



# SAFE-D

Texas State Association of Fire and Emergency Districts

So . . .  
You want to  
Adopt a Fire  
Code

*Fire Prevention  
and  
Code Enforcement*



# Current Status

- **As an ESD, you have the authority to**
  - Inspect any property for fire and life safety hazards
  - Require corrections
  - Use any nationally recognized standard adopted by the State
- **Commercial property owners or tenants**
  - Are not required to build to any fire code
  - Are subject to inspection at any time
  - Must make corrections at their cost
  - May be subject to different standards

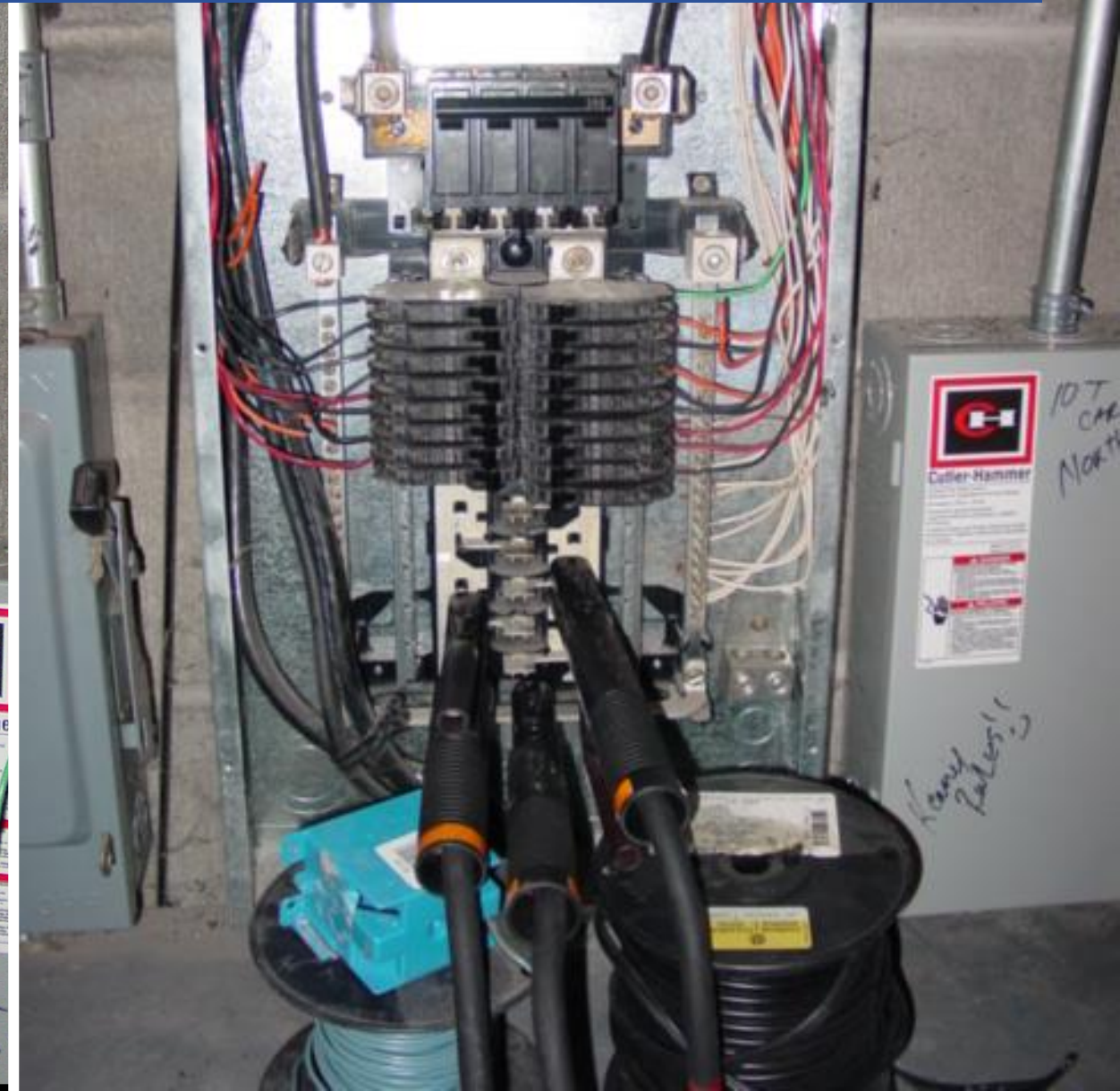
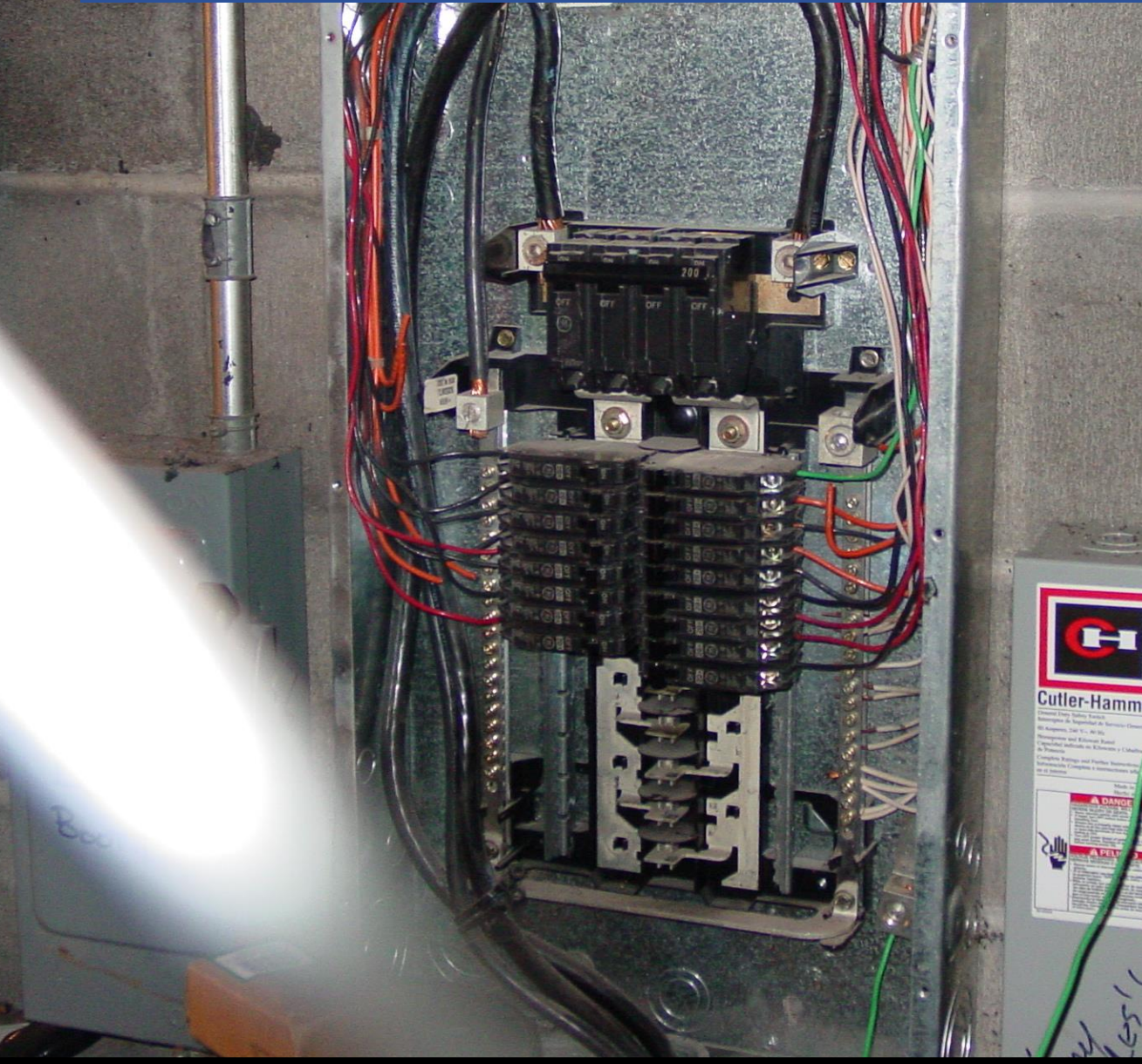


# Why we need fire inspections





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# Why we need fire inspections

