

**DEPARTMENT OF COMMERCE
SUMMARY OF PUBLIC HEARING COMMENTS AND AGENCY RESPONSE**

Clearinghouse Rule Number: 06-120		Hearing Location: Madison	
Rule Number: Chapters Comm 14 and Comm 60 to 66		Hearing Date: December 21, 2006	
Relating to: Fire Prevention Code and Commercial Building Code			
Speaker	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
1	Frank Madden Wisconsin Builders Association Madison, WI	<p>The association supports building codes and ordinances that promote construction of safe and affordable housing.</p> <p>Advocates for a greater understanding of the factors contributing to fires in multifamily housing in our state in order to develop effective code remedies. Contends that 23 of fire deaths cited by the department occurred in buildings built prior to 1993 and lacked the safety features that are an integral part of all modern multifamily construction.</p> <p>Believes that the proposed fire sprinkler requirement will not achieve a significant improvement in fire safety in new, small buildings.</p> <p>Contends that sprinkler systems will result in higher costs to consumers and may force families into older housing where fire deaths are likely to occur. Contends that the high cost of sprinklers in areas without municipal water is not justified based up the fire safety record of newer buildings.</p> <p>Proposes that department appoint a group of fire fighters, building owners and builders to study multifamily fire deaths in the last 5 years and recommend a fire safety package for promulgation by January 1, 2008.</p> <p>Urges consideration of options to address other fire safety issues including, public education, tampering with smoke detectors, smoking, inspections in older buildings and expanding the use of NFPA 13D systems.</p>	<p>The department has the authority and responsibility to promulgate rules regarding fire suppression in public buildings and places of employment which include multifamily buildings under various statutory mandates including, ss. 101.02(15)(j), 101.14(4)(a), 101.14(4)(c), and 101.973(1), Stats. It is the opinion of Joseph Thomas, Department of Commerce Chief Legal Counsel, that the language of s. 101.14(4m), Stats., does not preclude the Department from establishing fire suppression rules for multifamily buildings in circumstances or situations not described under this specific provision.</p> <p>The building code addresses the risk of fire in a variety of ways, but cannot eliminate every possibility of a fire occurring. Automatic fire suppression systems provide a safety solution that, unlike smoke detectors and fire-resistive construction, is intended to extinguish a fire at its point of origin or control a fire in its early stages of development. Both national model building codes, the ICC International Building Code and the NFPA Building Construction and Safety Code, establish a best-practice benchmark in mandating the installation of automatic fire sprinkler systems for multifamily-residential occupancies. The proposed adoption of the 2006 edition of the International Building Code and its existing residential sprinkler trigger is utilized by at least 24 states as state-wide minimum requirements. The department's proposed rules would not require the installation of automatic fire sprinkler systems in townhouse-type residential occupancies, similar to the model codes, until the buildings contain more than 21 dwelling units as dictated by the statutes.</p> <p>In most situations for the construction of multifamily buildings involving less than 21 dwelling units, the code</p>

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	Madden continued		<p>recognizes two types of automatic fire sprinkler designs, NFPA 13 and NFPA 13R. Under the NFPA 13R standard, attic spaces, porches, bathrooms and certain closets are not required to be provided with suppression protection. Similar to domestic plumbing systems, the design of an automatic fire sprinkler system and the installation is based upon several engineering factors which relate to water pressure and water flow. The minimum design factors for an NFPA 13R system include water flow based upon activation of 4 sprinkler heads where the water demand can be as low as 8 gallons per minute per head, and a system flow demand of 75 gallons per minute for a 30-minute duration. Where the water supply source is inadequate to provide water pressure or water flow, booster pumps and/or reservoir tanks of 300 cubic feet are typically provided in the building. A plastic reservoir tank with dimensions of 5'x 8'x 7.5' contains 300 cubic feet.</p> <p>The installation costs of automatic fire sprinkler systems that the department identified from actual projects indicates that the proposed lower sprinkler threshold for residential occupancies may minimally increase the total construction costs for future residential projects. However, it is impossible to predict exactly how the proposed sprinkler requirement may financially impact a specific project where many variables come into play including insurance rate adjustments, construction material alternatives and low-income construction grants.</p> <p>It does not appear that by itself a more restrictive sprinkler threshold will significantly impede or curtail residential development or construction as exemplified in those municipalities that have already required the installation of automatic fire sprinkler systems below the current state-required thresholds.</p>

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	Madden continued		<p>Besides threatening human life, fire in a residential occupancy affects the occupants in a number of ways, including loss of property and displacement. In light of the various activities that may occur within a person's dwelling unit and the fact that people and their guests also sleep there, requiring the installation of automatic fire sprinkler systems in residential occupancies is an effective and reasonable step to address fire-related risks to society.</p> <p>The rules revising the sprinkler threshold for multifamily occupancies was discussed in various advisory councils utilized by the department in the development of the proposed rule changes. See the analysis accompanying the rule draft for more information on the councils and their composition.</p>
2	Dave Lind, Fire Marshall North Shore Fire Department Bayside, WI	<p>Supports the proposed code with respect to sprinkler thresholds of new multifamily dwellings as the right steps to move life safety into the 21st century.</p> <p>Counters the unaffordable argument against sprinkler protection in small multifamily buildings by asking shouldn't people who live (in) affordable housing be afforded the same life safety and property protection features. Contends that current building materials, such as I joists, have dramatically affected a building's survivability to fire and place fire fighters at risk who enter and work in such buildings. Believes that sprinkler protection provides a life safety tool for emergency personnel.</p> <p>Believes that sprinkler protection provides trade offs which would reduce the cost of construction.</p> <p>Supports the builder's position that more fires occur in existing buildings and looks forward to a partnership to seek retrofit requirements to address this issue.</p> <p>As a whole supports the Comm 14 package as proposed with the following concerns:</p> <ul style="list-style-type: none"> • Believes that the language for an alternative fire code is not consistent with the department's effort to adopt model codes and 	<p>Support noted.</p> <p>Support noted.</p> <p>Local adoption and administration of an equivalent set of alternate fire code requirements is not prohibited by the</p>

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	Lind continued	<p style="text-align: center;">minimize Wisconsin modifications and fractionalizes the state.</p> <p>Supports a one-stop shopping and questions the proposed deletions of NFPA 1 with regard to flammable and combustible liquids therein defaulting to ch. Comm 10.</p> <p>Provided a copy of a previously raised questions and answers regarding the alternative fire code.</p> <ul style="list-style-type: none"> • How is a local municipality not able to accomplish their specific need for use of the International Fire Code (IFC) through local adoption? The stated goal of the Fire Code Council was to review and evaluate NFPA 1 UFC as the Fire Prevention Code of the State of Wisconsin. • How is the alternate adoption plan providing for a uniform fire prevention code throughout the state of Wisconsin? • Who will provide the training and the codebooks for the IFC option? The NFPA will be providing free codebooks and free training for AHJs as part of the adoption. • Who within the Department of Commerce will be the ‘expert’ in answering questions arising out of the IFC? This question deals with areas not specifically related to construction i.e. fire alarms, sprinklers etc. If a user of the IFC has a question not related to the above will they need to direct that question to the ICC? Doesn’t the 	<p>Wisconsin Statutes, and is therefore allowed through the home-rule authority that local governments have under sections 59.03 and 66.0101 of the Statutes.</p> <p>The draft rules have been revised to enable the requested one-stop shopping, and the deletions of NFPA 1 that relate to ch. Comm 10 have been reduced to consist only of those which are needed to prevent the requirements in ch. Comm 14 from being inconsistent with the requirements in ch. Comm 10. This prevention is similar to other provisions in ch. Comm 14 that prevent Comm 14 from being inconsistent with the requirements in chs. Comm 61 to 65. Inconsistent requirements among codes are unduly difficult for regulated parties to comply with.</p> <p>The proposed allowance for municipal adoption of the IFC and any additional requirements, that, in total, are equivalent to ch. Comm 14 is intended to serve municipalities which choose to administer the IFC as their base fire code. Some municipalities have felt better-served by utilizing the IFC, because of its integration and coordination with the International Building Code (IBC). This utilization could include application of NFPA 1 requirements in addition to IFC requirements.</p> <p>The allowance for municipal adoption of the IFC in lieu of NFPA 1 reflects that ch. Comm 14 is not a uniform fire prevention code.</p> <p>Department staff provides training about state codes and policies; not about municipal ordinances. Department staff has not been assigned to train about IFC requirements.</p> <p>The department has no experts assigned to answer questions about IFC requirements not related to construction. The department has no requirement whom must be consulted when a municipality has a question about implementing a municipal ordinance.</p>

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	Lind continued	<p>ICC require a membership number to get code related questions answered?</p> <ul style="list-style-type: none"> • Has the IFC been looked (at) and reviewed to ensure that all the provisions within it are “no less” restrictive than those found in NFPA 1 UFC? There is already code text that states a municipality can adopt additional rules (codes) providing they are no less restrictive than the base document. Has analysis of the two documents been completed for consistency? If deficiencies have been or will be identified will there be references for deletion and cross-references made to the base document, NFPA 1 UFC? If so, haven’t we set up a situation of using both documents? The same situation as if a municipality adopts the IFC by ordinance. • If the idea of alternate Code adoptions is something the state (Department of Commerce) embraces as a good and positive idea, shouldn’t this extend to all the codes the state propagates? If code comparisons are not required for purposes of ensuring equity as it relates to safety and construction, why doesn’t the Wisconsin Commercial Building Code offer a similar option for any municipality that would rather use the NFPA suite of codes? Is the Fire Code any less important than the other codes? If alternate adoptions in lieu of local ordinance is the rule (rule because we are codifying it), then shouldn’t the same logic be applied to all or any code document(s) a municipality or enforcing agency may want to use? • The Department of Commerce has made clear during the Fire Code Council meetings that certain provisions of NFPA 1 UFC should be deleted because they may establish an unfunded mandate to the reader, i.e. permits and certificates of fitness. Why did the Department of Commerce establish an unfunded mandate to the Fire Service when it adopted the IBC and related documents? The construction of a building is a cradle to grave venture. It is normally understood that the Building Inspector plays the dominant role during construction and the Fire Inspector has primary responsibility for the maintenance of all the life safety systems designed into the building. The unfunded mandate, who is providing the current building code, related documents and training 	<p>The department understands that the IFC is substantially equivalent to NFPA 1 relative to fire prevention issues.</p> <p>Typically, the department develops codes that allow as many options as possible as long as the goal of protecting public health, safety and welfare can be accomplished. While it is unusual for the department to allow local adoption of an alternative code by municipal ordinance, this allowance was deemed appropriate in light of the integration and coordination between the IFC and IBC.</p> <p>While it is true that the cost of code books went up with the adoption of the ICC suite of model codes, such an increase was believed to be reasonable when the high quality of the model codes was taken into consideration.</p>

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	Lind continued	<p>in these documents to the Fire Service to ensure all the life safety features that were part of the original design are being maintained? The answer, NO one. There are very few departments that have found the available budget monies to pay for books and training. The Fire Service is a partner in the construction and ultimate maintenance of buildings. The books and training, prior to the enrolled ICC Suite were provided to all fire departments free. When will unfunded mandate be addressed? When will the Fire Service receive the books and training it has asked for without sacrificing 2% dues or already overtaxed fire department budgets? When will this unfunded mandate be addressed?</p>	
3	Brandon Bartow Bartow Builders Manitowoc, WI	<p>Opposes proposed requirements for sprinkler protection in multifamily buildings. States that he has experienced substantial improvements to fire safety through better construction materials, techniques and code changes. Believes that the department's statistics reflect older, run-down and not maintained buildings. Contends that the proposed mandate is unreasonable and expensive; will have a huge effect on affordable housing and place people out of work. Stated that a cost quote to provided sprinkler protection for a 1900 sq. ft single family home without municipal water was over \$9,000 resulting in the customer seeking other alternatives. Sees a real value in finding affordable solutions to reduce fire deaths and improve safety in residential homes and believes that choice of sprinklers should be left to the home owner.</p>	See agency response under speaker #1.
4	Jim Reif Reif Builders Two Rivers, WI	<p>Wants to be part of the solution in developing codes that ensure today's homes remain safe. Believes that more research needs to done for fire safety contending that most fire victims died from smoke inhalation, questioning whether sprinklers would prevent these deaths; research to include building age, size, condition, smoke detection, construction. Is concern that sprinkler protection will not achieve the significant improvement in fire safety for new buildings with less than 8 units. Contends that the sprinkler requirement will result in rent increases, \$65 to \$100 per month per unit, without significant benefit and in those areas without municipal water will result in a costly sprinkler installation making</p>	See agency response under speaker #1.

