

WEYMOUTH TOWN COUNCIL
Public Safety Committee
VIA ZOOM
November 23, 2020, Monday

Present: Fred Happel, Chairman
Pascale Burga, Councilor
Ed Harrington, Councilor

Absent: Maureen Kiely, Vice Chair
Brian Dwyer, Councilor

Also Present: Keith Stark, Fire Chief
Justin Myers, Deputy Fire Chief

Recording Secretary: Mary Barker

Chairman Happel called the meeting to order at 6:37 PM. The chair called the roll with two members absent.

20 113- Acceptance of G.L. c.148, §26H and §26I Regarding Lodging or Boarding Houses; Automatic Sprinkler Systems and Multiple Dwelling Units; New Construction; Automatic Sprinkler Systems

This matter was referred to the Public Safety Committee on November 9, 2020. The chair read the measure- that the Town of Weymouth, through Town Council and with the approval of the Mayor, move to adopt and accept the provisions of General Law, chapter 148, §§ 26H and 26I, which authorizes the head of the fire department to enforce the installation of automatic sprinkler systems or other fire suppressant systems as prescribed by the state building code in every lodging house, boarding house, multiple dwelling unit and new construction

Deputy Chief Myers explained that this is a housekeeping issue. These are local adoption laws that have been on the state books for a long time. He would like to get them adopted for the town of Weymouth. 26H pertains to lodging and boarding houses. Automatic sprinklers would be required and the definition of lodging and boarding houses are clearly defined in section 26H: a house where lodgings are of six or more persons, not within the second degree of kindred of the person conducting it. Frat house and dormitory are not included. Exclusions also exist for rest homes or houses that are regulated by agencies of the Commonwealth. Second degree does not include (for a family)- son, daughter, mother, father, grandmother, grandfather, grandchild are all within the second degree of kindred. It would be six or more people past that (for example, six cousins or members of different families).

Chair Happel asked if Father Bill's is exempt as a facility licensed by the Commonwealth? Deputy Chief Myers responded if it is licensed or run by an agency of the Commonwealth, yes it would be exempt. He noted that Father Bill's has taken over

properties in Weymouth, that were not previously sprinkled and in both cases, had sprinkler systems installed.

Chair Happel asked if this is directed at sober homes in the community?

Deputy Chief Myers responded that this is more of a housekeeping item. There used to be one on North Street that Father Bill's took over and installed the system. Another on Commercial Street is now a licensed facility so that wouldn't apply.

This is something good to have on the books. Occasionally when they go out on inspections, they come across places where there are six or more, unrelated persons, and the point is they want to be sure that everyone has a safe place to stay. Sometimes they see owners taking advantage of those who may not have the means to take care of themselves, and need the fire department's help. This is a tool they can use to be sure everyone remains safe.

Councilor Burga notes the owners have five years to comply. How many properties are there today, and what is the notification process for the owners of these buildings?

Deputy Chief Myers responded that if they come across them, they would be able to notify that they have five years to comply-five years from the adoption time. He has seen it used in other communities after it is adopted it just stays on the books. Therefore if a rooming or boarding house wanted to start up five years from now, they would have to start up with a sprinkler system, as opposed to- currently everyone can move right into a house and the fire department has little control over how safe it is for them.

Councilor Burga asked if by coming to their attention, it's because they are responding to a call?

Deputy Chief Myers responded that is sometimes how it occurs. The officers respond to a call to a location or an incident- medical or otherwise, and they notice things like padlocks on each of the bedroom doors or there are just more people than there should be in a single family home, and they start to put two and two together, and realize what they are dealing with is a rooming house or boarding house.

Councilor Burga asked in what areas of the home are sprinklers required- only in bedrooms or common ways?

Deputy Chief Myers responded that this code would dictate that they have a residential sprinkler system installed, that that system is for life safety only. It really only doesn't protect a property from burning down, but protects the people who reside in that property and allows them to get out safely. Typically they would be in the bedroom areas and hallways in the egress path out of the home. It is dictated in the building code.

