

AUSTIN'S NIGHT INSPECTION PROGRAM

BY DON SMITH

PUBLIC ASSEMBLY OCCUPANCY FIRES ARE NOT statistically noteworthy, considering the actual number of structure fires in the United States; however, the ones that have occurred historically have been devastating. In fact, because of the low frequency of public assembly fires, this occupancy type does not customarily warrant its own category in national statistics. Public assemblies frequently are placed in the classification "other" or "nonresidential" when the numbers are crunched. It is estimated that in 1999 there were 16,000 public assembly structure fires. While this number may seem large, it is actually small in comparison with the national total of 523,000 structure fires.

Prior to September 11, 2001, seven of the 11 deadliest single structure fires or explosions in U.S. history involved places of assembly. The other four included two schools, one prison, and the 1995 Oklahoma City Bombing. With the exception of the World Trade Center and Pentagon tragedies, the deadliest U.S. structure fire in the past 50 years occurred in Kentucky at the Beverly Hills Supper Club, which killed 165 people. In 1990, an arson fire was set in the main exit of New York City's Happy Land Social Club; only six of the 93 occupants survived. In Boston, 492 people died at the Cocoanut Grove nightclub, including 200 victims trapped behind a revolving door. What's more significant, estimates based on data reported to the National Fire Protection Association by fire departments that responded to the 1999 National Fire Experience Survey indicate property losses in public assembly fires total \$412 million. That figure is 21 percent of the national total of property losses from all structure fires.

PUBLIC ASSEMBLIES IN AUSTIN

Austin, Texas, encompasses 226 square miles and houses the University of Texas, with a student population of 50,000; Austin Community College, St. Edward's University, and Southwest Texas State University add to the already large student population.

Two areas in town have a high concentration of nightclubs and music venues: the "Warehouse District" and "6th Street." The main entertainment district is the 6th Street area; it has the largest concentration of nightclubs, with nearly 80 clubs.

■ DON SMITH is a captain and a 19-year veteran of the Austin (TX) Fire Department. He has spent more than seven years in the Emergency Prevention Division, Technical Inspections Section.



A well-maintained exit path in an Austin club. (Photo by Steve Titsworth.)

The Austin Fire Department (AFD) Emergency Prevention Division must enforce the fire and life safety codes in more than 200 nightclubs. Of the division's 14 state-certified fire inspectors, eight are on the night inspection team.

NIGHT INSPECTION PROGRAM

The Austin Fire Department began night inspections to identify fire and life safety code violations in high-occupancy establishments during their peak hours. Many of Austin's venues provide live entertainment with occupant loads that range from 49 to 3,000

THE INSPECTIONS SECTION MUST ENFORCE THE FIRE AND LIFE SAFETY CODES IN MORE THAN 200 NIGHTCLUBS WITH A NIGHT INSPECTION TEAM OF EIGHT FIRE INSPECTORS.

people, not including the exhibit halls and convention centers (included on the night inspection list but visited less frequently). Not all public assemblies are included in the night inspection program. Restaurants, for example, are excluded because hazards can be identified and corrected during normal maintenance inspections. However, restaurants that feature live music or serve drinks after hours are included.

Although the Austin Building Department determines the occu-

Austin's Night Inspection Program

Figure 1. Public Assembly Hazard History

10/10

Occupant:

Street #: Direction: Street Name: Street Type:

Business Phone: Other Phone:

