

- 2. E-mail your request to: [mazzeog@doi.state.fl.us](mailto:mazzeog@doi.state.fl.us) (please be sure to specify if you want an unofficial, unsigned but exact duplicate copy e-mailed back to you, or if you want a copy of the official, signed declaratory statement mailed or faxed to you), or
- 3. Obtain an unofficial, unsigned but exact duplicate copy by visiting the State Fire Marshal's website: <http://www.doi.state.fl.us/SFM/sfmdeclaratorystatement.htm>.

NOTICE IS HEREBY GIVEN that the Department of Financial Services has issued an order disposing of the petition for declaratory statement filed by Indian County Fire Rescue, on July 14, 2004. The following is a summary of the agency's disposition of the petition:

A. QUESTION: Is it a requirement for a facility that is considered "large" to install a sprinkler system?

RESPONSE: Yes. The word "large" does not appear in Section 400.441, Florida Statutes; however, if a facility of more than eight residents is to be considered "large," as opposed to a facility of eight or fewer residents, then the answer is yes, all facilities with more than eight residents are required to install a sprinkler system.

B. QUESTION: If so, which code section would be used to require this?

RESPONSE: The requirement is not found in the firesafety codes or standards, but rather in the above quoted portion of Section 400.441, Florida Statutes.

C. The above responses are subject to all of the other terms and conditions found in Section 400.411, Florida Statutes.

A copy of the declaratory statement may be obtained in any of the following ways:

- 1. Write to, call or send a fax to: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, Fax (850)922-1235 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in the event any question arises), or
- 2. E-mail your request to: [mazzeog@doi.state.fl.us](mailto:mazzeog@doi.state.fl.us) (please be sure to specify if you want an unofficial, unsigned but exact duplicate copy e-mailed back to you, or if you want a copy of the official, signed declaratory statement mailed or faxed to you), or
- 3. Obtain an unofficial, unsigned but exact duplicate copy by visiting the State Fire Marshal's website: <http://www.doi.state.fl.us/SFM/sfmdeclaratorystatement.htm>.

NOTICE IS HEREBY GIVEN that the Department of Financial Services, Division of State Fire Marshal, has received a Petition for Declaratory Statement filed November 2, 2004, from the Fire Code Official's Office, Collier County, Florida. The Petition is seeking the Department's interpretation of NFPA 1, and Section 633.121, Florida Statutes. Specifically, Petitioner asks:

When the Fire Prevention Code is required by Section 553.72(4), Florida Statutes, to be included by reference as sections in the Florida Building Code, and as FBC Subdivision 3601.2 specifically references compliance with the Florida Fire Prevention Code as adopted by the State Fire Marshal, do these code sections establish that the Building Official has authority to make decisions with respect to the permitting of the types of operations outlined in NFPA 1 (2000 ed.) Subdivision 1-16.16 of the Florida Fire Prevention Code?

A copy of the Petition may be obtained by writing to, calling or sending a fax to: Gabriel Mazzeo, Attorney, Division of State Fire Marshal, 200 East Gaines Street, Tallahassee, Florida 32399-0340, (850)413-3604, Fax (850)922-1235 (please advise if you would like it mailed or faxed to you and please include your phone number on your request in case any question arises), or by e-mailing: [mazzeog@doi.state.fl.us](mailto:mazzeog@doi.state.fl.us).

### Section VIII Notices of Petitions and Dispositions Regarding the Validity of Rules

**Notice of Petition for Administrative Determination has been filed with the Division of Administrative Hearings on the following rules:**

**NONE**

**Notice of Disposition of Petition for Administrative Determination have been filed by the Division of Administrative Hearings on the following rules:**

**NONE**

### Section IX Notices of Petitions and Dispositions Regarding Non-rule Policy Challenges

**NONE**

### Section X Announcements and Objection Reports of the Joint Administrative Procedures Committee

**NONE**