

**CHAPTER 69A-43**  
**UNIFORM FIRE SAFETY STANDARDS FOR TRANSIENT PUBLIC LODGING**  
**ESTABLISHMENTS, TIMESHARE PLANS, AND TIMESHARE UNIT FACILITIES'**

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**69A-43.001 Title.**

These rules, comprising rule Chapter 69A-43, F.A.C., shall be known as “The Uniform Fire Safety Standards for Transient Public Lodging Establishments, Timeshare Plans, or Timeshare Unit Facilities.”

*Rulemaking Authority 509.215, 633.104, 633.206(1)(b), 721.24(5) FS. Law Implemented 509.215, 633.104(1), 633.206(1)(b), 721.24(5) FS. History—New 11-12-85, Formerly 4A-43.01, Amended 5-14-91, 9-6-01, Formerly 4A-43.001.*

**69A-43.002 Purpose.**

The purpose of this rule chapter is to specify measures to be used in conjunction with Sections 509.215 and 721.24, F.S., to provide a reasonable degree of public safety from fire in transient public lodging establishments, or any transient facility or accommodation of a “time-share plan” or “time share unit.” These rules try to avoid requirements which might result in unreasonable hardships, or unnecessary inconvenience, or interference with the normal use and occupancy of a building, but at the same time insist upon compliance with a uniform standard for life safety necessary in the public interest.

*Rulemaking Authority 509.215, 633.104, 721.24(5) FS. Law Implemented 509.215, 633.206, 721.24 FS. History—New 11-12-85, Formerly 4A-43.02, Amended 5-14-91, Formerly 4A-43.002.*

**69A-43.003 Scope.**

These rules apply to any transient public lodging establishment as defined and licensed by the Department of Business and Professional Regulation under Sections 509.013(4) and (11), F.S., and any time-share unit or time-share plan as defined in Sections 721.05(39) and (41), F.S.

*Rulemaking Authority 509.215, 633.104, 633.206(1)(b), 721.24(5) FS. Law Implemented 509.215, 633.104(1), 633.206(1)(b), 721.24(5) FS. History—New 11-12-85, Formerly 4A-43.03, Amended 8-24-87, 5-14-91, 5-23-94, 9-6-01, Formerly 4A-43.003.*

**69A-43.004 Definitions.**

As used in this rule chapter, the following definitions shall apply:

(1) “Approved” shall refer either to:

(a) Materials, devices, construction, and installation accepted by the authority having jurisdiction under the provisions of these rules by reason of tests or investigations conducted by it or by an agency satisfactory to the authority, based upon nationally accepted test standards or principles; or to:

(b) Occupancy or use accepted by the authority having jurisdiction under the provisions of these rules by reason of the submission of adequate proof of conformity with the basic requirements of the State Fire Marshal’s Rules.

(2) “Authority having jurisdiction” shall mean the Division of Hotels and Restaurants, Department of Business and Professional Regulation, and the local governmental entity, organization, office, or individual responsible for approving equipment, an installation, or a procedure.

(3) “Date the construction contract is let” means the date the permit is issued to begin construction.

(4) “NFPA” is the abbreviation for the National Fire Protection Association.

(5) “Public Lodging Establishment” means any establishment classified as a hotel, motel, resort condominium, non-transient apartment, transient apartment, roominghouse or resort dwelling as defined in Section 509.242(1), F.S.

(6) “One Family Dwelling” means a detached building containing no more than one living unit which is rented for transient occupancy to a single party at a time, containing no cooking or sanitary facilities in common with any other dwelling.

(7) “Two Family Dwelling” means a detached building containing no more than two separate and distinct living units which are separately rented for transient occupancy to a single party at a time, neither of which contain cooking or sanitary facilities in common with each other or any other dwelling.

(8) “Sleeping Room” means a room that has the sole purpose of providing sleeping facilities, commonly referred to as a “bedroom,” and does not include living rooms or dens having sofas that convert to beds.