DATE	COUNTER	HAZARD DESCRIPTION	WARNING GIVEN	REPORT WRITTEN	CITATION ISSUED	DATE CORRECTED
	1647					
	2876	Extension cord; must have separate power	Yes	Yes	No	7/9/1999
1/5/1996	367	Extension cords used as permanent wiring	Yes	Yes	No	1/25/1996
1/5/1996	368	Exit sign not illuminated, rear exit	Yes	Yes	No	1/18/1996
1/5/1996	369	Compressed gas cylinder not secured	Yes	Yes	No	1/18/1996
1/5/1996	370	Emergency lighting not maintained	Yes	Yes	No	1/18/1996
1/5/1996	371	Electrical box broken, rear, floor	Yes	Yes	No	1/25/1996
1/5/1996	372	Exit sign not maintained, front entrance	Yes	Yes	No	1/18/1996
1/5/1996	373	Check drapes for flammability	Yes	Yes	No	1/25/1996
1/17/1997	403	Improper use of propane heaters	Yes	Yes	No	2/6/1997
1/17/1997	863	Exit light out, rear, stage	Yes	No	No	7/25/1997
4/19/1997	869	Overcrowding	Yes	Yes	No	4/18/1997
4/19/1997	870	Secondary exit obstructed	Yes	Yes	No	4/18/1997
1/3/1998	1473	Exit light out, upstairs	Yes	No	No	3/9/1998
1/3/1998	1474	Emergency light not working	Yes	No	No	3/9/1998
2/24/1998	1692	Extension cords pin ball, downstairs	Yes	Yes	No	
2/24/1998	1693	Extension cords in bar, downstairs, cash register	Yes	Yes	No	
2/24/1998	1694	Extension cords upstairs, stairway	Yes	Yes	No	3/18/1998
2/24/1998	1695	Compressed gas cylinder required restraint	Yes	Yes	No	
2/24/1998	1696	Battery backup required on exit lights	Yes	Yes	No	
3/9/1998	1632	Occupancy load card not posted	Yes	Yes	No	3/11/1998
3/9/1998	1633	Remove extension cord, east exit stairs	Yes	Yes	No	3/17/1998
3/9/1998	1634	East stairwell obstructed	Yes	Yes	No	3/17/1998
3/17/1998	1635	East stairwell locked	Yes	No	No	3/17/1998
7/25/1998	1955	East stairwell, upstairs, obstructed	Yes	No	Yes	7/9/1999
3/19/1999	2468	Exposed wiring, rear exit, downstairs	Yes	No	No	7/9/1999
3/19/1999	2469	Exit light inoperable, rear exit, downstairs	Yes	No	No	7/9/1999
5/25/1999	2872	Rear northeast light inoperable	Yes	Yes	No	7/9/1999
5/25/1999	2873	Exposed wires in northeast corner	Yes	Yes	No	7/9/1999
5/25/1999	2874	Emergency lights required for northeast corner	Yes	Yes	No	7/9/1999
5/25/1999	2875	Rear north wall video game powered by orange extension cord; must be separate power outlet	Yes	Yes	No	7/9/1999
5/25/1999	2877	2nd orange extension cord thru north floor in rear; must be removed	Yes	Yes	No	7/9/1999
5/25/1999	2878	X-mas lights in rear bar area shall be removed within 90 days	Yes	Yes	No	7/9/1999
5/25/1999	2879	Exposed wires and excessive use of extension cords in main bar, northeast end	Yes	Yes	No	7/9/1999
5/25/1999	2880	Fire extinguisher required in main bar	Yes	Yes	No	7/9/1999
5/25/1999	2881	Fire extinguishers at both bars require mounting in a conspicuous location	Yes	Yes	No	7/9/1999
5/25/1999	2882	Extension cords in front of women's room, above booth, must be removed	Yes	Yes	No	7/9/1999
5/25/1999	2883	2 extension cords going thru grill above air-conditioning unit must be removed (1 wire is allowed)	Yes	Yes	No	7/9/1999
5/25/1999	2884	Exposed wire in room with time clock	Yes	Yes	No	7/9/1999
5/25/1999	2885	Cover is required on electrical panel by time clock	Yes	Yes	No	7/9/1999
7/9/1999	2887	Previous hazards corrected on this inspection	No	No	No	7/9/1999
3/7/2001	3609	Exit sign out	Yes	Yes	No	3/13/2001
3/7/2001	3610	Cover electrical panels, and maintain access upstairs	Yes	Yes	No	3/13/2001
3/7/2001	3611	Secure compressed gas cylinders	Yes	Yes	No	3/13/2001

pat loads, the Inspections Section of the AFD Emergency Prevention Division is responsible for ensuring compliance with the established loads. No occupancy receives an occupant load card unless all required final inspections have been completed and all outstanding issues with other city departments resolved. In Austin, no occupancy can legally operate as a public assembly, as defined in the 1997 *Uniform Fire Code*, without an occupant load card.

Locked/blocked exits and overcrowded conditions are night inspectors' main concern. The last people to get out of the Beverly Hills Supper Club alive reported thick, black smoke and heat that just "dropped out of the ceiling," causing zero visibility. Those trying to escape behind them were knocked down, and others fell on top of them.

Keep in mind that overcrowding greatly affects people's behavior. Anyone who has attended a concert or sporting event has experienced a wait to exit while crowded close with other patrons. Now imagine this in an emergency situation with smoke and heat bearing down on the crowd, and it's easy to imagine how quickly conditions can become chaotic. These hazards are serious life safety issues.

Exceeding an occupant load in Austin will most certainly result in a citation. It was reported that 2,400 to 2,800 occupants were inside the Beverly Hills Supper Club the night of the fire. This represented two to three times the facility's capacity. An overcrowded occupancy in Austin will have its door "held" (no new patrons admitted) and the club's occupant load reduced to legal capacities on the spot. For extreme overcrowding conditions, we will close down the establishment; in some cases, they may reopen that same evening with fire inspectors counting the returning patrons.

Operating a public assembly with a locked or blocked exit is also an automatic citation in Austin. The arson fire at the Happy Land Social Club was started at the main exit. There were no other marked exits. At the Coconut Grove Nightclub, inadequate exiting was cited as a key factor in the 492 deaths. Remember that 200 people who died in that fire were trapped behind one revolving door.

PROGRAM TOOLS

Night Inspections Master List. We maintain a master list to easily identify the public occupancies in the program. We document the dates of the last night inspection and last maintenance inspection.