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	Reiff continued	the building affordable to construct. Believes that problem is in older buildings with the 33 fire deaths occurring buildings built prior to 1990 and average age of 66 years.	
5	Russ Sanders National Fire Protection Association Louisville, KY	Supports the department's efforts to improve fire and live safety by adopting the 2006 edition of NFPA 1. States that if Wisconsin adopts the NFPA codes, NFPA will continue providing free in-state training to code enforcement personnel and codes to those attending the training. Supports the proposed sprinkler rule for all new multi-unit dwellings of more than two units believing that the rule will save lives and property.	Support noted.
6	Michael Lawrence Mastercraft Builders Kenosha, WI	States that cost to install sprinklers in two of their 4-unit buildings would cost around \$28,000 or \$6,000-7,000 per unit. These units are marketed as starter homes selling \$149,000. Sprinklers would increase the price by \$6,000 to 7,000 and would also require \$1,000 dollars of annual maintenance such as to change the anti-freeze in garage areas which can run up to \$5,000. Believes that the costs will result in people questioning whether they can afford to live in these units and may force them to other older non-code compliant housing. Advocates letting people choose what they wish to have.	See agency response under speaker #1.
7	Nancy Washburn Mastercraft Builders and Regency Hill Development Corp., Racine, WI	Believes that a developer is mandated to provide an affordable housing component. The definition for affordability under state mandate is based upon a formula based upon average incomes for the locality. Contends that the implementation of the sprinkler rules has impacts on municipal services including those with inadequate water pressure and asks who is going to provide that update. States developers cannot afford to build \$200,000 water towers for sprinkler systems for one 4-unit building. Points out that for condominium developments that the sprinkler maintenance responsibility is shared by multiple owners. Believes that the sprinkler requirements would impose further responsibilities and impacts on fire departments for inspection and maintenance over the long term and questions how the departments are to accomplish this. Supports the proposed update of the commercial building code, except for the proposal regarding sprinkler protection for residential occupancies.	See agency response under speaker #1.

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8	Mark Etrheim Mastcraft Homes and Home Builders Association Onalaska, WI	States the Association's primary concern is safety and has the obligation to provide it as cost-effective as possible. Believes that sprinklers are means to make buildings safe. Suggests that research be accomplished to understand why people are dying in the fires, where the buildings exist and fixing the problems. Questions whether sprinkler systems will be properly maintained over the years in light of experiences with smoke detectors. Contends that the proposal tries to fix a problem where there is not a significant problem where smoke detectors and carbon monoxide detectors will actually save lives. Believes that the proposal will force low-income people into substandard housing and need to fix that other housing with the most cost-effective ways to make sense out of this. Advocates more study and research to determine the problem, fix the problem and save as many lives as possible.	See agency response under speaker #1.
9	Karen Lawrence Mastercraft Builders Kenosha, WI	Opposes the sprinkler mandate. Believes that the mandate focuses on safety for a minority of the people and not a majority who live in older buildings. Raises concerns on the affordability to the consumers and asks whether less costly alternatives can be explored.	See agency response under speaker #1.
10	Terry Larson Teronomy Builders East Troy, WI	Provides an example of a situation where fire detectors worked due to an exterior pit fire. Asks why the static pressure changed from 25 psi to 35 psi; assumes it is for greater water pressure at the hydrant; involved in a project for a boosted pressure zone at a cost \$800,000. Raises concern over how condominium associations for 4 unit buildings are going to address the maintenance required for sprinkler systems. Advocates the formation of an ad hoc committee to look at the issue.	See agency response under speaker #1.
11	Bruce Johnson BDC Building Design & Construction, Inc., Milwaukee, WI	States that affordability and safety are a top priority for the industry. States that besides sprinklers that there are many ways to ensure that the code to provide safety options for builders. Contends that the code over the past decades have added safety features and opportunities for the inhabitants to safely exit. Believes that costs should be consideration, pointing out that 20% to 29% of the households cannot afford 2 bedroom apartments not local rents.	See agency response under speaker #1.

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	Johnson continued	Believes that the code cannot stop human behavior which results in fire fatalities. Contends sprinklers are one approach to building protection and does not address occupant protection and there a number options being utilized today that provide protection to occupants and safe egress. Does not believe that requiring sprinklers in all multifamily buildings is the answer.	
12	Jeff Stauber City of Green Bay Fire Department Green Bay, WI	Favors the adoption of the 2006 International Building Code including the requirement for sprinkler systems in multifamily residential occupancies. Believes that if sprinkler protection had been provided in the multifamily buildings where 220 fire occurred over the last 5 years that property damage would have been minimal and there would have been a significant decrease in the likelihood of injury and death. Contends that engineered materials used in the construction of today's residential construction and their rapid failure in a fire was a factor in the line-of-duty death of a department's firefighter. Believes that his death could have been prevented if the single-family home residence had been protected by a residential sprinkler system and does wish to see the next firefighter die in an unprotected multifamily building.	Support noted.
13	Brad Ligget City of Beloit Fire Department Beloit, WI	Supports the rule package that incorporates a national standard in fire protection. Believes that the installation of fire sprinkler systems provides trade-ups to builders and developers that can reduce construction costs while maintaining a higher quality product for their customers. Is concerned that today's construction materials are more likely to breakdown and collapse in the event of fire and putting firefighters lives at peril. Contends that department is not proposing a cutting-edge concept, but expects at least the minimum standard in life safety and property protection.	Support noted.
14	Tim Halbrook Tim Halbrook Builders Inc., DePere, WI	Believes that safety and affordability is concern occupants and builders. Opposes the sprinkler mandate and believes that there are cheaper alternatives Advocates addressing older buildings where fires occur.	See agency response under speaker #1.

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15	Dan Gorski Madison Area Builders Association Madison, WI	Asks to have the facts reviewed further with to new and old buildings. Contends cost is an issue and eliminates people from homes.	See agency response under speaker #1.
16	Don Esposito Madison Area Builders Association Madison, WI	Asks for further detailed study, including achieving greater safety at less cost and unintended consequences.	See agency response under speaker #1.
17	Gary Zajicek Madison Area Builders Association Madison, WI	Asks for further research, citing examples of the safety features and practices incorporated in construction since 1990 and contends that death has occurred in a multifamily shelter built after 1990 before deciding upon expensively products and/or practices.	See agency response under speaker #1.
18	Michael Coello Coello & Associates, Inc., Waukesha, WI	Supports going ahead with the new code, except for the sprinkler mandate. Does not believe enough research has occurred identifying issues, including older buildings, what caused the fire deaths, sprinkler infra-structure costs, availability of municipal water, affordability, sprinkler maintenance costs.	See agency response under speaker #1.
19	Mike Selner TCD Homes Green Bay, WI	Believes that problems should be minimized with tenant education especially with regard to smoke detection. Indicates that the sprinkler bid estimate averages \$6,000 per unit for a 11 6-unit buildings representing 5% of the construction cost and believes that customers would be not be interested in the extra cost to buy. Raises concern over sprinkler maintenance issues including costs and whose responsibilities.	See agency response under speaker #1.
20	Rick Gale Professional Fire Fighters of Wisconsin Madison, WI	Contends that firefighters will be better protected if this proposal (sprinklers) goes through and is a necessary change will improve safety for the public and firefighters.	Support noted.
21	Chad Taylor DeWitt, Ross and Stevens on behalf of the Wisconsin Builders Association Waukesha, WI	Believes that the department does not have the authority to promulgate rules requiring fire sprinkler systems in all multifamily buildings based upon the language under s. 101.14 (4m) and its history. Contends the department proposed sprinkler rule contradicts the statute and legislative intent. Submitted a memorandum on the matter.	See agency response under speaker #1.

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22	Bruce Fuerbringer Wisconsin Fire – EMS Legislative Leadership Coalition Eau Claire, WI	<p>Supports the proposal to adopt the 2006 edition of the NFPA 1 for the fire prevention code with the following considerations:</p> <ul style="list-style-type: none"> • Eliminate the option of the International Fire Code in order to promote the uniformity and application of fire codes, the option promotes confusion for designers and building community. • Limit modifications to NFPA 1 only as necessary to accommodate statutory language. • Allow the construction provisions of NFPA 1 to apply to the built environment, and any conflicts with the commercial building code should be addressed by the most restrictive provision that applies. <p>Urges the department not to alter code requirements regarding the use of fire sprinklers in multifamily buildings believing it improves public safety.</p>	<p>Support noted.</p> <p>See agency response under speaker #2.</p> <p>See agency response under speaker #2.</p> <p>See agency response under speaker #2.</p> <p>Support noted.</p>
23	Charles Sweeney Gryfindorff LLC Stoughton, WI	<p>Contends that the type of investments for safety should be decided by the market place and that sprinklers are just one of many tools.</p> <p>Does not believe that the department has the authority to require sprinklers.</p>	See agency response under speaker #1.
24	Kevin Pitts Green Bay, WI	<p>Indicates that he is comfortable with the technology and safety features under the UDC and concerned with providing affordable housing under the rules.</p> <p>Recommends looking at older structures where the problems exist.</p>	See agency response under speaker #1.
25	Dave Lopykinski Brookstone Homes, Inc., Oconomowoc, WI	<p>Supports the proposal of forming a committee to look at the best, affordable, reliable safety features for buildings.</p>	See agency response under speaker #1.
26	Dave Bloom Wisconsin State Fire Chiefs Association, Madison, WI	<p>Supports and submits petitions supporting the of the 2006 International Building Code as drafted and to include the multifamily thresholds for installing sprinkler systems.</p> <p>Believes that the cost of sprinkler technology is worth the investment to protect property and lives.</p> <p>Recommends that the 2006 edition of NFPA 1 should be adopted with minimal changes as outlined by Chief Fuerbringer.</p>	<p>Support noted.</p> <p>See agency response under speaker #2.</p>
27	Tod Doebler Wisconsin Fire Inspectors Association Menomonee Falls, WI	<p>Supports the proposed code package.</p> <p>Requests that the modifications eliminating flammable and combustible liquid provisions under the adopted NFPA 1 and defaulting to ch. Comm 10 be realigned similar to other references for other codes.</p> <p>Requests elimination of the IFC option.</p> <p>Supports the proposed reduction of the sprinkler threshold for multifamily stating that the monetary impact is minimal compared to protection of life</p>	<p>Support noted.</p> <p>See agency response under speaker #2.</p> <p>See agency response under speaker #2.</p> <p>Support noted.</p>

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	Doebler continued	and provides additional protection when smoke detectors do not function or are not heard. Indicates that in the future today's buildings will be categorized as old and advocates protecting them now.	
28	Mary Schroeder Miller Homes Brookfield, WI	Believes that the issue is one about what will be affordable to rent and forcing people to substandard housing.	See agency response under speaker #1
29	Keith Anderson North Shore Fire Department Waukesha, WI	Supports the adoption of the 2006 edition of NFPA 1 and the sprinkler recommendations into the IFC. Contends that we cannot count on renters as neighbors to do the right thing and sprinklers provide a constant safety sentinel for protection. Notes that the fire inspections are not allowed within private residences only in the common areas of buildings.	Support noted.
30	William Berndt St. Croix Valley Home Builders Association River Falls, WI	Does not believe that this (sprinklers) is an effective way to increase fire safety citing the high cost to install in non-urban areas, estimates of \$20,000 for a 4-plex. Contends that installation and maintenance costs price people out of the market acting as a deterrent to newer housing placing more people at risk. Reiterates the WBA claim that there have been no fire deaths occurring in building constructed since 1993. Requests the department to extend the written comment period to January 19 th .	See agency response under speaker #1
31	Chet Gerlach State Farm Insurance Madison, WI	Supports the proposed rule change believing that sprinklers are a worthy investment to save lives and reduce property damage and promote a degree of comfort for buyers who rely on minimum construction standards for safety and soundness of their homes.	Support noted.
32	John McCarty North Shore Bank Appleton, WI	Opposes the proposed rule change (sprinklers). Is concerned that the arbitrary rule change will discourage all types of new multifamily construction which currently provides a safe housing option.	See agency response under speaker #1.
33	Wayne Foster Brookfield, WI	Opposes the adoption of the sprinkler portion of the code. Contends that the expense of installing and maintenance of sprinklers does not make a difference from the customer's perspective. Believes that activities of occupants in townhouse developments because of the firewall separations do not affect one another. Believes that the money can be better spent upgrading and taking care of the market and the existing market where the real hazards exist.	See agency response under speaker #1.

