

## Mean Means of Egress

By Mark J. Berger

In 1996, OSHA proposed revising Subpart E of Part 1910, Means of Egress, simplifying the language of the section and rewriting terminology into plain English. Here's how they put it:

*"The purpose of this revision is to rewrite the existing requirements of Subpart E in plain English so they will be more understandable to employers, employees, and others who use them. This revision does not in any way change the regulatory obligations of employers or the safety and health protections provided to employees. To further the plain English goal, OSHA is also proposing to change the name of Subpart E from 'Means of Egress' to 'Exit Routes.'"*

Plain English? What were they thinking? Creating a document that a business owner could understand and honor?

Here are more of their goals:

*"OSHA hopes to achieve three goals in this proposal:*

- To maintain the safety and health protections provided to employees by Subpart E without increasing the regulatory burden on employers*
- To create a regulation that is easily understood*
- To state employers' obligations in performance-oriented language to the extent possible."*

I could not find any record of OSHA adopting this plain language. If anyone has knowledge of this, please let me know. As far as I can research, the Standards Improvement Project was still an ongoing process in 2012.

The photos that follow are examples of why plain English is important. Maybe then business owners will understand how to keep an exit route free and clear.



### DRESSING ROOM EXIT

Living in New York City exposes me to many different types of exits. Remember the song "Tonight" from *West Side Story*? It was inspired by the balcony scene in Shakespeare's *Romeo and Juliet*, except in New York City, a balcony is a fire escape.

Fire escapes are accessed by windows in the older buildings, and as a result, the windows are a security hazard. NYC has stringent codes for approved gates to be used on these windows, but they are specifically designed for residential applications, as per the multiple dwelling code. They are not permitted as a means of egress in a retail establishment.

At first I followed the exit sign, and it led me to a dressing room door. I waited patiently for the patron to leave the dressing stall, and when the door opened, I could clearly see that there was no secondary means of egress in the stall.

So I looked at the exit again and realized that the window grills were intended to be the exit—except that's not legal for retail establishments. And this was the first floor—no balcony. Clearly an exit door should replace a window.

### LEFT OR RIGHT

Many retail establishments are combined storefronts. Here the exit sign is mounted on what would have been the dividing wall between two separate stores. They have been combined for this furniture retailer.

I followed the sign in both directions. To the right was a completely sealed room (you can see the solid wall in the background). Absolutely no exit. A storefront window was visible on the left, so I had hopes of finding at least one exit. There was even a sign above the exit door, but it was unlit. See the next set of photos.



### UNLIT EXIT SIGN

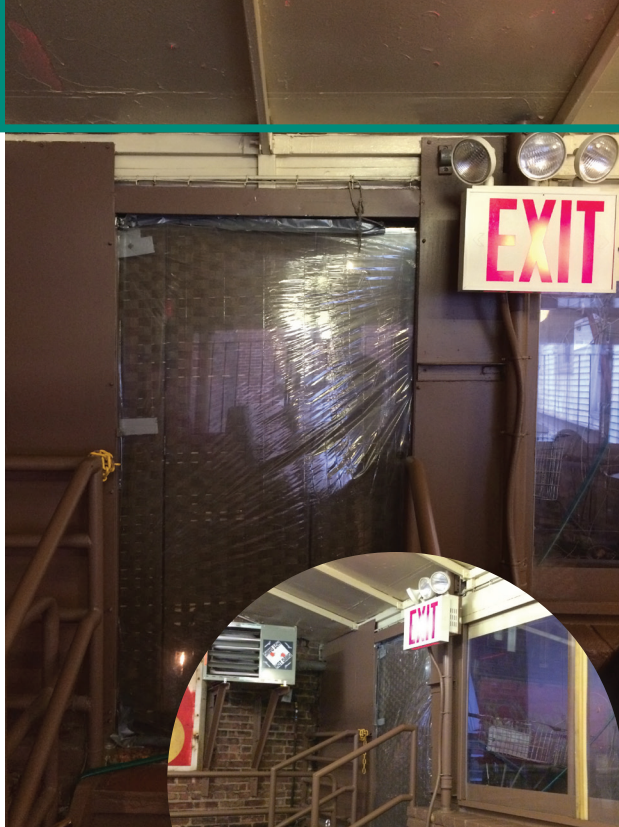
There was indeed a pair of doors under this exit sign, but the sign appears to have been painted over, and very little of the red sign lighting is visible. There aren't any exit devices on the door, and both doors are sealed by the deadbolt in the bottom rail. Had you been able to open the door, you would have hit the black planters.

So no exit, left or right.

### TABLES IN AND OUT

Winter refused to depart New York before the end of April this year, so many restaurants that had hoped to have outdoor seating were out of luck. Also out of luck were the diners in this restaurant, as the exit door was blocked by an unused table. But they wouldn't have been able to get to the door without knocking over the people seated at the table on the inside that was also blocking the door.





### BABY, ITS COLD OUTSIDE

This table and exit door are in one of New York City's oldest pizzerias. It claims to be the first, but so do about three or four others. The restaurant has expanded nicely and has taken over space in several adjoining buildings while retaining the original entrance and location. This section is on the second floor and is actually above the kitchen and pizza ovens.

This was a particularly cold winter with strong winds. I guess the door was not quite up to the task of keeping out the draft, so in order to provide comfort to the diners, the restaurant decided to provide a layer of weather-proofing with a full-size plastic sheet taped in place. You can even see the wind stretching it.

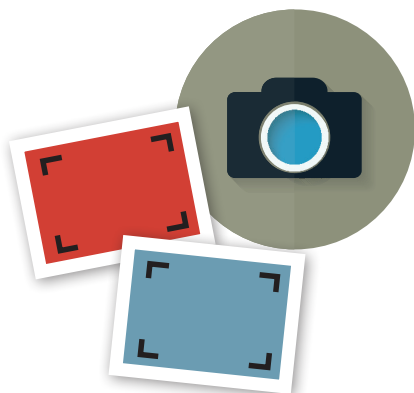
Had you gotten past this obstruction, it would not have done you much good. Note the bicycle that is visible through the window. The back of the bicycle has to be blocking the door.



### BUS STATION

Most people associate the term *bussing* to the integration plans of the late 1960s and 1970s. In a restaurant, it is the art of cleaning a table. The supplies for setting the table are kept in the bus station, and there are bins for dirty dishes and debris.

Prior to entering the restaurant, I could see that there was going to be trouble. Having been a bus boy, I know what a bus station looks like from the front or, in this instance, visible through the glass doors, from the rear. Sure enough, upon entering the restaurant, the offending blockage was easy to see. The exit sign was clear and lit above the door, and if you look to the right of the bus station, you can see a little of the exit device.



**MARK BERGER** is the President and Chief Product Officer of Securitech Group, as well as the chair of the Builders Hardware Manufacturers Association Codes & Government Affairs Committee. All "Real Openings" photos have been taken in public spaces with the goal of highlighting the prevalence of code violations and the need for vigilance to save lives. If you see something, say something.



The images shown here are not intended to reflect upon any specific manufacturer or products but are intended to help build awareness around the everyday code violations that occur in buildings over time, despite our members' best efforts to provide solutions to secure the life safety and security of the building occupants.