## The Station

West Warwick, Rhode Island

2003





# Why we need fire inspections

**KMCO**

**Crosby, TX**

**2019**





# Why we need fire inspections

**West Fertilizer**

**West, TX**

**2013**





# Why we need fire inspections

**Little General Store**

**Ghent, WV**

**2013**





# Why we need fire inspections





# The role of ESDs

## Provide emergency services

### Collect taxes

- Property taxes
- Sales tax

### Contract with others

- Emergency Services
- Communication Services
- Administrative Support
- Real property
- Facilities
- Apparatus
- Equipment

### Own and provide

- Real property
- Facilities
- Apparatus
- Equipment

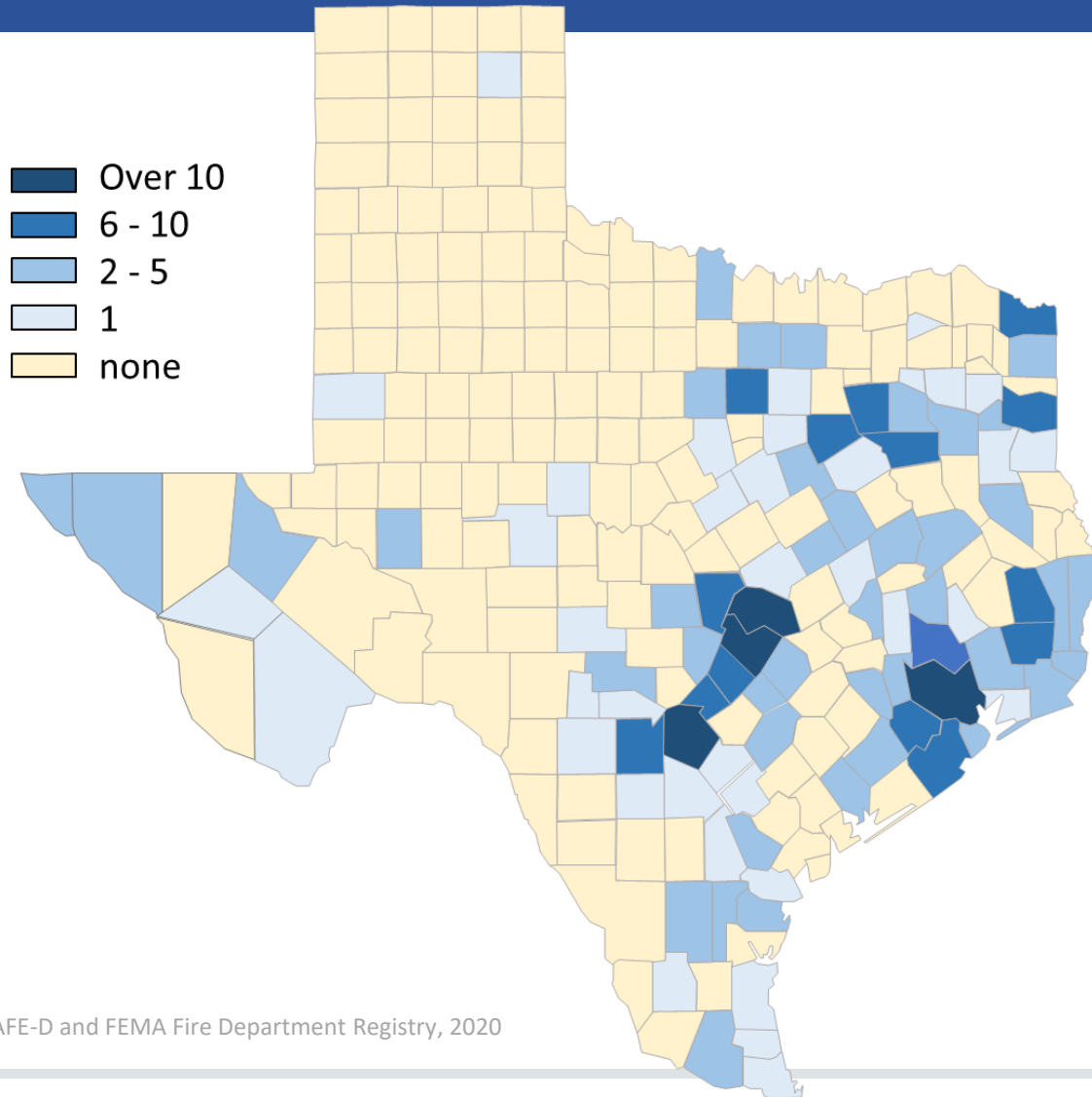
### Provide services

- Emergency Services
- Communication Services
- Administrative Support

Source: Article III, Section 48-e, Texas Constitution



# Texas Fire Service



Source: SAFE-D and FEMA Fire Department Registry, 2020

## ESDs

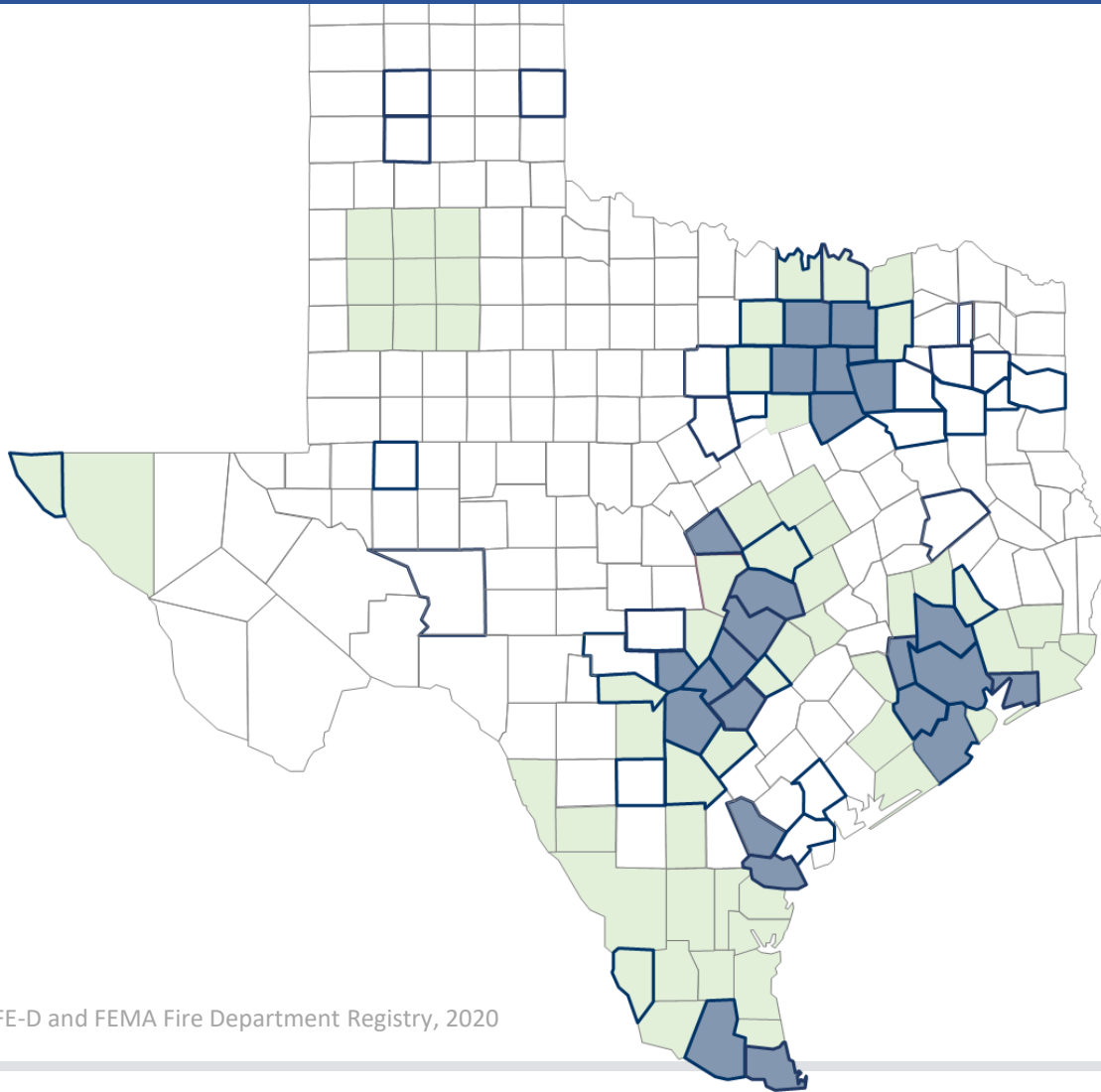
- ↑ **336** districts in
- ↑ **96** counties
- ↑ **320** SAFE-D members

## Fire departments

- ↔ **1062** volunteer
- ↓ **179** mostly vol
- ↔ **99** mostly career
- ↑ **176** career