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34	John Kisiel Wisconsin Builders Association Madison, WI	<p>Opposes the change in the rule (sprinklers). Contends that the department fire death statistics fail to look at the underlying issues when considering the need for mandating sprinklers. Believes that research needs to look at the age of structure, cause of death, location of the fire and whether sprinklers would have had any definitive reduction in the loss of life. Contends that the current safeguards are working without the installation of sprinklers and supported by the information uncovered in their survey. Suggests that appropriateness and effectiveness of products such as Firestop, a product used over residential stovetops that automatically releases a fire-suppressing powder, should be considered.</p>	See agency response under speaker #1.
35	Dave Bosanko Wisconsin Alliance for Fire Safety Racine, WI	<p>Commends the department for recommending the national standard of the building code and in fire sprinkler protection putting Wisconsin in a position to catch up with the rest of the nation. Believes that sprinklers can help save civilian and firefighter lives citing that sprinklers have a record of not experiencing a life loss of three or more people in a sprinklered building. Contends that over the years the message conveyed by the “America Burning Reports” the formula for success includes this equation – fire prevention with early warning of fire with smoke alarms, evacuation for life safety and early fire suppression through automatic fire sprinkler protection. Believes that sprinkler systems because of trade-ups and insurance benefits can be paid for in a shorter period of time.</p>	Support noted.
36	William Babcock Wisconsin Society of Architects Madison, WI	<p>Supports the adoption of national model codes with as few modifications as possible. Supports a code development process that involves various stakeholders to develop a consensus on code issues. Supports the proposed code update package that includes the 2006 ICC editions including the IBC and IEBC. Requests the department to consider extending the public hearing comment period beyond January 5, 2007. Suggests that educational efforts may be needed regarding some of the code changes, such fire department access roads and the existing building provisions. Believes that architects, as problem solvers, can help to develop affordable solutions that meet the new code requirements.</p>	<p>The department recognizes the organization’s continuing willingness to work with the department, including its participation on various advisory councils, in developing the code. The department acknowledges that the development of educational and training initiatives is necessary for the successful implementation of the code changes.</p>

**DEPARTMENT OF COMMERCE
SUMMARY OF PUBLIC HEARING COMMENTS AND AGENCY RESPONSE**

Clearinghouse Rule Number: 06-120		Hearing Location: Madison	
Rule Number: Chapters Comm 14 and Comm 60 to 66		Hearing Date: December 21, 2006	
Relating to: Fire Prevention Code and Commercial Building Code			
Speaker	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
37	Martin King West Allis Fire Department West Allis, WI	Indicates that West Allis is one of the municipalities currently with a more restrictive fire sprinkler ordinance for 3 or more units since 1992. Believes that sprinklers could have prevented the loss of life in two multifamily residential fires where protection was not provided inside the units. Believes that sprinklers are tool to respond to human behavior which will always be factor in the initiation of fires no matter the amount of education provided. Recommends the department move ahead with the proposed rule package noting that is reflects national model standards.	Support noted.
38	Eileen Bruskevitz Wisconsin Apartment Association Wauunakee, WI	Is concerned if this is a step toward the retrofitting of existing residential buildings and believes that this would be financially devastating to property owners and tenants. Requests the formation of committee affording the input of all the stakeholders in the development of the rules and the cost benefit of the sprinkler solution.	See agency response under speaker #1.
39	Kevin Klug Monona Plumbing & Fire Protection Madison, WI	Believes that the cost data provided by the builders is overstated and does not appear to reflect bids or costs charged by his company. Contends that the sprinkler systems will save lives and property.	Support noted.
40	Jerry Deschane Wisconsin Builders Association Madison, WI	Offer the organization's willingness to work with the various stakeholders to reach a consensus. Raises the following questions: <ul style="list-style-type: none"> • Of the other states that require fire sprinklers in small multifamily, how many allow broader use of NFPA 13D systems than the proposal allows? • How many states apply a NFPA 13 system requirement in areas without an adequate water supply? • What is needed from a water system and how many small municipal systems cannot provide an adequate water system? • How many small multifamily buildings are built in rural areas (without municipal water) and what is the economic impact of this sprinkler mandate on those buldings? • It has been one year since stakeholders have discussed this rule. None of those discussions were enlightened by the department's cost and fire death research. Why is the department ignoring 	See agency response under speaker #1.

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SUMMARY OF PUBLIC HEARING COMMENTS AND AGENCY RESPONSE**

Clearinghouse Rule Number: 06-120		Hearing Location: Madison	
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Relating to: Fire Prevention Code and Commercial Building Code			
Speaker	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
	Deschane continued	<p>stakeholders in this debate?</p> <ul style="list-style-type: none"> • Testimony at this hearing has demonstrated that the sprinkler cost estimates are in dispute. What methodology or evidence was used by the department in arriving at its cost estimates, and why didn't the department solicit feedback from the housing industry on his question? <p>Notes that their research so far has not found any fire fatalities in buildings built since the 1993 code update. Offers to work willing in a spirit of cooperation with the stakeholders to resolve the matter.</p>	

**DEPARTMENT OF COMMERCE
SUMMARY OF PUBLIC HEARING COMMENTS AND AGENCY RESPONSE**

Clearinghouse Rule Number: 06-120		Hearing Location: Mailed Comments	
Rule Number: Chapters Comm 14 and 60 to 66		Hearing Date:	
Relating to: Fire Prevention and Wisconsin Commercial Building Code			
Comments: Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
1	Russell Sanders, Central Regional Manager National Fire Protection Association (NFPA) Louisville, KY	Supports the adoption of the 2006 edition of the NFPA 1, <i>Uniform Fire Code</i> TM (UFC) as the basis for Comm 14.	Support noted.
2	Wolf Korndoerfer K-Corp Racine, WI	Understands that most fire deaths are in older multifamily housing and requiring sprinklers in new buildings will not address this problem. Indicates the additional cost to add sprinklers is prohibitive and that housing is already becoming unaffordable to those with normal incomes.	See agency response under speaker #1.
3	Ron May North Shore Bank (email/no address)	Opposes mandating sprinklers for small apartments and condominiums.	See agency response under speaker #1.
4	Greg Tenhagen CMA Kenosha, WI	Similar comment to #3	See agency response under speaker #1.
5	John Csepella First Banking Center (email/no address)	Opposes mandating sprinklers for small apartments and condominiums. Believes the costs to implement this plan are too high for smaller buildings.	See agency response under speaker #1.
6	Clara Csepella Racine, WI	Opposes mandating sprinklers in all apartment buildings. Believes the cost is so prohibitive which would affect affordable rents in our communities. Believes tenants should have the responsibility of maintaining their own smoke alarm by changing the batteries on a yearly basis. Indicates this would be such a small action on a renter's part to prevent costs that will adversely affect our communities.	See agency response under speaker #1.
7	BOB (email/no address)	Indicates that mandating sprinklers in multifamily dwelling having 20 or fewer units will limit the construction of most two and four-unit buildings.	See agency response under speaker #1.
8	Brad Parker 84 Lumber Company (email/no address)	Similar comment to #3	See agency response under speaker #1.
9	Kevin Schommer (email/no address)	Opposes mandating sprinklers for small apartments and condominiums. Believes it will be hard to implement outside the city limits where there is no public water system.	See agency response under speaker #1.
10	Dennis L. Humphrey Construction Management Associates (email/no address)	Similar comment to #3.	See agency response under speaker #1.

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Comments: Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
11	Nicole A. Watermolen Watermolen Properties Green Bay, WI	Indicates she is a young entrepreneur who started purchasing apartment buildings and currently owns 39 units and manages 48 others. Indicates she is opposed to mandating sprinklers in small apartment buildings due to the costs that would cause rents to be increased, and believes the rule would be a deterrent to people building multifamily housing.	See agency response under speaker #1.
12	Jim Hopkins J & J Builders (email/no address)	Opposes the proposed rule mandating sprinklers in 3 to 20 unit buildings. Indicates he is concerned and proactive towards safety of the occupants but believes the fire incidents in new buildings do not provide justification for a measure so strong. The added cost per living unit pressures the “affordability factor” for the majority of the occupants.	See agency response under speaker #1.
13	Thomax M. Cecchini (email/no address)	Indicates he is a developer of small to mid sized condominiums that are priced from \$129,000 to \$185,000. Believes the new sprinkler law would severely affect the markets served by pricing the units out of the range of the current buyer.	See agency response under speaker #1.
14	Steve Edlund Waukesha, WI	Explains that he is a union journeyman HVAC service technician with 24 years of experience in the commercial HVAC industry. Suggests a change in the design of the HVAC distribution systems (See exhibit #197 for his detailed proposal.)	See agency response under mail comments #197.
15	John O. Shaline Total Service Development, LLC Green Bay, WI	Similar comment to #3	See agency response under speaker #1.
16	Julie Meyer Racine, WI	Similar comment to #9	See agency response under speaker #1.
17	Jim LaPlant LaPlant Architecture (email/no address)	Similar comment to #2	See agency response under speaker #1.
18	Briggs Noble Bay Expeditors (email/no address)	Opposes the mandate to install fire sprinkler systems in apartments and condominiums. Believes that government agencies have a lack of awareness on the added burden placed on builders and the customers by this regulation.	See agency response under speaker #1.
19	Paul DeLeers DeLeers Construction Inc. Green Bay, WI	Opposes the mandate to install fire sprinklers in all apartments and believes the cost for this mandate will be too great for many developers to proceed with future developments and thus slowing development in Wisconsin.	See agency response under speaker #1.

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20	Matt Moroney Metropolitan Builders Association Waukesha, WI	<p>Indicates he is a member in the Metropolitan Builders' Association, the Lakeland Builders' Association and the Racine Kenosha Builders' Association and builds in communities where sprinklers are already required. Believes that sprinklers are part of the national code and it would be futile to fight the acceptance of this code.</p> <p>Indicates the only area where this would be a problem is in a rural community where water service is not available. Believes the small communities should not fight the requirement for sprinklers but should ask for a variance when water is not available and he would support this variance from the rule.</p> <p>Suggests that we should fall in line with the national code relative to the allowable distance to the ingress/egress within the unit. Nationally, unit design allows 125 feet from the furthest point within a unit to the point of ingress/egress whereas Wisconsin requires the maximum distance at 75 feet from the furthest point within the unit. The 75 foot limitation are acceptable within mid or high rise buildings with common corridors as they do not interfere with the layout and costs of the building. However, within garden style designs, our second floor flat unit designs do not allow for any real size without the addition of a second staircase. During the last code revision, our industry lost the ability to use decks as jump platforms forcing this 75 foot limitation to be a significant design limitation.</p> <p>Understands that all are going to be forced to live under the code guidelines, along with the rest of the nation. If we are competing on an even playing field as a state, I can understand that. It is when we are pricing ourselves higher than other states that we will suffer the greatest. Indicates he is actively participating in the construction of multifamily units near the Illinois border and cannot afford to give a competitive advantage to the Illinois building community. Believes that Wisconsin will be losing housing customers to the builders in other states and thereby losing business to other states as well.</p>	See agency response under speaker #1.
21	Jeff Schlag Total Service Development LLC Green Bay, WI	Similar comment to #3	See agency response under speaker #1.

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22	Tim Halbrook Tim Hallbrook Builders, Inc. (email/no address)	Opposes the approval of the sprinkler change. Believes the proposal to require sprinkler systems in all multifamily dwelling units would devastate the building of these units because of the increase of property taxes, decreasing rents, and the poor economy. Indicates that owners of multifamily dwellings are barely covering their costs the way it is now.	See agency response under speaker #1.
23	Leigh C. Hanson (email/no address)	Indicates the cost to provide sprinklers in all dwelling units would range from \$3,000 to \$10,000 per unit, which would make this one of the most expensive rule changes in state history. Believes there is no way his 8-unit apartment buildings would provide enough income to cover such an expense and this rule change may result in him having to sell his buildings. Explains sprinkler systems are not required in private homes and believes government is interfering too much into the private lives of individuals.	See agency response under speaker #1.
24	Tina Bunker (email/no address)	Similar comment to #6	See agency response under speaker #1.
25	John Mau Mau Realty and Builders Appleton, WI	Similar comment to #3	See agency response under speaker #1.
26	David C. Williams II Axley Brynelson, LLP Madison, WI	Asks whether the Department of Commerce initiated the change or was there a particular committee associated with the changes.	Information is provided under the analysis of the proposed rules concerning advisory council involvement.
27	David Soens Department of Health and Family Services Madison, WI	Proposes to include previous language, maintain current language or update the following code requirements relating to mechanical ventilation for hospitals: <ol style="list-style-type: none"> 1. Comm 64.0300 (use previous language from 7-1-02) 2. Comm 64.0401 (4) (a) 4. (maintain current language) 3. Comm 64.0403 (4) (a) (maintain current language) 4. Comm 64.0403 (6) (c) 6. (update Table references from the AIA Guidelines) 5. Comm 64.0403 (8) (d) (update Table references from the AIA Guidelines) 6. Comm 64.0404 (1) (a) and (b) (maintain current language) 7. Comm 64.0605 (1), (2) and (3) (maintain current language) 8. Comm 64.0900 (maintain current language) 9. Comm 64.1500 (2) (update the edition to reflect the more current standards of practice) 	Issues are covered by the adopted AIA guidelines. Issues are covered by the adopted AIA guidelines. Issues are covered by the adopted AIA guidelines. The proposed rules have been changed and reflect the correct title of the referenced document. The proposed rules have been changed and reflect the correct title of the referenced document. The IMC provision as written is acceptable. Issues are covered by the adopted AIA guidelines. Issues are covered by the adopted AIA guidelines. The proposed rules have been changed and reflect the correct title of the referenced document.

