Good Morning. My name is Richard Thode and I am the Fire Chief for the city of Bridgeport, Connecticut’s largest municipality.

I am appearing before you to testify on House Bill No. 6954, AN ACT CONCERNING THE LIABILITY FOR CERTAIN MUNICIPALITIES FOR DAMAGES RESULTING FROM FIRE. The bill as it is currently written would eliminate the legal liability on a municipality for fire damage in a particular property solely because the city did not conduct a fire safety inspection in that unit within the last year.

Now, let me say before I go any further that- although this bill deals with legal liability- I am not a lawyer and I am not an expert on the law. What I can tell you is about the work of the Bridgeport Fire Department and why we see a problem regarding our current laws on municipal liability and fire inspections.

In Connecticut, every fire department is different from town to town, city to city. Some towns don’t even have full time fire departments or fire marshals. They rely on volunteers for fire protection and part time fire inspectors for inspections.

In Bridgeport, we cannot afford to do that. I manage a full time staff of 288 sworn uniformed members, answering 18,000 calls a year in a city of 150,000. Everyday we respond to 50 calls for fires, car accidents, medical emergencies, gas leaks, and many many other calls.

But that is not the extent of our responsibility.

The Bridgeport Fire Department also runs an extensive fire safety education program in the schools and has a highly successful free smoke alarm program. As a matter of fact, this past summer, our mayor, Joe Ganim came out and helped us install our 50,000th alarm.

The Bridgeport Fire Marshal’s office is also responsible for investigating suspicious fires and life safety inspections throughout the city.
From July 1, 2016 until December 31, 2016, the numbers are staggering. The city Fire Marshal, Deputy Fire Marshal and 10 inspectors conducted 196 residential inspections. They also did 81 Educational and Assembly occupancies, and 96 commercial properties. They fielded 226 complaints, 1092 re-inspections, and testified in 40 court cases. In addition to all of this, they completed 156 plan reviews for new buildings or ones with substantial renovations and investigated 51 suspicious fires. The Division is responsible for over 14,000 buildings comprising more than 50,000 housing units.

Under current law, the city faces legal liability for damage caused by fire in any housing unit that does not have a fire inspection in the preceding year.

Simply put, this is a burden that is simply impossible for the city of Bridgeport to realistically meet.

Just to give you some perspective, we have over 50,000 housing units that currently require annual inspection. The Fire Marshal’s Division has 12 total members assigned. 12...that’s it.

If the city of Bridgeport were to realistically expect to complete all requisite inspections within the 1 year time frame, we estimate we would require a staff of 95 inspectors at an annual cost of over 12 million dollars.

That number is fiscally untenable and unworkable for a cash strapped municipality such as Bridgeport. Yet despite our best efforts, we are exposed to major legal liability for damage from fires we have no ability to prevent.

The Bridgeport City Attorney’s office informs me that it is remarkably easy, based on current state statute, to sue a municipality for damages based on negligence in fire safety inspections. Municipalities, with deep pockets, make a tempting target for frivolous lawsuits.
House Bill 6954 asks for a bit of common sense. This bill would remove the liability for fire damages on large cities in Connecticut, with more than, say, 50,000 units of housing, based solely on failure to complete fire inspections.

There is a modified version of this legislation proposed that gets the same goal in a different way. That would be to change the statutory language regarding municipal liability for fire safety inspections, to making cities liable for fire damage if they have received notice of a violation of law or hazard and still failed to inspect it, or if the inspection of reported fire hazards was negligent to the degree that it constitutes a reckless disregard for health and safety.

This, I believe, is a fair compromise that does not let cities such as Bridgeport, Hartford, New Haven and other large municipalities off the hook for properly conducting fire safety inspections when known hazards or violations have been reported.

This would, however, provide some layer of protection to the unlimited legal exposure and liability faced by financially challenged communities for fire damage based on an inspection burden that every fire service professional in Connecticut knows there is no way a city can fulfill in one year.

However this committee feels is the best legislative fix to this issue, I leave to your judgement.

But in any case, I would urge your close attention to this matter and would urge your support for some common sense reform in fire safety inspection liabilities for Connecticut’s larger cities.

Thank you and I am happy to answer any questions I can.