



TEXAS DEPARTMENT OF INSURANCE

State Fire Marshal's Office (112-FM)

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Williamson County Commissioners,

I have been requested to write a letter on how the Texas State Fire Marshal's Office (SFMO) views Williamson County adopting a county fire code. A national consensus fire code represents a best practice to minimize the risk of fire to occupants and reduce the chances of a fire in a structure. Best practices minimize risk exposure. Basically, a fire code enhances public safety and provides a standardized methodology on how occupancies are built in the community.

The SFMO has encountered numerous situations in areas around the state where occupancies have deficient egress for occupants in the structure, electrical problems, dilapidated structural elements, lack of fire protection features, and other dangers that necessitate a fire marshal order being issued to get the building into compliance with the fire code. These conditions occur when jurisdictions lack a fire code and enforcement.

The recent establishment of a county fire marshal in Williamson County is a positive event for the citizens of the county. A county fire marshal has to have a means to consistently ensure the safety of citizens living, working, and visiting commercial and residential occupancies. There has to be a document the fire marshal and customers can reference that define a minimum standard so all parties involved in the project know what is required. This is facilitated by adopting a fire code that provides a level playing field and accountability between the parties.

It is important to emphasize that a national consensus fire code is written to provide a basic level of fire protection based on scientific research, engineering, and past fire tragedies. Building and fire codes are used in national, state, county, and municipal governments throughout the country. These codes have not inhibited economic growth. This can be readily seen in Williamson County with the dynamic growth in cities with adopted building and fire codes all over the county. In fact, these codes prevent substandard structures that detract from economic development. The SFMO regularly encounters these substandard structures in areas of the state that lack an adopted code and typically have a challenged economy.

In the Texas Local Government Code Chapter 352.016, in the absence of a county fire code, the county fire marshal may conduct an inspection using a nationally recognized code (International Fire Code or National Fire Protection Association) or standard adopted by the state. Texas does not have a state fire code. The SFMO has adopted National Fire Protection Association (NFPA) 1 for state buildings and for structures where the agency receives a complaint of dangerous conditions in areas of the state that do not have a locally adopted code. I would recommend that Williamson County adopt the International Fire Code since the other authority having jurisdictions (AHJs) in the county have adopted that code to facilitate consistency and ease for developers and other customers that are already familiar with it in the area.

Local Government Code Chapter 233 allows Williamson County to adopt a fire code and the rules necessary to administer and enforce it. This statute also allows the county to adopt the most recent edition of the fire code.

Williamson County has a number of Emergency Services Districts (ESDs) and Texas Health and Safety Code Chapter 775.036 allows these districts to adopt a fire code that does not conflict with a fire code adopted by the county. It is recommended that Williamson County coordinate meetings with the ESDs as it goes forward to adopt a county fire code to maintain good collaboration.

In summation as State Fire Marshal, I recommend all governmental entities that can adopt a fire code do so to enhance public safety. National consensus fire codes have a long history of being effective in minimizing the risk of fire to people and structures. This correspondingly enhances the quality of life in the community. Codes prevent unsafe structures from being built and subsequently ensuring they remain compliant with the code through inspections by the fire marshal's office. Just as good management practices affirm, risk is minimized through good policies (i.e. a fire code in this context) and regular review of performance (inspections).

Sincerely,

A handwritten signature in black ink, reading "Chris Connealy". The signature is fluid and cursive, with the first name "Chris" and last name "Connealy" clearly distinguishable.

Chris Connealy
State Fire Marshal