

Austin, David

From: Flury, Kelley
Sent: Monday, February 19, 2001 12:55 PM
To: Austin, David
Subject: FW: New State Building Codes

For your committee file.

-----Original Message-----

From: karl hokanson [mailto:kehokanson@worldnet.att.net]
Sent: Saturday, February 17, 2001 12:24 PM
To: Sen.Robson@legis.state.wi.us
Cc: william babcock; karl hokanson
Subject: New State Building Codes

Dear Sen. Robson;

I understand the Joint Committee for Review of Administrative Rules (JCRAR) will be meeting Feb 20th to review the adoption of the new proposed ICC family of Building Codes. I would like to express my support of the adoption of those codes and have attached a copy of an e-mail I sent to my local representatives, Sen. Panzer and Rep. Hoven, outlining my personal background and reasons for that support. I hope this information will be of benefit in the decision making process.

Thank you for your attention and time regarding this matter.

Karl Hokanson
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personal e-mail: karlhokanson@yahoo.com
office phone: 920-451-2893
home phone: 262-284-5020

From: Karl Hokanson
Sent: Tuesday, February 13, 2001 4:24 PM
To: 'Sen.Panzer@legis.state.wi.us'; 'Rep.Hoven@legis.state.wi.us'
Subject: New State of Wisconsin Building Code

Dear Senator Panzer and Rep. Hoven

I'd like to express my support for the Legislature adopting the use of the International Building Codes (International Building Code, International Fire Code, International Mechanical Code, International Energy Conservation Code and International Fuel Gas Code) as the primary commercial building codes for the State of Wisconsin. My personal background and reasons for this recommendation, and summary thoughts, are:

A. Personal Background:

1. Lifelong Wisconsin resident (Milwaukee and Port Washington)
2. Registered Wisconsin Architect since 1772
3. Architect (active registrations) in the states of Washington, Alaska, Minnesota, Iowa, Illinois, North Carolina, South Carolina, Texas and Florida.
4. Familiar with the major national codes (UBC, BOCA, SBC, NFPA) through my federal (primarily military), municipal (state, county and city level), and private client work across the county

B. Reasons for IBC Codes Support:

1. Increases business potential for Wisconsin firms in other states (clients realize we all have the same codes).
2. Increases teaming (business) potential for collaboration with other firms in other states.
3. Brings Wisconsin code standards up to more recent technologies that combine "health, safety & public welfare" with cost savings in building construction. Benefits all state consumers.
4. Helps eliminate building and code terminology differences between states and jurisdictions.
5. Provides a broader base of experience to draw on in evaluating and updating the codes (code development staff)
6. Minimizes differences in construction that an owner (e.g. industry) must comply with between states.
7. Increases ability for State Building Code to be kept current while still maintaining safety.
8. Improves code understanding throughout the country.
9. The structure behind the IBC organization (ICBO, BOCA, SBCCI, WI COMM) have multiple resources and staff for training people (e.g. architects, engineers, local code officials, builders, suppliers, manufacturers, public, etc.) and researching new materials and techniques that improve the code. Future code updates can occur in a faster, more timely manner whether in response to new technology or to needed public safety. improve
10. The sizes and staffing of the various code groups behind the IBC are easy to access for questions and explanations of the reasons and philosophies behind the codes. This information is often critical in reviews with owners or designing new systems or technologies that provide equal or improved safety to buildings and their occupants.
(Note: I have tried to obtain similar information from NFPA over the

past 10 years while working on various federal projects. Most often I can not get through to the person(s) in charge of that code section and don't get return calls.)

C. In Summary:

I've been reading drafts of the new IBC code during the adoption process over the past several years and found, in my opinion, they parallel the Wisconsin and national codes I usually use (IBCO's Uniform Building Code, SBCCI's Standard Building Code and BOCA's National Building Code) and without sacrificing "health, safety and public welfare". Generally speaking, I think their adoption will modernize some of our standards without sacrificing safety for Wisconsin residents. Further, my experience with Wisconsin's Dept. of Commerce And Buildings staff since 1965 (when I graduated and returned here to practice) has been that they constantly work to protect Wisconsin citizens while working to provide our state with appropriate codes.

Commerce

I have worked with the NFPA codes in the past and have not found them well co-ordinated between their publications. I've also read in national publications that the new NFPA proposed building code won't be out until 2003. I don't feel the building profession or public should wait that long for a new, modernized, technology sensitive document.

Should you wish additional information or have questions, please feel free to contact me at work.

Karl Hokanson, AIA
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Port Washington, WI 53074

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FIRE DEPARTMENT
STEVENS POINT, WI 54481
FAX: 715-346-1599

MARK L. BARNES
FIRE CHIEF

February 24, 2001

Honorable Judith Robson, State Senator
Room 15 S. State Capital
PO. Box 7882
Madison, WI. 53707-7882

Honorable Glenn Grothman, Representative
Room 15 N. State Capital
PO. Box 8952
Madison, WI. 53708-8952

REF: Adoption of ICC vs. NFPA State Fire Code - Joint Committee for Review of Administrative Rules.

Dear Senator Robson and Representative Grothman:

I am writing to express my sincere appreciation of the efforts you and the Joint Committee for Review of Administrative Rules (JCRAR) undertook on behalf of the majority of Wisconsin's fire service. I had the pleasure of personally attending the February 20th meeting, as did many other Fire Chiefs.

