



# FIRE PREVENTION ASSOCIATION OF MASSACHUSETTS INC.

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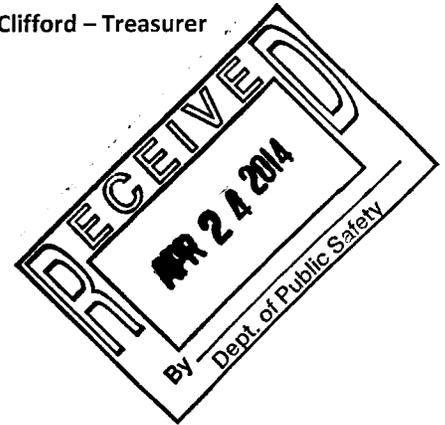
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Established February 1974

John Pizzi - President -- Michael J. Swain – Secretary -- Joel Clifford – Treasurer

April 15, 2014

Brian Gale  
Chairman  
Board of Building Regulations and Standards  
Commonwealth of Massachusetts  
One Ashburton Place, Room 1301  
Boston, MA 02108



Sir:

I am writing today as the President of the Fire Prevention Association of Massachusetts.

The MISSION STATEMENT of the organization is to provide the members of the Fire Prevention Association of Massachusetts Inc., the fire service community, the citizens of the Commonwealth of Massachusetts, it's visitors and guests with education, knowledge, understanding and enforcement of the laws, rules, regulations and codes to provide for a fire safe environment through fire prevention.

I am writing to express my dismay and concerns on the preliminary report entitled "White Paper - The Cost and Effectiveness for Health, Safety, and Security of Fire Alarm Systems and Fire Sprinkler Systems in 3 to 6 Unit Residential Buildings". I understand that this document was approved by majority of the Board of Building Regulations and Standards. While I applaud the Board for trying to conduct a cost benefit analysis, which is the intent of the statute, the white paper falls far short of even trying to complete this task.

As this Board moves forward on its task it is important that the Board approve and review a paper that is within its statutory authority and completes a neutral, impartial and fair report. Upon completion of this impartial, neutral and fair report minority and majority reports can then be added to it.

For the following reasons, I feel the report is not complete at this time.

1. The report does not reflect or support the spirit of the law cited. The law places an equal emphasis on cost and effectiveness. The report as presented provides no analysis on the effectiveness of the fire protection systems. The report

nowhere identifies the true cost of fire in the Commonwealth, nor the overall effectiveness of fire sprinklers on limiting this cost. This is a mandate of MGL 143 section 94(b) as referenced throughout the paper. The cost and effectiveness should also address the reduction in injuries and death associated with the installation of sprinklers.

2. The object identified in the abstract of the report, “to determine if fire protection, specifically sprinkler requirements were being installed in existing multi-family residential buildings at the same rate as prior to 2009” were never clearly identified, compared or answered.
3. The Greater Boston Housing Report Card 2013 uses select data instead of presenting an unbiased report. For example, this report shows that in 2013 the number of permits (7,006) issued for multi-family units is almost equal to the high in 2005 (7,564). This shows that the impact of the building code is minimal on construction, but the true driver is the economy and supply and demand of available units. Unfortunately, the Commonwealth does not have vast areas of open land to develop multi-unit housing that could assist in driving the cost down by creating more available units.
4. The use of random and unsubstantiated costs throughout the paper. Many of these are inflated and are not addressed by poor design choices or random costs used to avoid upgrades.
5. The report references incorrect information about multi-unit units being taken out of service due to the costs associated with sprinklering. If reference is made to these “illegal” units being taken from service, it is far better to remove the illegal units and provide safe housing as permitted under the state building code than to allow the units to remain occupied.
6. The installation of sprinklers can help promote affordable housing by keeping housing that is affordable in the market place after a fire, by substantially reducing the damage caused by fire. Studies show that after a fire most residential units, and businesses don’t rebuild.
7. The sheer number of front-end amendments (FEA) that were deleted do not correlate to cost of construction. The majority of the FFPF-Model 15 project was removing FEA that did not add cost and were already included by adoption of newer reference standards. The FEA that were deleted will most likely add to cost because they are not conveniently located, but rather now contained in adopted reference standards.
8. The FEA contained in the building code related to the 6<sup>th</sup> and 7<sup>th</sup> edition of the code were specifically done to directly place more of the burden of fire protection on the building community or developers instead of the local fire departments and the surrounding cities/towns to pick up this cost on behalf of the developers. The budget crunches of today make this even more reasonable. This was a direct result of fire service input at the time of the 6<sup>th</sup> edition due to staffing and other limits placed on communities as a result of proposition 2-1/2. Massachusetts was a leader in this area at the time. Many of these amendments were captured by the national model codes during their revision cycles.

9. The report does not address the housing bubble, or supply and demand issues within the Commonwealth, as it relates to housing. One could argue that even a less expensively built building, as identified in the report (4<sup>th</sup> edition to 8<sup>th</sup> edition of the State Building Code) will not change the price of the house. This is due to simple economics (supply and demand) and will only allow a builder/developer to make more profits while putting the home owner possible at risk.
10. The report does not mention or take into account the value of a person's earnings today as compared to previous years. Due to the rise in fuel and associated costs, one's yearly salary has declined further than the cost of housing and what it buys. It is this consistent erosion of one's ability to pay for a home (salary) much more than code requirements that affect a person's ability to purchase a home today.
11. The policy report issued in 2000 showed the effect of building codes did not affect housing, but rather these costs were driven by land and environmental regulations. This report showed that a well done continuing education program for code officials could eliminate and clearly resolve inconsistencies in the application of code while maintaining public safety.
12. Section 4B is factually incorrect as covered by the existing building code (780 CMR).

I strongly urge the Board to reject this report for the issues as outlined above.

I have reviewed the letters of NFSA, NFPA, and DFS concerning this subject that have been sent to you and I support them.

Sadly, as of the date of this letter, the Commonwealth has had seventeen civilian and two firefighter deaths due to fire. Seven of the civilian and the two firefighter deaths were from apartment house or rooming house fires. Could a functioning sprinkler system in these buildings prevented these deaths? I think that the probability is good, that they could have been prevented.

Sincerely,



John Pizzi  
President

Copy: Governor Deval Patrick  
Andrea J. Cabral, Secretary of Public Safety  
Thomas Gatzunis, Commissioner of the Department of Public Safety  
Senator James E. Timilty, Chairman, Joint Committee on Public Safety and Homeland Security  
Representative Hank P. Naughton Jr., Chairman, Joint Committee on Public Safety and Homeland Security  
Robert M. Carasitti, P.E. Chairman, FFPF Committee  
Chief George Rodgers, President of Fire Chiefs Association of Massachusetts  
Department of Public Safety Staff, Michael Guigli  
Department of Public Safety Staff Tom Riley  
Department of Public Safety Staff Don Finocchio