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English

## Security requirements of a facility receiving public (ERP)

Verified 27 novembre 2019 - Directorate of Legal and Administrative Information (Prime Minister), Ministry of Planning

### i Covid 19 - LES sanitary measures and control visit

The [decree n°2020-1310 of 29 october 2020](https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000042475143) [↗](https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000042475143) (<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000042475143>) set [list of establishments suitable for the public](https://www.service-public.fr/particuliers/actualites/A14417) (<https://www.service-public.fr/particuliers/actualites/A14417>) and the health protocol to be applied.

Depending on the local circumstances, the prefect of the department may adapt it. It can limit the number of clients that can be accommodated and prohibit the opening of markets, parks, gardens, beaches, water bodies and lakes in breach of sanitary protocol. It may make the wearing of the mask compulsory for persons over 11 years of age.

Next [the decree of 24 July 2020](https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000042165135) [↗](https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000042165135) (<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000042165135>), regular LES security visits scheduled for 2020 may be postponed for up to 2 years, subject to certain conditions.

Opening a Erp is subject to safety and fire-fighting obligations which are necessary at the time of construction and during operation. The applicable safety regulations vary depending on the classification of the building.

### Institutions concerned

The [establishments receiving public \(ERP\)](https://www.service-public.fr/professionnels-entreprises/vosdroits/F32351?lang=en) (<https://www.service-public.fr/professionnels-entreprises/vosdroits/F32351?lang=en>) are subject to safety and fire-fighting obligations.

LES shall consist of all buildings, premises and enclosures in which external persons are admitted, in addition to the staff. It doesn't matter whether the access is paid or free, whether it is free, restricted or by invitation. LES are classified into types and categories that define the applicable regulatory requirements (e.g., type of work authorization or safety rules) based on risk.

### Building Design

The safety design principles of LES must be such as to minimize the risk of fire, alert occupants when a disaster occurs, facilitate evacuation while avoiding panic, alert emergency services and facilitate their response.

LES are subject to rules regarding the design and construction of premises that must:

- be constructed in such a way as to enable the occupants to be evacuated quickly and safely;
- have one or more façades on the edge of lanes or open spaces enabling the evacuation of the public, access to and the putting into service of emergency and fire-fighting equipment;
- have exits (at least 2), and any secure waiting areas and interior clearances leading to them, arranged and distributed to allow for the rapid and safe evacuation or advance shelter of persons;
- be composed of materials and construction elements having, in the face of the fire, reaction and resistance qualities appropriate to the risks;
- be arranged, in particular with regard to the distribution of the various parts and their isolation, so as to ensure adequate protection.

The lighting of the establishment shall be electric.

The storage, distribution and use of explosive or toxic products, of any flammable liquids subject to authorization or registration shall be prohibited in premises and releases accessible to the public.

Elevators and lifts, electricity, gas, heating and ventilation installations and technical equipment specific to certain types of establishments must provide guarantees of safety and proper functioning.

### Alarm devices and evacuation plan

Fire alarm, surveillance and emergency equipment shall be provided in all LES in a manner appropriate to their size and risk: fire extinguishers (1 for 200 to 300 m<sup>2</sup>), security lighting, anti-theft, etc.

The plan for the evacuation of the premises, accompanied by safety instructions, shall be displayed:

- at each level served by a stairwell;
- in each room that can accommodate at least 5 persons;
- in the changing rooms and the rest rooms of the staff.

It shall indicate:

- outward evacuation routes;
- Dams (or cut-off valves) for gas, water and electricity;
- the location of fire extinguishers and smoke traps.

👉 **FYI** : professional premises shall not be required to be equipped with an autonomous smoke alarm (Daaf), unless they have a mixed use of **dwelling** (<https://www.service-public.fr/particuliers/vosdroits/F19950?lang=en>). However, some insurers may require it, particularly for certain professional activities (restaurants, Liberal offices welcoming the public...).

## Register

LES are required to maintain a security log that includes:

- technical checks;
- training of staff;
- the work carried out.

As of October 22, 2017, new LES located in an existing built environment have been required to maintain a public accessibility register that includes provisions to enable all, including persons with disabilities, to benefit from ERP services.

The content of the Public Accessibility Registry will vary depending on the category and type of LES, and whether or not the LES meets accessibility standards.

## Control visit

During the operation of the LES, the operator must request inspection visits to the town hall (security and accessibility commissions), at different times depending on the type of establishment.

Stores, for example, must be controlled at a different frequency depending on their **category** (<https://www.service-public.fr/professionnels-entreprises/vosdroits/F32351?lang=en>) ::

- every 3 years for one **1st and 2nd Category ERP Type M** (<https://www.service-public.fr/professionnels-entreprises/vosdroits/F32351?lang=en>),
- every 5 years for one **ERP Type M 3rd and 4th Category** (<https://www.service-public.fr/professionnels-entreprises/vosdroits/F32351?lang=en>).

Commissions can also carry out checks at any time at the request of the mayor (or prefect).