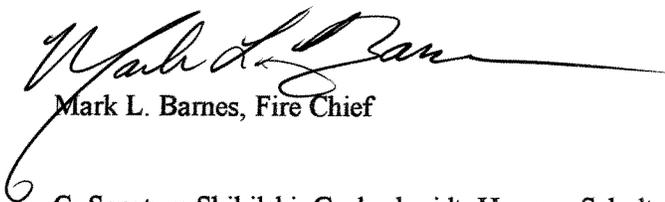
It was impressive to witness your committee's insight into the lack of responsiveness that my profession has recently received from the administrative side of state government. JCRAR clearly recognized that the difficulty the Department of Commerce (DoC) has encountered in adopting a new State fire code was not the disease – but only a symptom. The true affliction is their failure to design a genuinely meaningful and positive relationship with the fire service.

Early after my arrival in Wisconsin, I was saddened to learn of the belief held by many fire chiefs that DoC was intending to bend our opinion in this matter by holding the allocation of 2% dues as hostage. Your committee clearly addressed this belief as well as laid the groundwork if such an effort was to ever be considered. Once again, thank you.

Looking from the other side of the table, I suspect that DoC is reeling from this encounter. It must be frustrating for them to attempt to make a needed change only to run headlong into a brick wall. But this also speaks to the lack of authentic representation. Had they sought and supported both quantitative and qualitative representation of this profession, I theorize that this whole episode would have been avoided (admittedly, hindsight is 20/20).

I look forward to continuing to actively participate in measures that support our citizens and the grassroots profession that is dedicated to protecting them.

Sincerely,



Mark L. Barnes, Fire Chief

C: Senators Shibilski, Grobschmidt, Hansen, Schultz, and Cowles.
Representatives Grothman, Seratti, Gunderson, Kreuser, and Turner.
Chief David Bloom, WSFCA Legislative Liaison.



WISCONSIN LEGISLATURE

P.O. Box 7882 • Madison, WI 53707-7882

February 13, 2001

Brenda Blanchard, Secretary
Department of Commerce
201 W Washington Ave
Madison, WI 53703

Dear Secretary Blanchard:

It has come to our attention that the Department of Commerce is working to update the existing fire codes for the state of Wisconsin. To our knowledge, the Department of Commerce and other interested parties in the state have endorsed the International Fire Code and are pushing for its adoption.

What concerns us is the outcry we have heard from the fire safety community on this issue. We have been contacted by the Wisconsin State Fire Chiefs' Association; the Wisconsin Fire Chiefs' Education Association; the Wisconsin Fire Inspectors' Association; the Wisconsin Society of Fire Service Investigators; the Wisconsin Chiefs' International Arson Investigators Association; the Wisconsin State Fire Fighters' Association; the Professional Fire Fighters' of Wisconsin; and the Wisconsin EMS; all of which are opposed to immediate adoption of the IFC codes.

These organizations have a valid concern and a viable solution to this problem. They are not demanding the adoption of another set of codes, they are merely asking for a side by side comparison of the National Fire Protection Association codes and the IFC codes. It is our understanding that all of the NFPA codes are completed except the building codes, and that a comparison could be started immediately. We would strongly recommend that this is done.

The adoption of a new set of fire codes is a process that requires careful planning and communication from all parties involved. It is important for us to remember that these codes are in place to save the lives of the people of Wisconsin. We believe that the groups that are most qualified to make decisions on the safety of our citizens are those listed earlier in this letter. Any new fire codes that are adopted in this state must have the support of these fire service groups. We ask the Department of

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fire code*

Commerce to delay adoption of the IFC, and begin a comparison of the IFC and the NFPA codes immediately.

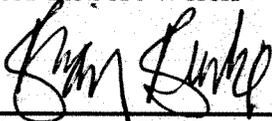
Please keep us updated on the progress of this issue, and thank you for your attention to this matter.



