

What is occupant load?

Occupant load is the **total number of employees, performers and patrons** in an assembly facility (nightclub, dance hall, discothèque or bar) as shown on the certificate of inspection issued to each facility under the State Building Code. It is NOT the number of people actually present in the building at any given time.

What is a certificate of inspection?

The valid certificate of inspection is a document issued by the building official and co-signed by the fire chief in each community indicating that the facility is in compliance with the State Building Code as it relates to assembly occupancies. The occupant load is listed on the certificate of inspection.

What if I don't have or can't find my certificate of inspection?

You should contact your local building official to assist you.

How will I know if my crowd manager has completed the training?

Each person who successfully completes the training will be able to print a certificate of successful completion at the end of the online training and online testing.

When is a crowd manager required?

A trained crowd manager must be present in any nightclub, dance hall, discothèque or bar with an occupant load of 100 or more persons during all hours when the facility is open to patrons.

How many crowd managers are required?

The owner or operator is responsible to designate one crowd manager **for every 250 occupants (or portion thereof)**. For example:

- Occupant load 100-250 requires 1 Crowd Manager
- Occupant load 251-500 requires 2 Crowd Managers
- Occupant load 501-750 requires 3 Crowd Managers

The occupant load is based upon the legal capacity of the building (as indicated on the certificate of inspection issued under the State Building Code) NOT the actual number of people actually present in the building at any given time.

Are there any penalties for allowing dangerous conditions to exist in assembly use group buildings?

Yes - Mass. General Law chapter 148, section 34A states that any owner, occupant, lessee or other person having control or supervision of any assembly use group building can be fined up to \$5,000 and possibly imprisoned up to 2-1/2 years for a first offense and fines up to \$25,000 and possible imprisonment up to 5 years for subsequent offenses.

Can my liquor license be affected?

Failure to designate and have a crowd manager present when open to the public is a violation of the fire code. Each year as a condition of your liquor license renewal the building inspector must conduct an inspection of your property. If no violations exist the building inspector and head of the fire department sign and issue a valid certificate of inspection for the local licensing authority.

The head of the fire department would be unable to sign the inspection certificate with any outstanding fire code violations.

When does the regulation take effect?

The requirement to have a crowd manager designated and present within the facility during all hours of operation

AND

The requirement to complete the Fire & Building Safety checklist becomes effective

June 1, 2011.

What additional information is available?

Additional information, copies of the regulations, printable copies of the Fire and Building Safety Checklist and this flyer, online access to the training program, an email link for submitting questions and training program HELP and any new information is available and can be accessed at Massachusetts Department of Fire Services (www.mass.gov/dfs) - click on ***Crowd Manager*** under ***Online Services*** on the right hand side of the home page.

For questions or additional program information, please contact your local fire chief or if you need further guidance please contact the Department of Fire Services Code Compliance & Enforcement Unit at 978-567-3375.

Requirements for **CROWD MANAGERS**

For Owners and Operators of
Nightclubs,
Dance Halls, Discothèques
& Bars

***527 Code of Massachusetts
Regulations 10.13***

Frequently Asked Questions



**Massachusetts
Department of Fire Services**

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What facilities are required to have crowd managers?
527CMR10.13(2)(d)1. & 2.a. & b.

Crowd managers are required in any facility:

- With a legal occupant limit of 100 or more persons as indicated on the certificate of inspection; **AND**
- Designated under the State Building Code (780 CMR) by the building official as an Assembly Use (A-2 or A-3 Use Group), which is “**principally designed or used as a nightclub, dance hall, discothèque or bar**”; **OR**
- Features entertainment by live band or recorded music generating above normal sound levels and which has a specific area designated for dancing.

Are any Assembly Use facilities exempt?
527CMR10.13 (2)(d) 3. a., b., & c.

Yes - Buildings or structures exempt from the requirements for crowd manager (even if it has a capacity of 100 or more & featuring entertainment) include:

- Temporary structures erected at the same location for no more than 10 days in any calendar year; **OR**
- Facilities with fixed seating (i.e., theatre, auditorium or concert hall or similar place of assembly); **OR**
- A facility used for private functions where:
 - ▶ Each guest has a seat and table for dining; **AND**
 - ▶ Attendance is limited by pre-arrangement between the owner/ operator and event organizers; **AND**
 - ▶ The occupant load of the facility provides no less than 15 square feet per occupant.

Are there any other requirements I should be aware of?
527CMR10.13 (2) (d) 5.

Yes – State law & the State Fire Code requires that the State Fire Marshal provide crowd manager training and a means to confirm that the training was successfully completed.

Who is eligible to be a crowd manager and take the training?
527CMR10.13 (2)(d)4.

- Anyone 21 years of age or older;
- The owner or operator of a nightclub, dance hall, discothèque or bar with an occupant load of 100 or more; **OR**
- An employee under the direct control and supervision of the owner or operator of a nightclub, dance hall, discothèque or bar.

What is the purpose of the training?

The purpose of the training is to increase staff awareness of factors involved in fires in nightclubs, dance halls, discothèques or bars. As a result of the Station nightclub fire in Rhode Island, the state law and State Fire Code were changed to prevent a similar tragedy from occurring in Massachusetts.

What is required in the training program?

Individuals will take the training program online (approximately 30- 40 minutes to complete the training) and then take a short test on the information included in the program. If you successfully answer 70% of the questions, you will enter certain limited information and then be able to print your certificate of successful completion. If you do not correctly answer 70% of the questions you will be directed to take the exam a second time; if you fail a second time you will be directed to take the training program.

What kind of information is taught in the program?

Basic fire safety information is included in the program as well as specific information about the responsibilities of the crowd manager and the requirement to complete a Fire and Building Safety Checklist.

Where do people get trained?

The training is available online, 24 hours a day. Go to the website of the Massachusetts Department of Fire Services (www.mass.gov/dfs) and click on the link ***Crowd Manager*** under ***Online Services*** on right side of the homepage.

How much does the training cost?

The training program is offered free of charge.

What is a crowd manager required to do?
527CMR10.13 (2)(d)4.a. & 4.b.

- Maintain clear paths of egress;
- Assure that the facility does not exceed its occupant load limit;
- Initiate a fire alarm if necessary, directing occupants to exits;
- Assure that exit announcements are made via an audible announcement prior to the start of each program or performance notifying occupants of the locations of exits to be used in emergencies;
- Complete the Fire and Building Safety Checklist daily prior to opening the facility to the public.

What is the Fire and Building Safety Checklist?
527CMR10.13(2)(e.)

The Fire and Building Safety Checklist is a requirement of the State Fire Code that lists certain fire and life safety features that may be present in your building. The checklist is required to be completed every day by a crowd manager that has successfully completed the training, prior to the facility being opened to the public.

What kind of items are included on the checklist?
527CMR10.13(2)(e.)

Items include the routine safety check of existing fire alarm and fire protection systems, fire extinguishers, exits and exit signs, interior finish, means of egress, crowd control procedures and building occupancy limits.

Who keeps the checklist?
527CMR10.13(2)(e.)

The original completed checklists shall be kept on the premises for at least one year and shall be subject to inspection by the head of the fire department, the State Fire Marshal or their designee.

Where do I find out more about the Fire & Building Safety Checklist?

The online training program provides additional information on each item for the crowd managers when completing the checklist. The checklist can be downloaded at Massachusetts Department of Fire Services website (www.mass.gov/dfs) - click on ***Crowd Manager*** under ***Online Services*** on the right hand side of the home page.