



**World Fire Safety Foundation
Letter to the Albany City Council**

Re: Ordinance 2010-06 - Smoke Alarms

“What is so tragic is that these and other organisations who have written to the Council in good faith will have been subjected, as have the public at large, to decades of misinformation about ionization smoke alarms.”



20 July, 2010

Attention:

- Chief Marc McGinn, Albany, California, USA
- c.c.
- Joanne Wile, Mayor
- Farid Javandel, Vice Mayor
- Marge Atkinson, Robert Lieber and Peggy Thomsen, Council Members
- Beth Pollard, City Manager
- Robert Zweben, City Attorney
- Jennifer Mayerle, Journalist, CBS, Atlanta, USA
- et al

By Email

Good Afternoon Chief McGinn

City of Albany Smoke Alarm Ordinance: 2010-06

I am writing further to recent discussions with you and your City Manager, Ms Beth Pollard, regarding Albany City Council's Smoke Alarm Ordinance to mandate photoelectric smoke alarms/detectors in the City of Albany.

In relation to letters received by the Council please note that Kiddie Residential and Commercial Division is a 'Platinum Partner' (\$25-\$50,000) of the Phoenix Society for Burns Survivors, a 'Crystal Memorial' Sponsor (\$100,000 or more) for The National Fallen Fire Fighters Foundation, and in Safe Kids 2008 Annual Report, Kidde is listed as a Sponsor in the \$100 - \$999,000 category.

Please ask each member of your Council to examine pages 14-20 of the **attached** 'Class Action Complaint And Jury Demand' document regarding a proposed Class Action Law Suit against the world's four largest smoke alarm manufacturers (including Kidde).

What is so tragic is that these and other organisations who have written to the Council in good faith will have been subjected, as have the public at large, to decades of misinformation about ionization smoke alarms. The Foundation will publish the rebuttals on our website that we are writing to each of these organisations to apprise them of the facts.

We note correspondence from Hughes Associates et al that states that Ordinance 2010-06 would "eliminate the use of ionization alarms." However, section 4.j of your ordinance states: "nothing in this ordinance shall prohibit or discourage the additional use of ionization or dual type alarms in additional locations."

Here in Australia photoelectric smoke alarms have been mandatory in commercial buildings since April, 2004 (AS1670.1). The [official position](#) of the Australasian Fire and Emergency Services Authorities Council, the peak representative body of all Australian and New Zealand Fire Departments, is "**That all residential accommodation be fitted with photoelectric smoke alarms.**" Standards Australia has formally acknowledged the testing of ionization smoke alarms to our Smoke Alarm Standard (AS3786) is flawed and AS3786 has been rewritten to eliminate the flawed testing that has allowed ionization smoke alarms to be certified, and is pending adoption into legislation.

The Foundation applauds the City of Albany for their Ordinance and Chief McGinn for joining the growing number of regulators, fire safety organisations and Fire Chiefs prepared to make a stand to properly protect their citizens from fire.

Sincerely

The World Fire Safety Foundation

Adrian Butler
Chairman, Co-Founder
Queensland, Australia

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Phoenix Society
for burn survivors

RECOVER. RENEW. RETURN.

July 15, 2010

Albany City Council
1000 San Pablo Avenue
Albany, California 94706

DEAR ALBANY CITY COUNCIL MEMBER:

The Phoenix Society for Burn Survivors is contacting you to urge you not to accept Ordinance No. 2010-06 that would restrict the use of available smoke alarm technologies in Albany, CA. We strongly encourage the City Council to reject the proposed ordinance.

Each year, more than 500,000 people receive medical treatment and more than 4,000 die from burn injuries. While the Phoenix Society agrees that a fire problem exists in the United States, banning types of technology is not the solution. Instead, we believe the most effective way to reduce fire fatalities and injuries are through education and the use of various technology available today and in the future.

Nationally credited fire safety experts agree that both photoelectric and ionization technology should be installed for optimal fire protection, and we strongly support these recommendations. While any fire is life-threatening, fast-flaming fires account for 93% of all home fires and have been shown to double in size every 30 seconds. Although all three technologies (ionization, photoelectric, and dual sensor) have been tested to the same smoke alarm standard, single-station ionization smoke alarms generally have been proven to provide the earliest possible warning to fast-flaming fires.

Increased education is the answer, not elimination of ionization technology, and this emphasis on education is something that the Phoenix Society strongly supports.

Families should have enough smoke alarms in their home, replace alarm batteries regularly, and have a fire escape plan. If they build a new home, families should install fire sprinklers. The Phoenix Society believes that the more awareness we bring to the public about how to help prevent fires and burn injuries, the greater impact we will have in saving lives.

We urge you to vote against the proposed ordinance limiting the type of smoke alarms available to your citizens of Albany.

Sincerely,

Amy Acton, RN, BSN
Executive Director

cc: Beth Pollard, City Administrator
Robert Zweben, City Attorney

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Grand Rapids, MI 49519

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Kidde - Phoenix Society Platinum Partner: \$25,000 - \$49,000:
www.Phoenix-Society.org/aboutus/partners



July 15, 2010

Albany City Council
1000 San Pablo Avenue
Albany, California 94706

Dear City of Albany Councilmember,

In May, fire- and life-safety personnel from across the country came to the International Code Council (ICC) hearings in Dallas, TX. On the agenda, several proposals were given final consideration to change the International Fire Code (IFC) and the International Residential Code (IRC) that would have disrupted the already established life-safety measures that have been developed to reduce fire-related deaths and injuries:

1. Removal of the requirement for residential sprinklers from the code;
2. Elimination of the installation of carbon monoxide alarms in residential structures; and
3. Banning all smoke alarm technologies, except photoelectric.