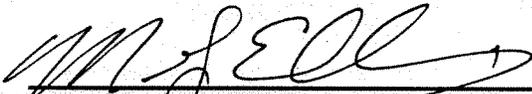
Senator Kevin Shibilski



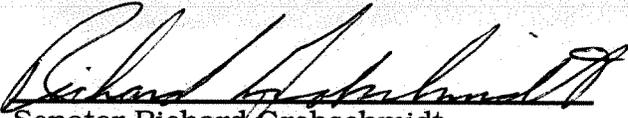
Senator Robert Welch



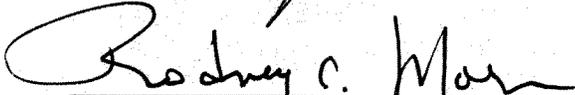
Senator Brian Burke



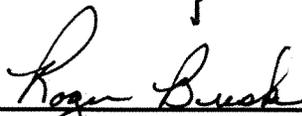
Senator Michael Ellis



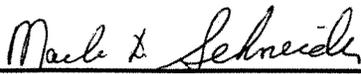
Senator Richard Grobschmidt



Senator Rodney Moen



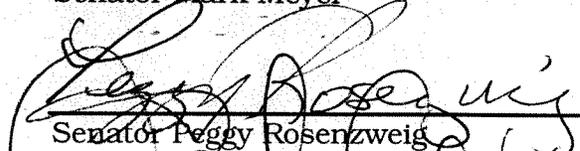
Senator Roger Breske



Representative Marlin Schneider



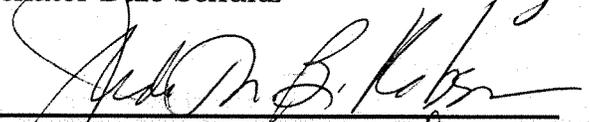
Senator Mark Meyer



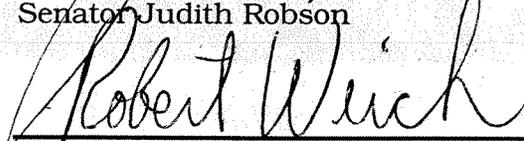
Senator Peggy Rosenzweig



Senator Dale Schultz



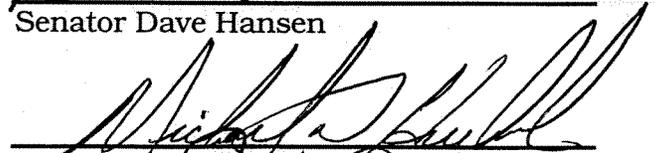
Senator Judith Robson



Senator Robert Wirch



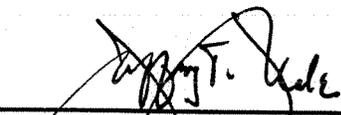
Senator Dave Hansen

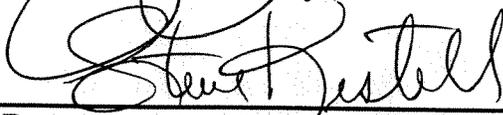


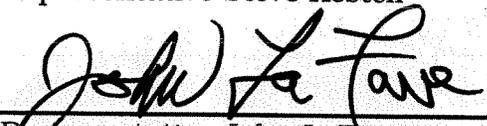
Representative Michael Huebsch

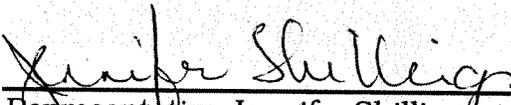


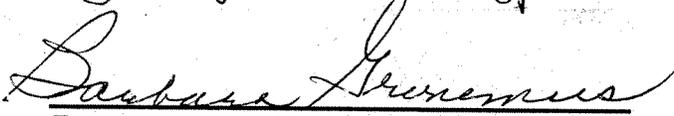
Representative Scott Suder

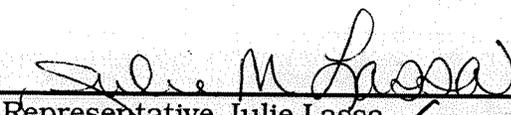

Representative Jeffrey Plale

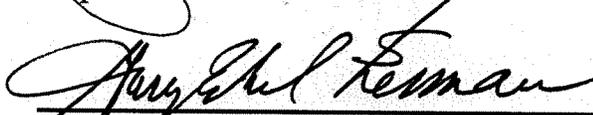

Representative Steve Kestell

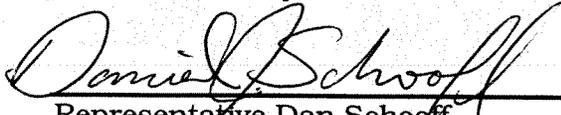

Representative John LaFave

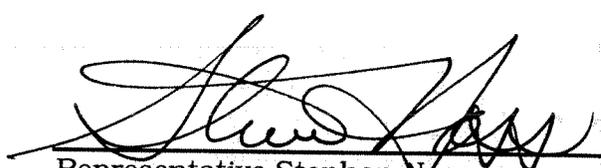

Representative Jennifer Shilling

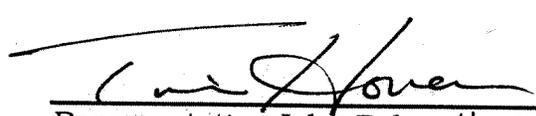

Representative Barbara Gronemus

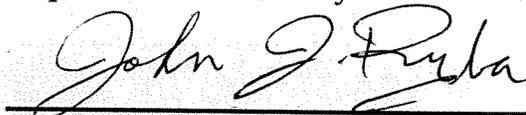

Representative Julie Lassa

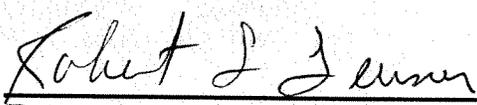

Representative Gary Sherman

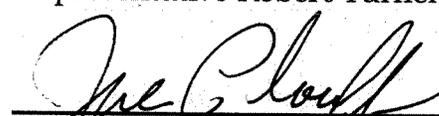

Representative Dan Schooff

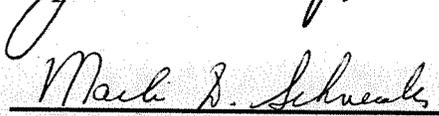

Representative Stephen Nass


Representative John Ryba Hoven


Representative Timothy Hoven Ryba


Representative Robert Turner


Representative Joe Plouff


Representative Marlin Schneider


Representative Michael Lehman

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February 20, 2001

Joint Committee for Review of Administrative Rules
Wisconsin State Capitol Building
Senator Judith Robson
P.O. Box 7882
Madison, WI 53707-7882

Re: Comments on Proposed Adoption of the IBC/IFC

Thank you for this opportunity to submit my comments on the proposed adoption of the IBC/IFC. I am the Fire Inspector/Fire Engineer/Public Education Officer for the City of Burlington Fire Department. I am also a member of the Wisconsin Fire Inspector's Association, the Wisconsin State Firefighter's Association, the Southern Wisconsin and Northern Illinois Fire/Rescue Association and one of three state representatives for the National Fire Academy Alumni Association. As a member of the Wisconsin fire service, a code enforcer and most of all a public servant, I cannot allow the opportunity to speak here today on this important topic to pass me by.

