TOWN OF SUFFIELD

83 Mountain Rd, Suffield, CT 06078
www.suffieldct.gov

Fire Marshal

Fire Marshal Hoarding Responsibilities Policy # 010

Department: Office of the Fire Marshal
Policy Number: FM-010
Policy Title: Fire Marshal Hoarding Responsibilities Policy
Effective Date: June 15, 2026
Approved By: Eric Vincent Fire Marshal
Last Revised: _____

PURPOSE

This policy establishes standard operating procedures for identifying and mitigating fire and life safety hazards associated with hoarding in one- and two-family residential dwellings, as well as multi-family complexes. It ensures that the Suffield Fire Marshal's Office (SFMO) and the Building Department act within their specific Connecticut General Statutes (CGS) authority to protect occupants, neighbors, and first responders.

AUTHORITY

This policy is issued under the authority of the Local Fire Marshal as provided in:

- **CGS §29-305 – Inspections by Local Fire Marshals**
  - Authorizes inspection of buildings and conditions affecting fire safety
  - Requires inspection upon receipt of information indicating a life safety hazard
- **CGS §29-306 – Orders to Correct Hazardous Conditions**
  - Authorizes orders for:
    - Dangerous accumulation of combustible materials
    - Obstructions to egress
    - Fire hazards endangering life or property
- **CGS §29-297 – Appointment and Duties of Fire Marshals**
  - Establishes authority and responsibility of the local fire marshal

LEGAL AUTHORITY (1- & 2-FAMILY DWELLINGS)

Pursuant to CGS §29-305, the Local Fire Marshal is authorized to inspect buildings and premises for fire hazards. While routine inspections of one- and two-family dwellings are limited, the Fire Marshal shall inspect such occupancies upon receipt of a complaint or other reliable information indicating the existence of a fire hazard or condition dangerous to life safety.

Conditions associated with hoarding, including but not limited to the dangerous accumulation of combustible materials, obstruction of means of egress, or impairment of firefighting operations, shall constitute sufficient cause for inspection and enforcement action.

Under CGS §29-306, the Fire Marshal is authorized to issue orders for the removal or remediation of:

- Dangerous accumulations of combustible materials
- Obstructions to exits or egress pathways
- Any condition liable to cause fire or endanger life or property

This authority applies to all occupancies, including one- and two-family dwellings, when such hazardous conditions are present.

Fire Marshal Authority (1- and 2-Family Residences)

Per CGS §29-305, routine inspections of one- and two-family homes are limited. However, the Fire Marshal shall inspect such dwellings upon:

1. **Complaint** from a neighbor, relative, or social service agency.
2. **Referral** from Police, EMS, or the Health Department.
3. **Reliable Information** (e.g., observations during a medical call) indicating a life safety hazard.

Once inside, CGS §29-306 provides the authority to issue Orders to Correct for:

- Dangerous accumulation of combustible materials.
- Obstructions to exits or egress.
- Any condition liable to cause fire or endanger life/property.

Right of Entry Fire Marshal Office, Entry & Inspection Authority Flow

Hoarding Conditions / Residential Fire & Life Safety Hazards

A. Purpose

This procedure establishes the legal process and enforcement flow for Fire Marshal entry, inspection, and enforcement actions regarding hoarding conditions and related fire and life safety hazards within the Town of Suffield.

This procedure is intended to ensure inspections are conducted in accordance with:

- Connecticut General Statutes
- Constitutional protections against unreasonable searches
- Connecticut Fire Safety and Fire Prevention Codes

B. Legal Authority

Fire Marshal Authority – CGS §29-305

Pursuant to Connecticut General Statutes §29-305, the Local Fire Marshal is authorized to inspect buildings and premises within their jurisdiction for the purpose of identifying conditions liable to cause fire or endanger life from fire or panic.

C. Enforcement Authority – CGS §29-306

Under CGS §29-306, the Fire Marshal may order the correction or removal of:

- Dangerous accumulations of combustible materials
- Obstructions to exits or egress
- Conditions liable to cause fire
- Conditions endangering life or property

The Fire Marshal may also:

- Order evacuation of unsafe occupancies
- Restrict occupancy where imminent danger exists

D. Right of Entry Procedure

See Attachment A

E. Special Considerations

One- and Two-Family Dwellings

The Fire Marshal shall recognize heightened constitutional privacy protections associated with private residences.

