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**DEPARTMENT OF LABOR, LICENSING AND REGULATION**

**office of state fire marshal**

Chapter 71

Statutory Authority: 1976 Code Sections 23-9-60 and 24-9-20

71-8306. Fire Prevention and Life Safety in Local Detention Facilities

**Synopsis:**

 The Office of State Fire Marshal is deleting 71-8306 Tents, Grandstands, and Air-Supported Structures and replacing it with 71-8306 Fire Prevention and Life Safety in Local Detention Facilities. The new SCRR 71-8306 will use a standardized format, simplifies wording, removes obsolete language and requirements, and consolidates the requirements for new, existing, and renovated Local Detention facilities from the previous regulations 71-8308 through 71-8310.

**Instructions:**

 Delete current Regulation 71-8306 Tents, Grandstands, and Air-Supported Structures (71-8306.1 through 71-8306.2) in its entirety and replace with new Subarticle 7 Fire Prevention and Life Safety in Local Detention Facilities (71-8306.1 through 71-8306.5)as printed below.

**Text:**

SUBARTICLE 7

FIRE PREVENTION AND LIFE SAFETY IN LOCAL DETENTION FACILITIES

71-8306. Fire Prevention and Life Safety in Local Detention Facilities.

71-8306.1. General.

 A. The purpose of these regulations is to:

 1. Safeguard, to a reasonable degree, life, and property from fire and other hazards associated with the construction, alteration, repair, use, and occupancy of local detention facilities or structures containing local detention facilities.

 2. Establish the minimum standards enforced by the State Fire Marshal for fire prevention and life safety in South Carolina for local detention facilities or structures containing local detention facilities.

 B. These regulations shall apply as follows:

 1. New construction of local detention facilities or structures containing local detention facilities.

 2. The operation of local detention facilities or structures containing local detention facilities.

 3. Additions, alteration, or repairs to existing local detention facilities or structures containing local detention facilities.

 C. These regulations shall not apply to:

 1. State detention facilities; or

 2. Federal detention facilities.

 D. Definitions.

 1. "Local detention facility" means any municipal, county, or multi-jurisdictional overnight lockup, jail, prison camp, or correctional center where one or more persons are held for more than six hours, including a privately owned or operated facility holding detainees or inmates for any municipal, county, or multi-jurisdictional governmental entity.

71-8306.2. Codes and Standards.

 A. All references to ICC Codes found in these regulations refer to the editions adopted in SCRR 71-8300.2 and are modified by the following regulations as shown below.

 B. All references to NFPA Standards found in these regulations refer to the editions adopted in SCRR 71-8300.2 and are modified by the following regulations as shown below.

71-8306.3. Reports.

 A. Local Detention Facilities must immediately report any incident of fire to the local fire department serving the facility.

 B. The person in charge of a Local Detention Facility must report any incident of fire to the Jail and Prison Inspection Division of the Department of Corrections and the Office of State Fire Marshal within 24 hours of the incident.

71-8306.4. Fire Protection Systems.

 A. Sprinkler Systems in local detention facilities shall comply with the following:

 1. All local detention facilities classified as Group I shall be protected with a sprinkler system complying with NFPA 13.

 2. In new construction, the entire structure containing the local detention facility shall be protected with a sprinkler system.

 3. Renovations to existing local detention facilities shall include installation of sprinklers in the secure portions of facilities not equipped with sprinklers.

 B. Standpipes. Class III Standpipes required by the IBC may be installed without hose in the secured portions of all facilities.

 C. Fire Alarm Systems.

 1. In new construction or construction considered as new construction per SCRR 71-8300.1, the fire alarm system must comply with the IFC and NFPA 72.

 2. In existing facilities, the fire alarm must comply with the Fire Prevention Code and NFPA codes in effect at the time of construction. The Office of State Fire Marshal and the Jail and Prison Inspection Division of the Department of Corrections shall determine the extent of conformance for existing systems with current codes based on published guidelines.

 D. Fixed Fire Protection Systems. Installation, inspection, testing, and maintenance shall comply with SCRR 71-8303 for all facilities.

 E. Inspection, Testing, and Maintenance.

 1. Inspection, testing, and maintenance of fire protection systems shall comply with the IFC and the applicable NFPA standards.

 2. A properly licensed contractor shall perform all required fire protection system inspections, testing, and maintenance per the governing licensing laws and regulations.

 3. The facility shall keep records of all required inspections and tests as specified in the IFC or applicable NFPA standard. When adopted codes or standards do not specify a time, facilities will keep records for at least three (3) years.

71-8306.5. Operations.

 A. Emergency Planning and Preparedness. The chief administrative officer of all local detention facilities shall:

 1. Coordinate annually with the local fire department providing suppression to the facility.

 2. Prepare a fire safety and evacuation plan per the IFC.

 3. Conduct Emergency evacuation drills per the IFC.

 4. Maintain records of such drills per the IFC for a period of at least three (3) years.

 5. Develop fire prevention policies.

 6. Train employees annually on emergency procedures, the evacuation plan, fire prevention, and fire emergencies.

 7. Conduct and document weekly fire prevention inspections and maintain records of such inspections for a period of three (3) years.

 B. Fire Prevention.

 1. All local detention facilities shall comply with the requirement in the IFC.

 2. All facilities shall have a written policy that as a minimum addresses:

 a. Access to smoking materials and matches by inmates;

 b. Use of smoking materials and matches by intoxicated inmates;

 c. Use of smoking materials and matches by inmates identified as a suicide risk.

 3. Facility staff shall have immediate access at all times to necessary keys or other unlocking mechanisms to unlock exit doors from the inside and outside of the door.

**Fiscal Impact Statement:**

 There will be no additional cost incurred by the State or any political subdivision.

**Statement of Rationale:**

 The guidelines for Fire Prevention and Life Safety for Special Occupancies are amended to conform with national guidelines in order to ensure public safety.