# County Fire Prevention



## ESDs

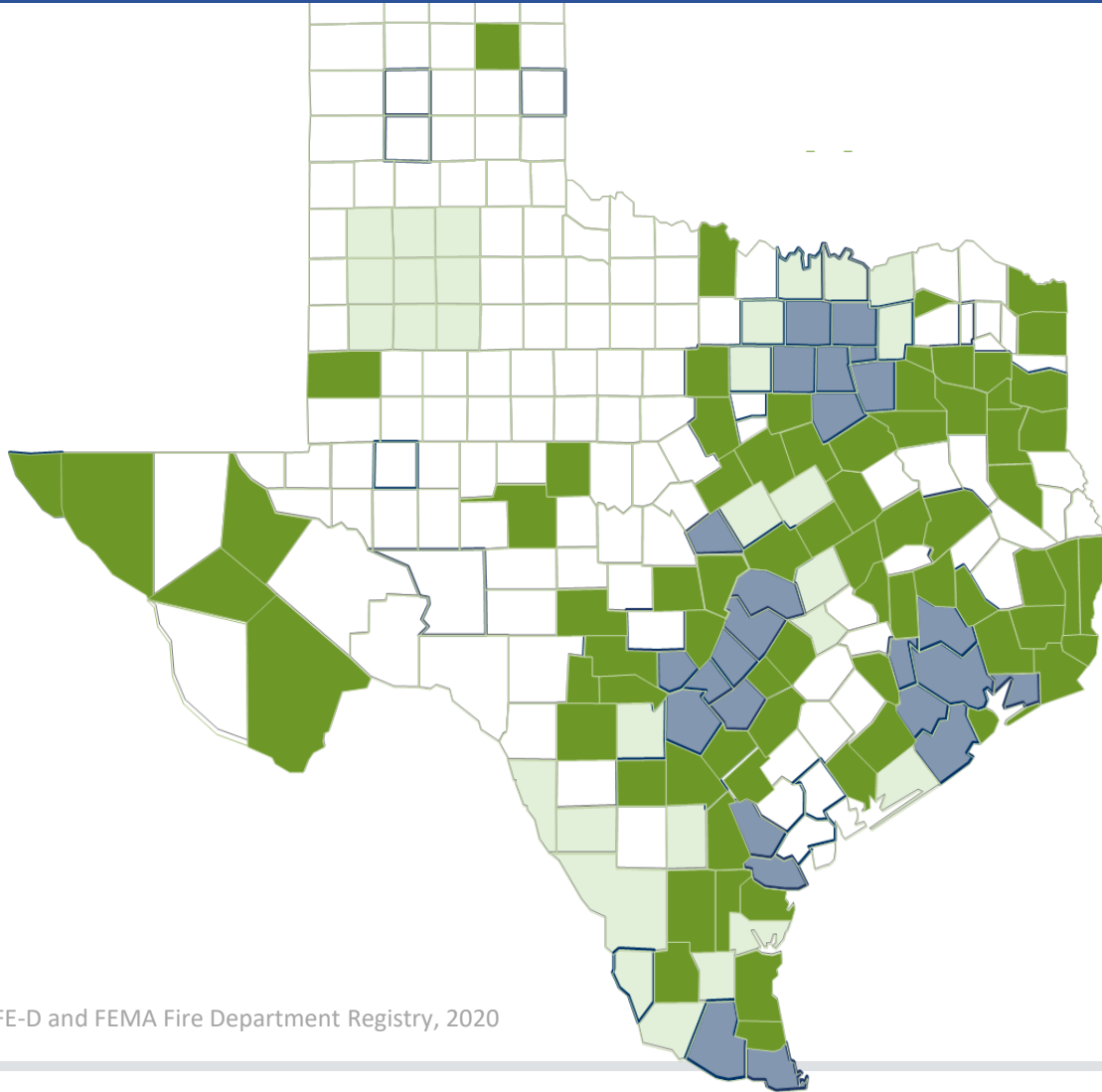
- ↑ 336 districts in
- ↑ 96 counties
- ↑ 320 SAFE-D members

- 60 County Fire Marshals
- 50 County fire code
- 23 Eligible to adopt

Source: SAFE-D and FEMA Fire Department Registry, 2020



# ESD Fire Code Opportunities



## ESDs

- ↑ **336** districts in
- ↑ **96** counties
- ↑ **320** SAFE-D members

## Fire departments

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Source: SAFE-D and FEMA Fire Department Registry, 2020