Because of my public education background, I would like to start with some basic information and statistics:

The world's population is growing at an unbelievable rate. Sometime around 1860, the world's estimated population reached 1 billion people. By the 1930's it doubled, just 75 years. Again in 1975 it doubled to 4 billion, only 50 years. By 1995, it reached 6 billion, just 25 years. As our population grows, so do the problems that we in the fire service have to deal with. America is a world leader no doubt. However, sadly, America also has the greatest number of fires and fire related deaths in the world. More than any other industrialized nation in the world today (NFPA Study).

Why?

Is it because of poor building construction or inadequate codes? Not at all! In Wisconsin, as throughout the U.S., we have modern building codes that have been developed over the years with the assistance of the fire service and other national organizations such as the NFPA, and as a direct result of major incidents. We regularly review plans for detail and accuracy, as well as inspect new construction sites. Ongoing fire inspections guarantee that compliance is maintained. Wisconsin has been a leader since the early 1900's with it's own state adopted codes.

Is it because of poorly staffed or inadequate fire departments? No! In fact, The United States leads the world in modern fire fighting equipment, training and personnel. Many new technical innovations have been implemented and have saved countless lives as a result. The national average response time is 3-5 minutes, better than any other industrialized nation. We also have the best trained personnel, with ongoing education requirements that no other entity can match. The number of actual structure fires has greatly diminished in the last 10 years, where EMS or Rescue calls have taken a sharp increase. This attests to the good practice of our fire service and the efforts of inspectors to enforce a good existing state code.

The real problem boils down to carelessness and a lack of preparedness overall by the public to personal fire prevention. The NFPA has just concluded a 3 year long fire prevention program called "The Great Escape!" Where families are encouraged to practice home fire drills. Many lives have been saved as a direct result of this program.

It is this same carelessness, lack of preparedness and blind eye attitude that scares me about the rush The Department of Commerce has taken to adopt the IBC/IFC. Commitments have been brushed aside and those responsible to carry out it's enforcement have been ignored. Multiple organizations have gone on record as being opposed to the IBC/IFC, yet their response has fallen on deaf ears. This cannot be allowed to continue. We the fire service, and other related organizations responsible for dealing directly with the public, owe the public our best efforts. We therefore earnestly ask you to postpone this adoption for a minimum of 1 year until the new NFPA code is available and then complete the fair and comprehensive comparison of the two codes that was originally promised, started and then abruptly halted. Only then can a fair and accurate decision be made.

There are concerns and questions about the NFPA standards that have been raised, let me address some of them:

One such concern is the fact that a fair comparison cannot be made because the NFPA documents are in a rough draft. The IBC/IFC was also in rough draft when first considered by the Department of Commerce, and as yet, still has an unproven track record with absolutely no history behind it.

The NFPA has certain portions that are retroactive where the IBC/IFC does not. The Department of Commerce has ruled out 8 entire chapters of the IFC and written a one inch thick document that cuts and pastes or modifies the IBC/IFC to what they wanted. This has been referred to as "Wisconsinism's". We need a code that deals with existing buildings as well as new construction. A suite of codes would standardize requirements for developers and contractors looking to develop throughout the state from other locations. This is true, and was one of the original reasons for considering a suite of codes in order to "do away with Wisconsinism's". Yet

we still have this pick and choose document. If then, there are portions of the NFPA that might pose a financial hardship to existing businesses and property owners, will there not still be a document written to change that into a "Wisconsinism"? What we do to Peter, we must do to Paul, so to say.

The IBC/IFC uses a lot of the NFPA standards we've been told. But what is not said, is that here too, it picks and chooses and does not adopt the entire code outright. We will be required to purchase another set of manuals increasing our library. Is this really what we want, or shouldn't we simply cut out the middle man and go directly to the source? I will not address at this time the proposed costs of the IBC/IFC and how those funds are to come out of the 2% dues, others have done a better job of this. But it should be noted that the NFPA provides copies and training on their standards at no charge.

With respect to the review committees that the Department of Commerce has set up for the IBC/IFC, representation by the fire service on these has been very limited. In fact, it has been stacked in favor of other special interest groups. Let us remember that these are advisory committees only. The Department of Commerce no longer has a committee with our representation that has oversight on these matters, it was done away with a few years ago. Note too, that the committee reviewing the IFC, use to report directly to the Department of Commerce until they stopped the comparison process. It was then placed under the building code committee who had control over what was submitted. Again, special interest groups were given the place of authority. This is why the fire service is speaking out so strongly today. This body of Senator's and Representatives is our last hope for intervention in a one sided effort put forth by the Department of Commerce in an attempt to appease a very strong lobby from these special interest groups.

We therefore ask that this committee stop the current process and place it completely on hold until a fair and accurate comparison is completed. Be that one, two or three years shouldn't matter. We have a good state code in existence and a rush to simply change it makes no sense. We are about to make changes that effect the lives and property of the people of Wisconsin for years to come. Let us do so with the best efforts put forth to obtain the best codes with the full support of all those who are responsible for enforcing them.

Respectfully Submitted,



Mike Boehmer
Fire Inspector/Fire Engineer
City of Burlington Fire Department

Myths Versus Facts

Myth: The Wisconsin Department of Commerce (DoC) claims that it stopped the comparison between the IFC and NFPA 1/101 because the Wisconsin State Fire Chiefs' Association (WSFCA) withdrew its support for IBC.

