

IN NAME OF THE QUEEN

THE GOVERNOR of Aruba

Having taken into consideration:

That it is desirable to lay down additional rules with regard to the prevention and. Limitation of fire hazards, as well as for the prevention of accidents in case of fire in and around establishments offering accommodation and recreation;

Having regard to

Section 12, first paragraph of State Ordinance fire Department;

Has ordered, after having heard the Advisory Council:

CHAPTER 1

General provisions

Section 1

For the purposes of this State Decree the following shall be understood by:

the Minister	:	the Minister of Justice
the Director	:	the Director of the Fire Department
hotel	:	an enterprise making it its business to provide sleeping accommodation for more than sixteen persons simultaneously for a limited period of time;
eating place	:	an enterprise in the possession of a Restaurant License A or B as meant in the Licensing Ordinance;
night club	:	an enterprise making it its business to provide the opportunity for dancing, whether or not for a consideration and whether or not in combination with providing beverages;
casino	:	an enterprise which is the possession of a Casino License;
establishment	:	a building, a part of a building, a group of buildings or a fixed or anchored vehicle, aero plane or vessel in which a hotel, an eating place a night club or a casino is established;
N.F.P.A. code	:	standard issued by the National Fire Protection Association established in the United States of America;
standard coupling	:	a 2½ inch storz-coupling with a cam distance of 81 millimeters;
section coupling	:	a 5 inch suction connection with a cam distance of 148 millimeters.

Section 2

1. The owner of an establishment used as a hotel, an eating place, a night club or a casino is obliged to send the Director a free copy of the approved design drawings of the establishment in question.
2. He shall promptly inform the Director of each and any deviation from the actual situation in the establishment and the design drawings meant in the first paragraph.

Section 3

An establishment exceeding a height of 23 meters, shall be provided with a lightning conductor which shall meet the requirements laid down in N.E.N. code no 1014

CHAPTER II

Accessibility and water supply.

Section 4

1. An establishment shall be accessible from at least two sides, up to three meters from the building for twenty-ton fire engines; the access roads shall be at least 6 meters wide and have a clearance of 4.20 meters.
2. Plants, parking lots, places for loading and unloading around an establishment, as well as the places where goods and trash are stored shall not constitute an obstruction on the access route to an establishment for fire engines.

Section 5

1. In the event that the Director deems this necessary for the purpose of efficient fire fighting, the owner of an establishment is obliged to install surface hydrants on the premises in question, in places to be designated by the Director.
2. The Hydrants shall:
 - a. be accessible for fire engines at all times;
 - b. be directly connected to the water mains of the Water and Electricity Plant by means of a fast-closing valve;
 - c. have a capacity of at least 1900 liters of water per minute;
 - d. be provided with two standard couplings as well as with a suction connection.
3. In the event that an establishment has the disposal of a reservoir for drinking and fire extinguishing water, it shall be provide with a suction connection which is accessible for fire engines at all times.

CHAPTER III

Fire resistancy construction elements, paneling and Insulation materials

Section 6

1. The columns, beams and walls which are part of the main load-bearing structure of an establishment and all floors and the walls of built-in staircases herein, shall have a fire resistance of at least 120 minutes.
2. Fire resistance of up to 60 minutes is required in an establishment for:

- a. the walls of elevator shafts, vertical cable shafts, linen and garbage chutes, work shops, technical rooms and kitchens which form no part of the main load-bearing structure of the building;
- b. the walls of passages of escape routes from the building, as well as the walls to be designated separately by the Director for each establishment in special cases.

Section 7

In an establishment walls and vertical construction elements which have to meet requirements as to fire resistance, shall extend over the full length up to the underside of the floor of the storey above it, or up to the roof; the fire resistance of this connection shall be equal to the fire resistance required for the wall.

Section 8

1. The Director shall determine for each individual establishment the requirements for fire resistance which have to be met by the doors and frames belonging to them.
2. Doors which have to meet requirements of fire resistance shall be self-closing, unless these doors are locked in day-to-day use.
3. Fire resistant and self-closing doors may, but only in open position, be fastened by means of electro-magnetic door latches which are connected to an automatic fire alarm system.

Section 9

1. There shall be no openings, other than doors, of an area exceeding 8100 cm² and a width or height exceeding 135 cm in walls in an establishment which belong to the main load-bearing structure and in walls of built-in staircases.
2. Windows in walls which have to meet the requirement of a 60-minute fire resistance shall consist of wire glass or another kind of fire resistant glass at least six millimeters thick.
3. Frames around glass windows as meant in the second paragraph shall have a fire resistance of 60 minutes.

Section 10

The materials used in an establishment for paneling, heat and sound insulation shall comply with the requirements set in class 8 of the N.F.P.A. code no. 101.

CHAPTER IV

Holes through floors and walls

Section 11

In the event that in an establishment wiring, wiring shafts, chutes, channels and the like go through floors and walls which have to meet requirements of fire resistance, the fire resistance required for that floor or wall.

Section 12

Ventilation shaft and shafts for air conditioning installations in an establishment shall be made of fireproof materials which meet the requirements set in N.F.P.A. code no.

90A. If these channels go through a wall or a floor , then it shall be made sure that no. fire penetration can occur within the fire resistance time set for this wall or floor.

Section 13

1. The elevators in an establishment shall be provided with an installation with which they are taken to the same floor in case of smoke or fire alarm, and it shall be impossible to use them hereafter or only in conformity with the second paragraph.
2. One elevator shall be fitted out as fire elevator in conformity with the provisions in Chapter 7, paragraph 4.4, of N.F.P.A. code 101.