## Statute and miscellaneous references

- Building and Housing Code: Articles L122-1 to L123-4 [↗](http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006158993&cidTexte=LEGITEXT000006074096) (<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006158993&cidTexte=LEGITEXT000006074096>)  
*Safety of high-rise buildings and protection against fire and panic in buildings receiving public*
- Building and Housing Code: Articles L152-1 to L152-13 [↗](https://www.legifrance.gouv.fr/codes/id/LEGISCTA000006159010/) (<https://www.legifrance.gouv.fr/codes/id/LEGISCTA000006159010/>)  
*Criminal sanctions*
- Building and Housing Code: Article R111-19-2 [↗](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000039041253/) ([https://www.legifrance.gouv.fr/codes/article\\_lc/LEGIARTI000039041253/](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000039041253/))  
*Provisions applicable to persons with disabilities*
- Building and Housing Code: Articles R123-2 to R123-17 [↗](https://www.legifrance.gouv.fr/codes/id/LEGISCTA000006177443/) (<https://www.legifrance.gouv.fr/codes/id/LEGISCTA000006177443/>)  
*Security obligations*
- Building and Housing Code: Article R123-51 [↗](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000039040918/) ([https://www.legifrance.gouv.fr/codes/article\\_lc/LEGIARTI000039040918/](https://www.legifrance.gouv.fr/codes/article_lc/LEGIARTI000039040918/))  
*Security Registry*
- Building and Housing Code: Articles R111-19-7 to R111-19-12 [↗](http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006189190&cidTexte=LEGITEXT000006074096) (<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000006189190&cidTexte=LEGITEXT000006074096>)  
*ERP Accessibility Requirement*
- Act No. 2005-102 of 11 February 2005 on equal rights and opportunities, participation and citizenship of persons with disabilities [↗](http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT00000809647) (<http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT00000809647>)
- Decree No. 2017-431 of 28 March 2017 on the public accessibility register and amending various provisions on accessibility for disabled persons of the LES [↗](https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000034307896) (<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000034307896>)
- Order of 28 September 2017 approving an organization to carry out regulatory technical checks in establishments receiving public [↗](https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000035742803) (<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000035742803>)
- Order of 19 April 2017 laying down the content and procedures for the dissemination and updating of the public accessibility register [↗](https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000034454237) (<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000034454237>)
- Order of 28 May 2015 amending the safety regulations against the risk of fire and panic in establishments receiving public [↗](http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000030741520&dateTexte=&categorieLien=id) (<http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000030741520&dateTexte=&categorieLien=id>)
- Order of 25 June 1980 on safety rules against the risk of fire and panic in establishments receiving public (ERP) [↗](https://www.legifrance.gouv.fr/loda/id/LEGITEXT000020303557) (<https://www.legifrance.gouv.fr/loda/id/LEGITEXT000020303557>)

- Order of June 13, 2017 amending the Order of June 25, 1980 approving the general provisions of the safety regulations against the risks of fire and panic in LES [↗](https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000034982884&fastPos=1&fastReqId=787669252&categorieLien=id&oldAction=rechTexte) (https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000034982884&fastPos=1&fastReqId=787669252&categorieLien=id&oldAction=rechTexte)
- Order of December 19, 2017 amending the Order of June 25, 1980 approving the general provisions of the safety regulations against the risks of fire and panic in LES [↗](https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000036259096&dateTexte=&oldAction=rechJO&categorieLien=id&idJO=JORFCONT000036259035) (https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000036259096&dateTexte=&oldAction=rechJO&categorieLien=id&idJO=JORFCONT000036259035)
- Circular of May 21, 2015 on the accessibility of LES, public transport, residential buildings and roads for people with disabilities (PDF - 83.7 KB) [↗](http://circulaire.legifrance.gouv.fr/pdf/2015/05/cir_39640.pdf) (http://circulaire.legifrance.gouv.fr/pdf/2015/05/cir\_39640.pdf)

#### Online services and forms

- Specific file for verifying LES' compliance with accessibility and safety rules against fire and panic (https://www.service-public.fr/professionnels-entreprises/vosdroits/R40716?lang=en)  
Form
- Application for the Hazard Study of a Transportation Pipeline - Project of a Public Receiving Facility (ERP) or a High-rise Building (IGH) (https://www.service-public.fr/professionnels-entreprises/vosdroits/R36752?lang=en)  
Form
- Certificate of verification of the implementation of specific measures to protect a transmission line (https://www.service-public.fr/professionnels-entreprises/vosdroits/R36753?lang=en)  
Form

#### For more information, please contact

- ERP approaches in Paris [↗](https://www.prefecturedepolice.interieur.gouv.fr/Demarches/Professionnel/Securite-et-accessibilite-des-batiments/Securite-des-ERP-et-des-IGH) (https://www.prefecturedepolice.interieur.gouv.fr/Demarches/Professionnel/Securite-et-accessibilite-des-batiments/Securite-des-ERP-et-des-IGH)  
*Paris Police Prefecture*

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