

**FIRE FACT NO. 001 CHECKLIST(s): ALL**  
**TITLE: INSPECTION OBJECTIVES**  
**CHECKLIST ITEM(s): ALL**  
**REFERENCE(s): K.S.A. 31-133(c)**  
**PAGE 1 of 1**

### KANSAS STATE FIRE MARSHAL

The Kansas Fire Prevention Code contains the minimum life safety requirements for buildings within Kansas. Existing occupancies are evaluated against these requirements, regardless of what standard was originally used in the design and construction of the building. The Kansas Fire Prevention Code does not require existing occupancies to be completely updated or retrofitted to meet a current code. It also permits existing occupancies to remain in operation, unless "distinctly hazardous" conditions exist.

However, this does not apply to new construction or changes in occupancy or use. If a new building is built or an existing building or portion of a building undergoes a change in use or occupancy type, it must be compliant with all applicable building codes.

During an inspection, an authorized representative of the Kansas State Fire Marshal's Office will identify and document any deviation between hazardous conditions in the existing facility and the requirements of the Kansas Fire Prevention Code. State statute gives us the responsibility of identifying any item which impedes the speedy exiting or evacuation of building occupants.

### ACCEPTABLE OWNER RESPONSE/ACTION

#### SHORT TERM

- **Compensate** for the current condition with appropriate procedures until the long-term correction is in place. For example: Implement a Fire Watch.
- **Request clarification** of a citation. This can include clarification on the location of a violation or what exactly was found to be in violation.

#### LONG TERM

- **Provide the required feature** to the building.
- **Provide a written request for a review** of the citation for clarification on what is being required. Generally, if the correction of the condition will not significantly increase fire and life safety and sufficient documentation is provided, the condition may be accepted without additional changes. If this is the case, new documentation will be provided to the building owner or operator to verify the acceptance. The documentation must be kept available for review for all future inspections.
- **Provide a written request to utilize alternative fire safety features**, become compliant with another published standard, or provide a compensatory measure to mitigate the risk. These will typically require plans and documentation submittals from a Kansas-licensed fire protection engineer, architect or design engineer to support this type of solution. If accepted, new documentation will be provided to the building owner and operator to verify the acceptance. This must be kept available for review at all future inspections.
- **Supply a request for exemption** per Kansas Statutes Annotated 31-136. Such a request must include a physical demonstration of financial hardship.
- **Appeal any ruling** per Kansas Statutes Annotated 31-140 requirements.
- In some cases, the only feasible solution will be to **cease operation** of the non-compliant structure.

