

MEMORANDUM

TO: MEMBERS OF THE CODE COUNCIL

FROM: Miriam McGiver, PE

DATE: April 28, 2014

SUBJECT: Summary of public comments in 2014 regarding Residential Fire Suppression Sprinklers

At this year's February 27 meeting of the Code Council, many people spoke to express support for or opposition to a proposal for residential fire suppression sprinklers in the next code update by New York State. We also received numerous emails and letters on the same issue. This memo provides a summary of the written material received from January through February of 2014.

The emails and letters include both some unique individual ones and many in a standard format to express support of a position taken by a group with respect to this code requirement. Of these last, there appears to be three different standard formats that we received: one in support of the proposal urged by Firemen's Association of the State of New York (FASNY); and two formats in opposition to the proposal, one by those associated with Habitat for Humanities and a separate format from home builders in New York State. A sample of each standard format material is attached to this memo. The quantity of material sent in support or in opposition of such a mandate is summarized below. Copies of the unique messages regarding this mandate are presented in a separate memorandum.

Messages in support of a proposal for residential fire suppression sprinklers in all new homes.

We received 317 messages from individuals in a standard format provided by FASNY, sample attached, urging support of residential sprinklers in new construction. Some of these had minor adjustments to the standard FASNY format. These came from throughout NYS, and five from outside of NYS. In addition, we received twelve unique messages, including those with the FASNY subject line but greatly changed content, and two that were sent first in 2013 and which were sent to us again in 2014. Those twelve letters were from members of fire departments throughout the state, including fire chiefs, captains, marshals and voluntary firefighters; and from members of related organizations including NFSA, NFPA, and the Association of Fire Districts of New York State.

Messages in opposition to a proposal for residential fire suppression sprinklers in all new homes.

We received 14 messages standard format from officers (directors, treasurers, etc.) of Habitat for Humanities offices throughout the state, urging opposition to a requirement for residential sprinklers in new construction. We received 43 messages in a standard format, sample attached, from home builders. In addition, we received seventeen unique messages, including one sent first in 2013 which was sent to us again in 2014. Those letters came from members of Habitat for Humanities, firefighters, builders, business owners, and from members of related organizations including Unshackle Upstate and National Federation of Independent Business of New York.

We also received a request to provide to members of the Code Council the document entitled Home Sprinkler Cost Assessment of 2013, which can be accessed at:

nfpa.org/~media/Files/Research/Research%20Foundation/Research%20Foundation%20reports/Suppression/HomeFireSprinklerCostAssessment2013.pdf

Standard Format from members of FASNY

Subject: FASNY Urges You to Make Your Opinion Heard on an Important Codes Issue

Re: Support of Residential Sprinklers in New Construction

As you are aware, the NYS Fire Prevention and Building Code Council may soon be discussing the installation of fire sprinkler requirements in newly constructed one- and two-family dwellings. The fire service in New York State and in particular the state's 90,000 volunteer firefighters stand strongly in support of the adoption of this requirement.

There are many facets to this issue and unfortunately there are some seriously erroneous comments being made relative to the costs and benefits of requiring sprinklers in new homes.

The claim that Upstate New York, where far more people live in one and two family homes leaves us to wonder just where Upstate New York is and where all the rest of us are living, in places like Rockland, Westchester, Nassau and Suffolk counties.

Those same folks who oppose sprinklers state that Installing fire sprinklers in new homes starts in the wrong place. Are they suggesting a retroactive requirement for existing homes? As avid supporters as we may be, that certainly is not a viable alternative.

Figures of \$10,000 to \$20,000 for installation and even more for individuals not on public water are being claimed. This is inconsistent with published reports from the NFPA's Fire Research Foundation 2013 Cost of Residential Sprinkler Final Report issued September 2013, which indicates costs of \$1.13 to \$2.44 per square foot for systems that are not supplied by public water. If we use the claimed

\$10,000 to \$20,000 installation cost with the NFPA's cost per square foot, then we're talking about homes with an occupied area of almost 4,100 square feet (\$10,000/\$2.44), not customarily a starter home and generally not within the scope of affordable housing projects in the reach of most New Yorkers. The NFPA Fire Research Foundation's report is a public document with all of the methodology and sampling procedures fully disclosed and neither NFPA nor its Fire Research Foundation have any financial interest in whether or not sprinklers are required anywhere.

Somewhere, there is obviously a vast discrepancy between what the opponents are stating and what has been publicly published by an independent, respected fire research entity, with no financial interest.

As for the changes in residential construction technology, that discussion fails to address the decreased time between fire ignition and building collapse due to light weight construction, as well the increased temperature of fires and the much more rapid time until flashover that fires in our newer homes are experiencing, most of which would be improved by the installation of residential sprinklers.

It would behoove the members of the Code Council and certainly the residents of the State of New York to review all of the factual, published data, reports and related information before declaring that residential sprinklers are new requirements without proven benefits.

Therefore, based upon the true facts related to expenses and benefits I strenuously urge the Code Council to adopt the requirement for sprinklers in all new homes.

Sincerely, (name)

Standard Format from associates of Habitat for Humanities

Subject: NYS fire sprinkler mandate

Dear Mr. Blanke:

I am writing on behalf of the New York State Habitat community. If passed, the Fire Sprinkler Mandate would seriously impede Habitat's ability to build affordable housing in New York.

Habitat serves New York families that cannot afford the increase to housing costs the Fire Sprinkler mandate would represent in installation and maintenance. While Habitat supports mandates that would result in increased safety to our partner families, fire sprinklers drive up costs without proven safety benefits over the more cost effective hard-wired battery operated smoke alarms.

As a community, we therefore strongly urge you to heed the Department of State recommendation to leave the Fire Sprinkler mandate out of the new code.

Thank you for your time and consideration in this matter.

Regards,
(name)

Standard Format from home builders

Subject: Please Oppose Fire Sprinkler Mandate Now!

Dear Mr. Blanke,

I am calling on the New York State Code Council to vote down a mandate to install fire sprinklers in all new one and two-family homes in New York State. Currently 48 states have either declined to adopt this ICC mandate or passed legislation forbidding a mandate to install sprinklers in one and two-family homes.

Because of changes in residential construction technology the number of fatal fires has dropped dramatically in the last 20 years. Fire sprinklers also drive up the already expensive cost of housing for a New York consumers by \$10,000 to \$20,000 for installation, and cost even more for individuals not on public water.

New York's housing market is showing signs of coming out of the worst decline in history. This mandate will send it spiraling downward again.

If the Code Council truly believes that our state is "open for business," we must keep the fire sprinkler mandate out of New York.

(name)