Chair Happel asked if the owner does not implement within the five years, what is the enforcement? Are there fines? Do they pull the occupancy permit?

Deputy Chief Myers responded that if the owner doesn't comply once ordered, within the first five years, the department could shut them down. There is an appeal process to the state sprinkler board, if someone felt they were improperly ordered. The same board handles other laws as well.

He then explained 26 I – which is for multiple dwelling units, new construction, automatic sprinklers. When residential properties of 4 or more, new construction or significantly renovated to like-new, they would need to be protected with a sprinkler system. Currently, in the building code, any 3 or more must be sprinkled. Anything 26 I would cover, the current building code already covers. If the current building code were to change in the future, then they would have 26 I on the books. Again, this is a housekeeping matter.

Chair Happel asked when these sections of MGL were amended; was it recently?

Deputy Chief Myers responded that it was many years ago. These are local adoptions. He moved them forward in the past. There were properties in Weymouth that would have been impacted in the past, that have since been sprinkle protected. He thought this was a good time to look at these options, because he doesn't know of any specific properties that would have required them.

Chair Happel asked if properties already built are grandfathered in?

Deputy Chief Myers responded that under the building code, any new construction or significantly renovated to like-new is already in the building code. The building code already covers 3 or more, so if they didn't adopt it, under current conditions they would not be missing anything.

Chair Happel asked if any other communities implemented, and have they had any problems?

Deputy Chief Myers responded that the communities that he knows that have implemented have not had problems. What they saw was, when these were first put on the books, there were periods of time when the building code didn't specifically cover. These were put on the books before the building code covered the gaps. It makes it cleaner to enforce protections on rooming and boarding houses.

Chair Happel noted that 26I is pretty much already implemented. If the council were to pass this, will this place a burden on local builders?

Deputy Chief Myers responded that there is no new burden. Adoption of the local option protects against any impact from a change in the local building code.

Councilor Burga asked if there are benefits when a property is renovated? Today they would not be required to have sprinklers installed, but when they renovate they would?

Deputy Chief Myers responded that it is covered under the MA building code. If someone renovates they would have to pull a building permit, and under the building code, a significant renovation would have to meet the code. They have enforced these codes in town.

Councilor Burga compared the cost of new construction at \$1.35/sq ft., and for retrofitting \$4-6 / sq ft., but of concern are historic buildings, which can run \$10/sq ft.. It starts to get costly. Are there any reliefs or considerations for those?

Deputy Chief Myers responded that is one of the few reasons why someone would win at appeal. Either water is not available (not an issue in Weymouth). The other reasons for appeal are for hardship or high cost. They get estimates and go to hearing. Sometimes there is relief.

Councilor Burga noted the risk is lower and insurance might also be discounted. That would be a significant potential savings.

Deputy Chief Myers responded that the real reason is the safety of the people who live in these buildings that is paramount. In some of the rooming and boarding houses that pop up, it can be a lot of people living in unsafe conditions. Sprinkler systems would allow them to be safer.

Councilor Burga asked, once someone has a sprinkler installed, are they then required to pay to have the fire department come out and inspect?

Chief Stark responded that there are inspection fees of \$50 per inspection. At Union Point, all of the houses have sprinkler systems and all are sold. There is a cost to the contractor, but they do save money on the insurance discounts.

A Motion was made by Councilor Burga to forward item 20 113 to the full Town Council with a recommendation for favorable action and was seconded by Councilor Harrington.

A roll call vote was taken: Councilor Burga-Yes, Councilor Harrington-Yes, Chair Fred Happel-yes. UNANIMOUSLY VOTED.

ADJOURNMENT

At 6:59 PM, there being no further business, a MOTION was made by Councilor Harrington to adjourn and was seconded by Councilor Burga.

A roll call vote was taken: Councilor Burga-Yes, Councilor Harrington-Yes, Chair Fred Happel-yes. UNANIMOUSLY VOTED.

Respectfully Submitted by Mary Barker as Recording Secretary

Approved by Councilor Fred Happel-Chair Public Safety Committee
Voted unanimously on 7 December 2020