

HOUSE BILL REPORT

SHB 2503

As Passed House:
February 16, 2016

Title: An act relating to preventing water-sewer districts from prohibiting multipurpose fire sprinkler systems.

Brief Description: Preventing water-sewer districts from prohibiting multipurpose fire sprinkler systems.

Sponsors: House Committee on Local Government (originally sponsored by Representatives Buys, Griffey, Springer and Van De Wege).

Brief History:

Committee Activity:

Local Government: 2/2/16, 2/3/16 [DPS].

Floor Activity:

Passed House: 2/16/16, 98-0.

Brief Summary of Substitute Bill

- Prevents a water-sewer district from prohibiting the use of multipurpose fire sprinkler systems for single family homes or townhouses or requiring a separate water meter or backflow preventer for multipurpose fire sprinkler systems.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 9 members: Representatives Appleton, Chair; Gregerson, Vice Chair; Taylor, Ranking Minority Member; Griffey, Assistant Ranking Minority Member; Fitzgibbon, McBride, McCaslin, Peterson and Pike.

Staff: Cassie Jones (786-7303).

Background:

Water-Sewer Districts.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Water-sewer districts (districts) may purchase, construct, maintain, and supply waterworks to furnish water to inhabitants within and outside of the district. Districts may also develop and operate systems of sewers and drainage, and are authorized to create facilities, systems, and programs for the collection, interception, treatment, disposal, and control of pollution from wastewater. Districts may also fix rates and charges for services, enter into contracts, levy taxes, and issue bonds and instruments evidencing indebtedness. Districts are governed by boards of elected commissioners.

Fire Protection Sprinkler Systems.

A "fire protection sprinkler system" is defined in statute as an assembly of underground and/or overhead piping or conduit beginning at the connection to the primary water supply that conveys water to dispersal openings or devices to extinguish, control, or contain fire and to provide protection from exposure to fire or other products of combustion.

There are two primary types of fire protection sprinkler systems used in residential homes: stand-alone sprinkler systems and multipurpose sprinkler systems. Stand-alone sprinkler systems are kept separate and independent from the water distribution system of the home, and the piping of the system serves only the fire sprinklers. Multipurpose sprinkler systems combine fire sprinklers with the home's plumbing, so water is supplied both to regular plumbing fixtures and to fire sprinklers. Backflow prevention devices are used when sprinkler systems are connected to a nonpotable water supply, to prevent contamination between nonpotable and potable water.

Summary of Substitute Bill:

Water-sewer districts may not prohibit the use of multipurpose fire sprinkler systems for single family homes and town houses or require a separate water meter or backflow preventer for multipurpose fire sprinkler systems.

A "multipurpose fire sprinkler" is defined as a fire sprinkler system that: (1) is supplied only by the purveyor's water; (2) does not have a fire department pumper connection; (3) is constructed of approved potable water piping and materials to which sprinkler heads are attached; and (4) terminates at a connection to a toilet or other plumbing fixture to prevent stagnant water.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) There are multiple water-sewer districts (districts) that are not allowing the very efficient type sprinkler systems that connect to the potable water. The districts are requiring the much more expensive systems that require a second hookup. This bill allows the homebuilder to use the multi-purpose use systems. The backflow device is not needed with

those systems. This is a way to incentivize the use of fire sprinkler systems by reducing costs.

Current law allows districts to require dual meters for fire sprinklers systems even though it is not required in the building code. Requiring dual meters unnecessarily increases development costs. This discourages use of fire sprinklers. The bill does not affect liability protections for districts. An amendment could be added to define "multi-purpose fire sprinkler system" consistent with current law. This bill should not be expanded to apply to other entities because they are not requiring dual meters.

Over the past few years, stakeholders have been working to remove barriers to use of home fire sprinklers. Eighty percent of fire deaths occur in homes. Residential systems can use the same plumbing that the rest of the house uses. Sprinklers do not go off throughout the house; rather, they only go off where the fire is located. Sprinklers do not go off when you burn toast. There is no risk of cross contamination with properly designed multipurpose residential sprinklers systems. Backflow devices and additional water meters only add costs.

Data shows that physical disability is a factor in 15 percent of in-home fire deaths. When physical disability is a factor, victims are less likely to be able to act to rescue themselves than nondisabled home fire victims in general. In many cases, deaths occur when the smoke alarms are operating properly. Sprinkler systems reduce intensity of fire and the danger even when people cannot remove themselves.

(Opposed) There are concerns about liability protections for districts, though this bill leaves the liability protections undisturbed. It would be good to add a definition for multipurpose fire sprinklers. Backflow preventers protect public health and safety by protecting drinking water. Districts are bound by a carefully crafted law that limits charges. The districts are ratepayer driven and operate self-sufficiently.

(Other) There is one district that is requiring the dual meters. The information about exorbitant charges by the districts is not true. Current law limits costs and requires districts to justify all costs. There are no districts that are charging extra connection charges for fire suppression. The reason to require a second connection is that in the event of a water shut off, water will not also be shut off to the fire sprinklers.

Persons Testifying: (In support) Representative Buys, prime sponsor; Amy Brackenbury, Washington Association of Building Officials; Robert Bradley, Washington Fire Chiefs and Washington State Association of Fire Marshals; and Toby Olson, Governor's Committee on Disability Issues and Employment.

(Opposed) Steve Lindstrom, Snohomish and King County Water Sewer Districts Coalition.

(Other) Joe Daniels, Washington Association of Sewer & Water Districts.

Persons Signed In To Testify But Not Testifying: None.