



RESOLUTION

URGING THE HONOLULU FIRE DEPARTMENT TO HOLD ITS GUIDANCE FOR USE OF THE BUILDING FIRE AND LIFE SAFETY EVALUATION WORKSHEET PENDING PUBLIC REVIEW.

WHEREAS, Resolution 17-195, CD1, as adopted by the City Council ("Council"), called for the Residential Fire Safety Advisory Committee ("RFSAC") to be reconvened or a new advisory committee to be established to update RFSAC's 2005 report regarding life safety improvements for residential high-rise buildings; and

WHEREAS, per Resolution 17-195, CD1, the advisory committee was to consist of representatives of the Honolulu Fire Department ("HFD"), the Honolulu Board of Water Supply, the Department of Planning and Permitting, the Department of Budget and Fiscal Services Real Property Assessment Division, the Hawaii Council of Associations of Apartment Owners, and others; and

WHEREAS, RFSAC reconvened in the fall of 2017, and, after a series of meetings, issued a new report, Departmental Communication No. 773 (2017), which proposed, among other recommendations, that existing high-rise residential buildings not protected throughout by an automatic fire sprinkler system receive a building fire and life safety evaluation, an assessment of building safety features and fire protection systems providing a minimum level of fire and life safety to occupants and firefighters that is approved by the authority having jurisdiction ("AHJ"), which, in Honolulu, is the HFD; and

WHEREAS, this provision was incorporated into Ordinance 18-14, which amended the City's Fire Code to require that existing high-rise residential buildings not protected throughout by an automatic fire sprinkler system be assessed through a building fire and life safety evaluation conducted by a licensed design professional within three years of the effective date of the ordinance, receive a passing score on the assessment within six years of the effective date of the ordinance, and thenceforth maintain a passing status; and

WHEREAS, Ordinance 18-14 provides that the AHJ shall prescribe the building fire and life safety evaluation form for conducting evaluations and that no changes or modifications shall be made to the form, or the procedures and process of utilizing the form, without the approval of the Council; and

WHEREAS, the HFD recently published on its website an "Evaluation Worksheet for High-Rise Residential Buildings User's Guide" ("Guide"), attached hereto as Exhibit



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A, intended to assist licensed design professionals in conducting building fire and life safety evaluations; and

WHEREAS, although the Guide is represented as having been developed by RFSAC, property managers whose high-rise residential buildings are subject to the building fire and life safety evaluation process have raised concerns that the Guide may impose requirements more onerous than those discussed by RFSAC and contemplated during the legislative process that produced Ordinance 18-14; and

WHEREAS, as an example of a condition critics claim was not previously discussed, the Guide instructs licensed design professionals to consider "Resident Evacuation Capability" and declares that a single resident determined to be "not movable" means that the whole building must be assessed as "not movable," resulting in a negative impact on the building's score and the potential for more costly improvements; and

WHEREAS, the introduction of new conditions and novel interpretations of this kind may undermine the trust of property managers, apartment owners, and others who, in good faith, participated in the deliberations of RFSAC and who provided testimony to the Council during its deliberations; and

WHEREAS, the introduction of new conditions and novel interpretations may also violate the provision of Ordinance 18-14 that prohibits changes or modifications to the procedures or process of utilizing the building fire and life safety evaluation form without Council approval; and

WHEREAS, for these reasons, the Council believes the HFD's guidance for use of the building fire and life safety evaluation worksheet by licensed design professionals should undergo public review before being put into practice; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that it urges the Honolulu Fire Department to hold its guidance for use of the building fire and life safety evaluation worksheet pending public review; and

BE IT FURTHER RESOLVED that review be undertaken by the Council, affected individuals and organizations, and the public at large so that they may be given the opportunity to scrutinize and provide input on the "Evaluation Worksheet for High-Rise Residential Buildings User's Guide" attached hereto as Exhibit A; and

BE IT FURTHER RESOLVED that the Honolulu Fire Department provide the Council with an explanation of its reasoning with regard to the guidance that was initially



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published on its website, and, should the Council and public review reveal issues with the guidance, that the Department resubmit it to the Residential Fire Safety Advisory Committee for further review and discussion before it is used as part of the building fire and life safety evaluation process; and

BE IT FINALLY RESOLVED that copies of this resolution be transmitted to the Mayor, the Managing Director, the Fire Chief, and the Chair of the Honolulu Fire Commission.

INTRODUCED BY:

Carol Johnson

DATE OF INTRODUCTION:

JUL 19 2018

Honolulu, Hawaii

Councilmembers