*Rulemaking Authority 509.215, 633.104, 721.24(5) FS. Law Implemented 509.215, 509.242(1), 633.206, 721.24(5) FS. History—New 11-12-85, Formerly 4A-43.04, Amended 8-24-87, 5-14-91, 5-23-94, Formerly 4A-43.004.*

#### **69A-43.005 Interpretation of this Rule Chapter.**

The State Fire Marshal shall be the final administrative interpreting authority regarding the rules in this rule chapter.

*Rulemaking Authority 509.215, 633.104 FS. Law Implemented 509.215, 633.104, 633.206, 721.24 FS. History—New 11-12-85, Formerly 4A-43.05, 4A-43.005.*

#### **69A-43.009 Automatic Smoke Detection Requirements.**

(1) The single station smoke detectors specified for construction contracts before October 1, 1983, by Section 509.215, F.S., for transient public lodging establishments which are less than 3 stories in height and by Section 721.24, F.S., for a time-share plan which is less than 3 stories in height shall be approved UL 217, listed single station smoke detector. Existing facilities may continue to use battery powered smoke detectors provided they are tested on a regular basis in accordance with paragraph (1)(b), and replaced in accordance with the manufacturer’s recommendations, as required in Section 2-6 of NFPA 72, the edition as adopted in Rule 69A-3.012, F.A.C., but not less than once every twelve (12) months. New facilities shall have the detectors powered by the building electrical service with a rechargeable battery as a secondary power supply in compliance with NFPA 72, Section 1-5.2.6, the edition as adopted in Rule 69A-3.012, F.A.C.

(a) All such smoke detectors shall comply with NFPA 72, Section 2-3, the edition as adopted in rule Chapter 69A-3, F.A.C.

(b) Battery powered, single station smoke detectors, where used, shall be tested and inspected not less frequently than once per week. A log of the required tests and inspections shall be kept and available to the authority having jurisdiction at any time. This log shall include, but not be limited to, the following information and any other information as may be required by the authority having jurisdiction.

1. A list, clearly identifying each individual detector by its physical location.
2. The date of each required test & inspection.
3. The identity and signature of the inspector.
4. The result of each test & inspection.
5. The completion date and form of any maintenance performed.
6. The completion date and form of any corrective measures taken for each improperly functioning device.
7. A copy of the manufacturer’s recommended maintenance schedule and procedures.

(c) At such time that the authority having jurisdiction finds cause to believe that the requirements of paragraph (1)(a) or (b), are not being fulfilled, detectors powered by the building electrical system shall be required.

(2) Specialized smoke detectors for the deaf and hearing-impaired as required by Section 509.215(6), F.S., shall be listed by a nationally recognized testing laboratory for the intended use, and shall:

- (a) Have a visual signaling appliance which has an effective intensity rating of at least 100 candela; and,
- (b) Be listed by a nationally recognized testing laboratory for the particular purpose of alerting the deaf and hearing impaired in

the event of a fire.

*Rulemaking Authority 509.215, 633.104, 633.206(1)(b), 721.24(5) FS. Law Implemented 509.215, 633.104(1), 633.206(1)(b), 721.24(5) FS. History–New 11-12-85, Formerly 4A-43.09, Amended 8-24-87, 5-14-91, 9-6-01, Formerly 4A-43.009.*

#### **69A-43.0095 Individually Annunciated at Panel.**

Single station smoke detectors which annunciate at a panel at a supervised location, where used, shall meet the following:

(1) All means of interconnecting equipment, devices and/or appliances shall be monitored for the integrity of the conductors or equivalent so that the occurrence of a single open or a single ground trouble condition in the installation conductors and their restoration to normal shall be automatically signaled as “trouble” at the panel in the supervised location.

(2) Trouble signals shall be audible and distinctive from alarm signals, and shall comply with NFPA 72, Section 1-5.4.6, the edition as adopted in rule Chapter 69A-3, F.A.C.

(3) The annunciator system shall have primary power supplied in accordance with NFPA 72, Section 1-5.2.4, the edition as adopted in rule Chapter 69A-3, F.A.C., and secondary power supplied in accordance with NFPA 72, Section 1-5.2.5, the edition as adopted in rule Chapter 69A-3, F.A.C.