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SUMMARY OF PUBLIC HEARING COMMENTS AND AGENCY RESPONSE**

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28	Briggs Noble (email/no address)	<p>Recommends that the Department consider alternatives to the proposed code requiring sprinklers in new multifamily construction.</p> <p>States the proposal ignores the substantial improvements in fire safety achieved through the use of better building materials and construction techniques.</p> <p>Indicates that a key part of improving fire safety also lies in better public education and enforcement of the existing codes to make sure multifamily buildings have working smoke detectors and residents who react quickly when these alarms sound.</p> <p>Indicates that in Brown County, an estimate to install sprinkler was \$5,000 per unit.</p> <p>Urges withdrawing the mandate or working toward a compromise we can all not only live with, but afford.</p> <p>Additional comments to his submittal under exhibit #18</p>	See agency response under speaker #1.
29	Jim Hopkins J & J Builders (email/no address)	<p>Similar comment to #28</p> <p>Additional comments to his submittal under exhibit #12</p>	See agency response under speaker #1.
30	Jeff Auberger Conservation Development, LLC East Troy, WI	Similar comment to #28	See agency response under speaker #1.
31	Mark Etrheim La Crosse, WI	Indicates that we are in favor of preventing as many deaths as practical, but sprinklers are not at the top of the list of the best ways to accomplish that objective, even ignoring the costs. Quality working smoke detectors at a cost of less than \$200 an apartment will save many more lives than a \$500 sprinkler system ever will. Believes that carbon monoxide detectors will save more lives than sprinklers.	See agency response under speaker #1.
32	Charles Johansen (email, no address)	Similar comment to #9 and feels this will impact people who remain in our rural areas.	See agency response under speaker #1.
33	Gordon Wipperfurth Wisconsin Rapids, WI	Similar comment to #6	See agency response under speaker #1.
34	Ralph Kennedy II Menasha, WI 54952	Similar comment to #2	See agency response under speaker #1.
35	Mari Charles DePere, WI	Similar comment to #2	See agency response under speaker #1.

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36	Karen Lawrence MasterCraft Builders, Inc. Kenosha, WI	Similar comment to #12	See agency response under speaker #1.
37	Christopher Stebnitz Stebnitz Builders, Inc. Delavan, WI	Similar comment to #2	See agency response under speaker #1.
38	Rkvd1 (email/no address)	Similar comment to #2	See agency response under speaker #1.
39	Don Glays Winnebago Home Builders Association Oshkosh, WI	Similar comment to #12	See agency response under speaker #1.
40	Mark Burbey Kerber, Rose & Associates Manitowoc, WI	Similar comment to #2	See agency response under speaker #1.
41	Nathan Bernstein Joseph Property Development, LLC Milwaukee, WI	Similar comment to #12	See agency response under speaker #1.
42	Mike Richie Stevens Point, WI	Similar comment to #23, but his range for sprinklers is from \$2,300 to \$10,000 per unit.	See agency response under speaker #1.
43	Pam Vandera Mortgage Loan Originator Kaukauna, WI	Similar comment to #3	See agency response under speaker #1.
44	Larry Carli North Shore Bank (email/no address)	Similar comment to #28	See agency response under speaker #1.
45	Tim Voeller Bielinski Homes, Inc. Waukesha, WI	Similar comment to #28	See agency response under speaker #1.
46	Mark Pekarske Pekarske Builders, Inc. (email/no address)	Similar comment to #3	See agency response under speaker #1.
47	Vicki Markussen La Crosse, WI	Similar comment to #2	See agency response under speaker #1.

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48	Mark S. Bourque Prudential Premier Properties Kenosha, WI	Similar comment to #2 and states that most people do not recognize the ongoing annual maintenance and testing costs required on phone lines and alarm charges.	See agency response under speaker #1.
49	Edward A. Schmidt Schmidt Bros. Custom Homes, Inc. Appleton, WI	Similar comment to #28	See agency response under speaker #1.
50	James A. Sutter Emerald Ridge Construction, LLC Mount Horeb, WI	Similar comment to #2	See agency response under speaker #1.
51	Elizabeth Tharp State Farm Insurance Companies Madison, WI	Expresses support of the recommendation to adopt the 2006 International Building Code (IBC). Believes that mitigation activities such as installing fire sprinklers and strengthening structures are a worthy investment and will ultimately help save lives and reduce property damage. Believes that Building Codes related to fire sprinklers and other building construction items have a positive effect on our state and promote a degree of comfort among buyers who rely upon minimum construction standards for safety and soundness of their home.	Support noted.
52a to 52h	Gene Young, Leon A. Church, John Mau, Jeffery Ma, David Coonen, Rock Kanynh, David Cap, David Eislele Valley Home Builders Association Appleton, WI	Similar comment to #28	See agency response under speaker #1.
53	Mike Vilstrup TimberLane Builders, LLC (email/ no address)	Similar comment to #28	See agency response under speaker #1.
54	Greg Shaw Shaw Building & Design Inc. (email/no address)	Similar comment to #28	See agency response under speaker #1.

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55	Mike Selner TCD Homes (email/no address)	Similar comment to #28	See agency response under speaker #1.
56	Liv Mueller (email/no address)	Supports the installation of sprinklers since just recently her neighbor lost her life due to a fire and her smoke detector had no battery in it.	Support noted.
57	La Verne Hensen Hensen Builders, Inc. Waunakee, WI	Similar comment to #28	See agency response under speaker #1.
58	Lisa Olgren Oneida, WI	Similar comment to #6 and believes people would probably disconnect the system as a nuisance.	See agency response under speaker #1.
59	Scott Draves Fond du Lac, WI	Similar comment to #2 and believes it will hinder construction.	See agency response under speaker #1.
60	Tim Carlson (email/no address)	Agrees with the proposed rule change for sprinklers in multifamily dwellings with the exception for smaller dwellings units such as a 4-unit building located in rural areas without municipal water supply. The costs for water storage or a fire pump would be astronomical. There should be some equivalent alternative designs, such as 2-hour structurally independent fire walls between every two units. Explains there are many older churches located in rural areas without municipal water supply that would like to add on a carport or enclosed vestibule but the addition may bring them over the square foot threshold for requiring sprinklers. Suggests the same rationale for equivalency to sprinklers (2-hour fire wall) be used for these occupancies too.	See agency response under speaker #1. For church additions, the ability to separate fire areas or separate buildings through the use of fire-resistive construction or fire walls is an option recognized under the code; this option is not being eliminated with the adoption of the 2006 edition of the IBC.
61	James Martins Milwaukee County Association of Fire Chiefs	Supports the adoption of the fire sprinkler rules on behalf of the Association.	Support noted.
62	Fred R. Walling Delavan Building Inspector Delevan, WI	Supports the installation of fire sprinklers in multifamily dwellings.	Support noted.
63	Roger Bjorge De Forest Area Fire District De Forest, WI	Supports the efforts to strengthen and broaden the sprinkler thresholds in the Wisconsin Commercial Building Code (WCBC). Indicates that cars are made safer because of traffic fatalities, so why shouldn't buildings be made safer with the installation of sprinklers?	Support noted.

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64	Leon Church Sweetwood Builders, Inc. Appleton, WI	Explains he is a builder of condominiums that are one story 1, 2, 3 unit buildings and cannot justify the additional \$4,000 for the installation of sprinklers. Believes the current code requirements for unit separations, smoke detectors, egress windows from basement areas and sealed air combustions on all appliances provides acceptable alternatives.	See agency response under speaker #1.
65	Gerry Lycholat Knutson Bros II, LLC East Troy, WI	Similar comment to #3	See agency response under speaker #1.
66	Joseph T. Heimsch Building Safety and Zoning Department Watertown, WI	Supports the adoption of this law. States that his department within the city of Watertown is responsible for all building and mechanical inspections and fire inspections and noted that numerous owners of 4-family buildings have voluntarily installed sprinklers. They feel their investment would be paid back in 10 years.	Support noted.
67	Mary Anne Moore Sweetwood Builders, Inc. Appleton, WI	Urges the Department of Commerce to do further research on the installation of sprinklers in small buildings. Believes that properly installed smoke detectors have been proven to alert residents in time for evacuation of a burning building. Believes the current code provides the needed safety alternatives.	See agency response under speaker #1.
68	Dorie Etrheim La Crosse, WI	Similar comment to #6 and urges Department of Commerce to do further research to determine where the problem exists and what is needed to protect the renters.	See agency response under speaker #1.
69	Jonathan A. Fox Sun Prairie, WI	Commends the Department of Commerce for recommending the national standard in fire sprinkler protection as part of the WCBC. States that the presence of fire sprinkler systems helps reduce the number of fire deaths and helps protect the tax base by reducing property damage. Believes research supports the Departments decision since 80% of fires occur in homes, fire and burn injuries represent 1% of the total recorded incidence of injuries nationally and 2% of total costs of injuries and in 2005, residential fires caused nearly \$7 billion in property damage. Indicates there have been numerous false claims about fire sprinkler systems relating to the entire system going off when only the sprinkler in the fire area will activate. Explains the average cost to install fire sprinklers is less than the average cost of carpet. Builders and developers can capture cost savings in other areas when they install fire sprinkler systems through trade-ups, such as street infrastructure through reduced main sizing and hydrant spacing along	Support noted.

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	Fox continued	with smaller street widths and turnarounds for fire trucks. Believes installing fire sprinklers helps increase the value of multi-unit facilities, decrease insurance rates and provide residents with fire protection.	
70	Mark Bossenbroek Milton, WI	Similar comment to #69	Support noted.
71	Michael Carter Lodi, WI	Similar comment to #69	Support noted.
72	Timothy A. Braund Lake Mills, WI	Similar comment to #69	Support noted.
73	Boomer Braun Madison, WI	Similar comment to #69	Support noted.
74	Corey Danto Cambridge, WI	Similar comment to #69	Support noted.
75	Travis Hayes Evansville, WI	Similar comment to #69	Support noted.
76	Marc Hageman Grand Chute, WI	Explains he rents an apartment, which is sprinklered, and is responding to a newspaper article he read that was claiming fire sprinklers cost \$5,000 per unit. Believes that over the life of his apartment the cost to provide the sprinklers would still be affordable and should not be eliminated due to claims from home builders.	Support noted.
77	Dick Prehn Green Bay, WI	Indicates he is in favor of having rules in place which would require sprinklers in all 4-plex and larger apartments. Explains he lost his mother in an apartment fire and believes that if the building had been sprinklered not only would her life have been spared, but the damage to the building would have been much less.	Support noted.
78a to 78e	Walter Regal, Mark Regal, Ingrid Regal, Lisa Regal, Christina Regal Regal Home Builders Regal Crest Apartments (email/no address)	Similar comment to #28	See agency response under speaker #1.
79	Robert Winterhorn Milwaukee, WI	Similar comment to #28	See agency response under speaker #1.