Fact: The WSCFA never supported the IBC. It did, however, agree to the adoption of a modified Comm. 14 and the IBC as a placeholder only until a thorough comparison was completed between the IFC and NFPA 1/101.

Myth: According to the DoC, WSFCA has never raised technical objections to the IFC.

Fact: This is simply not true. WSFCA and other members of the Wisconsin fire service have repeatedly emphasized to the DoC that the IFC pales in comparison to NFPA 1/101 when it comes to technical provisions addressing existing buildings and fire fighter safety.

Myth: DoC claims that the Fire Safety Code Council strongly endorsed adoption of the IFC and IBC.

Fact: After intense discussion and debate, the FSCC voted by a narrow 5-4 margin to adopt IFC/IBC. All fire service representatives on the FSCC, with the exception of the Madison representative, voted in support of the NFPA suite of codes and against adoption of IFC/IBC.

Myth: The DoC maintains that the Wisconsin fire service has representation on the Commercial Code Council.

Fact: In reality, there is only one Wisconsin fire service representative on the entire Commercial Code Council. The vast majority of this council is made of building-related officials such as American Institute of Architects, Associated General Contractors, Wisconsin Building Inspectors, City of Milwaukee (building representative), Wisconsin Realtors, Wisconsin Society of Professional Engineers, the building owners and Wisconsin Department of Administration, insurance industry representatives, Wisconsin Manufacturers and Commerce, and the Associated Builders and Contractors of Wisconsin.

Myth: The DoC maintains that WSFCA's recommendation to incorporate NFPA 1/101 with the IBC so that the most restrictive rule would always apply in order to avoid conflicts was not possible and unworkable.

Fact: In fact, the drafts of the amended Wisconsin Commercial Building (Chapter 61.03(2)) and Fire Prevention Codes (66.0003(2)), which adopt the IBC and IFC, state, "where rules of the department specify conflicting requirements, types of material, methods, processes or procedures, the most restrictive rule shall govern."

Myth: The DoC claims that the NFPA 1/101 would not work due to compatibility problems with regard to state health care facilities.

Fact: In addition to meeting requirements by the Wisconsin building code, all health care facilities in Wisconsin and, in fact in the United States, are required to meet the provisions of NFPA 101. Further, NFPA 1/101 are the only fire and life safety codes that are being used successfully with all three model building codes in the United States.

Myth: The DoC states that it cannot adopt NFPA 1 because it will undergo numerous changes due to the agreement between NFPA and the Western Fire Chiefs' Association to develop a harmonized fire code.

Fact: The original purpose of the review was to compare the 2000 editions of NFPA 1/101 and the IFC. It makes no sense to cancel a review of these codes based on the fact that the 2003 edition of the NFPA 1/Uniform Fire Code may change. Future editions of all codes are always subject to change. With this rationale, any comparisons of model codes would never take place for fear that the codes might change in a future edition.

In addition, the DoC was conducting comparisons in 1998 based on drafts of the IFC and IBC based on drafts. WSFCA conducted its own comparison on NFPA 1/101 and IFC in 1998, and asked DoC to participate; yet DoC indicated at that time that it had already made the decision to adopt the ICC suite of codes.

Myth: The DoC says it cannot continue using the current Wisconsin building code and fire prevention code because it prevents them from enhancing public safety.

Fact: The current Wisconsin Commercial Building Code has been in existence since 1914. Therefore, DoC has no basis to make claims that public safety cannot be enhanced if it does not immediately adopt the ICC suite of codes. A review of the ICC and NFPA codes will take only two years. Furthermore, the adoption of the ICC suite of codes would do nothing to address the key public safety issues of fire fighter safety and technical provisions regarding existing buildings.

Myth: The DoC has stated that the "Wisconsinisms" (amendments) to NFPA 1/101 would be far too numerous and cause major compatibility problems.

Fact: The fact of the matter is that the proposed amendments to the IFC and IBC are numerous. There are currently over 225 pages of amendments to the ICC suite of codes being considered for adoption.

Myth: According to the DoC, the ICC suite of codes is *the* preferred suite of codes to adopt for Wisconsin.

Fact: The ICC codes do not provide adequate provisions for existing buildings or fire fighter safety. Conversely the NFPA 101 is undisputedly the most comprehensive code in the world addressing existing buildings, which is of paramount concern to the fire service.

In addition, adoption of the ICC codes would come at a significant cost to the taxpayers of Wisconsin. Adoption of the aforementioned NFPA codes would occur at no cost to the taxpayers. NFPA will provide all Wisconsin government enforcers who attend our free training sessions complimentary copies of these documents. This offer not only includes the NFPA 1, 101 and 5000 (Building Code), but also the major reference documents. This no-cost offer will be repeated each time the state adopts updated editions of the codes. In fact, on numerous occasions in the past, NFPA has provided these complimentary services to Wisconsin code enforcers, saving thousands of taxpayers' dollars. In addition to the cost savings, this NFPA service ensures that every jurisdiction in the state, regardless of its size or resources, will have up-to-date codes and receive training from the top experts in the field. No other code organization is willing make this commitment.

Myth: DoC claims that chapter 66 of the draft of the amended Wisconsin fire prevention code, which adopts the IFC, adequately addresses fire fighter safety and retroactivity issues.