However, inspections and enforcement remain authorized when:

- Complaint or reliable hazard information exists
- Consent is obtained
- Exigent circumstances exist
- Administrative warrant is secured

F. Documentation Requirements

The Fire Marshal shall maintain:

- Complaint records
- Inspection reports
- Photographs
- Consent documentation
- Warrant applications/orders
- Orders to comply
- Reinspection reports

G. Practical Legal Note (VERY IMPORTANT)

The Suffield Fire Marshal's Office recognizes that entry into private residences is subject to constitutional protections under the Fourth Amendment.

Accordingly, inspections shall be conducted through:

- Voluntary consent
- Exigent circumstances
- Administrative warrant procedures
- Other lawful authority recognized under Connecticut law

Building Official Authority

The Building Official operates under CGS §29-261 and the State Building Code. Their role is triggered when hoarding affects the "bones" of the house. They have the legal right to:

- **Inspect** for structural overloading (floors sagging under the weight of "clutter").
- **Identify** unsafe mechanical, electrical, or plumbing systems blocked by debris.
- **Condemn** a property if it is deemed "unfit for human occupancy" or a structural collapse risk.

Right of Entry (Building Official)

The Building Official is authorized to enter a structure at reasonable times for inspection purposes.

Where entry is refused, the Building Official may:

- Seek administrative warrant or legal remedy

Coordinate with the Fire Marshal and Police Department when conditions present an immediate danger to life safety

---

POLICY STATEMENT

Hoarding conditions that create fire hazards, impede egress, or endanger occupants or emergency responders shall be considered violations of the Connecticut Fire Safety and Fire Prevention Codes and are subject to enforcement under CGS §29-306.

DEFINITIONS

Hoarding Conditions:
An accumulation of combustible materials, debris, or contents that:

- Creates excessive fire load
- Blocks or restricts means of egress
- Limits access for firefighting operations
- Presents unsanitary or unsafe living conditions impacting fire safety

The Suffield Fire Marshal Office utilizes a 1–5 scale to determine the level of intervention required:

Levels of Concern:

- **Level 1–2:** Cluttered but pathways and exits maintained
- **Level 3–4:** Reduced egress, moderate fire load
- **Level 5+:** Severe obstruction, unsafe conditions, imminent hazard

Level	Condition	Fire Marshal Action
Level 1–2	Minor clutter; all exits clear; smoke alarms functional.	**Monitor:** Provide educational materials on fire safety.
Level 3	Pathways narrowed (<36 inches); some storage near heat sources.	**Notice:** Issue a verbal or written warning to clear exits.
Level 4	Egress blocked; excessive fire load; "goat paths" only.	**Order:** Issue a formal Order to Comply under CGS §29-306.
Level 5	Heavy structural loading; no egress; extreme fire/health risk.	**Emergency:** Immediate Joint Response (Building/Health/Social Services).

WHAT IS A HOARDING CASE

For the purposes of fire and building safety, **Hoarding** is defined as the excessive accumulation of items, collectibles, or debris to the point where:

- **Means of Egress** (exits, hallways, windows) are obstructed.
- **Fire Load** is significantly increased beyond normal residential expectations.
- **Structural Integrity** is threatened by the weight of stored materials.
- **Emergency Access** for firefighters and EMS is delayed or prevented.

OCCUPANCY DISTINCTIONS

A. One- and Two-Family Dwellings

- Inspections conducted:
    - Upon complaint
    - Upon referral

- When credible information indicates a life safety hazard

B. Three-Family and Greater / Apartment Buildings

- Subject to:
  - Routine inspections
  - Common area inspections
  - Unit inspections when:
    - Complaint received
    - Hazard suspected
    - Access granted or legally obtained

INSPECTION PROCEDURES

Triggering Events

Inspection shall occur when:

- Complaint received (neighbor, police, fire department, landlord)
- Referral from another agency
- Observation by fire personnel
- Post-incident investigation

Inspection Scope

Evaluate for:

- Accumulation of combustible materials
- Obstructed exits, hallways, stairways
- Blocked windows (secondary egress)
- Unsafe heating or electrical conditions
- Storage near ignition sources
- Access limitations for firefighting
- Levels 1-5

Required Egress Dimensions

- Standard Interior Paths: The minimum clear width for hallways and primary exit access paths is 36 inches.
- Doorway Clear Width: Any door serving as a primary means of escape must provide a minimum net clear width of 32 inches when the door is open at a 90-degree angle.

