



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

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Mail Code 112-FM, 333 Guadalupe • P. O. Box 149104, Austin, Texas 78714-9104  
512-305-7900 telephone • 512-305-7359 fax

April 19, 2011

The Brass Lantern Bed & Breakfast  
505 Bradford  
Kemah, Texas 77565  
Carol McCants  
281-334-4466

Inspection Number: RRO9571A  
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.

The Brass Lantern Bed & Breakfast consists of two separate buildings which are classified as existing Lodging and Rooming occupancies.

Nautilus/Scarlet Macaw building is a single story wood frame structure with a wood exterior and composite shingle roof. Each room has a door that leads directly to the outside. Features of fire protection include household portable fire extinguishers and single-station battery operated smoke detectors.

Heron House is a single story building with two bedrooms and a kitchenette constructed of a wood frame with hardi-board exterior and metal roof. This house is rented as one unit and there is a front and back door leading directly to the outside. There are no features of fire protection present.

### Protection Hazards:

The facility is not protected by a fire alarm system.

As an equivalency for installation of 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 in the Heron House were not provided with approved working smoke alarms in accordance with life safety code requirements and in violation of state law - Health & Safety Code, Chapter 792.001 The owner was advised rooms lacking smoke detection must not be rented. The owner purchased and installed battery-operated smoke detection for the Heron House guest rooms.

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 that are 10 or more years old should be replaced with a new device.

### 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 and 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.

A handwritten signature in cursive script, appearing to read "W. B. Westberry".

Brad Westberry, CFI-II  
Deputy State Fire Marshal  
State Fire Marshal's Office  
Fire Safety Inspection Services

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