



California State Fire Marshal **CODE INTERPRETATION**

Date Issued	2/22/08	Interpretation	07-131
Topic	Authority for issuing occupant load in a State Fire Marshal Regulated Occupancy		
Code Section(s)	CFC Section 2501.16.2		
Requested by	Julie A. Kunze Division Chief/Fire Marshal (714) 738-6511 JKunze@fullertonfire.org		

Please confirm that the H & S Code designates the local Fire Chief (or his designee) as the authority for issuing occupant loads in public assemblies.

Health & Safety Code Section 13146 provides the authority for enforcement of State Fire Marshal regulations to the Fire Chief for occupancies regulated by the State Fire Marshal. Consequently, since public assemblies are SFM regulated occupancies, the fire chief would enforce CBC Section 1004 as it relates to determining the occupant load in both new and existing public assemblies.

If a Fire Chief delegates that authority to the local Building Official for new construction – who has the authority to modify the load after the building is occupied? If the Fire Department is given the responsibility for maintenance, wouldn't that also mean responsibility for modifying the load if the interior of the building has changed (i.e. pool tables, dance floors)?

Refer to question # 1