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80	Kevin Klug Monona Plumbing and Fire Prevention Monona, WI	Similar comment to #69	Support noted.
81	Kirk Goretski H.J. Pertzborn Fire Protection Madison, WI	Similar comment to #69	Support noted.
82	Mark Etrheim Ertheim Properties Onalaska, WI	Similar comment to #12	See agency response under speaker #1.
83	Captain Bill Ruchti Janesville Fire Department Janesville, WI	Similar comment to #63 and has witnessed first hand, the life and property savings that have occurred in buildings protected by fire sprinklers. Believes the cost of sprinklers is minimal in an overall building project with today's advanced sprinkler technology.	Support noted.
84	Raymond C. Leffler Newport Development Corp. Racine, WI	Does not support reducing the minimum multifamily unit threshold for sprinklers to 3 units and up. Believes the new set of multifamily codes is worth evaluation of whether fire sprinklers will provide safety to the building or safety to the occupants. States it is important to note that there are many ways to ensure that the state's building codes result in a safe and affordable living environment. Indicates fire sprinklers can be a great option; however, they do not need to be mandated for all units and under all circumstances. Indicates the unit threshold for fire sprinklers are established in the state statutes, so is confused how the department has the authority to change this state law without approval from the legislature.	See agency response under speaker #1.
85	Mark E. Carstensen Mark Carstensen Construction & Development Companies, Inc. Franklin, WI	Similar comment to #84	See agency response under speaker #1.
86	Susan Montie Pewaukee, WI	Similar comment to #84	See agency response under speaker #1.

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87	Donna Spakowicz DG-Remodeling Pewaukee, WI	Similar comment to #84	See agency response under speaker #1.
88	Bruce Johnson Metropolitan Builders Association of Greater Milwaukee Milwaukee, WI	Similar comment to #84	See agency response under speaker #1.
89	Terry Luedke Hubertus, WI	Similar comment to #69	Support noted.
90	Kay Luedke Hubertus, WI	Similar comment to #69	Support noted.
91	Dave Bauer Greendale, WI	Similar comment to #69	Support noted.
92	Anna Bauer Greendale, WI	Similar comment to #69	Support noted.
93	Faith Honkamp Pewaukee, WI	Similar comment to #69	Support noted.
94	Dustin Schliz West Allis, WI	Similar comment to #69	Support noted.
95	Mike Luedke Sussex, WI	Similar comment to #69	Support noted.
96	Mark Barber New Berlin, WI	Similar comment to #69	Support noted.
97	Nick Ries Hartford, WI	Similar comment to #69	Support noted.
98	Angie Reis Hartford, WI	Similar comment to #69	Support noted.
99	Dana Richter Colgate, WI	Similar comment to #69	Support noted.
100	Jeff Richter Colgate, WI	Similar comment to #69	Support noted.
101	Mike Umhoefer Pewaukee, WI	Similar comment to #69	Support noted.

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102	Robert Kopfmann Kopfmann Co., Inc. (email/no address)	Similar comment to #28	See agency response under speaker #1.
103	Diane Ormsby Regal Crest Apartments (email/no address)	Similar comment to #28	See agency response under speaker #1.
104	Robert Hassler Greenfield, WI	Similar comment to #69	Support noted.
105	Paul T. Kosmoski Brown County construction and business (email/no address)	Similar comment to #12	See agency response under speaker #1.
106	Henry L. Butts Watertown Fire Department Watertown, WI	Similar comment to #63	Support noted.
107	Katherine Carney Milwaukee, WI	Similar comment to #69	Support noted.
108	Lance Hanson Eau Claire Firefighters Eau Claire, WI	Similar comment to #69	Support noted.
109	Pat Caster Broker/Owner Green Bay, WI	Similar comment to #28	See agency response under speaker #1.
110	Corey C. Gall Sprinkler Fitters Local Union 183 Menomonee, WI	Similar comment to #69	Support noted.
111	James PI Rugg Eagle Electric Waukesha, WI	Similar comment to #84	See agency response under speaker #1.
112	Ingrid McMasters, LC, IESNA KJWW Engineering Consultants Madison, WI	Proposes that Wisconsin adopt a similar method relating to the energy code and calculation of lighting loads similar to California Title 24, which allows the use of current power limiters installed with line voltage track. Believes this will allow establishments like restaurants and retail establishments to have more flexibility in their lighting placement while still limiting the power	Agree, the proposed rules have been changed to incorporate this flexibility.

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	McMasters continued	consumption of the track. Includes sample cut sheets of the current power limiting device and applicable pages from the Title 24 Nonresidential Compliance Manual. Indicates this change would require an additional definition of “current power limiting device” under Comm 63.1005 and modification of Comm 63.1045 (4a) to assimilate Title 24.	
113	Henry M. Isaksen Isaksen Architects, LLC Sturgeon Bay, WI	Indicates the cost of sprinklers with municipal water is \$2.20 per square foot for entire building, and with no municipal water the cost is \$5.50 per square foot for the entire building.	See agency response under speaker #1.
114	Mark White Menomonee Falls, WI	Similar comment to #69	Support noted.
115	Ann Rodrigues Avid Homes, LLC Pewaukee, WI	Similar comment to #84	See agency response under speaker #1.
116	David Rodrigues, Jr. David & Goliath Builders, Inc. Pewaukee, WI	Similar comment to #84	See agency response under speaker #1.
117	John H. Stoker Mequon, WI	Similar comment to #84	See agency response under speaker #1.
118	Michael Worske West Allis, WI	Similar comment to #84	See agency response under speaker #1.
119	Matt Hall Nashotah, WI	Similar comment to #84	See agency response under speaker #1.
120	Shelley R. Gall West Bend, WI	Similar comment to #69	Support noted.
121	Susan M. Gassner Lomira, WI	Similar comment to #69	Support noted.
122	Pam Courtney Brookfield, WI	Similar comment to #84	See agency response under speaker #1.
123	Jon Petroskey City of Antigo Fire Antigo, WI	Similar comment to #63	Support noted.
124	Dave Van Lanen Architect (email/no address)	Similar comment to #28	See agency response under speaker #1.

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125	Nancy kay Behnke NKS Property Management (email/no address)	Similar comment to #2	See agency response under speaker #1.
126	Scott A. Beres Brookfield, WI	Similar comment to #69	Support noted.
127	Kelly Claflin Portside Builders Door County	Similar comment to #9 and #28	See agency response under speaker #1.
128	Jason Steen Steen Construction of Osseo, Inc Osseo, WI	Similar comment to #12	See agency response under speaker #1.
129	Craig A. Rakowski Wauwatosa, WI	Similar comment to #84	See agency response under speaker #1.
130	Beau Gabriel Fire Fighter (email/no address)	Similar comment to #63	Support noted.
131	Jennifer Moritz Sun Prairie, WI	Similar comment to #69	Support noted.
132	Jay Griggs Griggs Aviation New Richmond, WI	<p>Explains the biggest issue for them having just constructed an aircraft hangar, was that a sprinkler system was required for an aircraft hangar with more than 12,000 square feet of space. Since city water is not available to our site and the cost of putting in our own wells and sprinkler system would have added nearly \$500,000 to the cost of a \$650,000 building. Indicates they were forced to build a much smaller building than the lot was designed for. Believes that a sprinkler system in this type of facility would be ineffective in extinguishing it since the burning fuel floats on the surface of the water. Indicates a much better idea would be to have some kind of fire extinguishers required or perhaps some kind of foam system that would be effective on fuel fires.</p> <p>Explains they were not happy about the requirement to put in a \$35,000 air handling system in a building that contains 300,000 cubic feet of air and has two people working in it, with no painting, welding or chemical fumes. Believes the air handling system serves only to pump out the cool air in the</p>	<p>In addition to building a smaller building, there are other options available in lieu of providing a sprinkler system., including the installation of fire barriers to compartmentalize the building into multiple smaller fire areas. The code does allow the use of foam suppression systems under NFPA 11 and 11A when a water-based system would be ineffective.</p> <p>It is unclear from the information provided why the air handling system was required. Clarification has been provided to staff on the application of the ventilation requirements as it relates to hangars.</p>

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	Griggs continued	summer and hot air in the winter, substantially increasing our air conditioning and heating bills and serving no beneficial purpose. Suggests that the changes being proposed rectify the unreasonable requirement to sprinkler aircraft hangars.	
133	Thomas H. Mudrovich Architect (email/no address)	Endorses the proposed sprinkler code changes to require fire sprinkler system in multifamily dwellings of four or more units. Thought of Wisconsin as a leader in building code development and implementation. Believes this requirement is the right thing to do. Indicates that as he has seen over the years, there are some owners who will look to the benefit of the building above the minimum code requirements, but there are all too many that will begrudge even having to build to the code. Explains that to take this a step further, if the requirement for fire sprinkler were applied to existing buildings the way ADA upgrades are, the state would have a means of affecting an upgrade to the existing stock of multifamily housing.	Support noted.
134	Robert Cannon Burlington, WI	Similar comment to #69	Support noted.
135	Alan M. Anahmer Volunteer Fire Fighter Lone Rock, WI	Similar comment to #69	Support noted.
136	Bob Lederer Waubeka Fire Prevention Bureau Waubeka, WI	Supports and urges the Department to adopt the IBC 2006 as it pertains to sprinklers. Admits that it will increase the cost of buildings, but the saving of lives should come first.	Support noted.
137	Michael J. Woodzicka Appleton Fire Fighters Union Appleton, WI	Similar comment to #69	Support noted.
138	J. Scott Mathie Metropolitan Builders Association Waukesha, WI	Indicates there are a number of approaches to providing a safe living environment in multifamily housing – fire sprinklers being one approach. However, there are many ways to ensure that the state’s building codes are providing safety options to builders. Requiring fire sprinklers in all multifamily applications is not the answer and is not supported by the industry.	See agency response under speaker #1.

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	Mathie continued	<p>Identifies specific comments regarding the proposal relating to the following:</p> <ol style="list-style-type: none"> 1. Building code already includes alternatives. 2. In an effort to provide safety to all multifamily tenants, building owners have established rules that limit or ban the use of candles, smoking, grilling on balconies and other activities. Some safety concerns stem from irresponsible human behavior. 3. Sprinklers can be an option and part of the strategy, but they are not the answer in all circumstances. 4. Sprinklers have always been viewed as a property protection versus a habitant protection. Arguments for sprinklers have been based on insurance savings; however, those arguments are unfounded and do not address any concerns over safety. 5. There are significant limitations to the use of sprinklers and should not be required for all multifamily applications. The overriding rationale is not the cost but the maintenance requirements and water supply problems. 6. A large percentage of families will be forced into older, lower cost housing options. States that newer housing options do provide a very safe living environment and this fact should not be overshadowed. 7. States that several studies confirm that the single most important correlation between fires and fire deaths is the age of the construction, not the presence of sprinklers. 8. Indicates the Department does not have the authority to change a statute without going through the proper channels. 	
139	Timothy M. O'Brien Oconomowoc, WI	Similar comment to #84	See agency response under speaker #1.
140	Carol Samsa Franksville, WI	Similar comment to #84	See agency response under speaker #1.
141	Ron Lemke Flanner's Home Entertainment Brookfield, WI	Similar comment to #84	See agency response under speaker #1.
142	John M. McCarty North Shore Bank Appleton, WI	Similar comment to #2	See agency response under speaker #1.

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143	Kenneth L. Collins Sun Prairie, WI	Similar comment to #69	Support noted.
144	Christopher C. Indiraraj West Bend, WI	Similar comment to #69	Support noted.
145	Peter W. Stebbins Madison Area Builders Association Madison, WI	Similar comment to #3	See agency response under speaker #1.
146	Jason A. Now North Fond du Lac, WI	Similar comment to #69	Support noted.
147	Mike W. Schroeder Volunteer Fire Fighter Madison, WI	Similar comment to #63	Support noted.
148	Jeanie and Jerry Sieling Fitchburg, WI	Supports the update of the IBC to require sprinklers in all new multifamily dwellings of more than two units. Live in Fitchburg where there have been many apartment fires which endanger occupants and increase the cost of public safety for all of the tax payers.	Support noted.
149	John H. Pellmann ACP Properties, LLC Wauwatosa, WI	Similar comment to #28	See agency response under speaker #1.
150	Lee Heiling Beaver Dam Fire Fighters, Local 3432 Beaver Dam, WI	Similar comment to #63	Support noted.
151	Susan Schmitz-Kleckner Bowne Marketing and Business Communications Milwaukee, WI	Supports the effort to pass a law regarding the installation of sprinkler systems in multifamily dwellings of two or more units. Indicates her parents aged 85 and 90 live in a multifamily apartment complex and many times other residents have left something on the stove and have set off the fire alarms. Is more comfortable knowing her parents are safer by having a sprinkler system in their building. Encourages the state and building industry to work together to do what they can to achieve the goal of saving lives.	Support noted.
152	Lawrence Wilson Green Bay Fire Prevention Division Green Bay, WI	Indicates the two groups most vulnerable to fire deaths are the very young and the very old. Children under the age of 5 must rely on those who care for them to save them from danger. The elderly are four to five times more likely to die in a fire as the general population. Said the U.S. Census Bureau	Support noted.