# Challenges

- **Statutory limitations**
- **Growing population, new construction**
- **Existing buildings**
- **High risk occupancies**
- **Desired level of enforcement & resources**
- **Potential for confusion and chaos**



# Authority of the Fire Marshal

	<u>County</u>	<u>ESD</u>	<u>Fire Dept</u>
Authority	LGC 352.011	H&S 775, Sub F	<b>None</b>
Appointed by	County Commissioners	ESD Commissioners	Fire Dept
Responsibilities	Investigate, inspect, maintain records	same	same
Police powers	Yes	Yes	<b>No</b>
If CFM exists	Yes	<b>No</b>	Yes
Inspection Fees	Yes	Yes	Yes

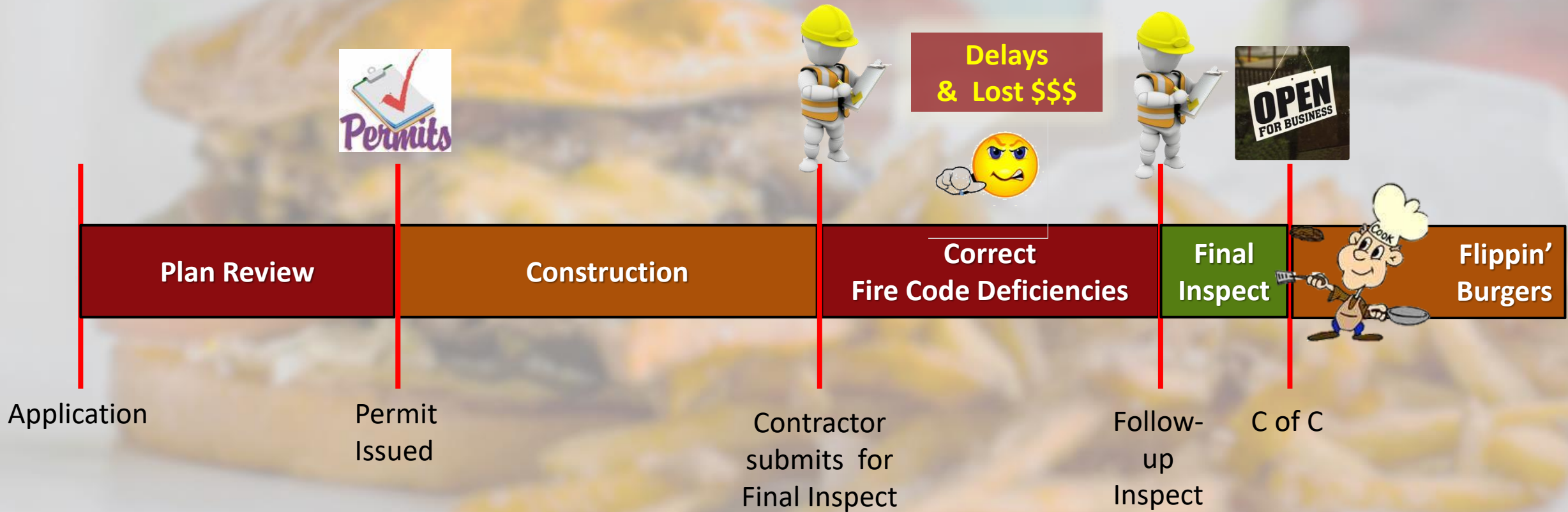


# Does a fire code make a difference?

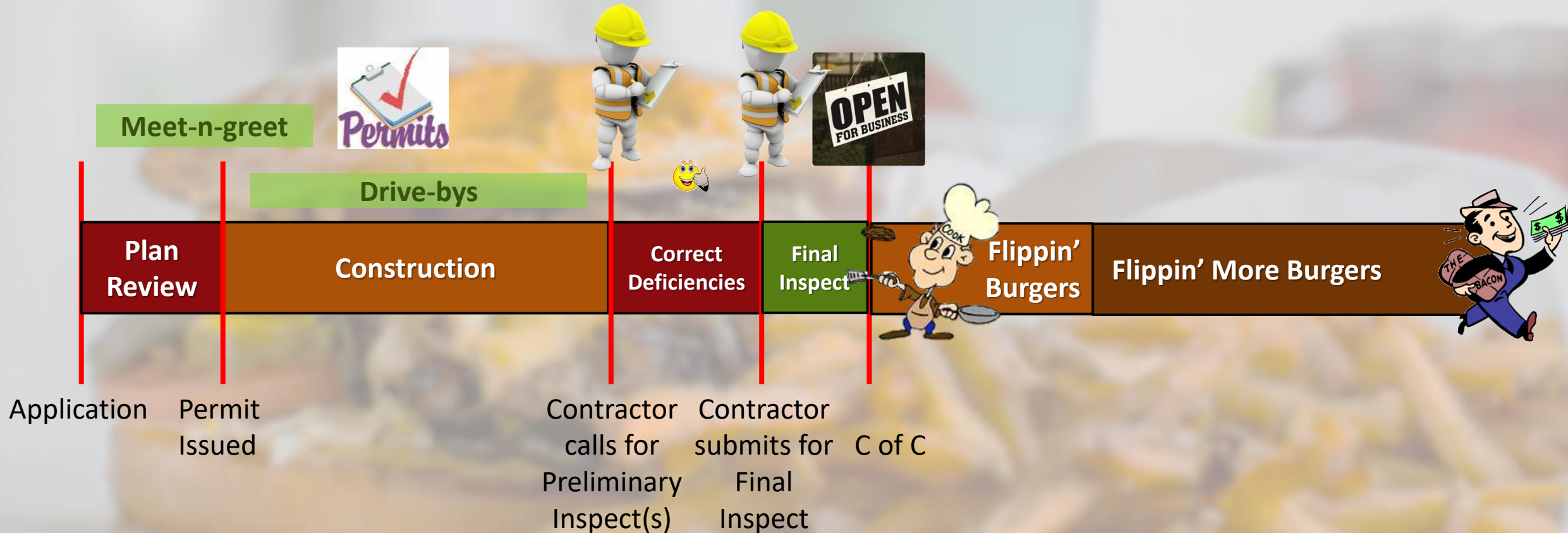
	<u>Inspections</u>	<u>County Fire Code</u>	<u>ESD Fire Code</u>
<b>Authority</b>	LGC 352.016	LGC 233, Sub C	H&S 775.036 **
<b>Applies to</b>	<b>All</b> commercial & public bldgs	<b>All</b> commercial & public bldgs	All bldgs, <b>IF</b> no conflict w/ county
<b>Inspect for</b>	Fire & life safety <b>hazards</b>	Code <b>compliance</b>	Specific fire <b>hazards</b>
<b>Penalties for non-compliance</b>	varies	varies	varies
<b>Code selection</b>	May use <b>any</b> standard	<b>Shall</b> use <b>national</b> code	May use <b>any</b> code
<b>Fees</b>	Yes	Yes	Yes



