



# City of San Antonio

## Agenda Memorandum

**File Number:** 15-5372

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**Agenda Item Number:** 17.

**Agenda Date:** 11/12/2015

**In Control:** City Council A Session

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**DEPARTMENT:** SAFD

**DEPARTMENT HEAD:** Charles N. Hood

**COUNCIL DISTRICTS IMPACTED:** City Wide

**SUBJECT:**

Recommendation from the San Antonio Fire Department for City Council to adopt an ordinance amending the existing fire code to require all non-sprinklered high-rise buildings to have fire sprinklers installed within 12 years.

**SUMMARY:**

The San Antonio Fire Department (SAFD) presented a recommendation to the Council Criminal Justice, Public Safety and Services Committee to establish an ordinance requiring all non-sprinklered high-rise buildings to have fire sprinklers installed within twelve years (12). The SAFD presented the Committee with the results of the stakeholder group studying the feasibility of this retro-active ordinance on October 7, 2015. The Committee recommended taking the proposed ordinance to the full City Council for consideration in November.

**BACKGROUND INFORMATION:**

In February 2015, SAFD requested approval of the Public Safety Committee to establish a stakeholder group to study the feasibility of a retroactive fire sprinkler requirement for high-rise buildings following the tragic events at the Wedgewood Apartments in Castle Hills. With the committee's approval, the group was established and met a total of five times with the kick-off meeting held on April 15, 2015. The stakeholder group consisted of multiple entities including, but not limited to; the San Antonio Housing Authority, the San Antonio Apartment Association, representatives from the Building Owner and Manager's Association, insurance industry representatives, sprinkler contractor representatives, various fire protection engineers, condominium owner's groups, and others.

The SAFD surveyed a list of high-rise buildings to determine how many did not have fire sprinkler systems installed. Approximately 36 buildings were ultimately identified as those that were classified as high-rise buildings, yet did not have sprinkler systems installed. Twelve (12) were partially sprinklered. High-rise buildings are defined by the fire code as having an occupied floor 75 or higher above the lowest level of fire department vehicle access. Another 14 buildings without fire sprinklers, but of marginal height (6 and 7 stories), *may* also meet the code definition a high-rise.

Through the stakeholder process, it was determined that a retroactive fire sprinkler requirement is possible for all high-rises, commercial and residential, by amending and adopting an appendix of our existing code. The costs associated with fire sprinkler retrofits were the greatest concern in the stakeholder process. The SAFD proposes to phase in the installation over the course of 12 years, as recommended by code, thus allowing building owners time to better manage the costs associated with the retrofit. Costs are estimated to be approximately \$2.50-\$4.00 per square foot of the building, depending on existing features. The SAFD also proposes an exemption for individually owned units of condominiums. Common areas of condominiums would be required to provide sprinkler systems in the SAFD proposal, but individually owned units of condominiums would not be required to install sprinkler systems. The SAFD encourages individual units to install sprinkler systems on a voluntary basis.

In the FY16 budget, the SAFD received funding for an additional fire inspector to inspect all high-rise buildings on an annual basis. The inspector will assist the Fire Prevention Division in the management of the high-rise program including the inspection of all high-rise buildings regardless of whether or not the building has a fire sprinkler. This inspector will ensure existing life safety systems are maintained along with all safety features of the building. If the sprinkler retrofit amendment is approved, this inspector will conduct biannual inspections of the residential high-rise structures that do not currently have fire sprinkler systems until such time as the systems are installed. These structures will also be offered an enhanced schedule for fire education. An annual fee is required for all high-rise buildings under the program. This inspector will also assist the SAFD Fire Prevention Division with enforcement of House Bill 3089 that became law on September 1, 2015. The law will require retroactive fire sprinklers in four (4) residential high-rises in San Antonio that do not have fire sprinklers and have at least 50% elderly, disabled, or mobility impaired residents. The law allows 12 years for full compliance, similar to the SAFD proposal. Condominiums are exempt from the law, both common areas and the individual units.

**ISSUE:**

Approximately 36 buildings were identified as being classified as high-rise buildings, yet did not have sprinkler systems installed. Twelve (12) were partially sprinklered. Buildings that are fully fire sprinklered have shown to be much safer than those without these critical life safety systems.

**ALTERNATIVES:**

Without the addition of a high-rise fire sprinkler ordinance for all high-rises, only four of the non-sprinklered high-rises in San Antonio will be subject to the State Law. Existing high-rises may be required to install fire sprinklers as part of building modifications and construction through the City's adopted International Existing

Building Code based on the level of alteration of the building. The fire sprinkler installations will only be in the portion of the buildings that are undergoing the modifications.

**FISCAL IMPACT:**

There is no anticipated fiscal impact for FY 2016. While the 36 identified high-rise buildings have 12 years, or until FY 2028, to get in compliance, SAFD estimates partial compliance among some buildings as early as FY 2021. For a building in compliance SAFD anticipates a onetime revenue ranging \$5,000 to \$12,000 related to the initial Sprinkler Permits and Inspection fees. Once all 36 building are in compliance in FY 2028, SAFD will collect approximately \$180,000 to \$432,000 in total revenue over the course of the compliance schedule.

**RECOMMENDATION:**

The SAFD recommends City Council approve the creation of an ordinance amending the existing fire code to require fire sprinklers in all high-rise buildings with full compliance within 12 years of adoption.