



References (s):  
Page 1 of 2

Existing buildings are allowed to remain in operation unless they have conditions considered “distinctly hazardous” to the occupants. A “distinctly hazardous” condition is generally defined as the lack of minimum exiting or other fire safety features that would not allow a speedy exit from a building.

### **How to request a compensatory measure**

When a “distinctly hazardous” condition is identified by a Kansas State Fire Marshal inspector, the owner or operator must provide documentation to provide a proposed corrective timetable to correct the identified problem, offer alternative fire safety features believed to provide equivalent protection, or apply for compensatory measures. If you are going to apply for a compensatory measure, you must obtain a written and stamped professional judgement from a Kansas licensed architect or engineer.

### **Most common conditions**

Traditionally the Office of the State Fire Marshal will consider a compensatory measure for the following three “distinctly hazardous” conditions in buildings:

- 1) Non-rated stair enclosures for buildings without fire escapes from every room
- 2) Dead-end corridor exceeding distance specified for the occupancy type
- 3) No basement atmospheric separation from other floors

### **Most common compensatory measures**

The Office of the State Fire Marshal will review and consider professional judgements from a Kansas licensed architect or engineer. However, the most traditional compensatory measure is the installation of a complete or partial smoke detection system. This concept is based on the automatic early detection and notification of the occupants and their speedy evacuation prior to the exit way being obstructed by smoke. These compensatory measures may be considered as providing an acceptable level of life safety for an existing facility when **all** components (equipment, design, installation, and maintenance) meet or exceed NFPA 72 requirements.

*The smoke detection system is typically acceptable when all of the following are provided:*

- 1) Smoke detectors are installed in the common atmosphere of the entire exit path.
- 2) The system is designed and installed in accordance with National Fire Protection Association (NFPA) 72- the national fire alarm code adopted in Kansas.
- 3) New equipment is powered from the building’s electrical power.
- 4) Plans of the new or modified system are submitted to the Office of the State Fire Marshal for review and acceptance.
- 5) System will be ***serviced, tested, maintained, and documented*** as required by standards or by the Kansas Buildings Fire Safety Handbook (a minimum of an annual inspection and maintenance by **qualified person or firm**).

This acceptance is subject to a final inspection by an authorized representative of the Office of the State Fire Marshal.

In any case, it is the facility’s responsibility to initiate consideration and to maintain copies of any supporting documentation when accepted.

**FIRE FACT 025 – COMPENSATORY MEASURE**

# Office of the State Fire Marshal – Fire Prevention Division

## Compensatory Measure Request of Specific Life Safety Code Provisions

Name of Facility:

Contact Name/Title:

City/State:

Phone #:

Inspection Exit Date:

Due Dates	Justification
<p>Send information to OSFM on the following dates</p> <p><b>Milestones</b></p> <hr style="border: 0.5px solid black;"/> <hr style="border: 0.5px solid black;"/> <hr style="border: 0.5px solid black;"/> <hr style="border: 0.5px solid black;"/> <hr style="border: 0.5px solid black;"/> <hr style="border: 0.5px solid black;"/> <hr style="border: 0.5px solid black;"/>	<p><b>Compensatory Measure requested:</b></p> <p><b>How correction of the deficiency poses a hardship to the facility:</b></p> <p><b>Construction milestones and date by which compensatory measure will be in place:</b></p> <p><b>Additional safety measures implemented (required if there is delay in providing required or compensatory measures):</b></p> <p><b>Evidence of Correction (within 15 days of end date)</b></p> <hr style="border: 0.5px solid black;"/>

**Failure to follow the plan may result in waiver revocation and enforcement actions**

KS Licensed Architect/Engineer	Title	Date
Facility Representative ( <i>Signature</i> )	Title	Date
OSFM ( <i>Signature</i> )	Title	Date