



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

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April 18, 2011

Swamp Shack
310 Texas Ave.
Kemah, Texas 77565
Alan Franks

Inspection Number: RRO9580A
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.

Swamp Shack is a two story existing assembly occupancy of wood frame construction with a wood and brick exterior, composition shingle roof and concrete slab foundation. Features of fire protection include a fire detection and alarm system, fixed extinguishing hood system for kitchen appliances, portable fire extinguishers, illuminated exit signs and emergency lighting units.

A certificate of occupancy issued by the City of Kemah building permit department has established an occupant load of 320 people for this building.

Means of Egress Hazards:

The second level of the building is served by a single interior stair, and is not provided with an approved, remotely located secondary means of egress to reach the ground level. The minimum number of exits from any story or portion thereof, shall be not less than two.

A key operated lock is present on the kitchen service door and presents a potential to prevent free egress in the required path of exit travel.

The set of double doors to the patio are not equipped with panic hardware.

The main entrance/exit door to the building is not equipped with signage reading: "these doors to remain unlocked during business hours".

The emergency lighting unit at the lower level patio doors failed to operate in test mode.

The kitchen area lacks adequate emergency lighting for safe egress to exits.

Protection Hazards:

The kitchen hood exhaust system shows signs of extreme grease build up, and does not appear to be maintained within the frequency standards for inspection and maintenance of fixed extinguishing hood exhaust systems.

Portable fire extinguishers have been discharged and tamper seals have been broken from pull pins.

Building Service Hazard:

Extension cords are being used in an unapproved manner in the bar area to power accessory equipment in place of the building wiring.

Chris W. Beasley

Chris W. Beasley, CFI
Deputy State Fire Marshal
State Fire Marshal's Office
Fire Safety Inspection Services

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