

Oakland fire deaths speak to building codes, not zoning

December 8, 2016

[Randy Bright](#)

At the moment that I am writing this article, Fox News is reporting that there are 33 confirmed deaths in the fire that took place in Oakland, California this weekend, and there is speculation that the death toll will rise to forty or more.

If you have been following my last series of articles, in which I am critical of the regulations that have or will come from Obama's Housing Development Toolkit, you might think that I am against rules and regulations. Nothing could be further from the truth.

Our Founders were faced with a difficult problem when they wrote our Constitution, but they concluded that our legal system had to strike a medium between two extremes. The first extreme was tyranny, a society ruled by the whims of a dictator or oligarchy. The second extreme was anarchy, a society in which there were no rules or restraints to prevent harm from coming to its citizens. On one hand, misery at the hands of a few, on the other hand misery at the hands of anyone or everyone. The Founders wisely decided that our form of government and laws had to fall somewhere between.

Laws are necessary for an orderly and safe society, and even scripture (Romans 13) explains that we are to obey our government. In our form of government, we as citizens are responsible for the laws we are compelled to obey. My criticism of Obama's Toolkit is simply my way of voicing an opinion about how wrong it is and why I think that we should prevent his administration from imposing laws, rules and regulations upon us in order to further his agenda.

The other distinction I should make is one that I have made many times in my column over the years, and that is that there is a significant difference between building codes and zoning codes. The type of laws that might come about from the Toolkit will eventually be written into our zoning codes if we allow it, but not in our building codes.

Building codes are essentially written to do one thing – protect lives. It might come as a surprise that building codes are not written to protect the buildings themselves, but the buildings are to be protected for a sufficient amount of time to allow occupants to escape unharmed. So while a building might survive a fire if it is constructed according to the building code, that is not the end goal.

Zoning codes, or regulations that are forced upon people to achieve a social or political agenda, have little to do with safety. The only argument in that direction that can be made is that some regulation will save us from global warming, but that is a political movement that is not based in real science.

Building codes, however, have saved countless lives, and while it might be difficult to document events that haven't happened because buildings are constructed to code, there is plenty of real

evidence of tragedy when buildings are not constructed according to code or because occupants have done things to circumvent the code.

One of the first tragic events that led to our building codes occurred in 1924 in our own state of Oklahoma. The Babbs Switch fire claimed 36 lives when a Christmas tree caught fire from candles used for tree decorations. Because the only exit doors swung in instead of out, victims pressed against the door, jamming it shut. As a result, our codes require that doors swing in the direction of egress.

At about the same time as the Chicago fire, the Great Peshtigo Fire of 1871 claimed around 2,000 lives and destroyed 17,500 buildings. The firestorm that resulted was so devastating that it was used as a model by our armed forces in World War II to bomb Dresden and Tokyo.

The Cocoanut Grove Fire of 1942 killed 492 people when the nightclub caught fire and was completely engulfed in 12 minutes. There were only two exits. The main exit was revolving doors, and the second exit had been chained shut to prevent people from sneaking into the club. At one of the exits, 200 bodies were found, piled 5 bodies deep.

In 1977, the Beverly Hills Supper Club Fire killed 165 people. Aluminum wiring inside a wall triggered a fire that within minutes caused flashovers. The building had no fire alarm, no sprinklers and inadequate exits.

And in 1980, 85 people died and over 600 were injured in the MGM hotel fire in Las Vegas. Many of the building codes had been ignored, sprinklers had not been installed, fire alarms were dysfunctional, and the air conditioning system – which should have turned off when a fire was detected – pumped deadly gases throughout the building.

Do I believe in building codes? You bet I do, especially for buildings that are places of assembly where there are many occupants. Zoning codes? There should be fewer and there should be no politics involved. We need to keep the distinction between them straight.



Randy W. Bright, AIA, NCARB, is an architect who specializes in church and church-related projects. You may contact him at 918-582-3972, rwbrightchurcharch@sbcglobal.net or www.churcharchitect.net. ©2016 Randy W. Bright