

# **‘Grandfathering’: Why Martin’s Country Market didn’t have sprinklers** **[Lancaster Watchdog]**

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The [fire that destroyed Martin’s Country Market](#) in Ephrata Township last month spread fast. Firefighters were on the scene within minutes of the initial report, but they still couldn’t stop it.

After the fire, The Watchdog, along with and a lot of other folks in the community, was wondering why such a large building — more than 50,000 square feet — is not required to have a sprinkler system.

Sprinkler systems, which spray water when they sense heat, can reduce fire damage by as much as 90%, according to the National Fire Protection Association. Officials say it will cost multiple millions of dollars to rebuild Martin’s.

In short, the grocery store did not have a sprinkler system because local building codes did not require one — not because the codes don’t call for effective, modern fire-prevention measures, but because the grocery store was built before those measures took effect.

Because Martin’s Country Market was built in 1983, it must adhere only to the safety rules that were in place 40-plus years ago. This requirement, or lack of one, is known as “grandfathering.”

As long as a building does not undergo any major construction or operational changes, it need only follow the codes from the time it was built, said John Waters, a member with the Pennsylvania Fire

and Emergency Services Institute, a nonprofit that focuses on education and advocacy for emergency responders.

“If you don’t do anything to that building, that building can stay that way forever,” said Waters, who also serves as chief fire marshal and director of safety enforcement for Upper Merion Township in Montgomery County.

Every three years, the International Code Council recommends building code changes for the whole country. States then decide which recommendations to incorporate into building codes.

Pennsylvania is currently using codes from 2018, Waters said. It would be too expensive and too difficult to require structures to match the newest codes everytime a code changed, he said.

## When updates are required

Changes to a structure that would require the building to match the newest codes include a change in occupancy — for example, if a business is converted to apartments — or a large renovation that includes structural changes to more than 50% of the building.

A mercantile occupancy, or a place such as a grocery store, does not require sprinklers unless it is 12,000 square feet or larger, Waters said. Additionally, if an owner adds on to a building but puts up a fire wall between the old and new portions, essentially creating two structures, the older portion of the building does not need to meet updated codes.

“It’s impractical to bring every building in the commonwealth up to today’s building code,” Waters said. “To be honest, it costs too much money, and in many cases it simply can’t be done.”

Randall Gockley, who coordinated the response to the Martin’s market fire and serves as president of the Lancaster County Firemen’s Association, also acknowledged costs can be prohibitive.

“We, the fire service, certainly recommend that customers have sprinklers,” Gockley said. “We also realize in the same breath that it’s extremely expensive to retrofit an existing building.”

State, county and municipal governments are free to pass retrofit ordinances that would require all buildings to be brought up to a certain code standard. They could, for instance, require sprinkler systems, but those ordinances are extremely rare, Waters said.

In addition to minimizing damage to buildings, sprinkler systems reduce the number of injuries and deaths that occur during a fire, according to research from the National Fire Protection Association.

“Throughout Lancaster County, there are many buildings that were built at a time they were not required to have sprinklers, and there are large buildings that could be a challenge to the fire service, just like Martin’s was,” Gockley said.

Ultimately, any mandate to update older buildings requires legislative action, and such changes often carry a hefty price tag for the owners. Absent a retrofit ordinance, owners of buildings that are grandfathered in can essentially ignore contemporary building codes.