CHAPTER V

Exits and escape routes

Section 14

Rooms in a hotel, eating place, night club or casino which are open to the public, shall be provided with sufficient (emergency) exits and escape routes, in conformity with N.F.P.A. code no. 101 as well as with electrical emergency and transparent lighting of a type approved by the Director.

Section 15

1. The operator of a hotel, eating place, night club or casino has to see to it that:
 - a. doors of (emergency) exits can be opened at all times from the inside without the use of loose objects;
 - b. escape routes from the establishment are kept free from obstacles at all times;
 - c. doors leading to, or directly opening onto the open air, open outwards;
 - d. an emergency plan for clearing the establishment has been drawn up;
 - e. the staff employed by him are familiar with the emergency plan.
2. At least once per calendar year, at a point in time to be determined by the Director, the operator is obliged to give his cooperation so that all members of his staff can be instructed by officers of the Fire Department with regard to the application of the emergency plan, mentioned in the first paragraph under d.

CHAPTER VI

Fire fighting

Section 16

1. All underground, closed, or closable rooms under a hotel, eating place, night club or casino shall be provided with a sprinkler system, installed in conformity with the regulations of N.F.P.A. code no.13.
2. The provision in the first paragraph shall also apply to hotels, established in an establishment with more than two storey's, and to eating places, night clubs and casinos established in a storey higher than the second one.
3. The operator of an establishment in which in pursuance of the first and second paragraph a sprinkler system has to be installed shall send the Director a copy of the installation drawings of this system.

Section 17

1. An extractor system shall be installed above the cooking and frying apparatus in a central kitchen of an establishment in conformity with the provision in N.F.P.A. code no. 96.
2. The extractor system in a central kitchen shall be provided with an automatic fire-extinguishing installation, which, when coming into operation, interrupts the supply of gas to the cooking and frying apparatus; the fire-extinguishing installation shall also be operable manually.

Section 18

1. In the staircase of an establishment with more than two storey's, whether it is located aboveground or underground, a 4-inch standpipe shall be installed in each storey, in conformity with the requirements set in N.F.P.A. code no. 14.
2. In each storey fire hose connections provided with standard couplings shall be installed on these standpipes, in places to be designated by the Director.
3. The operator of a hotel, eating place, night club or casino shall see to it that the standpipe on the ground floor is at all time accessible to fire engines.

Section 19

1. An automatic fire alarm system shall be installed in each and every establishment in conformity with the provisions in Chapter7, paragraph 6 of N.F.P.A. code no.101.
2. In the center of the ceilings of bedrooms of hotels acoustic smoke detectors, of a type approved by the Director, shall be installed, which shall be connected to the system meant in the first paragraph.
3. The operator of an establishment in which apparatus as meant in the first or second paragraph have to be installed shall send a copy of the installation drawings of the apparatus to the Director.

Section 20

1. Fire-extinguishers shall be installed in an establishment in place to be designated by the Director, whose capacity shall be in conformity with the provisions in N.F.P.A. code no. 10
2. The operator of a hotel, eating place, night club or casino shall see to it that the fire extinguishers on the premises are freely accessible and that they are always completely filled up and ready for immediate use.

CHAPTER VII

Transitory and final provisions

Section 21

1. The provisions in the sections 4, first paragraph and 5, first paragraph, shall not apply with regard to an establishment in which at the effective date of this State Decree, a hotel, eating place, night club or casino is actually established.

2. An establishment as meant in the first paragraph shall only have to comply with the provisions in the Section 3, 6 through 13, 16, first and second paragraph, 18 and 19, first and second paragraph twenty six (26) months after the effective date of this State Decree.

3. After the lapse the period meant in the second paragraph and immediately following this period the Minister may, in special cases, and on the recommendation of the Director, grant the operator of a hotel, eating place, night club or casino which already existed on the effective date of this Sate Decree exemption from the provisions in Sections 13 and 16 for a period not exceeding twenty-four months.

Section 22

1. In the event that one or more provisions in this State Decree are not complied with, the Minister may, on the Director's recommendation, order the complete or partial closure of the hotel, eating place, night club or casino.

2. The complete or partial closure is withdrawn by the Minister as soon as all provisions in this State Decree applying to the establishment in question have been complied with.

3. An order as meant in the first and second paragraph shall be accompanied with reason, and the operator in question shall be promptly informed hereof in writing.

Section 23

1. in case of fire and in case of imminent fire, the Director or some other person on his behalf may order the removal or prohibit the use of goods or the complete or partial evacuation or closure of the establishment with a view to the safety of the persons or goods in or near the establishment for a period not exceeding 24 hours.

2. The Director shall promptly inform the Minister of a decision as meant in the first paragraph, and shall inform the operator in writing of the grounds on which he proceeded to the removal, the prohibition to use, the evacuation or closure, within 2 x 24 hours.

Section 24

1. This State Decree shall become effective as from the day on which the State Ordinance presented to Parliament on June 14, 1988, containing rules with regard to the Fire Department (State Ordinance Fire Department) will become effective June 11, 1992.

2. It may be referred to as State Decree Fire Prevention and Fire Safety of Establishments offering Accommodation and Recreation.

Given in Oranjestad, December 18, 1990

F.B. Tromp

The Minister of Justice

H.S. Croes