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www.lawrencehumane.org

TO: City Commissioners, City of Lawrence
FROM: Kate Meghji, Executive Director and the Board of Directors
DATE: June 1, 2015
RE: Statement on Proposed Updates to City Fire Code

Mayor Farmer and City Commissioners:

I am the executive director of the Lawrence Humane Society, a member of the Pet Animal Coalition of Kansas, a member of the Society of Animal Welfare Administrators, and I have been involved with animal sheltering and welfare for more than 10 years. The following statement and request comes from both myself and the Lawrence Humane Society Board of Directors, listed below.

On Friday, May 29, we were contacted by Brandon McGuire of the City Manager's office to alert us to the process that began some months ago and to send us the current proposed changes to the city fire code in relation to animal housing facilities. We have reviewed the materials, along with the National Fire Protection Association's (NFPA) 150 "Standard on Fire and Life Safety in Animal Housing Facilities", which we understand was used as a basis of comparison by James King, Fire Chief, in developing the recommended changes.

We understand that this process began after the tragic fire at local boarding facility Christal K9 in November 2014, and involved meetings with local boarding facilities and city officials, and then expanded to involve local veterinarians, most of whom also provide boarding as a service.

The resulting recommendations are a step in the right direction, however, we do not feel that they are sufficient to a) fairly represent all of the various animal facilities in the City of Lawrence and b) prevent tragedies like the fires at Christal K9 and Pet World. Please see the addendum on page 3 in regards to the currently proposed updates.

Pet stores and animal shelters typically house far greater numbers of animals than boarding facilities and veterinarians, and as one of the major stakeholders in the animal industry of Lawrence, we feel that more research needs to be done to determine how to update the code to truly provide better protection for animals. While we are all devastated about recent events, we are concerned that rushing to pass these updates will appease some but will not provide the protection that is clearly warranted.

Our recommendation, and request, is to put together a task force with representation from the City, boarding kennels, veterinarians, groomers, pet stores, rescues and shelters (and any other unrepresented pet-housing business) to collect data about the currently operating facilities and make recommendations to the City Commission for updates to the fire code, no later than July 31, 2015, or another date as determined by the City Commission.

There are a number of questions that asked during the phone conversation with Mr. McGuire and Mr. King that they were not able to answer, and we think should be to be to allow the City to make an educated decision about this issue. A survey of local animal businesses would go a long way towards identifying the issues that need to be addressed:

1. How many State-licensed animal housing facilities are in the City (# and type of each)?
2. How many unlicensed (such as groomers) animal housing facilities are in the City?
3. For each animal housing facility
 - a. What is the size (in square feet)?
 - b. How many animals are regularly housed overnight?
 - c. What fire detection and prevention systems are currently in place?



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This data will give a more complete picture of the current standards in place and will allow for the City and task force to quantify the financial and operational impact on the local businesses if changes to the code are adopted. For example, if it is determined that 80% of all facilities already have sprinkler systems installed, the cumulative impact of requiring these systems for all animal facilities is greatly lessened and may be worth adding to the recommendations. **However, we don't have any of this information, and without it, we cannot rush to make determinations of what needs to change.**

We are very glad that the City has begun this process, and hope that the various animal businesses in the community can play a role in developing updates to the fire codes that both make sense financially but also provide the necessary standards to decrease the risk of animal deaths by fire and smoke in the future.

We want to thank each of you for your service and dedication to Lawrence, and your consideration of our recommendations and request to help elevate the level of protection we afford the animals in our care to prevent such tragedies from occurring in the future.

We are happy to answer any questions or provide any additional information that you may require.

Thank you,

Kate Meghji
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Addendum: Concerns Regarding the Current Proposed Updates to the Fire Code for Animal Facilities

While we hope that the City Commission will defer taking action on the proposed changes to the fire code to allow for more research to be done and more stakeholders to be engaged, in the event that the Commission decides to proceed at this time, the following are our positions on the updates.

1. **Removing the City licensure of boarding facilities:** I am in agreement with this, since these facilities are licensed and regulated by the State. *However, it is of great concern that grooming facilities are not licensed or regulated by any governing body.*
2. **Revision to 3-106:** This terminology may need to be reviewed, as other non-boarding kennel operators are State licensed and may have more than five dogs on premises. Suggested revision: "No person shall own on their premises five (5) or more dogs, ten (10) weeks in age or older, unless such premises is licensed as an animal facility with the State of Kansas and is appropriately zoned for such use."
3. **Elimination of 6-108.3:** Concur
4. **Amend the fire code:**
 - a. Concur
 - b. **Recommend** removing the size differential to require ALL new facilities or facilities subject to renovation to require smoke detection, monitored fire alarm, and automatic fire sprinklers installed to NFPA 13.