*Rulemaking Authority 509.215, 633.104, 633.206(1)(b), 721.24(5) FS. Law Implemented 509.215, 633.104(1), 633.206(1)(b), 721.24(5) FS. History–New 5-14-91, Amended 9-6-01, Formerly 4A-43.0095.*

#### **69A-43.011 Standpipe and Hose Systems.**

Standpipe and hose systems are required for all transient public lodging establishments, timeshare units or timeshare plans which are located in buildings exceeding 50 feet in height or in buildings over six stories high which have a complete automatic sprinkler system. The standpipe and hose systems shall comply with the provisions of NFPA 14, the edition as adopted in Rule 69A-3.012, F.A.C. Both standpipe and hose are required for those buildings which do not have sprinkler systems. A standpipe with no hose, but hose connections, is required for those buildings that do have sprinkler systems.

*Rulemaking Authority 509.215, 633.104, 633.206(1)(b), 721.24(5) FS. Law Implemented 509.215, 633.104(1), 633.206(1)(b), 721.24(5) FS. History–New 11-12-85, Formerly 4A-43.11, Amended 8-24-87, 5-14-91, 9-6-01, Formerly 4A-43.011.*

#### **69A-43.014 Special Compliance Schedule.**

All required public lodging establishments, time share plans or time share units shall be sprinklered in accordance with Sections 509.215 and 721.24, F.S. All systems must have been installed and operational by October 1, 1994, and the Division of the State Fire Marshal will no longer grant any extensions for delayed installations.

*Rulemaking Authority 509.215, 633.104, 633.206(1)(b), 721.24(5) FS. Law Implemented 509.215, 633.104(1), 633.206(1)(b), 721.24(5) FS. History–New 11-12-85, Formerly 4A-43.14, Amended 8-24-87, 5-14-91, 9-6-01, Formerly 4A-43.014.*

#### **69A-43.015 Historic Hotel Structures.**

(1) Any request to utilize the special provisions of Section 509.215(4), F.S., shall be made in writing to the Director of the Division of State Fire Marshal.

(2) The special historical review task force, as designated in Section 509.215(4)(b), F.S., shall review the application of fire safety standards required by Section 509.215, F.S., and shall address other fire safety provisions pursuant to the authority of Section 633.104, F.S.

*Rulemaking Authority 509.215, 633.104, 633.206(1)(b), 721.24(5) FS. Law Implemented 509.215, 633.104(1), 633.206(1)(b), 721.24(5) FS. History–New 11-12-85, Formerly 4A-43.15, Amended 8-24-87, 5-14-91, 9-6-01, Formerly 4A-43.015.*

#### **69A-43.018 One and Two Family Dwellings, Recreational Vehicles and Mobile Homes Licensed as Public Lodging Establishments.**

(1) This section applies to one and two family dwellings, recreational vehicles and mobile homes licensed as public lodging establishments as defined in Section 509.013(4)(a), F.S. Except as modified by this rule, one and two family dwellings used by more than one party per living unit shall comply with Chapter 24, One-Family and Two-Family Dwellings, of NFPA 101, Life Safety

Code, as adopted in Chapter 69A-3, F.A.C., and incorporated by reference therein.

(2) Three family and four family dwellings licensed as public lodging establishments shall comply with Chapter 28, New Hotels and Dormitories or Chapter 29, Existing Hotels and Dormitories, of NFPA 101, Life Safety Code, as adopted in Chapter 69A-3, F.A.C., and incorporated by reference therein.

(3) Smoke detectors.

(a) One and two family dwellings and mobile homes shall have an approved single station or multiple station smoke detectors continuously powered by the house electrical system.

(b) Recreational vehicles shall have an approved single station smoke detector continuously powered by 120 volt electrical service.

(c) In addition to paragraph (3)(a) or (b), above, an approved single station smoke detector powered by the building electrical system, and 120 volt AC electrical service for recreational vehicles, shall be provided in each sleeping room.

(d) To qualify as "approved," smoke detectors shall be installed in accordance with NFPA 72, National Fire Alarm Code, the edition as adopted in Chapter 69A-3, F.A.C., and incorporated by reference therein.

