



STATE OF DELAWARE
OFFICE OF THE STATE FIRE MARSHAL

JOHN W. RUDD
STATE FIRE MARSHAL

DOVER OFFICE
HEADQUARTERS

Opening a Restaurant (Place of Assembly)

Our agency recommends that you contact the division office for the county in which you wish to open your restaurant
prior to signing any lease agreement:

New Castle County Office	302-323-5365	Assistant Chief James Facciolo
Kent County Office	302-739-4394	Assistant Chief William Kelly, Jr.
Sussex County Office	302-856-5298	Assistant Chief Desiree Truitt

We are happy to discuss your proposal at no cost to you, and we can meet with you in person at our office, at the proposed site, or online to discuss what would be required and how to proceed with plan reviews and inspections required by our agency.

New Restaurants

For new buildings -or- a new tenant space that was not previously a restaurant, the following shall be protected throughout by an approved, supervised fire sprinkler system:

- Dance halls.
- Discotheques.
- Nightclubs.
- Bars with an occupant load of 50 or more occupants.
- **Restaurants with an occupant load of 50 or more occupants.**
- Assembly occupancies with festival seating.

In addition to the fire sprinkler system, the following additional permits may be required:

- Listed and approved commercial cooking hood(s).
- Listed and approved commercial cooking fire suppression system.
- A fire alarm system.

Once open, an annual inspections of all fire protection systems and an annual assembly license is required for any location with an occupant load of 50 or more occupants: <https://statefiremarshal.delaware.gov/place-assemblies-special-permits/place-assembly-licenses/>

We understand that this is a significant investment, and we want to work with you to ensure that you understand all our agency requirements for opening a restaurant prior to committing to a location.