Public Assembly History. We track recurring hazards at particular locations; we note everything from the number of overcrowding citations issued to the number of times a cardboard box blocks an exit (see Figure 1). By tracking the number of warnings we give to a manager for a table too close to an exit or the number of times an occupancy's exit light is burned out (an ongoing problem because the loud music shatters the fragile bulbs), we can then use the document in court appearances to refute the owner/manager who says, "I never"

Night Inspections Report Form. A night inspection is unique and requires its own reporting form. Keep in mind that a night inspection is not a "maintenance" inspection. It is an inspection of a business at its point of highest activity to observe possible fire and life safety code violations that may occur because of this activity. For instance, it is common for patrons who feel cramped to start moving tables and chairs, which inevitably block the exits.

Normally, a night inspection is a quick walk-through. One inspection team can inspect as many as 15 to 20 occupancies in a four-hour time frame. Minor hazards—fire extinguishers out of date or burned out exit lights—warrant only a verbal warning to the manager. The warning is noted on the Night Inspection Report Form. We follow up on minor hazards during future night inspections or verify compliance with a maintenance inspection. Maintenance inspections normally are performed on all public assembly occupancies on an annual basis. This time frame can change depending on the outstanding hazards identified on the Night Inspection Report Form.

THE INSPECTION

A night inspection team consists of two lieutenants. An additional lieutenant in the Inspections Section maintains the assignments and all associated data. He is responsible for the coordination and documentation of all public assembly activities. Before starting any inspections, the night inspectors inform the fire department dispatchers of who is working and what hours. Inspectors maintain contact by pager (on "vibrate"—they can't hear ringing phones or pages over the loud music). The team members carry flashlights, counters, a citation book, a parking violation book, and a camera. We have found that the owner corrects hazards in a much more timely fashion when he observes us taking pictures. In situations of extreme overcrowding, pictures can be very convincing.

Austin's Night Inspection Program

Before entering an establishment, the inspectors will note on the Night Inspection Report Form any hazards or remarks from previous inspections. Inspectors introduce themselves to the door personnel and ask for the manager or person in charge. The inspection team always asks permission to walk through the club. Many managers escort the inspection team through the occupancy. Some managers know the routine and ask the inspectors to follow as they both do a quick inspection.

An immediate walk to the required exits is usually first on the agenda. We will count the occupants if we are concerned about overcrowding. It is important to do this very early in the walk-through because an owner will hold the door as soon as he spots the inspection team. Word spreads quickly in the entertainment district when the inspectors are making rounds. For this reason, the inspection team may walk past two or three clubs before stopping at the one scheduled for that evening.

Each inspector walks through the occupancy with a "clicker" to count heads, normally in groups of three or four people. Some club owners will turn up their fog machines or turn on strobe lights to make the count more difficult. The owners may change the type of dance music or offer drink specials in adjoining rooms to disperse the crowd for the count.

After counting, the inspectors compare their results and take the lower number. The counts should not vary more than five percent. The inspectors may count a load of 500 and be off by only 10 people.

CLOSING THE CLUB

We may have to close the business because of extreme overcrowding. This requires the manager's cooperation or a call to the Austin Police Department. We ask the manager to stop the music, turn on the lights, and stop serving drinks. Patrons normally will exit fairly quickly, as the inspectors stand outside and count the people leaving. These counts are extremely accurate. We document this on the Inspection Report Form in case of future legal action. In certain instances, clubs can immediately reopen. If they do reopen immediately, inspectors will count the returning patrons and hold

the door when the limit is reached. Then door personnel will implement a one-in/one-out policy.

RESULTS

The approximately 220 occupancies listed on Austin's public assembly Master List are separated geographically into 11 groups and are inspected on a weekly basis. Theoretically, we inspect every public assembly once every 11 weeks. We inspect some more frequently if they have recurring or uncorrected hazards. Since the program has started, we have identified approximately 4,000 hazards that have been corrected. We wrote 60 citations in the first nine months of the year 2001 for overcrowding or locked or blocked exits.

The night inspection team works festivals, raves, and fraternity and sorority parties. We enforce fire lanes as needed. Numerous venues have upgraded their fire protection features, adding sprinkler systems or improving their exiting capacity, because of this program. Perhaps it is most important to note that Austin has not experienced a single fatality in a public assembly fire because of overcrowding or obstructed exits.

A large part of the night inspection program is portraying a professional, competent, and cooperative image. The inspectors are highly visible when going from bar to bar or when walking through an establishment. Most patrons are happy to see the inspection team, and although a large number of the inspections are a result of complaints, most bar owners/managers are very respectful and cooperative. The inspection teams try to disrupt the establishment as little as possible. Having a good working relationship with many of the clubs and venues helps us disseminate information and answer fire code questions.

On a daily basis, Austin's live music scene provides entertainment for thousands of visitors and residents. Each March, the city hosts the South by Southwest Music and Movie Festival, two weeks of live music and independent films. The festival is growing each year. Holidays can bring as many as 200,000 people to the downtown area. The Austin Fire Department Night Inspection Program is one tool that helps keep their Austin experience as safe as possible. ■