Fact: There was absolutely no mention of fire fighter safety in the draft of the amended Wisconsin fire code until the WSFCA met with the DoC to bring this to their attention. Even after the WSFCA expressed these concerns, the DoC provided window dressing to the issue by simply adding the words "fire fighter" under the safety section in the *Purpose of Code* of the amended code. There are no substantive changes to the amended code that properly address the fire fighter safety of the WSFCA.

Conversely, as mentioned earlier, NFPA 101 addresses specific fire fighter safety and retroactivity issues.

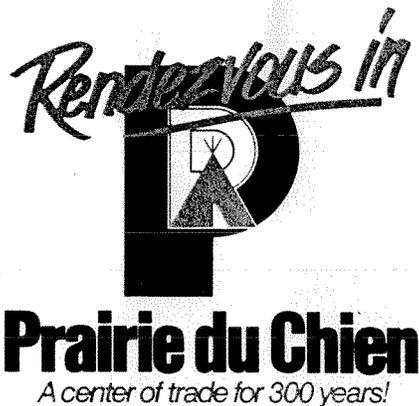
Myth: The DoC claims that it strongly supports the Wisconsin fire service and values their input in the code adoption process.

Fact: The actions of the DoC do not support this claim for the following reasons:

- DoC coordinators involved with the code adoption process did not attend the Wisconsin Fire Inspectors' Association Conference. A clear signal that DoC did not value the WFIA's input during this timely discussion of the issues.
- The DoC has cancelled the agreed-upon review of the NFPA 1/101 and IFC codes.
- The membership of the DoC advisory councils is weighted disproportionately to building interests with virtually no representation from the Wisconsin fire service.

- The DoC has used the two percent audit dues in its own interests and against the interests of the Wisconsin fire service. Example: It has used the proceeds from the collection of these dues to attend the ICC conference.
- The DoC made the decision to drop the County Code Seminars to help educate the Wisconsin fire service on critical issues.
- Guidelines provided to the Wisconsin fire service for conducting the fire audits in order to collect the two percent dues are vague and subject to interpretation by DOC.

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Fire Department City of Prairie du Chien

720 Blackhawk Avenue
Prairie du Chien, Wisconsin 53821
Phone: (608) 326-4365



Mark Hoppenjan
Fire Chief

Joint Committee for the Review of Administrative Rules Public Hearing February 20, 2001

Ladies and Gentlemen:

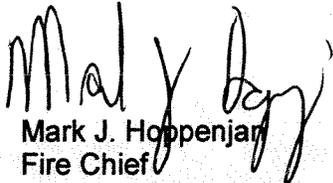
My name is Mark Hoppenjan; I am the Fire Chief of the City of Prairie du Chien Fire Department and the views represented here are the views of my department.

At this time we oppose the adoption of the International Code Councils Suite of codes for the following reasons:

- A true and accurate comparison has yet to be completed. The ICC was compared to the current building codes used by the State of Wisconsin which most will agree need to be updated. I am sure the ICC Suite of codes was by far the better of the two codes however, that comparison would be like comparing apples to oranges. A true comparison would have included another performance based code such as NFPA's 5000™.
- The Department of Commerce has stated that a comparison of the NFPA Code would delay the adoption of a new building code until the year 2006. I do not see how this would be when the last comparison took just over three years. NFPA 5000™ is available now in draft form and could be used to start the comparison. The final NFPA 5000™ document is scheduled to be completed by the fall of 2003 and could be ready for adoption in the State by 2004. The ICC Suite was in the draft form when the original comparison was started so the argument Commerce can not use a draft document, as a comparison is false.
- Finally, the Department of Commerce added a new position to the Commercial Code Council the first part of November 2000 this position was apparently created to give the Department of Commerce the needed votes to get this proposed rule passed. Weather or not this is the case I do not feel a change in the structure of this Council was appropriate at that time. This could not have been done if the Department of Commerce still had the Statutorily created Wisconsin Fire Prevention Council that was disbanded in 1996. When this

Council was disbanded an advisory council was created which can and has been manipulated by the Department of Commerce to meet their needs.

It therefore is the contention of the City of Prairie du Chien Fire Department that the State Of Wisconsin does needs to adopt a new building code and fire code however, we feel the process must be stopped and a fair and complete comparison must be made between the ICC suite and the NFPA suite of codes to insure the Citizens and Firefighters of Wisconsin work in the safest building available.


Mark J. Hoppenjan
Fire Chief
City of Prairie du Chien
02/20/01

AIA Wisconsin

A Society of The American Institute of Architects



Public Hearing on Proposed State Building Code, Comm 61-66

Joint Committee for Review of Administrative Rules

Senator Robson and Representative Grothman, Co-Chairs

February 20, 2001

Co-Chairs and Committee Members:

I am William Babcock, Executive Director of AIA Wisconsin, the state society of The American Institute of Architects (AIA).

AIA Wisconsin supports the adoption of the International Building Code and the related family of international model codes as the state building code in Wisconsin. We believe the adoption of the proposed administrative rules, Comm 61-66, will improve state building code requirements, enhance code understanding, compliance and enforcement, facilitate future code updates and benefit the citizens of Wisconsin. For these reasons and others, the adoption of the proposed state building code rules should not be delayed.

AIA Wisconsin members believe it is important for the state building code to be contemporary, comprehensive and coordinated. The suite of integrated model codes developed by the International Code Council (ICC) is the only one that currently meets these criteria. The existing Wisconsin state building code has not gone through a comprehensive review and updating for about ten years; and the patchwork of modifications over the years has made it more difficult to understand and interpret the current code as well as to accommodate new and improved building materials, technologies, systems and design solutions. The development of a comprehensive model building code by the National Fire Protection Association (NFPA) remains years away from completion; and it may or may not end up being compatible with ICC model code provisions.