    - *Exception*: Doors for bathrooms or rooms under 70 square feet may be reduced to a minimum of 24–28 inches.
- Ceiling Height: The means of egress must have a minimum ceiling height of 7 feet 6 inches, though certain projections like beams or pipes may be lower if they do not create a strike hazard.
- Emergency Escape and Rescue Openings (EERO): For secondary egress (like bedroom windows), the clear opening width must be at least 20 inches, with a total clear area of at least 5.7 square feet.

Hoarding & Obstruction Thresholds

As a Fire Marshal, you should use these measurements to determine when a condition triggers an Order to Abate or an Order to Vacate:

1. Impeded Egress (36" Rule): If hoarded materials reduce the walking path to less than 36 inches, it is generally considered impeded.
2. Imminent Danger ("Goat Paths"): Narrow, winding paths (often called "goat paths") that are significantly narrower than 36 inches or require an occupant to turn sideways or climb over items are considered a "Deadly Sin" under CGS § 29-306(c).
3. Door Obstruction: If a door cannot be fully opened to its 32-inch clear width due to stored items behind it, it is a violation.

Local Building Official (LBO) Triggers

While the Fire Marshal focuses on the *path*, the Building Official evaluates the *load* and *hazard*:

- Structural Load: Under the Connecticut State Building Code, if the weight of hoarded material exceeds the designed floor load (typically 40 lbs/sq ft for residential living areas), the LBO may declare the building structurally unsafe.

Mechanical Hazards: If hoarding prevents access to electrical panels, furnaces, or water heaters, the LBO can issue an emergency order to remedy the hazard or risk utility disconnection.

When to Condemn or Vacate

A property shall be Condemned (Placarded Unsafe) or ordered vacated immediately if:

- Imminent Danger (CGS §29-306c): There is a high probability of fire or entrapment that cannot be mitigated by moving a few items.
- Blocked Egress: No door or window is accessible for escape.
- Structural Failure: The Building Official determines the floor joists are failing due to weight.
- Lack of Utilities: No working heat, water, or electricity (often due to blocked access for repairs).

Documentation

- Photographs
- Written report
- Diagram of egress pathways (if necessary)
- Classification of hazard level

ENFORCEMENT ACTIONS

A. Orders to Comply (CGS §29-306)

The Fire Marshal shall issue written orders when conditions include:

- Dangerous accumulation of combustible materials
- Obstruction of egress
- Fire hazards endangering occupants

Orders shall include:

- Specific violations
- Required corrective actions
- Compliance timeline

B. SMOKE & CARBON MONOXIDE ENFORCEMENT

In accordance with CGS §29-292 and the Connecticut State Fire Safety Code, all residential occupancies shall be equipped with approved smoke detection and carbon monoxide detection devices.

During any inspection conducted under CGS §29-305, the Fire Marshal shall verify the presence, proper installation, and operability of:

- Smoke alarms
- Carbon monoxide alarms

The absence, improper installation, or inoperability of such devices shall constitute a violation subject to order under CGS §29-306.