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	Wilson continued	<p>projects there will be some 55 million Americans over the age of 65 by the year 2020 and by the year 2050 and many of these people will live in multifamily housing.</p> <p>Gives some incidents of fires in apartment buildings where the fire alarms were working but deaths occurred because the people were unable to hear the alarm or get out of the buildings safely.</p> <p>Explains that stricter building codes have helped reduce the number of fire deaths; however, a plateau has existed over the last decade. Believes that too many smoke alarm systems are not working or can be tampered with, whereas automatic sprinkler systems provide protection by removing the human element, as much as possible, from the fire safety equation. The sprinkler systems are designed to automatically detect fire, signal an alarm and suppress the fire until fire fighters can respond.</p> <p>Believes Wisconsin has the opportunity of joining the twenty-three other states that have adopted the IBC sprinkler code requirements and begin reducing the number of deaths and injuries from fire.</p>	
153	Al Arnold Rice Lake, WI	Similar comment to #3	See agency response under speaker #1.
154	Patrick Foley Total Service Development, LLC (email/no address)	<p>Expresses opposition to the proposed sprinkler system mandate for residential units. Indicates he has been in the real estate industry for over 30 years and has seen many mandates that affect this industry in the name of safety, which also affects the affordability of the housing. Believes the current code already has safety measures such as smoke detectors and fire stops and these are very successful with a very affordable price tag.</p> <p>Explains the initial cost to install the sprinklers may be minor compared to the on-going maintenance of the completed system. Believes the insurance industry may get into a frenzy by increasing their costs for all of the excessive claims that will be caused by “accidental” incidents causing systems to go off creating more damage than a fire would cause.</p>	See agency response under speaker #1.
155	Kevin Sunderland Sunderland Construction Inc. (email/no address)	Similar comment to #3	See agency response under speaker #1.

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156	Jeremy J. Klass Engineered Homes, LLC (email/no address)	Believes the small apartment units should not be required to be sprinklered, especially existing apartments. Believes we would be better off to educate the tenants on fire safety, a rather inexpensive alternative compared to sprinklers. Identifies affordability as a concern and suggests we look at how the fires started and what other easier maintenance or preventive measure that could have been acted on prior to the fire.	See agency response under speaker #1.
157	John L. Lautz Lautz Custom Builders, Inc. La Crosse, WI	Similar comment to #12	See agency response under speaker #1.
158	David Turk Onalaska, WI	Similar comment to #2	See agency response under speaker #1.
159	Jeffery L. Brohmer Division Chief of Inspection La Crosse, WI	Explains he is the Division Chief of Inspection for the La Crosse Fire Department with 29 years as a volunteer and career firefighter. Indicates that today, putting water on the seat of the fire is the most cost effective and best method for extinguishing a building fire. States that not only should the people who live in multifamily dwelling be considered relative to safety but the firefighters work is very dangerous and must be considered also. Indicates that the lives of people in multifamily dwellings are affected by lose of their home and possessions and being displaced. Often times, renters do not have renters insurance, which causes additional hardships. Explains he had an opportunity to attend the public hearing on December 21, 2006 and felt the big issue of contention between the fire service and the builders is the requirement that all new multifamily housing buildings with three or more units must be fitted with fire sprinklers. Believes that it is not too expensive nor cost prohibitive. Believes that this issue does not need to be studied any further since he believes the fire service has studied this issue for years. Explains that when a fire breaks out in a building protected by sprinklers, the sprinkler fuses and the fire is either contained or extinguished. No fire means little or no smoke which means no one dies from smoke inhalation. Indicates the statistics gathered by Commerce on fire deaths in multifamily dwelling show that the deaths occurred in older existing buildings. States that buildings constructed now will one day be older buildings and that many	Support noted.

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	Brohmer continued	people live in older buildings because they cannot afford to pay the higher rents in new units. Noted that buildings where people live and have their rent subsidized by the state or federal government should automatically be required to be sprinklered because it protects our investment paid for with tax dollars. Urges the Department to adopt the 2006 IBC with the provisions requiring sprinklers in all new multifamily buildings with three or more units.	
160	Steve Patterson Appleton Fire Department's Fire Protection Engineer Appleton, WI	Similar comment to #63	Support noted.
161	Scott R. Humber Lakeside Development Company Mequon, WI	Similar comment to #84	See agency response under speaker #1.
162	Kevin S. Dittmar Dittmar Realty, Inc. Menomonee Falls, WI	Strongly opposes the proposed new fire sprinkler mandate for multifamily dwellings containing 3 to 19 units. Believes the buildings where the Department is proposing to mandate sprinklers are extremely safe. Indicates that the statistics on fire deaths gathered by the Department is based on deaths that occurred in older existing buildings, which do not have the current safety features. Believes these rules will have no effect in solving the problem of fire deaths in old buildings. Suggest that more research is necessary to prevent the true cause of the 33 fire deaths over the past 5 years.	See agency response under speaker #1.
163	Colleen R. Horner New Berlin, WI	Similar comment to #84	See agency response under speaker #1.
164	Mark Benkowski Custom Design Associates, Inc. Greendale, WI	Similar comment to #2	See agency response under speaker #1.
165	Ross DePaola Integrated Energy Services/WESTLab Madison, WI	Explains he is a member of the Energy Conservation Code Council and is a representative for Clean Wisconsin and commends the Department on the decision to adopt the International Energy Conservation Code (IECC) 2006 edition. This represents the very latest energy national efficiency codes	

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	Depaola continued	<p>available to the states. Indicates that he is concerned on the IECC code requirements relative to lighting.</p> <p>Indicates with the adoption of the 2006 IECC comes he allowance to use an alternate compliance method ASHRAE 90.1-2004. This creates two paths for designers of lighting system to choose to achieve compliance but the methods are not equal. The current Wisconsin code relating to lighting control requirements come from California's Title 24 standard, which he believes is better than the IECC or the ASHRAE 90.1 standard.</p> <p>Noted that many of the Wisconsin based requirements recommended by the Energy Code Council to maintain the lighting controls were not included in the final draft.</p> <p>Suggests the following recommendations from the Energy Code Council relating to lighting be adopted:</p> <ol style="list-style-type: none"> 1. Comm 63.0505 (2) (b) 1. Retain current definition of "effective aperture." 2. Create parity between the lighting control requirements of the IECC and ASHRAE 90.1 and create Wisconsin based requirements to achieve this. 3. IECC section 505.2.2.1 requires luminaries be dual-switched to provide uniform lighting reduction for all spaces. However, the ASHRAE 90.1 requirements do not have similar requirements. Suggests that a Wisconsin based requirement be created to keep both alternatives the same for dual-switching lighting controls. 4. Create a Wisconsin based requirement to include a cap on the total amount of additional lighting that may be claimed under ASHRAE. The total area of displays may not exceed 50% of the floor area. 5. IECC section 505.3.1.4 requires that track lighting be calculated at a minimum of 30W/linear foot of track. New devices called "current limiter" may be installed as an integral part of the track itself and may serve to limit the wattage loaded on the track like localized circuit breaker. These devices may also be viewed as important safety devices since they prevent overheating and overloading of circuits. Suggest inserting language under Comm 63.0505 similar to that of California's Title 24 standard for 2005. 6. Suggests that the lighting exceptions to the application of the lighting code be consistent with ASHRAE 90.1 since it is more 	<p>Agreed, definition has been added.</p> <p>The differences are not significant from an energy perspective to warrant both options to be exactly the same.</p> <p>Dual switching is required under Comm 63.0501 (4) of the public hearing draft of rules.</p> <p>The differences are not significant from an energy perspective to warrant both IECC and ASHRAE to be exactly the same.</p> <p>Agree, see agency response under comment #112.</p> <p>Agree, additional exceptions have been added to reflect changes for the 2009 edition of the IECC.</p>

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	DePaola continued	<p>extensive. Indicated there was a recommendation at the Energy Code Council meeting to also include additional exceptions, such as lighting for amusement and attraction areas in theme parks.</p> <p>7. Suggests including the modification as recommended by the Energy Code Council to create an “upper limit” on the amount of glazing allowed in these types of buildings to restrict the possibility that buildings could be built with excessive glazing and still claim to be energy efficient.</p>	The elimination of window area restrictions was studied by the federal DOE for their proposed IECC revisions. The study concluded that eliminating window area restrictions will not have a detrimental impact on energy and such restrictions appear to have little effect on the actual window areas.
166	Jon Wittrock J. Timothy Builders, Inc. (email/no address)	Similar comment to #3	See agency response under speaker #1.
167	Dustin Kern Arcon Development, Inc. (email/no address)	Opposed to mandating sprinklers in all multifamily dwellings with 3 or more units. Indicated that housing affordability is a significant issue in both Minnesota and Wisconsin. Suggested that developers/builders and municipalities need to work together on the initial site design of subdivisions that will ensure the safety of all the future residents and for the applicable city.	See agency response under speaker #1.
168	Michelle Litgens Land Pride Properties, LTD Oshkosh, WI	Explains that she and her husband own rental property serving a college campus and finds abuse of smoke detectors a problem and believes that sprinklers would be just as great a problem. Believes that a fire is well contained in the unit of origin due to fire retardant sheet rock.	See agency response under speaker #1.
169	Kent A. Davis Davis Construction, Inc. Suamico, WI	Similar comment to #3	See agency response under speaker #1.
170	Peter A. Wagner Waubeka Volunteer Fire Department, Inc. Waubeka, WI	Similar comment to #66	Support noted.
171	Dick Vogel Justice organization Sharing Hope & United for Action (JOSHUA) Green Bay, WI	<p>Indicates the JOSHUA organization is an interfaith group of congregations working together to promote positive social change. This groups area of concern is for “workforce housing” and the goal is not just promote “affordable housing” but to lessen the trend toward economic segregation in our metropolitan areas.</p> <p>Explains JOSHUA is concerned with how the mandate for sprinklers will affect the cost of new development and the impact on families. Indicates that</p>	See agency response under speaker #1.

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	Vogel continued	if the cost to provide sprinklers is too much, low income families will only live in older buildings. Encourages the Department to consider the consequences of making new developments inaccessible to lower-income people.	
172	Kim Tomczak Toonen Companies, Inc. Green Bay, WI	Similar comment to #3	See agency response under speaker #1.
173	Sharon Kapoor Toonen Rental Properties Appleton, WI	Similar comment to #3	See agency response under speaker #1.
174	Samantha Toonen Toonen Companies, Inc. Green Bay, WI	Similar comment to #3	See agency response under speaker #1.
175	David J. Toonen Toonen Companies, Inc. Green Bay, WI	Similar comment to #3	See agency response under speaker #1.
176	Keith Appleton Johnson Bank (email/no address)	Similar comment to #3	See agency response under speaker #1.
177	Nick Allard C.H. Robinson Company Green Bay, WI	Similar comment to #3	See agency response under speaker #1.
178	Curtis Destache Toonen Companies, Inc. Green Bay, WI	Similar comment to #3	See agency response under speaker #1.
179	Todd DeVillers CB Richard Ellis Brokerage Services Appleton, WI	Similar comment to #3	See agency response under speaker #1.
180	Michelle Jaeger LDI Composites Company	Similar comment to #3	See agency response under speaker #1.
181	Rick Chernick (email/no address)	Similar comment to #6	See agency response under speaker #1.

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182	Robin J. Macara Komfort Heating & Cooling, Inc. (email/no address)	Similar comment to #3	See agency response under speaker #1.
183	Jim Gagnon Gagnon Clay Products Co. Green Bay, WI	Similar comment to #3	See agency response under speaker #1.
184	Doug Myers Bayshore Electric, LLC (email/no address)	Similar comment to #3	See agency response under speaker #1.
185	Melissa Walton Walton Enterprises, Inc. Whitewater, WI	Similar comment to #3	See agency response under speaker #1.
186	Joan Kuerschner Geneva Hardware & Design, LLC (email/no address)	Similar comment to #3	See agency response under speaker #1.
187	Eric Berg (email/no address)	Similar comment to #3	See agency response under speaker #1.
188	Robert Toonen Toonen Companies Green Bay, WI	Similar comment to #2	See agency response under speaker #1.
189	Mike Bernaer Madison, WI	Opposed to mandating sprinklers since it will cost customers in the end. Believes this is another feel-good decision such as the inclusionary zoning, which has actually made housing less affordable in Madison	See agency response under speaker #1.
190	William Ruummele Anchor Bank (email/no address)	Similar comment to #22	See agency response under speaker #1.
191	Wade Rudolph North Central Health Care Wausau, WI	Supports the sprinkling of residential units per NFPA 13 R and explains the programs at North Central Health Care serve many mentally and physically disabled individuals. Believes the additional protection will save our clients lives in the event of a fire. Included letter from the Wisconsin Healthcare Engineering Association identifying the following concerns relating to HVAC issues:	Support noted. .

