

PROGRESS REPORT

SPS 314 FIRE PREVENTION CODE COUNCIL MEETING

DATE: Wednesday, May 29, 2013

TIME: 9:00 a.m. – 2:30 p.m.

LOCATION: Department of Safety and Professional Services
Conference Room 121C
1414 East Washington Avenue, Madison, Wisconsin

COUNCIL MEMBER ATTENDANCE:

John Ashley	<u>Present</u>
Todd Blaser	<u> P </u>
Gregg Cleveland – Chair	<u> P </u>
Tod Doebler	<u> P </u>
Jennie Macaluso-Ruditys	<u> P </u>
Brian McKee	<u> P </u>

DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES STAFF:

Carl Frisque	<u> P </u>
Sam Rockweiler	<u> P </u>
Jeff Weigand	<u> P </u>

GUESTS:

Bob DuPont – Alliance for Regulatory Coordination
Bob Kleinheinz – Wisconsin Fire Protection Coalition
Matthew Mertens – North Shore Fire Department
Russ Saunders – National Fire Protection Association
Craig Snyder – LaCrosse Fire Department

Introduction

Jeff Weigand opened the meeting with a welcome and a round of introductions, and explained that the Council meetings would focus on considering whether to update chapter SPS 314 to include the 2012 edition of the National Fire Protection Association's NFPA[®] 1, *Fire Code*. The Department's Advisory Council Manual was distributed, and Jeff explained that the output of the Council would not be subject to review by the Department's Commercial Building Code Council unless changes are recommended for the Commercial Building Code. Sam Rockweiler added that the Council would be relied upon for determining the potential economic impacts of both the technical and administrative elements of any recommended rule changes.

The Council elected Gregg Cleveland to chair the meetings. Gregg distributed a letter from the Wisconsin State Fire Chiefs' Association to the Council, containing recommendations relating to several fire-safety topics. Jeff noted that discussion of the letter was not announced on the meeting agenda, and the Department would need to review it before proceeding further with it.

The 2012 edition of the NFPA 1, *Fire Code* was distributed, along with the 2012 NFPA 1 *Fire Code Handbook*, by Russ Saunders from NFPA.

Comparison of the 2012 NFPA 1 to the 2009 NFPA 1

In discussing NPFA's comparison document, *NFPA 1 Fire Code Technical/Substantive Changes From the 2009 Edition to the 2012 Edition*, which was distributed in advance of the meeting, Sam noted that section SPS 314.01 (2) (a) 1. turns off nearly all of the design requirements in the currently adopted 2009 edition of NFPA 1, and would likely affect the 2012 edition in the same way if the 2012 edition is adopted. Consequently, the discussion largely skipped over references in the comparison document to design requirements that would likely be turned off, including requirements for local permits. However, fire inspectors could continue to issue the use-and-operation stop orders specified in NFPA 1 section 1.7.14, which is expanded in the 2012 edition to include orders to stop construction if the conditions cited there occur. That expansion and the corresponding changes for evacuations in section 1.7.15 were accepted.

The changes in section 1.12 for conditions of approval were accepted, but there was interest in augmented them with an informational Note or rule text that would prevent local officials from requiring the conditions to be recorded at a Register of Deeds office.

The changes in section 1.13 for certificates of fitness were viewed as turned off by section SPS 314.01 (7) (a) 2. but related to other, adequate criteria in SPS 314.65 (1) for explosives and fireworks. The clarifications in section 1.16 for violations and penalties, and in section 2.1 for applying the documents referenced in the Code were accepted.

Gregg asked whether "governing authority" should be defined in NFPA 1 chapter 3, and whether a statement should be added that applies any NFPA interpretation unless the interpretation is overruled by the Department. There was agreement that consistency in applying the Code could be enhanced by creating a Note which explains the availability and usefulness of the NFPA 1 *Fire*

Code Handbook, since the Handbook contains commentary on many of the Code's requirements along with case studies and illustrative examples. A Q&A from the Department's Web site was distributed that explains how the "governing authority" is the Department and how the "authority having jurisdiction" (AHJ) is the local fire department which performs the fire inspections addressed in chapter SPS 314. The definition in section 3.3.10 for alcohol-based hand rub was accepted.

The changes in section 10.2.2 for a change of occupancy and in section 10.9 for emergency plans were accepted. The changes in section 10.13 for seasonal buildings and premises were also accepted. Gregg proposed expanding chapter 10 to prohibit interior-type upholstered furniture on exterior decks and porches because it can become a fire hazard and then block a required exit, and he volunteered to draft the rule text for the change.

The changes in section 11.3.6 for adding a new requirement for a standardized fire service key on all new and existing elevators were viewed as needing input from the Department's elevator staff. Any included requirements that are design requirements would not apply unless rule text is created to override the general shut-off of design requirements in SPS 314.01 (2) (a) 1., and there was concern about the cost for retrofitting existing elevators. Further discussion was postponed to a future meeting.

The changes in section 11.7 for standby power systems were accepted, although more review may be needed on whether any design requirements are included. The changes in section 11.8 for smoke-control systems were accepted.

The changes in section 11.10 for two-way radio communication enhancement systems in all new and existing buildings were viewed as including requirements that the fire service strongly wants to apply, although more review may be needed on whether any design requirements are included. There was concern about the cost for retrofitting existing buildings, and Jennie volunteered to gather some estimates for the cost.

The changes in section 11.11 for medical gas and vacuum systems were accepted, with recognition that although any included design requirements are turned off, fire inspectors still can be involved in maintaining or achieving compliance with the corresponding requirements in the building code or its associated building-component codes.

The changes in section 11.12 for new photovoltaic systems, particularly on existing rooftops, were viewed as including some design requirements relating to rooftop firefighter access or structural adequacy that the fire service strongly wants to apply. Further discussion may occur at a future meeting.

Next meeting

The next meeting was scheduled for July 2, 2013, at the same time and location.