MEMORANDUM

Date: March 2011

To: Heads of the Fire Departments

From: Stephen D. Coan
State Fire Marshal

Subject: Implementation of 527CMR10.13 – Crowd Manager And Fire Safety Checklist Requirements

As you are aware, as a result of the devastating Station Nightclub fire in Rhode Island on February 20, 2003, the Massachusetts Legislature and the Commonwealth's Board of Fire Prevention Regulations enacted sweeping and enhanced fire safety requirements, particularly with respect to nightclubs, dancehalls, discotheques and bars.

Among the far reaching changes to the fire code that have been implemented were requirements for installation of automatic sprinklers in places of assembly with a capacity of 100 or more, prohibition of use of indoor pyrotechnic displays in assembly use occupancies, submission of a valid certificate of inspection issued by the local inspector of buildings and signed by the Fire Chief as a condition to the issuance and annual renewal of liquor licenses, and increased fines and criminal penalties for allowing certain dangerous conditions to exist in any assembly use group building.

The final changes to 527CMR10.13 enacted by the Board of Fire Prevention Regulations will become effective June 1, 2011. These important changes include:

- Designation of a Crowd Manager who is present in the facility during all hours that the facility is open to the public
- Requirements for training and testing to become a Crowd Manager
- Requirements to complete the Fire and Building Safety Checklist
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 has a specific area designated for dancing

Very shortly, all holders of alcoholic beverage “section 12 Pourer’s licenses” (On premise licenses for serving alcoholic beverages) and local licensing authorities will be notified of the requirements which will have to be met by June 1, 2011.

Not all “section 12” licensees will have to meet these requirements. The license holder should be able to make that determination after reviewing the information which will be available to them. However, they will be advised to contact your office initially if they need assistance in making that determination.

As the Head of the Fire Department, you will receive with this memorandum, a copy of Frequently Asked Questions – Requirements for Crowd Managers for Owners and Operators of Nightclubs, Dance Halls, Discothèques, and Bars, which will provide information to assist you if your department receives questions from licensees. Also included are copies of the new regulation, and a sample copy of the Fire & Building Safety Checklist.

Additionally, you may access free of charge, the training program which is required for those establishments which will be required to have Crowd Managers on site as of June 1, 2011. You will be required to establish a free account with log in and password at the Executive Office of Public Safety and Security’s Online Training site to view or complete the training program.

This training program is now available on-line and can be accessed twenty-four hours a day, 7 days a week at the Department of Fire Services website [http://mass.gov/dfs/](http://mass.gov/dfs/). Simply go to the right hand side of the web page under ONLINE SERVICES and click on **Crowd Manager** for access to the training program. This training program also includes a testing component and individuals will be required to print and maintain their certificates as evidence of successful completion of the training. Certificates remain in effect for three (3) years.

For informational purposes, all documents and regulatory requirements involved in this program can be viewed at the Department of Fire Services website [http://mass.gov/dfs/](http://mass.gov/dfs/) at the same entry point listed above.

You have a crucial role in implementing this Crowd Manager program statewide. A facility’s failure to comply with this program could result in the non-renewal of its liquor license since the fire official will be unable to sign the annual inspection certificate if any fire code violations exist.
regarding the Crowd Manager program and Fire and Building Safety Checklist. These violations include:

- Failure to designate Crowd Managers
- Failure to have trained Crowd Managers present when the facility is open to patrons
- Failure to complete the Fire & Building Safety Checklist daily

The Office of the State Fire Marshal and the Division of Fire Safety are ready to support you as the new regulatory requirements take effect. If you have any questions, please contact the Code Compliance and Enforcement Unit at (978) 567-3375 or in Western Massachusetts at (413) 587-3181.