**DEPARTMENT OF COMMERCE
SUMMARY OF PUBLIC HEARING COMMENTS AND AGENCY RESPONSE**

Clearinghouse Rule Number: 06-120		Hearing Location: Mailed Comments	
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Relating to: Fire Prevention and Wisconsin Commercial Building Code			
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	Rudolph continued	<ol style="list-style-type: none"> 1. Propose that the 2006 edition of the Guidelines for the Design and Construction of Health Care Facilities as published by the American Institute of Architects. 2. Comm 63.0403 (2), the words “and return” should be removed from the sentence. Return air plenums cannot be insulated as stated. The proposed wording would eliminate all return plenums from being un-ducted and force all plenums to be fully ducted. Suggested the statement is not located in the correct area of the code. 3. Comm 63.0403 (3), suggests the code requirement relating to dampers should be modified to state: “Automatic or gravity dampers that close when the system is not operating shall be provided for all outdoor air relief openings.” Indicates the exhaust systems in healthcare are to get rid of “bad” or sometimes dangerous air. In healthcare we never want to close off true exhaust air for the safety of our residents, patients, visitors and staff. 4. Comm 63.0503 (4) (a), suggests the word “exhaust” be replaced with “relief ducts.” Requiring dampers that can at times fail could create an unsafe environment inside the space of healthcares. 5. Suggest that there be a continuation of the exception to areas of refuge in buildings that are fully sprinklered or provided with residential sprinkler devices. Indicates that fully sprinklered buildings have the ability to extinguish a fire in the room of origin such that the areas of refuge are not required for the life safety of the occupants of the building. 	<p>The proposed rules have been changed to reflect the correct title of the referenced document</p> <p>The proposed rules have been revised to clarify that the exception under IECC 403.2.1 still applies, providing an exception for “ducts” within the building thermal envelope. Plenums are created within the building thermal envelope.</p> <p>The referenced code section pertains to low-rise residential occupancies. It is unclear how the comment is relevant to healthcare facilities.</p> <p>All types of dampers are susceptible to failure and require some level of maintenance to ensure operate. The proposed rules have been revised to permit gravity dampers in certain situations.</p> <p>The proposed rules have been revised to incorporate this exception.</p>
192	Allan Jamir (email/no address)	Similar comment to #3	See agency response under speaker #1.
193	Edwin J. Ruckriegel City of Madison Fire Department Madison, WI	<p>Submitted the following comments:</p> <p>Comm 14 repeal and recreation:</p> <ol style="list-style-type: none"> 1. Comm 14.001 (2) Alternate model fire code. Supports this section. The local adoption of an alternate model fire code supports the principles of the State’s Home Rule statutes. Local authorities should have the local option to manage fire prevention and fire safety requirements based on local needs and resources. 	Support noted.

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	Ruckriegel continued	<p>2. Comm 14.01 (1) (e) 1. and 14.01 (a) Fire Responses and Fire Incident Reports. Supports mandatory fire incident reporting of all fire responses. Fire response and incident data serve as valid evidence of the fire problems and solutions in our state.</p> <p>Comm 60 to 66 revisions:</p> <p>1. Comm 61.03 (14) International Fire Code (IFC). The MFD supports the adoption of the IFC. The codes adopted in Comm 61.05 and the IFC are companion codes developed to provide standards for the safe design, construction, use, operation, and maintenance of buildings and structures.</p> <p>2. Comm 62.0903 (6) Group R. Supports adoption of the fire sprinkler thresholds in the IBC. Fire sprinkler protection of all Group R occupancies with 3 or more dwelling units will save lives of occupants and firefighters without negatively impacting the cost of construction of affordability of housing. The sprinkler trade-offs and incentives in this code allow for the installation of fire sprinklers at a fraction of the cost outlined in the impact statement accompanying the hearing rules.</p> <p>3. Comm 62.0509. Opposes this code change. The current Comm 62.0509 addresses fire apparatus access, which is an integral component of safe buildings and structures. A safe building is a system of many code requirements working together. Removing the fire apparatus access requirements from the building code and deferring to the requirements in NFPA 1 will lead to problems in the design, construction, and approval of buildings. The requirements in NFPA 1, chapter 1 as included by Comm 14.01 (2) (a) 4. a. are too vague and allow for many decisions by the “authority having jurisdiction” (AHJ). The lack will negatively impact the design construction and approval of the buildings by allowing more than 800 AHJs to determine access requirements for new buildings.</p> <p>4. Comm 66 Existing buildings. Supports the creation of this chapter and the adoption of the International Existing Building Code (IEBC), which will improve safety and simplify the design/approval of modifications to existing buildings.</p>	<p>Support noted.</p> <p>Support noted.</p> <p>Support noted.</p> <p>Applying the National Fire Protection Association’s requirements for fire apparatus access, instead of modifying the model building code to include such access requirements and modifying the model fire prevention code to not include them, is preferred because it is consistent with the overriding interest to minimize modifications of these two codes. The local decisions associated with the NFPA 1 requirements are consistent with the home-rule authority that local governments have under sections 59.03 and 66.0101 of the statutes.</p> <p>Support noted.</p>

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194	Jon Cechvala Wisconsin Health Care Engineering Association Madison, WI	Similar comment to #191 Comm 63.0503 (7), Suggests there should be size requirements for economizers. Small units should be exempt and suggests 10,000 cfm or larger?	Information provided to the department indicates that the Btu triggers requiring economizers are cost-effective in energy savings under the proposed rules.
195	Ted Voller Creekside Condominiums Delavan, WI	Similar comment to #3	See agency response under speaker #1.
196	David E. Luczak Premier Mortgage Funding, Inc. Lake Geneva, WI	Similar comment to #3	See agency response under speaker #1.
197	Stephen R. Edlund Waukesha, WI	<p>Recommends eliminating ceiling exhaust fans.</p> <ol style="list-style-type: none"> 1. Indicates for all forced air heating systems in commercial applications zoned for service to exterior zones, return air to the HVAC system must be from within 4 inches of the interior grade level no more than 32" from the exterior walls and be returned from each room serviced by the HVAC system supply air. This includes vestibules and entry ways. 2. Adjacent walls to the exterior may utilize a wall cavity between the sheet metal studs and deliver the return air above the ceiling height to either a plenum return design, or in the case of a ducted return, duct may be attached to the sheet metal studs via a collar and flashing assembly. 3. Where privacy walls are required, the general contractor may construct a return soffit on the exterior of the privacy wall. 4. Interior spaces shall return air from an elevation not greater than 4 inches from interior grade. 5. Open concept architectural design spaces with no ceiling must duct the return air within 4 inches from interior grade. 6. Exception to this proposal is that any application of design for HVAC systems where high ceilings cause stratification of air may be exempt, if anti-stratification fans are incorporated into the system design and activated by either owner manual control or automatic control based on exterior ambient temperature of less than 45-degrees Fahrenheit. <p>(Also includes a detailed justification paper)</p>	The suggested specifications are too rigid and impractical for compliance in that the suggestions do not take in account various building designs and building functions as well as the ducts serving air conditioning purposes.

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198	Rajendra N. Shah (email/no address)	Similar comment to #191	See agency response under comment #191.
199	Thomas D. Stank (email/no address)	Similar comment to #191	See agency response under comment #191.
200	Dennis Pawlak Pawlak Construction Eau Claire, WI	Similar comment to #12	See agency response under speaker #1.
201	James Fulkerson Luther Midelfort Mayo Health Systems (email/no address)	Similar comment to #191	See agency response under comment #191.
202	Jay Myers Komfort Heating & Cooling Elkhorn, WI	Similar comment to #168 Believes that inspection from fire departments or other authorities could save far more lives than sprinklers ever will.	See agency response under speaker #1.
203	Christina (email/no address)	Similar comment to #3	See agency response under speaker #1.
204	William F. Binn Wyntree Construction, Inc. Lake Geneva, WI	Similar comment to #3	See agency response under speaker #1.
205	Tim Halbrosk Tim Halbrosk Builders, Inc. (email/no address)	Similar comment to #2	See agency response under speaker #1.
206	Charlie Boyza (email/no address)	Similar comment to #3	See agency response under speaker #1.
207	Pat Kaster Green Bay, WI	Similar comment to #2	See agency response under speaker #1.
208	Gina M. Hansen National Association of Industrial and Office Properties (NAIOP) Waukesha, WI	Similar comment to #28 Believes the proposal to mandate sprinklers in all multifamily dwellings of 3 units and above is likely to have a negative impact on housing affordability in Wisconsin. The following are NAIOP's concerns: <ol style="list-style-type: none"> 1. The sprinkler requirement does not address problems in older, poorly maintained buildings. 2. The estimates regarding the cost of installing fire sprinklers are unrealistically low. 	See agency response under speaker #1.

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209	Robert Neale International Code Council (ICC) Country Club Hills, IL	Supports the State of Wisconsin's proposal to adopt the 2006 editions of the IBC, IECC, IMC and IFGC. Indicates the International Codes are enforced statewide in several of the states neighboring Wisconsin and is currently enforced in 47 states, including the District of Columbia and US Virgin Islands. Explains other benefits of building to the latest codes can include energy savings, reduced maintenance costs, lower insurance premiums and fewer safety concerns.	Support noted.
210	Thomas D. Larson Wisconsin Realtors Association (email/no address)	Similar comment to #23 and #28 and recommends to conduct an in-depth study of the fire-related deaths that have occurred in Wisconsin over the last 5 years.	See agency response under speaker #1.
211	Heather Robinson Central States, Inc. Waukegan, WI	Similar comment to #28 and reports that she has had several of her buyers tell her that once they are owners of the condominium association and have the management and authority, they would cancel the sprinkler system.	See agency response under speaker #1.
212	Doug Schorr Department of Administration Madison, WI	<p>Recommends the following changes:</p> <ol style="list-style-type: none"> 1. IMC 607.3.2.1 Smoke damper actuation methods, IMC 607.5.4.1 Smoke Damper and IBC 716.3.2.1/suggest that a sixth method of smoke damper actuation be added to all of these sections, which is to install a smoke detector at the discharge of the supply air handling unit with no air outlets between the air handling unit discharge and the duct smoke detector. 2. IMC 607.3.2.1 and IBC 716.5.3 Shaft enclosures/suggests that an exception be added to eliminate the requirement for smoke dampers in penetrations of shaft enclosures for exhaust ducts. (Includes draft language) 	<p>The justification provided suggests there is unnecessary redundancy in the 5 methods provided yet did not provide any information to justify that the reason for the code section is to reduce redundancy. The code includes many requirements that are felt to be redundant, yet they exist solely to provide the desired safety, safety that in this case is tied to the prompt activation of the damper. The information provided did not include any engineering data or analysis to show that the prompt operation of the smoke damper will not be adversely affected by the lack of redundancy reflected in the additional method proposed.</p> <p>The justification provided rests solely on two NFPA standards that are not referenced for use within the IBC, IMC or IFGC. More engineering information or statistical data is needed to justify use within this code. The justification did not include any of the analysis or engineering associated with the intended smoke control, an analysis that could be included on a project by project basis as currently allowed by the code. The code currently includes a performance type exception that</p>