AIA Wisconsin members also believe it is important for the administrative rule-making process to encourage broad public and professional input and active participation in the development of the proposed state building code. This certainly has been the case for the development of proposed Comm 61-66. Building consensus among the various groups interested in the state building code is not an easy task. AIA Wisconsin has commended the staff of the Safety & Buildings Division and the members of the advisory code councils for their thorough and conscientious review and evaluation of the proposed state building code provisions over the past three years.

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Public Hearing on Proposed State Building Code, Comm 61-66

February 20, 2001

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As an example of how open and inclusive the code development process has been, a copy of a letter that AIA Wisconsin sent last August to every member of the Fire Safety Code Council is attached. It outlines AIA Wisconsin's support for the adoption of the International Fire Code (IFC) as part of the proposed state building code package. While AIA Wisconsin did not have a representative on the Fire Safety Code Council, we still had an opportunity to present our position and to request that it be considered by the members of this advisory council. The two letters received in reply also are attached for your reference and to illustrate the divergent opinions of the fire service representatives.

The IFC provisions in proposed Comm 66 would improve, strengthen and expand Wisconsin's current fire prevention code requirements. In addition, the IFC is designed to work with and complement the proposed building code. We are not aware of any technical objectives to the adoption of the proposed IFC provisions in Wisconsin. It is our understanding that some fire service representatives prefer NFPA codes because they could be applied retroactively to existing buildings. However, Wisconsin traditionally has not required existing buildings to comply with new code requirements because of the significant adverse economic impact that would be imposed on building owners.

On behalf of the members of AIA Wisconsin, I encourage you to support the adoption of the proposed state building code without delay. The result will be a contemporary, coordinated and comprehensive building code that provides greater protection to the public.

AIA Wisconsin

A Society of The American Institute of Architects

August 31, 2000



Mr. David M. Wheaton
Chief Building Inspector
City of Wauwatosa
7725 W. North Ave.
Wauwatosa, WI 53213-0068

RE: WISCONSIN'S TRANSITION TO INTERNATIONAL BUILDING CODE

Dear Mr. Wheaton:

AIA Wisconsin, the state society of The American Institute of Architects, strongly supports the efforts by the Safety & Buildings Division of the Department of Commerce and its advisory code councils to build consensus for the adoption of the *International Building Code* with as few "Wisconsinisms" as possible. Building consensus among the various groups interested and involved in this important state code transition process is a hard job; and we've been impressed with the commitment to this task and the progress made so far.

I am writing to encourage your help as a member of the Fire Safety Code Council in keeping Wisconsin's transition to the *International Building Code* on track. The adoption of the *IBC* in Wisconsin will have many benefits; and it should not be delayed. Much time and effort over the past two years has gone into the state's review of the *IBC* and associated codes.

AIA Wisconsin, which represents 1,300 architects and allied professionals in private practice, business, industry, government and education, also would like to enlist your support in recommending the adoption of the *International Fire Code* in conjunction with the *IBC*. This would result in a well-integrated and consistent code package that would greatly reduce the number of otherwise necessary "Wisconsinisms," enhance code understanding, compliance and enforcement, facilitate future code updates and strengthen state fire code requirements.

The *IFC* is designed to work with and complement the *IBC*. It just makes sense to adopt it at the same time as part of the suite of International Code Council codes. We are not aware of any technical objections to the adoption of the *IFC* in Wisconsin. Municipalities still would have the option to approve more stringent fire code provisions if they so desire.

On behalf of the members of AIA Wisconsin, thank you for your consideration of our position in support of the adoption of the *International Building Code* without undue delay and our recommendation that the *International Fire Code* be adopted with the *IBC*. We look forward to working with you on code issues of mutual interest and concern.

Cordially,

AIA Wisconsin

William M. Babcock
Executive Director

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aiaw@aiaaw.org Email



MADISON FIRE DEPARTMENT

325 W. JOHNSON ST. MADISON, WISCONSIN 53703-2295

DEBRA H. AMESQUA
FIRE CHIEF

September 1, 2000

TELEPHONE: 608/266-4420
FAX: 608/267-1100
INTERNET: fire@ci.madison.wi.us

William M. Babcock, Executive Director
AIA Wisconsin
321 S. Hamilton St
Madison WI 53703-4000

RE: AIA Wisconsin Position on IBC & IFC (Reply)

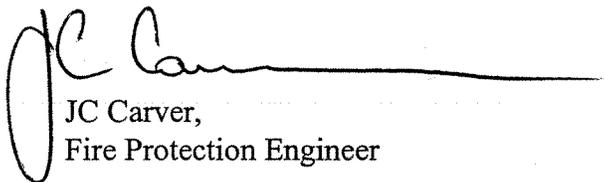
Dear Mr. Babcock:

I have read your letter regarding AIA's support and recommendation for the adoption of the International Fire Code in conjunction with the International Building Code. It is the belief of the City of Madison Fire Department and the City's Building Department that the State move in this direction also.

I will share your letter with Fire Marshal Edwin J. Ruckriegel and with my alternate to the Fire Safety Code Council, Daniel Meneguín.

Again, I thank you for your input.

