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**ALCOHOLIC BEVERAGES CONTROL COMMISSION ADVISORY
REGARDING FIRE AND BUILDING SAFETY CHECKLISTS**

Recently, the Massachusetts Department of Fire Services adopted the National Fire Protection Association's 2012 guidelines ("*NFPA-1*")¹[1]. In so doing, the Department repealed several of its regulations²[2] and enacted new ones.³[3] As a result, violations of the Fire and Building Safety Checklist are no longer guided by 527 C.M.R. 10.13(2)(e), but instead are under 527 C.M.R. 1.05, § 20.1.5.6.4.

The current language of the Fire and Building Safety Checklist remains substantively the same as its prior version:

204 C.M.R. 1.05, § 20.1.5.6.4. Fire and Building Safety Checklist.

- (1) The crowd manager shall be responsible for the completion of the Fire & Building Safety Checklist, as prescribed by the State Fire Marshal, on each day of operation prior to opening the facility to patrons.
- (2) This checklist shall include, but not be limited to, the routine safety check of existing fire protection systems, fire extinguishers, signage, interior finish, exits, unobstructed egress, crowd control procedures and building occupancy limits.
- (3) The original completed checklists shall be kept on the premises for at least one year and shall be subject to inspection by the AHJ.

Therefore, going forward, any notice of violation issued by a city or town should cite violations of the Fire and Building Safety Checklist as 527 C.M.R. 1.05, § 20.1.5.6.4.

As a reminder, all licensees must ensure that they are in compliance with the Laws of the Commonwealth of Massachusetts and that sale of alcoholic beverages take place only as authorized by applicable law.

Questions concerning this Advisory can be directed to Ralph Sacramone, Executive Director of the Massachusetts Alcoholic Beverages Control Commission at (617) 727-3040 x 731.

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¹[1] *National Fire Protection Association – 1*. The Department also adopted several modifications to the *NFPA-1*, which can be found in 204 C.M.R. 1.05. These modifications included adding the Fire and Building Safety Checklist from its previous regulations.

²[2] 527 C.M.R. 1–11 & 13-50

³[3] 527 C.M.R. 1.00-1.05 & 12