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	Schorr continued	<p>3. Comm 64.0002 Application and IMC 601.2 Air Movement in Egress Elements. Indicates the code is not clear when the restriction in using a corridor for air movement applies in an existing building. Design consultants have received different interpretations from the Department on when the entire system must be upgraded. Recommends that clarification be added to the code on when the corridor air movement restrictions apply in existing buildings.</p> <p>4. Comm 64.0002 Applications and IMC 607.5.5 Shaft Enclosures and IBC 716.5.3. Indicates it is not clear when the shaft penetration requirements apply to existing buildings when the HVAC system is being renovated or replaced and the existing shaft and existing duct and duct penetrations within the shaft are to remain. Suggest clarification on this issue.</p> <p>5. IMC 604.3 Coverings and linings. This section requires duct coverings to have a flame spread index not more than 25 and smoke developed not more than 50 in accordance with ASTM E84. There are no exceptions to this requirement and recommend that an exception be added to the duct covering flame/smoke spread requirement for ductwork located outside the building. This would allow the use of roofing systems that provide superior insulation and water proofing qualities to cover ductwork located outside the building.</p> <p>6. Comm 64.0404 (1) (c). Requires mechanical ventilation for a minimum of five hours out of a 24 hour period. This can create a significant operating cost for a heated vehicle storage facility that is greater than 50 square feet. Suggest an exception be included to use an occupancy sensor to activate the mechanical ventilation for a minimum time interval in lieu of the timed requirement. This would protect the personnel entering the facility if there would be any build-up in CO or NO2 below the alarm levels.</p>	<p>creates the same desired effect, to eliminate the smoke dampers, by including that exhaust in a mechanical smoke control system that is designed to function without said smoke dampers.</p> <p>The code does not apply retroactively to existing corridors, see s. Comm 61.03. Not enough information is provided to know whether the differing interpretations were erroneous. Differing interpretations may be warranted based upon the extent of the alterations or whether new corridors are being created. It is believed that the incorporation of the IEBC will result in a more consistent requirement, less prone to differing interpretation.</p> <p>The code does not apply retroactively to existing shaft penetrations. It is believed that the incorporation of the IEBC will result in a more consistent requirement, less prone to differing interpretation.</p> <p>The purpose of the rule is to reduce the possible contribution to the spread of fire and smoke throughout the building via a duct system.</p> <p>Agree, the current modification has been revised to be an option to the corresponding IMC provision; the IMC provision directly addresses the risk when the garage is occupied as compared to the modification which references a time frame which does not take into account whether or not people are present.</p>

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	Schorr continued	<p>7. Chapter Comm 66 Existing Buildings. Concerned with the adoption of this chapter as it appears to assume that existing buildings are not code compliant with the code in effect at the time of original construction or need further regulation. Indicates he is not sure what the intent of this chapter is, retro-active requirements on an already existing structure, or a perceived minimum standard for an existing building.</p> <p>8. Appears the administration of chapter Comm 66 will require the building envelope upgrades where “energy use of the building is increased.” This may require existing buildings with an upgraded electrical service or air conditioning where not previously there would require the building envelope modification to be retroactively applied to an existing structure. From DOA’s standpoint, this requirement will become more problematic and expensive to operate and maintain existing buildings.</p>	<p>The application of WCBC including ch. Comm 66 is addressed under s. Comm 61.03. The provisions of ch. Comm 66 and the IEBC apply to the alterations, changes of use and additions occurring within or for existing buildings.</p> <p>The administration of ch. Comm 66 will reflect the current rules which require compliance for changes in occupancies that “would result in an increase in demand for either fossil fuel or electrical energy supply.”</p>
213	Joe Monfire Department of Administration Madison, WI	<p>Has concerns with the following requirements as the IMC applies to Comm 45:</p> <p>IMC 1104.2 Machinery Room. Indicates the definition for “machinery room” is based on whether the quantity of refrigerant exceeds the quantity as prescribed by Table 1103.1. The construction of machinery rooms is described in IMC 1105 and 1106, if required by the safety classification. Believes this implies that any large volume space can have a piece of refrigeration equipment without the need to meet the requirements of IMC 1105 and 1106. Suggests this application be clarified especially if the space might be a large industrial space or central plant that has fuel fired devices, such as boilers or chillers.</p> <p>Believes IMC 1105 and 1106 only apply to spaces requiring a machinery room as defined by IMC 1104.2.</p>	It is unclear what is the basis for the concerns; the current Wisconsin modifications under s. Comm 64.1101 substitute chapter Comm 45 for the requirements of IMC chapter 11 pertaining to refrigeration. The proposed rules do not affect s. Comm 64.1101.
214	Pete Trost St. Francis Fire Department St. Francis, WI	Supports the proposed rules relating sprinklers. Indicates sprinklers have been proven to contain fires, reducing damage costs and more importantly saving lives by allowing time to exit a building. Believes residential buildings need extra time to evacuate due to people sleeping.	Support noted.
215	Lawrence Passafaro St. Francis, WI	Supports the proposed rules relating to sprinklers. Similar comment to #214.	Support noted.

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216	Robert Procter Foundry Apartments, LLC Madison, WI	Opposes the proposed rules relating to sprinklers in all multifamily dwellings. Similar comment to #28	See agency response under speaker #1.
217	George Krudop Wisconsin Fire Inspectors Oak Creek, WI	Similar comment to #214.	Support noted.
218	Matt Hamilton US Fire Protection New Berlin, WI	Supports the proposed rules relating to sprinklers and indicates the cost of inspection of a sprinkler system on annual basis is \$200.	Support noted.
219	Randall R. Dahmen Madison, WI	<p>IBC 1204.1, indicates this code section has not been amended to correspond with modification associated with Comm Table 64.0309.</p> <p>IEBC 709.2 Level 2 Alterations. Explains the code requires that in mechanically ventilated spaces, existing mechanical ventilation systems that are altered, reconfigured, or extended shall provide not less than 5 cfm per person of outdoor air and not less than 15 cfm of ventilation air per person, or not less than the amount of ventilation air determined by the ASHRAE 62. Questions why Comm 64.0403 (6) (a) 1. requires 7.5 of outside?</p> <p>IECC chapter 4, indicates this chapter fails to address HVAC system controls in low rise residential units. Explains that HVAC controls are required in both low rise residential and commercial buildings under the 2000 IECC and believes for enforcement and effective energy management, the requirements of IECC 503.2.4 should be incorporated into IECC chapter 4</p> <p>Comm 63.0404, explains the draft clearly recognizes the use of REScheck computer program for demonstration of building envelope compliance but does recognize COMcheck-EZ. Recommends an amendment to recognize the use of COMcheck-EZ computer program under chapter 5.</p> <p>IECC Table 503.2.8 references steam, hot water, chilled water, brine or refrigerant. States the code fails to define the temperatures at which these are to be recognized.</p> <p>IECC 505.6, indicates this requirement fails to include language that would allow for enforcement. Explains IECC 505.5 clearly identifies how compliance can be achieved for interior lighting and believes similar enforcement language was not carried over for exterior lighting. Suggests that an amendment be included for exterior lighting for enforcement purposes</p>	<p>The matter is addressed under treatment SECTION 78 in the public hearing draft. Agree, the proposed rules have been changed to eliminate this option which would appear to result in creating situations less healthy than existing conditions.</p> <p>The 2006 edition of IECC chapter 4 reflects the study and proposals of the federal Department of Energy.</p> <p>The proposed rules have been changed to include a note referencing COMcheck for determining building envelope compliance.</p> <p>The exceptions under IECC 503.2.8 and the dictionary would establish the parameters for the various fluids.</p> <p>The IECC provisions and the ASHRAE provisions for exterior lighting are basically identical. The compliance with 505.6 is interpreted to be achieved similar to IECC 505.5.</p>

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	Dahmen continued	<p>Comm 63.0505 (1) includes a wrong cross-reference. Indicates (3) does not exist.</p> <p>IFGC 303.3, indicates the use of unvented room heaters under 3. and 4. Explains Comm 65.0621 specifically prohibits the use of this equipment. Suggests that an amendment be included to delete these references.</p> <p>Comm 65.0630, explains the draft does not include the language proposed to go with the new section. Assumes that since the draft does not include any new language that the existing language currently associated with Comm 65.0630 will still be maintained</p> <p>IFGC 304.5 addresses two methods for combustion air from within the building which are acceptable for use with fuel gas appliances. Believes all fuel gas equipment installed in new commercial buildings will be required to either be 1) direct vent sealed combustion, thus no internal building combustion air would be required, or 2) designed with outside air louvers per IFGC 304.6. Requests the code address conflict by creating an amendment recognizing 4% openings to the space in which fuel gas equipment is located under IFGC 304.5 as an option to having greater than 0.4 air changes per hour.</p> <p>Comm 65.0400 requires application of NFPA 54 for gas piping and gas piping installations and is still retained in combination with the existing Comm 65.0700, which defines that ANSI Z223/NFPA 54-2002 be the base reference. Identifies the following concerns: 1) Comm 65.0700 is an amendment to 2000 IFGC chapter 7. References in the 2006 IFGC are now contained in IFGC chapter 8, thus Comm 65.0700 should be renumbered Comm 65.0800, and 2, why was NFPA-54-2006 not chosen since this the most recent edition available to the public?</p> <p>IFGC chapter 7, believes that plan submittal for gaseous hydrogen system will be required after the implementation of the 2006 codes of the ICC codes and under Comm 40.10. Asks how the fees will be defined and believes the double submittal was not intended. Suggests that an amendment be made deleting IFGC chapter 7, which would maintain the current status for gas systems plan submittal and inspection requirements.</p> <p>Comm 64.0403 (6) and (8), believes the elimination of the 7.5 cfm/person of outside air is controversial and detrimental to the future of Wisconsin's energy reserves and energy independence since the IMC requires 15-20 cfm/person. References a letter from Gene Strehlow, Committee Chair of.</p>	<p>The proposed rules have been changed to correct the error.</p> <p>The reference to 3. and 4. are currently deleted under s. Comm 65.0303 (2); no change is proposed for this rule.</p> <p>Treatment SECTION 206 only amends the introduction of the renumbered Comm 65.0630, the remainder of the rule remains unchanged.</p> <p>The IFGC provisions already allow openings to connect spaces in order to provide for combustion air. It is only when it is "known" or when the designer chooses a more conservative approach, that the combustion air determination is limited to only one method.</p> <p>The rules are to be amended to reference the correction 2006 IFGC citations.</p> <p>The 2002 edition of NFPA 54 is also adopted by reference under ch. Comm 40. The standard references for both the WCBC and ch. Comm 40 will be updated together in the future.</p> <p>When plans are required to be submitted is addressed under s. Comm 61.30. The proposed rules do not include revisions for Comm 61.30 requiring the submission of plans for gaseous hydrogen systems. Therefore, the status quo is in effect where gaseous hydrogen plans are reviewed under ch. Comm 40</p> <p>The rules regarding the minimum rate of outside air have not been revised.</p>

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	Dahmen continued	<p>ASHRAE Technical Committee 9.1 relating to this same issue. Suggest the current requirement of 7.5 cfm of outside air per person in commercial buildings be maintained, unless a code listed exception is met Comm 64.0403 (8) (b) 1. c., suggests the following sentence be added to the current amendment: “Where a supply system serves only one room the required minimum air change may be achieved by circulation within the room at the required rate.” Feels this addition will clarify current interpretations by the Department.</p> <p>IMC 502.14 addresses the need for a source capture for a vehicle repair area. Explains the Department currently recognizes the use of tail pipe exhaust system through the Q & A section on the web page. Suggests that Comm 64.61 (3) (b), which was a code requirement prior to July 1, 2002 be referenced.</p> <p>IMC 502.14, Exception 3., believes this requirement is in conflict with Comm Table 64.0403 relating to “enclosed parking garage”, footnote d. Suggests eliminating IMC 502.14, Exception 3.</p> <p>IMC 602.2.1, indicates this section defines the test standard to which plenum materials are to be tested. Requests that currently approved alternate standard also be referenced within the code text.</p> <p>IMC 607.5.5, believes this section has not been amended to reflect the proposed IBC/Comm 62.0716 (1), which states smoke dampers are not required with NFPA 45 systems. Requests that a modification be done to the wording under the Wisconsin amendment to reference NFPA 45, which also recognizes that fire dampers are not required in such systems.</p> <p>IMC chapter 13 Fuel Oil Piping and Storage, indicates this chapter will be adopted but believes it is unclear how this chapter will be used in reference to Comm 10, Flammable and Combustible Liquids Code. Asks the following questions: 1) Are plans required to be submitted when fuel oil tanks are installed or removed? 2) What will the cost be for plan review? 3) Are the commercial building inspectors required to inspect since IMC chapter 13 will be adopted in the Commercial Building Code.</p>	<p>The current rules do not require minimum air changes when a supply system serves only one room.</p> <p>The Q & A describes one possible solution of addressing the situation as allowed under IMC section 401.6. Codifying this solution may unintentionally preclude others options and methods.</p> <p>The format is consistent with the IMC which applies this as an exception to IMC 403 and the table..</p> <p>The proposed rules have been changed to reference the alternate standard.</p> <p>Agreed, the proposed rules have been changed to coordinate the two code provisions.</p> <p>The necessity for submitting alteration plans is addressed under s. Comm 61.30. The fees for building plan review are established under ch. Comm 2. Construction projects falling under the scope of the WCBC are subject to inspections; no specific types of inspection are required. under the WCBC</p>
220	Jane Draeger (email/no address)	Believes the current requirements for sprinklers in all multifamily housing will be a deterrent to buildings in the rural area due to the costs affiliated with the installation of this system. Believes the current requirements for rated separation works well along with the smoke detection requirements.	See agency response under speaker #1.