



# OFFICE OF THE STATE FIRE MARSHAL



<i>New Castle County</i>	<i>Kent County</i>	<i>Sussex County</i>
Delaware Fire Service Center 2307 MacArthur Road New Castle, DE 19720-2426 302-323-5375/Fax 302-323-5366	Delaware Fire Service Center 1537 Chestnut Grove Road Dover, DE 19904-1544 302-739-4447/Fax 302-739-3696	Delaware Fire Service Center 22705 Park Avenue Georgetown, DE 19947-6303 302-856-5600/Fax 302-856-4607

## APPLICATION FOR PLACE OF ASSEMBLY LICENSE

Complete application and return to the above office in the county where permit is to be located, along with a check or money order in the amount of \$25.00 made payable to “State of Delaware” within 30 calendar days from the date of this inspection.

Date: \_\_\_\_\_

Name of Establishment as it appears on  
Delaware Business License: \_\_\_\_\_

Street Address of Establishment: \_\_\_\_\_

Establishment Telephone #: \_\_\_\_\_

Emergency Contact Name: \_\_\_\_\_

Emergency Contact Telephone #: \_\_\_\_\_

Name of Corporation: \_\_\_\_\_

Manager’s Name: \_\_\_\_\_

Name of Principal Owner: \_\_\_\_\_

Address of Principal Owner: \_\_\_\_\_

Principal Owner’s Telephone #: \_\_\_\_\_

Contact Email Address: \_\_\_\_\_

FIRE MARSHAL USE ONLY	
Date Rec'd:	_____
Check #:	_____
Fee Rec'd:	_____
License #:	_____
Expiration Date:	_____

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Title

*More information on general fire safety requirements may be found on our website [Place of Assembly Licenses](#)*



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Dear Place of Assembly Owner:

In order to ensure the safety of all occupants in your establishment, the Office of the State Fire Marshal will be conducting yearly Life Safety inspections in all Places of Assembly as defined in the National Fire Protection Association (NFPA) Life Safety Code 101 (50 or more people). Your establishment falls within these guidelines.

The Delaware State Fire Prevention Regulations, Regulation 701, Chapter 3, Section 2.0 requires that an annual license shall be obtained from the State Fire Marshal to engage in the operation of the Places of Assembly. A staff member from the Office of the State Fire Marshal will conduct a full Life Safety inspection of your establishment and calculate an updated occupancy limit based on the current floor plan and use of your establishment. The staff member will also provide you with an application for a Place of Assembly License. The owner of each Place of Assembly shall make application to the Office of the State Fire Marshal on the form provided. A check or money order in the amount of \$25.00 payable to the "State of Delaware" shall accompany the application. The \$25 .00 fee does not apply for establishments that recently received a final inspection after the approval of a plan review.

The annual license (valid for one year) will be issued after the completed application and fee have been received by the Office of the State Fire Marshal and a satisfactory inspection of the occupancy has been completed with any noted violations corrected. Such license shall be posted in a place within the occupancy that that is readily visible to the public.

If you have any questions, please feel free to contact the appropriate office in your respective county (see above) for the Office of the State Fire Marshal.

Sincerely,

John W. Rudd, CFPS, CFI-II, CFPE



STATE OF DELAWARE  
OFFICE OF THE STATE FIRE MARSHAL

JOHN W. RUDD  
STATE FIRE MARSHAL

DOVER OFFICE  
HEADQUARTERS

April 15, 2024

Dear Assembly Occupancy Owner/Manager/Person in Charge,

The following is a partial list of State of Delaware fire code requirements to ensure the safest environment for you, your staff, and your customers:

1. All exit doors and paths leading to exit doors must not be locked, blocked, or obstructed in any way.
2. All aisles should be clear of any items which may cause a tripping hazard.
3. All fire protection systems shall remain active at all times, shall be up to date on their inspections, and a copy of the current annual inspection form shall be kept on-site.
4. If you perform cooking on-site, all cooking hoods and hood suppression systems require inspection by a licensed vendor every 6 months. If you wish to change the cooking appliance line, this must be approved by the Office of the State Fire Marshal prior to making any changes.
5. The owner, manager, or person in charge shall ensure that the posted occupant capacity is not exceeded.
6. Pyrotechnic devices and open flames are not permitted, including hand-held and birthday cake sparklers.
7. There are specific requirements for the display of a live Christmas Tree:
  - o Natural cut Christmas trees, including living trees in a balled condition with their roots protected by an earth ball, shall not be permitted in Assembly, Educational, Health Care, Residential Board and Care, Detention and Correctional, Mercantile, Hotel, or Dormitory occupancies.  
*Exception No. 1: Trees located in areas protected by an approved automatic fire sprinkler system.*
  - o Artificial Christmas trees shall be labeled or otherwise identified or certified by the manufacturer as being "flame retardant" or "flame resistive."
  - o No Christmas trees shall be allowed to obstruct exits in any way or be located in corridors, exit ways, or other means of egress.
  - o Only listed electrical lights and wiring shall be used on Christmas trees and similar decorations.
  - o Electrical lights are prohibited on metal artificial trees.
  - o Open flames such as from candles and gas fired heaters shall not be located on or near Christmas trees or other similar combustible materials.
  - o Natural cut Christmas trees shall not be located near heating vents or other fixed or portable heating devices that could cause the tree to dry out prematurely or to be ignited.
  - o In occupancies where natural trees are permitted, the bottom end of the trunk shall be cut-off at an angle at least one to two inches (1-2") above the end to help the tree absorb water. The tree shall be placed in a suitable stand with adequate water. The water level shall be checked and maintained on a daily basis. The tree shall be removed from the building immediately upon evidence of dryness.
8. Foam and other combustible/flammable materials are not permitted to be used or installed without prior approval by the Office of the State Fire Marshal.

**If you have any questions, please contact the division office for the county in which your business is located:**

**New Castle County: 302-323-5375**

**Kent County: 302-739-4447**

**Sussex County: 302-856-5600**