



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

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April 19, 2011

The Pizza Oven  
# 10 Kemah Boardwalk  
Kemah, Texas 77565  
Rosalyn Loftis  
281-334-2228

Inspection Number: RRO9565A  
Date of Consultation: 4/5/2011  
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 5, 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 Pizza Oven is a single story existing mercantile occupancy of wood frame construction with a wood exterior and composition shingle roof, located on an elevated foundation. Features of fire protection include fire sprinkler protection throughout, illuminated exit signs, emergency lighting units and portable fire extinguishers.

A certificate of occupancy issued by the City of Kemah building permit department has established an occupant load of only 8 persons for this building occupancy although there is seating for 46 which appears to be an acceptable occupant load for this facility. It is recommended that the City of Kemah reevaluate the occupant load.

#### Means of Egress Hazard:

The emergency lighting unit adjacent to the restrooms is inoperative.

#### Protection Hazard:

Sprinklers located in the open ceiling space show signs of leakage, corrosion and being loaded with dust and debris on the deflectors and frangible bulbs.

Any sprinkler shall be replaced that has signs of leakage; is painted, other than by the manufacturer, corroded or loaded with debris, or in the improper orientation.

This hazard was referred to the State Fire Marshal's Office Licensing and Investigations Division for further investigation of the fire protection company that conducted inspections and maintenance of the system.



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  
Landry's Restaurants, Inc.