Rationale: Until better data is gathered, we do not know the number of facilities that fall in the <3,000 square foot range, but rough estimates suggest that only a handful of facilities in Lawrence are greater than 3,000 square feet. It is not unreasonable to require all new or renovated facilities to incorporate the cost of a sprinkler system. Furthermore, the 3,000 square foot determination, as found in the NFPA 150, is a part of differentiating between small facilities and extremely large ones, like zoos and research facilities. In Lawrence, most of the facilities fall under 3,000 square feet, and should not be exempted from this requirement if renovating or building new.

In addition, in 2012, the NFPA proposed expanding the requirement of fire sprinklers in all animal housing facilities; this change was not approved, due to several issues. First, there was extreme pushback from the agricultural businesses who claimed these systems were cost prohibitive. Second, sprinkler systems are not always appropriate for various exotics species in a zoo environment. The NFPA has moved forward to evaluate creating new classes of animal facilities (right now there are only 2) to accommodate for these issues. Fortunately, in Lawrence, we don't have large ranches or zoos to accommodate.

- c. Concur

Again, thank you for your time and consideration.

Sincerely,

Kate Meghji, Executive Director and the Board of Directors

Bobbie Walthall

To: Brandon McGuire
Subject: RE: Pet World's position on safety codes

From: Sherry Emerson [<mailto:sherry.petworldlawrence@gmail.com>]
Sent: Tuesday, June 02, 2015 9:59 AM
To: Brandon McGuire
Cc: James King
Subject: Pet World's position on safety codes

Thank you for the considering changes on the city codes regarding fire safety. We will be in attendance during tonight's meeting and since we are a major stakeholder who has yet to be consulted we would like to speak and share our position.

Regarding the proposed changes we are supportive but would like to recommend additional changes above and beyond.

We believe that monitored detection AND sprinklers should be mandated in ALL animal facilities, regardless of size, as soon as possible.

Monitored fire and smoke detection is a good beginning but detection doesn't put out fires. In fact, warnings don't put out fires – water does. Modern, strategically placed sprinklers that react one at a time, only in response to heat, are far more useful in extinguishing or at least reducing the quick spread of a fire while firefighters are en route. Many animals die from fumes and smoke so quickly that sprinklers keeping the fire under control may be their only hope as they await rescue.

In the case of the Pet World fire, monitored detection might have brought firefighters to the scene in 20 minutes instead of 30 but the animals who perished all died within five minutes. Early warning would have reduced the extent of building damage but it wouldn't have saved many lives, if any. Also, due to the nature of the fire, had there been people in the building, running to save animals through doors opened in haste, drafts could have been created that could have worsened the fire with everyone still inside. Sprinklers are the only thing that could have helped in that scenario.

The absolute greatest losses in our fire were not the animals who died on our 8000 square foot sales floor. The most unbearable losses were the personal pets who were boarding in our boarding room. One reptile, one bird, and eight small mammals died from fumes and smoke in a 120 square foot space, located 90 feet from the fire,

separated by four walls. The boarding room was three rooms away from the fire and never experienced heat, therefore, modern sprinklers would not have been tripped in that room. The only thing that could have saved the boarding pets is if sprinklers could have minimized the fire itself which would have minimized the fumes and smoke. Of the hundreds of animals who died, the lives of these animals were the most heartbreaking because they were not awaiting homes, they already had homes - loving homes whose owners adored them. As sad as it was to lose hamsters and gerbils for sale, no one will go home at night and miss them in the way they miss family pets.

Only requiring sprinklers in large facilities exempts the majority of small facilities who only house people's pets. This makes no sense. All animal lives are equal but if there must be a value distinction with regard to fire safety it would have to be pets above non pets, not the other way around. I realize the expenses for sprinkler systems will cause financial hardship to small business owners but no amount of expense is worth what just happened to this community. The community is rocked. People are gutted. My staff feels lost and tortured. And Tim is wracked with pain and grief. Currently we are closed with no revenue whatsoever. Our labor is higher than any facility in town. Our store makes barely enough to operate in the black and is currently destroyed. Yet we are here, broken in spirit, at more financial risk than any pet facility in this city, proposing to you that **money should not be the deciding factor in the health and protection of animals – especially pets.** Exempting small facilities does not protect the vast majority of boarding pets.

Please do not only slightly raise the bar and risk having this issue fall to the back burner again. Make changes that will truly protect animals, all animals, especially pets. If dedicated business owners like us can slip into complacency with minimum fire safety then it can happen to anyone so please hold us all to a higher standard. We know the odds. 10,000 days we never had a fire. Chances are it will never happen again. But the only day that matters now is the one day that happened against all odds. We are not fire prevention experts so this decision belongs in the hands of those who are. If these mandated changes are too much of a financial burden and shut us down then so be it. We are willing to take that chance to ensure nothing like this happens again.

Thank you for your time. See you this evening.

~Sherry

Sherry Emerson

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