All three of these proposals were disapproved by the ICC membership. Fire- and life-safety personnel spoke out in Dallas to preserve these life-safety technologies and ultimately ensure that residential structures in America are safer and more survivable when a fire does occur.

With regard to smoke alarms, this is the third nationally recognized regulatory body that has disapproved measures to adopt photoelectric-only proposals, the others being NFPA and Underwriters Laboratories. Now, the Albany City Council is being asked once again to restrict smoke alarm technologies, except photoelectric.

The City Council needs to uphold the NFPA, UL, and ICC decisions and follow the recommendations of fire-safety experts and fire service personnel across the state and country who have disapproved this measure countless times. By restricting all smoke alarm technologies, except photoelectric, you will turn your back on utilizing performance-based standards to determine smoke alarm acceptability.

This is a life-safety issue for the general public and our fire service community. Allowing all smoke alarm technologies will in fact provide added protection to our firefighting forces operating in Albany and across California.

Your help and support is greatly appreciated and needed.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald J. Siarnicki".

Chief Ronald J. Siarnicki
Executive Director
National Fallen Firefighters Foundation

cc: Beth Pollard, City Administrator
Robert Zweben, City Attorney

16825 South Seton Avenue * Emmitsburg * Maryland * 21727
301.447.1365 * 301.447.1645 * www.firehero.org

Kidde - National Fallen Fire Fighters Foundation Crystal Memorial Sponsor: \$100,000 or more:
www.FireHero.org/sponsors



July 15, 2010

Albany City Council
1000 San Pablo Avenue
Albany, California 94706

Dear City Council Member:

On behalf of Safe Kids USA, I write to urge the Albany City Council to continue to promote the use of both photoelectric and ionization smoke alarms in Albany, CA.

Safe Kids has long promoted the use of smoke alarms to save lives. As you may know, each year approximately 500 children ages 14 and under die due to unintentional fire- and burn- related injury and fires and burns are the third leading cause of unintentional death among children ages 1-14. The use of a working smoke alarm reduces a person's chance of dying in a fire by half.

Any smoke alarm law or code should allow for either photoelectric or ionization smoke alarms to be used. Each type of device better addresses a different type of fire, so the City Council should not require one over the other. In fact, the best smoke alarm law or code would require both photoelectric and ionization alarms, which offers the best protection in all fire circumstances. Accordingly, the City Council should make every effort to continue its position that allows for the best and broadest protection.

If Safe Kids can be of any assistance to you, please do not hesitate to contact me at (202) 662-0606 or Stephanie Russell, Public Policy Associate, at (202) 662-0608.

Sincerely,

Tanya Chin Ross
Interim Director of Public Policy

cc: Beth Pollard, City Administrator
Robert Zweben, City Attorney

Safe Kids USA is a member of Safe Kids Worldwide, a global network of organizations whose mission is to prevent accidental childhood injury, a leading killer of children 14 and under. More than 600 coalitions in 19 countries bring together health and safety experts, educators, corporations, foundations, governments and volunteers to educate and protect families,

1301 Pennsylvania Avenue, N.W. Suite 1000 Washington, DC 20004 tel 202-662-0600 fax 202-393-2072

www.safekids.org

Kidde - Safe Kids WorldWide Sponsor: \$100,000 - \$999,000

Extracted from: Safe Kids WorldWide Annual Report July 07-June 08, 'Sponsors', page 17

July 16, 2010
Via Email

City of Albany
1000 San Pablo Avenue
Albany, California 94706

Dear Albany City Councilmember:

It has been brought to my attention that the City of Albany is considering code changes (i.e., ORDINANCE NO. 2010-06) that would require photoelectric smoke alarms and eliminate the use of ionization smoke alarms. As the outgoing chair of NFPA 72 Technical Committee on Single- and Multiple-Station Alarms (though I do not represent NFPA) and as a researcher in the fire alarm field for 17 years, I have been intimately involved in thousands of fire tests and many analyses dealing with the performance of smoke detectors and alarms, including photoelectric, ionization and multi-criteria technologies. I feel compelled based on my concerns for public fire safety to provide you with information and to make myself available to you via phone for any questions or input. I believe that it is most important to make code decisions based on sound technical data and analyses, as has been done by the NFPA 72 Technical Committee.

In short, the technical literature for UL listed smoke alarms used in the U.S. has shown that both photoelectric and ionization smoke alarms provide sufficient available safe egress time (ASET) to allow most people to escape from either smoldering or flaming fire scenarios [1,2,3,4]. Please be aware that there are some references being used to demonstrate

Hughes Associates Inc: See paragraph 5 on page 1.

Hughes Associates Inc: The AFAC et al does not agree with this statement:

www.TheWorldFireSafetyFoundation.org/afac
www.TheWorldFireSafetyFoundation.org/as
www.TheWorldFireSafetyFoundation.org/iaff
www.TheWorldFireSafetyFoundation.org/nzsc

Note:

Please ask Mr Daniel Gottuk, the author of this letter, if he personally, or Hughes Associates Inc. receives payment, or any income either directly or indirectly from Kidde.