

Testimony submittal re: 2025 LD 659, An Act to Reduce Housing Costs by Not Requiring Fire Sprinkler Systems for Single-family Homes and Duplexes Before the Joint Standing Committee on Housing and Economic Development

Senator Curry, Representative Gere and esteemed members of the Joint Select Committee on Housing and Economic Development, my name is Donald Fiske. While I am currently employed by the City of Saco as a Code Enforcement Officer, I am writing to you as a citizen taxpayer and attempting to demonstrate a considerate view of neither for nor against this bill, LD659.

It is important for me to share with you that prior to working for the city in my current role, I spent nearly the entirety of my adult life in public safety both as a firefighter and fulltime police officer, and that I currently sit on both a State and New England professional builder executive board.

In April, while in attendance for a different work session, I watched and listened to the public testimony regarding this bill. As I sat there it became apparent to me that from the fire fighting representatives in attendance the testimony appeared to devolve into an “us versus them,” attitude toward the building representatives from the fire officials, and that some of the facts provided by the building officials were not precisely accurate which could possibly lead to some misunderstandings. It also seemed that some of the facts presented by the fire officials appeared somewhat more anecdotal in nature and that the language and intent of the bill was being lost on two principal points. The first point might be cost weighed against return of value and the second being the State adversely impacting the Home Rule of the Municipalities.

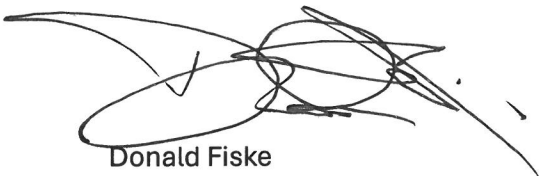
For the first point I would offer several factors in that I do not think we have seen safer residential construction than we have had over the past five to ten years. While many construction materials have changed, nearly all the standards in the various building codes have evolved to build structurally stronger and more robust dwellings. And the internal loading of modern goods is possibly close to the same in newer house stock as older existing stock. Anyone who has grown up in the region should remember that every fall and winter fire departments would frequently respond to chimney fires, where for the past ten years there have been very few homes built with traditional masonry chimneys for burning solid fuels, and nearly all newer homes in our region are using gas fired appliances for heat. The requirements added to the National Electric Code, requiring the installation of “AFCI” (arc fault circuit interruption) breakers, for nearly all electrical circuits in the dwelling, have virtually eliminated the possibility of an electrical fire, as the circuit breaker ‘trips’ if there is an arc detected, thereby removing the energy to create / further a fire. The building codes also require all penetrations in the top and bottom wall plates (along with any horizontal penetrations of greater than 10 feet) be “draft stopped,” in essence sealing off the internal wall bays between studs, to prevent air travel. This is to reduce energy loss as well as prevent any smoke or fire extension hidden from sight between floor, or long runs of wall. Unlike any older housing stock, we now require a smoke detector in every sleeping area and a combination smoke/co detector immediately outside and adjacent to any sleeping area (with fuel gas detection also available), any of which will be sounding long prior to a sprinkler head begins dispensing water. All these elements listed have made all residential buildings, built to modern code requirements, very safe at very reasonable costs.

As for the residential sprinkler systems themselves, being designed to the required NFPA standard of "13D," the system is not designed to save the property, rather provide ten minutes of suppression, most requiring only 300 gallons of water supply. The NFPA "13D" system is designed to aid your escape from the dwelling, for which the smoke/co detectors should have already had you leave several minutes prior already. And in a region where we are already aware of the significant damage caused when a pipe freezes and ruptures, the NFPA "13D" is not an externally monitored system so no one outside the dwelling would be made aware of water flowing until discovered upon return, possibly from a long weekend or vacation. When considering the cost of these sprinkler systems the national numbers being submitted should not be considered as here in this region with supply and demand being factored, for an average 2,000 square foot home we are hearing the costs of \$17,000 to \$18,000 and up. We are currently seeing homes built with no exterior decks constructed at the time of closing, to save any possible dollar for those buyers to afford the down payment required for purchase. Associated costs are often created with the need to increase the water main or potable water well size supplying the dwelling. It is the totality of costs associated with the construction or purchase of a dwelling that led the City of South Portland to form a committee to research affordable housing and although the City of South Portland had been one of the first municipalities to require residential fire sprinklers, last year they removed the mandate for single family homes and accessory dwelling units.

For the second point, and to agree with the concern raised by Senator Bennett during open testimony, that the State wishes to be very cautious when setting for a standard or law that may strip the local municipalities of the ability of 'home rule' and governance, I agree. However, in this case there might be another view to consider. If you will, the State has waived the requirement of mandating residential sprinklers as part of the required building codes, and a Municipality is then mandating that residential sprinklers be added, taking away the option of the owner to choose whether they would like to have fire sprinklers added. Therefore, with the City of South Portland being an example, if the bill were to pass the choice remains with the owner of the dwelling to add residential fire sprinklers if they wish to do so, and after all most firefighters do not have residential fire sprinklers in their private home.

I wish to thank you all for your time and consideration as the costs continue to climb in every facet of construction, most notably what the codes require to meet the mandated level of energy conservation for each dwelling. Again, I am submitting this letter as neither for nor against, to the best of my ability.

Most respectfully,



Donald Fiske

City of Saco resident

Donald Fiske
Saco
LD 659

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