocked over by people escaping an emergency and if unsecured they can create a tripping hazard or become some type of impediment to egress.

Kevin Spangler

the current requirements provide stipulations for containers and lids with specific heat release rates and tested per ASTM E1354 to mitigate the need for sprinkler protection. The service need not be limited to only buildings with sprinkler protection.

Eric N. Mayl

The code currently does not prohibit valet trash in residential buildings regardless of sprinkler protection. As written the change could be interpreted prohibit valet trash in non sprinkler protected buildings. With all of the additional protections required by the proposed change, limiting valet trash to sprinkler protected buildings is unwarranted.

Daniel Buuck

The amendment should be disapproved for the following reasons. (1) Valet trash service providers are adding restrictions to the code despite a lack of incidents. The committee determined that these requirements would provide an adequate level of protection whether the building was sprinklered or not. (2) It is poorly worded. The only requirement in the adopted language is for the system to be "approved." However, NFPA 101 typically references Section 9.7 which points to NFPA 13 and NFPA 13R. It appears that a partial sprinkler system could meet the requirement as long as it is approved. (3) The amendment adds confusion, because it left in the language in Section 31.7.5.3 with container requirements for unsprinklered corridors. (See also 31.7.5.4.)

W. Keith Burlingame

The amendment as written does not make any sense as it is merely a statement of what is permitted and imposes no requirements or limitations nor does it address other scenarios. IF the language were changed to read "Valet trash collection services shall ONLY be permitted in buildings with an approved automatic fire sprinkler system installed" I would be fully in support of the amendment.

Ed Lisinski

I was not convinced that this section is ready for the code. There is a lack of a standard associated with "automatic sprinkler system," there is no time frame associated with a trash pick up, there is a lack of limitations on where trash could be stored (corridors), etc. I don't feel this section has been properly vetted enough to be included in the code at this time.

Vishal Shah

The enclosure of the protected corridor shall be kept free from any combustible materials. The trash will defeat the purpose of having the protected corridor for residential occupants who are likely to be asleep and may have delayed response to the fire in building. If we would like to go with the combustible materials within the corridor, we might also relook at the safe escape distances and limit them somehow to allow for such condition. Therefore, I would like to disagree on this occasion.

William Davison Pullen

ABSTAIN

James K. Lathrop

Disagree

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Company client interest