Sincerely,


JC Carver,
Fire Protection Engineer

cc: Edwin J. Ruckriegel, Fire Marshal — MFD

Telephones:
Emergency 911

Business 545-7946
FAX 545-8875



Roland J. Poppy
Fire Chief

Russell R. Spahn
Assistant Fire Chief

GREENFIELD FIRE DEPARTMENT

September 4, 2000

4333 So. 92nd. Street
Greenfield, Wisconsin 53228

William M. Babcock, Executive Director, AIA Wisconsin
321 S. Hamilton Street
Madison, WI 53703-4000

RE: AIA letter dated August, 31, 2000

Dear Executive Director Babcock:

I truly appreciate the AIA support of the Fire Safety Code Council. However, it is misdirected toward myself and the Wisconsin Fire Inspector's Association whom I represent on the Council. The AIA is merely interested in the International Fire Code because it makes their job easier. The Fire Inspectors Associations interest in a fire code is life safety, which traditionally does not come easy for the fire service. The fire service has had to fight government officials and organizations like the AIA over the past 100 years to prove that quality codes can save lives and that minimum codes are established at the expense of people's lives. The code your organization is interested in save you money and make your life easier. That philosophy and lack of concern for other people's lives disgusts me and every member of my profession.

I have fought too many fires in poorly designed buildings, and carried out too many fire victims to know the difference between a good fire code and the AIA's choice of a fire code. Your comment stating that, "Municipalities still would have the option to approve more stringent fire code provisions if they so desire.", tells me that you would like the easy way out. I am interested in a quality fire code for the entire state of Wisconsin, not one that most, if not all the municipalities will challenge.

Your letter of August 31, 2000 was an insult to my intelligence and the commitment that I made to the Fire Safety Code Council. The Council's aim is to compare and choose the best fire safety code based on its merits, not because the AIA tells us which one to take.

Sincerely,

A handwritten signature in black ink that reads "Russ Spahn". The signature is written in a cursive, flowing style.

Russ Spahn
Assistant Fire Chief
Fire Safety Code Council Member, Wisconsin Fire Inspector's Assn.



AGC of Wisconsin

4814 East Broadway, Madison, WI 53716 · (608) 221-3821 · Fax: (608) 221-4446

AGC of Wisconsin Testimony in Support of Proposed Wisconsin Commercial Building Code Changes

February 20, 2001

AGC of Wisconsin supports the recommendation made by the Wisconsin Commercial Building Code Council and the Safety and Buildings Division to adopt the amended suite of International Commercial Codes (ICC) in Wisconsin. AGC feels that this new set of codes will be more cost effective and efficient for contractors and consumers, while at the same time enhancing building safety for Wisconsin's citizens and fire fighters over our current code.

AGC of Wisconsin had a representative on the Committee that spent 3-years studying and discussing every aspect of the proposed new code. Where the standard ICC provisions did not come up to Wisconsin standards, we developed our own standards. These local changes were affectionately known as "Wisconsinisms." Everyone on the Committee, including the fire services, had an opportunity to give their input to these changes. No one on the Committee, not contractors, architects, municipal officials or the fire services, got everything they wanted. But we worked together to develop standards that everyone could live with.

If there are new specific issues that were not discussed during these regular committee meetings, I am sure the Building Code Committees and Dept. of Commerce would be glad to look at them. But we don't think that all of the work that these people put in to develop a compromise package should be thrown out at this late stage.

Adoption of this code will help us to maintain Wisconsin's reputation as being leader in building code innovation and development. In this fast changing world, it is critically important for us to be able to utilize the very latest in construction equipment, materials and techniques. For contractors, it is also important to maintain the consistency of a unified set of building codes. The International Fire Code was specifically developed to integrate seamlessly with the rest of the ICC codes. Using the same terminology and reference system makes the ICC suite of codes more efficient and easy to use.

For all of these reasons, AGC of Wisconsin opposes any recommendations to delay or prevent the currently proposed building code proposal from being adopted.

Thank you for your consideration.



Wisconsin Builders Association

Dedicated to Preserving and Promoting the American Dream

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Madison

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Gerard Deschane

Memorandum

TO: Senator Robson, Representative Grothman and members of the Joint Committee for Review of Administrative Rules

FROM: Jerry Deschane

DATE: February 1, 2001

RE: Wisconsin adoption of the IFC and other ICC codes

WBA Supports the ICC Codes

The Wisconsin Builders Association supports adoption of the International Fire Code, International Building Code, and the other codes that make up the ICC "suite." Our organization has spent hundreds of hours of both volunteer time and paid consultant time, reviewing the proposed codes. We started from a position of opposition to the ICC codes. However, as a result of this long and detailed review, the WBA is convinced that the ICC suite of codes will provide Wisconsin with the best possible combination of public health and safety, while preserving design flexibility for builders.

Wisconsin's code process is fair

Wisconsin's building code development process is one of the most inclusive processes in the country. Eight different citizen councils, made up of representatives of more than 40 different disciplines, have spent the last three or four years reviewing and debating the ICC suite of codes. The Councils are not dominated by any single interest group. Every one of those councils voted to adopt the ICC codes.

This challenge will harm that process

If the Legislature sides with just one of those 40 interest groups, the entire process of building code development is in jeopardy. What incentive, after all, will the Wisconsin Builders Association ever again have to work with firefighters, building inspectors, consumer advocates and others on a compromise code if we can "end run" that process by going to the legislature? Does the legislature truly want to be thrust into the role of jury every time groups disagree over a technical building standard? We submit that is not the right way to develop something as complex as a building code.

Affirm the citizen-input process, take no action

We urge this committee to take no action on the adoption of the ICC codes. Thank you for considering our viewpoint.



NAHB