C. Failure to Comply

If violations are not corrected:

- Notify:
  - State Fire Marshal
  - Local prosecuting authority
- Request legal action:
  - Civil injunction
  - Court order for compliance

D. Imminent Hazard / Unsafe Conditions

If conditions present immediate danger:

- Order evacuation (CGS §29-306(c))
- Coordinate with police and emergency services
- Restrict occupancy until hazards are abated
- Notify Building Official
- North Central Health Department

INTERAGENCY COORDINATION

Hoarding cases often require a **multi-disciplinary approach**. The Fire Marshal shall coordinate with:

- Building Department
- Health Department
- Suffield Community Aid
- Police Department
- Housing Authority / Property Management

SPECIAL CONSIDERATIONS

- Hoarding may involve mental health components
- Enforcement should balance:
  - Life safety
  - Dignity of occupants
  - Available support resources
- Voluntary compliance should be encouraged prior to enforcement escalation when feasible

---

RECORD KEEPING

Maintain:

- Complaint records
- Inspection reports
- Orders issued
- Photographic evidence
- Follow-up inspections

Right of Entry Procedure

STEP 1 — Complaint or Referral Received

Sources may include:

- Neighbor complaints
- Police Department
- Fire Department personnel
- Health Department
- Suffield Community Aid
- Building Department
- Property owner/manager
- Anonymous complaint with credible information

Examples of Credible Complaints:

- Excessive clutter visible from exterior
- Strong odors / waste accumulation
- Reports of blocked exits
- Inability of EMS/fire personnel to access interior
- Repeated nuisance or welfare calls

STEP 2 — Preliminary Assessment

The Fire Marshal documents:

- Nature of complaint
- Occupancy type
- Known hazards
- Previous history at property

The Fire Marshal determines whether sufficient cause exists under **CGS §29-305** to conduct an inspection.

STEP 3 — Voluntary Contact / Consent to Enter

The preferred initial method is voluntary compliance and consent.

The Fire Marshal may:

- Contact occupant/property owner
- Request inspection access
- Explain complaint and statutory authority
- Seek cooperation for correction of hazards

If Consent Is Granted:

Inspection proceeds
Hazards documented
Orders issued if necessary

If Entry is Refused

The Fire Marshal shall evaluate whether:

- Exigent/emergency conditions exist
- Administrative warrant is necessary
- Other agencies should be involved

STEP 4 — Exigent / Emergency Circumstances

Immediate Entry Without Warrant May Be Justified When:

- Active fire or smoke condition exists
- Immediate threat to life safety exists
- Occupants are trapped or endangered
- Explosive or hazardous condition exists
- Emergency responders require immediate access

Legal Basis:

- Emergency exception to warrant requirement
- Community caretaking / life safety doctrine

In such cases:

- Fire Marshal may enter with emergency responders
- Police Department should be notified/assist
- Conditions shall be documented thoroughly

STEP 5 — Administrative Search Warrant

If:

- Credible hazard exists
- Entry is refused
- No immediate emergency exists

…may seek an **Administrative Search Warrant** through the court.

Administrative Warrant Basis

The warrant application should include:

- Complaint history
- Observations from exterior
- Statements from witnesses/responders
- Fire/life safety concerns
- Statutory authority under:
    - CGS §29-305
    - CGS §29-306

Purpose of Administrative Warrant

To permit lawful inspection for:

- Fire hazards
- Hoarding conditions
- Egress violations
- Smoke/CO compliance
- Dangerous combustible accumulation

Execution of Warrant

The Fire Marshal may request assistance from:

- Police Department
- Building Department

- Health Department

during warrant execution. All findings shall be documented.

STEP 6 — Joint Agency Inspection (if warranted)

If conditions involve:

- Structural hazards
- Public health hazards
- Occupant welfare concerns

…Fire Marshal shall coordinate with:

- Building Department
- Health Department
- Police Department
- Social Services

Each agency enforces under its respective statutory authority.

STEP 7 — Enforcement Actions

Possible actions include:

Fire Marshal

- Order to Comply (CGS §29-306)
- Smoke/CO enforcement
- Evacuation order

Building Department

- Unsafe structure notice
- Vacate order
- Condemnation/placarding

Health Department

- Sanitation orders
- Environmental health enforcement

Police Department

- Scene security
- Welfare intervention
- Enforcement support

Suffield Community Aid

- Organize assistance
- May already be dealing with property owner
- Provide funding assistance for mitigation
- Provide funding for housing

STEP 8 — Failure to Comply

If violations remain:

- Reinspection conducted
- Additional orders issued
- Matter referred for:
    - Civil enforcement
    - Court action
- Injunctive relief