

Memorandum



DATE November 16, 2018

TO Honorable Members of the Public Safety and Criminal Justice Committee

SUBJECT **Fire Watch Procedures**

On Monday, November 26, 2018, you will be briefed on the Dallas Fire-Rescue (DFR) Fire Watch Procedures by Deputy Chief Christopher Martinez, Fire Marshal. The City of Dallas has received numerous questions and concerns related to fire watches and has an opportunity to review and potentially amend the existing protocols. The attached presentation outlines the history of DFR Fire Watch operations, the associated Fire Watch fees directed by the City Council, Fire Watch procedures for index cities, and proposed option and recommendations.

The briefing materials are attached for your review.

Please contact me if you have any questions or desire additional information.



Jon Fortune
Assistant City Manager

(Attachment)

cc: T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Carol A. Smith, City Auditor (I)
Billerae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Chief of Staff to the City Manager

Majed A.Al-Ghafry, Assistant City Manager
Joey Zapata, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager & Chief Resilience Officer
M. Elizabeth Reich, Chief Financial Officer
Directors and Assistant Directors

Fire Watch Procedures

Public Safety Committee

November 26, 2018

**Christopher Martinez, Deputy Chief
Fire Marshal
Dallas Fire-Rescue Department
Inspections and Life Safety
Education Division**



Presentation Overview

- History of DFR Fire Watch Operations
- Fire Watch Practices for Index Cities
- Fire Watch Fees for Index Cities
- Proposed Options & Recommendations

History

- March 1999 – DFR battled a 7-alarm fire at 2500 Gould Street, a two-story manufacturing facility
 - Pre-Incident - annual fire inspection revealed numerous fire code violations
 - Business was placed on notice to correct fire code violations and to provide a Fire Watch by qualified personnel chosen by the business. (allowed per the 1997 Uniform Fire Code)
 - Post Incident - fire investigation revealed a lack of proper Fire Watch protocol by the property's assigned personnel.

History Cont'd

- Fire Watch Infractions noted:
 - Failed to conduct Fire Watch at the required interval(s);
 - Failed to inspect all portions of the facility; or
 - Failed to conduct Fire Watch altogether.
- DFR proposed an amendment to the 2000 International Fire Code during adoption phase to only allow “**qualified fire service personnel**” to conduct Fire Watch activities.

History Cont'd

- In 2003, the Dallas City Council approved this revision, along with all proposed amendments, for the adoption of the 2000 International Fire Code.
- Use of DFR Personnel allows the Fire Chief:
 - Complete control over the Fire Watch operation(s);
 - Enforce necessary accountability should the duties not be conducted as required; and
 - Ensure personnel are trained in life safety systems and able to provide specific actions for evacuation when required.

History Cont'd

Fire Watch Duration

- Contingent on restoration of an impaired life safety system.
- Factors affecting restoration of a system:
 - Identifying the impairment
 - Extent of repairs required
 - Availability of necessary equipment
 - Contractor availability
 - Weather

Fire Watch Practices by Index Cities*

| CITY, STATE | POPULATION | MULTI-ALARM FIRES RESULTING FROM LACK OF FIRE WATCH | REASON FOR FIRE WATCH |
|-------------------|------------------|---|--|
| Los Angeles, CA | 3,999,759 | <i>NO DATA AVAILABLE</i> | Impaired Life Safety Systems |
| Houston, TX | 2,312,717 | Yes | Impaired Life Safety Systems, Special Events, & Temp CO |
| San Antonio, TX | 1,511,946 | None Recorded | Impaired Life Safety Systems |
| Dallas, TX | 1,341,075 | Yes | Impaired Life Safety Systems, Special Events, & Temp CO |
| Jacksonville, FL | 892,062 | Yes | Impaired Life Safety System |
| Ft. Worth, TX | 874,168 | None Recorded | Varies (Impaired Life Safety) |
| Memphis, TN | 652,236 | <i>NO DATA AVAILABLE</i> | Impaired System – Ind. Security Special Event & Temp CO – FD |

Fee Analysis History

- After adoption of the fire code amendments, fees were assessed at \$50.00 per hour for Fire Watch operations.
- The determined charge was based on After-Hours inspection fees ratified at the time.
- Subsequent audits over the years commissioned by the City of Dallas recommended fee increases.
- The 2014 consultant study focused on Cost Recovery to recompense the outlays required to conduct Fire Watches.

