



CHIEF'S FILE CABINET

Ronny J. Coleman

Why Was that Code Requirement Created in the First Place?

Have you ever heard of a blue law? That was a term that was once applied to laws that were put on the books and rendered practically useless. But, nobody ever bothered to take them off the books. One of my favorite blue laws had to do with the fact that when automobiles were first created someone with more wishful thinking than logic had a requirement that someone had to walk in front of all automobiles waving a flag in order to warn horses of the approaching vehicle. Try doing that on the Autobahn in Germany.

What makes a law blue is the fact that it was obsolete but remained on the books. Perhaps it is time for us to ask ourselves the question of whether some of the things that we are putting into fire and building codes has been rendered obsolete over time. And, more importantly, it may be time for us to review why certain requirements are put in the code in the first place. The logic behind having an effective regulatory scheme is that you don't ask for things you don't need and you absolutely stand by your principles to make sure that you get the things that you really do need.

Recently, I was engaged in a discussion with fire prevention people who lamented about the fact that there are very few code interpreters in the business who are still in active service as Fire Marshals. Most of them are code readers. And, in the final analysis some are mere paid followers of past practice and policy. It appears that with our increased level of sophistication in our codes, in many cases we have almost lost the basic reason behind each and every provision. And, with shortened career processes becoming a reality, there are fewer and fewer people ready to assume the role of Fire Marshal in the organizational hierarchy

That is unfortunate because without understanding the reason for certain code provisions, one may often misunderstand the justification, and/or might make a decision to compromise on our principle, that would be potentially dangerous.

Why was the code created in the first place?

In order to examine that phenomena we have to go all the way back to the days of Hammurabi in the sands of the desert in Babylon somewhere around 1750 BC. . If you are familiar with Hammurabi's laws he declared on stone stelae that if a building was going to be built it had to be built right, so that it wouldn't fall down and kill the occupant. His penalty for just such a catastrophic event was to execute the architect. Pretty harsh penalty if I do say so myself!

But that was over a couple of thousand years ago. There have been many steps along the way to decrease the level of danger in buildings, but with more and more of a financial consequence to the



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building owner. The Royal Architect, Sir Christopher Wren, gave advice to the King of England, in the aftermath of the Great Fire of London in 1666. He stated that the city should be build to a better set of building requirements. Because the fire started in a Bakery, there were suggestions about business practices. Because the fire destroyed 70,000 homes there were discussions of fire resistance on exterior walls and roofs. The King listened and adopted some of the first standards for urban living in the entire world.

Another bright light along the way was the work of Fire Chief John Damrell in Boston in the late 1800's. He was a staunch advocate for building requirements and could be considered to be the prime mover in getting the concept of fire and building codes introduced as a mandate of government instead of fiat by a dictator. If you look up the definition of fiat it states an arbitrary decree or pronouncement, especially by a person or group of persons having absolute authority to enforce it: such as, *The king ruled by fiat.*

Well, let's look at where we are today and ask whether we are creating and modifying codes as a function of catastrophes or other factors. Are we as code enforcement officers exercising the fiat ourselves

What I would like to do is to ask you a series of questions about the reality of what we are requiring in the codes.

1. Is every code provision based upon a scientific principle?
2. Are there code provisions that are archaic and irrelevant today?
3. Does every code provision actually solve a problem?
4. Are the code provisions that cannot be effectively enforced?
5. Are some code provisions driven by products instead of need?

First thing I want to ask is that you do not send me your answers in an email. I am merely asking you to think about these questions as we move forward in the enactment of new code and standards.

In my collection of books and other paper I have copies of almost all of the past codes that we have used to control the fire problem of this county. Each one is thicker and more complicated than the previous edition. If you line these documents up from the first series in the early 1900's to the latest editions of the codes that take up shelves you can witness the evolution of this phenomena. Are all of the requirements still necessary?

What I am suggesting is that we need to start be more focused upon the quality of this process instead of the volume of the information or we are going to reach a point where the process becomes counter-productive.



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Lastly, don't think that this column is anti-code in nature. What I am suggesting is that we need to make sure that the process of increasing the costs of construction do have some very specific benefits to the community and that we link the requirements back to specific risk reduction strategies by constantly asking ourselves if the code is focused upon eliminating real problems instead of hypothetical ones.

In my opinion the code development process is becoming more complex out of specific interests instead of community interests. I know this might offend a lot of my peers and I can understand why. But, the reality is that unless we actually make buildings so that they do not place demand on the community infrastructure to continue to manually fight fires the concept of fire prevention begins to ring a little hollow.

This column is suggesting that we remind ourselves that each component of the code is like a piece of a giant puzzle that has to be assembled every time we add a new building to the community inventory. We need to focus upon the fact that requirements accumulate, but maybe the benefits don't.

A future test of the entire system might consist of whether or not the code development process results in more and more performance requirements and fewer and fewer mandated requirements. Start weighting the code when it comes into you library and don't throw away the old versions.