(4) Means of egress.

(a) Every one and two family dwelling, recreational vehicle or mobile home licensed as a public lodging establishment shall have a minimum of one primary exit and one secondary means of escape.

(b) The primary means of exit shall be a door, stairway, or ramp providing a means of unobstructed exit travel to the outside of the dwelling, recreational vehicle or mobile home, at street or ground level.

(c) The secondary means of escape shall be one of the following:

1. A door, stairway or ramp providing a way of unobstructed exit travel to the outside of the dwelling, recreational vehicle or mobile home, at street or ground level that is independent of and remote from the primary means of exit; or

2. An outside window or door operable from the inside, without the use of tools or special equipment, that provides a clear opening having a minimum of 5.7 square feet of area with no dimension less than 20 inches in width or 24 inches in height. The bottom of the opening shall not be more than 44 inches off the floor. The opening must be directly accessible to fire department rescue apparatus or fire department extension ladder.

(d) The secondary means of exit and sleeping room smoke detectors are not required if the dwelling, recreational vehicle or mobile home is protected throughout by an approved automatic sprinkler system in accordance with NFPA 13, Standard for Installation of Sprinkler Systems, or NFPA 13D, Standard for the Installation of Sprinkler Systems in One and Two Family Dwellings and Mobile Homes, or NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies Up to Four Stories in Height, as adopted in Chapter 69A-3, F.A.C., and incorporated by reference therein.

(5) The maximum occupancy load permitted for one and two family dwellings and mobile homes licensed as public lodging establishments shall be computed at 150 square feet gross floor area per person. The occupancy load for recreational vehicles licensed as public lodging establishments will be the occupancy load designated by the manufacturer of the recreational vehicle, which shall be posted in the vehicle.

(6) Battery powered emergency lighting shall be provided for a period of not less than one (1) hour to illuminate the primary exit. The emergency lighting shall provide illumination automatically in the event of any interruption of normal lighting.

(7) Minimum acceptable portable fire extinguisher requirements shall conform to NFPA 10, as adopted in Rule 69A-3.012, F.A.C.

(8) A floor diagram reflecting the actual floor arrangement, primary exit location, secondary exit location and room identification shall be posted in a conspicuous location.

(9) A fire safety information pamphlet describing evacuation of the dwelling or vehicle, smoke detector information, procedures for reporting a fire or other emergency shall be provided to guests.

(10) Unvented fuel fired heaters shall not be utilized in one and two family dwellings, recreational vehicles or mobile homes licensed as public lodging establishments.

(11) Specialized smoke detectors for the deaf and hearing impaired shall be available upon request by guests in public lodging establishments at a rate of at least one such smoke detector per 50 dwelling units or portions thereof, not to exceed five such smoke detectors per public lodging facility, as provided in Section 509.215(6), F.S.

*Rulemaking Authority 509.215, 633.104, 633.206(1)(b), 721.24(5) FS. Law Implemented 509.215, 633.104(1), 633.206(1)(b), 721.24(5) FS. History—New 5-23-94, Amended 9-6-01, Formerly 4A-43.018.*

**69A-43.019 Standards of the National Fire Protection Association Adopted.**

(1) Except as modified by Section 509.215, F.S., the standards of the National Fire Protection Association, NFPA 101, the Life Safety Code, the edition as adopted and incorporated in Rule 69A-3.012, F.A.C., shall be the uniform firesafety standards for “public lodging establishments,” as defined in Section 509.013(4)(a), F.S., which are “transient establishments,” as defined in Section 509.013(11), F.S.

(2) The codes and standards published by the National Fire Protection Association may be obtained by writing to the National Fire Protection Association at 1 Batterymarch Park, Quincy, Massachusetts 02169-7471. All codes and standards referenced in this rule are also available for public inspection during regular business hours at the Bureau of Fire Prevention, Division of State Fire Marshal, 325 John Knox Road, The Atrium, Third Floor, Tallahassee, Florida 32303.

*Rulemaking Authority 509.215(5) FS. Law Implemented 509.215 FS. History—New 9-15-02, Formerly 4A-43.019.*