# Fire Codes from a customer perspective



# Fire Codes from a happier customer perspective

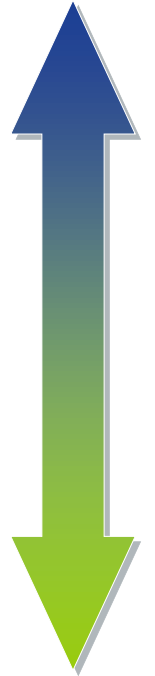




# Fire Code Options

- **Maintain status quo**
- **Perform fire inspections, w/o code**
- **Adopt stand-alone Fire Code**
- **Integrate fire code into a comprehensive prevention plan**

Lower  
cost



Higher  
impact

# Elements of a comprehensive plan

- **Know your statutory authority**
- **Know what services are needed**
- **Know the costs**
- **Create incentives, plus and minus**
- **Use data to drive decisions**



# Mutual Aid = Mutual Benefit

- **County Fire Marshal and Fire Code**
  - Has legal authority
  - Provides consistency & coordination
  - Reduces need for ESD Code
  - Reduces ESD liability concerns

# Mutual Aid = Mutual Benefit

- **ESD Fire Code**
  - Replaces or reinforces the County Code
  - Can be farther-reaching
  - May provide additional resources
  - May increase ESD fire service cost



# Mutual Aid = Mutual Benefit

- **Combination county and ESD effort**
  - Complementary
  - Consistent
  - Coordinated
  - Cost-effective

# Resources





# Resources





Questions  
???







For more information:



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