



**Texas Department of Insurance**  
**State Fire Marshal's Office – Inspections Division**

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April 18, 2011

Edgewater Inn  
1447 Bayshore Ave.  
Kemah, Texas 77565  
Matt Wiggins  
281-334-4141

Inspection Number: RRO9583A  
Date of Consultation: 4/6/2011  
Galveston County

Authority: 417.008, Tex. Gov. Code and adopted rules 28 TAC 34.303

As a result of questions raised by concerned citizens and to assist the Kemah Emergency Services District, the State Fire Marshal's Office provided consultation services regarding minimum fire protection requirements for the above noted facility on April 6, 2011.

The City of Kemah is the Authority Having Jurisdiction, and currently enforces the *2003 Edition of the International Fire Code, (IFC) and 2009 Edition of NFPA 101, Life Safety Code*. The State Fire Marshal's Office has adopted, and currently enforces the *2009 Edition of NFPA 101, Life Safety Code*.

The State Fire Marshal's Office is only authorized by state statutes to enforce the requirements of *NFPA 101, Life Safety Code*; and is not permitted to enforce or regulate a fire code that is adopted by an incorporated city, or other government entity.

This consultation is intended to provide basic information regarding interpretation of minimum code requirements for features of fire protection for this building occupancy classification. You may wish to cross reference the *Life Safety Code with the IFC* for comparative value regarding minimum life safety standards.

The *2009 Edition of the National Fire Protection Association, 101, Life Safety Code*, is referenced for consultative findings in this report.

Edgewater Inn Bed and Breakfast is a two story existing lodging and rooming occupancy of wood frame construction, with a brick veneer exterior, composition shingle roof, and concrete slab foundation. The building contains six guest rooms with sleeping arrangements for 12 occupants. Fire safety features include hardwired single-station smoke alarms in two guest rooms.

A certificate of occupancy was not displayed for this building.

### Protection Hazards:

The building is not equipped with a fire alarm system

As an equivalency for a fire alarm system in existing lodging and rooming occupancies, smoke alarms powered by the building electrical system which are interconnected and sound simultaneously to provide audibility throughout the building, and are arranged to be initiated by not less than one manual pull box located on each floor shall be permitted.

All guest rooms are required to be equipped with approved smoke alarms.

At the time of inspection, it was observed that guest rooms numbered 1 and 2 were not provided with approved smoke alarms in accordance with life safety code requirements and in violation of state law- Health & Safety Code, Chapter 792.001

Note: As an immediate interim measure, battery powered smoke alarms were placed in sleeping rooms that were not equipped with required smoke alarms.

Any newly installed smoke alarms shall be powered by the building electrical system, and shall be interconnected to function as multiple station smoke alarms.

Smoke alarms in guest rooms 3 and 4 do not sound the alarm in a pulse-type mode when the test button is depressed. This indicates a potential condition that the smoke alarms may not function correctly. Smoke alarms that are 10 or more years old should be replaced with a new device.

The stairway is not separated from the second level which creates a non-compliant vertical opening for the primary means of escape in a building not protected with fire sprinklers.

Sleeping rooms are not equipped with self-closing devices to maintain smoke protection of guest rooms.

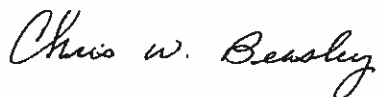
Comments:

It is recognized that a lodging and rooming occupancy that operates as a Bed & Breakfast Inn provides a uniquely characteristic environment for guests.

In order to provide a reasonable and acceptable level of life safety for occupants of this building, it is the opinion of the State Fire Marshal's Office that a complete fire alarm system with full smoke detection coverage be installed in this occupancy.

A complete fire alarm system will provide early detection and notification to occupants, and will provide a reasonable level of safety to alleviate enclosing the open stairway to maintain the characteristic atmosphere, and will meet the primary intent of the code for life safety of occupants in the building.

As an enhanced method of protection, it is the opinion of the State Fire Marshal's Office, that installation of a residential fire sprinkler system in accordance with NFPA 13R, would exceed minimum code requirements to provide an increased level of life safety for occupants in the building, and may also provide exceptions to other requirements.



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State Fire Marshal's Office  
Fire Safety Inspection Services

cc: Brent E. Hahn, Fire Chief/Fire Marshal  
City of Kemah