Fee Analysis History Cont'd

- In 2014, prior to the adoption of the 2012 International Fire Code (IFC), City Council requested an analysis of the entire fee schedule for DFR.
- The consulting service suggested that the fee be raised from \$60.00 per hour during normal business hours and \$70.00 after-hours, to a fixed rate of \$200.00 per hour yielding full cost recovery.
- The consultants suggested rate was approved by the Dallas City Council and adopted with the 2012 IFC.

Fee Analysis History Cont'd

- November 2014, Council lowered the fee to \$120.00 per hour due to objections presented by small business owners.
- With the proposed adoption of the 2015 IFC, the rate was once again raised to \$150.00 per hour. The increase was approved by Council and adopted in October 2016.
- The current hourly rate for Fire Watch operations remains at \$150.00 per individual.

Fire Watch Fees by Index Cities*

| CITY, STATE | FIRE WATCH FEE | INSPECTION DIVISION SIZE | IFC OR NFPA JURISDICTION? |
|-------------------|---|--|---------------------------|
| Los Angeles, CA | FF's Salary w/2 Hour Min. | 150 | IFC |
| Houston, TX | \$325 – 1 st 4.0 Hours \$62.50/Each Additional Hour | 122 | IFC |
| San Antonio, TX | \$82.40/Hour | 31 | IFC |
| Dallas, TX | \$150/Hour | 86 <i>(+12 New Recruits)</i> | IFC |
| Jacksonville, FL | Reimbursement of FD Staff Salary | 16 | NFPA |
| Ft. Worth, TX | \$75/Hour – Apparatus (4 Hour Min.) + \$50/Hour – Personnel (4 Hour Min.) | 25 <i>Fire Watch by OPs</i> | IFC |
| Memphis, TN | FF Overtime Rate w/Min. 4 Hours | 33 | IFC |

Annual Reexamination of Fire Watch Fees

- DFR has received numerous questions, concerns, and inquiries related to Fire Watch operations.
- DFR has reviewed and studied trends and practices of comparable fire departments and their protocols.
- DFR has considered viable options that will provide safety for the citizens with minimum financial hardship.

Proposed Options

- **Option #1– Rate Change**

- Reduce the hourly Fire Watch fee based on a reduced level of cost recovery.
- A 2015 Cost of Service Study determined that full cost recovery is equal to \$222/hr.

*** Full cost recovery data based on 2015 Cost of Services Study Findings**

Hourly Fee Options Based on \$222/Hr. Full Cost Recovery

| Current Rate | Option 1 | Option 2 | Option 3 |
|----------------------------------|----------------------------------|----------------------------------|----------------------------------|
| \$150/hr. | \$100/hr. | \$111/hr. | \$122/hr. |
| 68% of Full Cost Recovery | 45% of Full Cost Recovery | 50% of Full Cost Recovery | 55% of Full Cost Recovery |

* Full cost recovery data based on 2015 Cost of Services Study Findings

Proposed Options Cont'd

- **Option #2 – Alternative Fire Watch Personnel**

- DFR personnel arrive on scene to evaluate the need for a Fire Watch (if necessary, alternative Fire Watch personnel takes over).
- DFR will define the parameters of Fire Watch to include areas to be walked, frequency of rounds, and utilization of functioning life safety equipment to facilitate evacuation.

Alternative Fire Watch Personnel Criteria

- Must be staffed from a bonded, licensed company with proper documentation;
- Shall have the sole duty of providing a Fire Watch and capable of performing such duties;
- Shall provide a schedule of personnel shifts to the fire official 24-hours in advance for each day of Fire Watch operations.
- DFR to give final approval onsite of the functionality of life safety systems repaired or replaced before a Fire Watch can be terminated.

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DFR Recommendation-Option #1

- DFR recommends a rate reduction limited to no less than 50% of the full cost recovery.
- Consistent approach with the least liability to the City, and adheres to the specific requirements of the International Fire Code.
- Historical fire incident suggests possible failures as a direct result of improper Fire Watch protocols with personnel selected by facility management.

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