

Sec. 34.904(2)

FIRE PREVENTION CODE

- (2) The following language is substituted for IFC section 904.11.6.2:
Automatic fire-extinguishing systems shall be serviced at least every six (6) months and after every activation of the system. Inspection shall be by qualified individuals and a certificate of inspection shall be maintained and made available to the Chief upon request.

34.906 FIRE EXTINGUISHERS.

The following requirements are in addition to the requirements in IFC chapter 906:

- (1) Substandard Extinguishers Prohibited.
The Chief shall order the removal, repair or testing of any fire extinguisher that has been found to be a danger. It shall be unlawful to allow any fire extinguisher to remain on the premises for which the Chief has ordered the removal thereof.
- (2) Recharging of Extinguishers.
All fire extinguishers shall be recharged at periodic intervals so as to be maintained in continuous effective operating condition in accordance with the applicable standard specified in this code. Records kept regarding the inspection, testing and maintenance of fire extinguishers shall be kept in accordance with Sec. 34.03, MGO.
- (3) Licensed Contractors Required.
Only qualified persons who have obtained a license in accordance with Sec. 34.105, MGO for such work shall do the recharging and servicing of fire extinguishers. The Chief shall issue such license after examination of the applicant, to make sure the applicant understands the requirements for recharging.

34.907 FIRE ALARM AND DETECTION SYSTEMS.

- (1) Smoke Alarms. Buildings built before 2009 shall comply with this section, all buildings built after 2009 shall comply with IFC section 907.
- (a) Definitions. For the purposes of this section, the following terms are defined as follows:
 "Residential building" means any building located in the City of Madison used in whole or in part for sleeping or lodging purposes including, but not limited to, any single family home, duplex, multifamily house, apartment house, rooming house, hotel, motel, children's home, dormitory, community-based residential facility and any other building used for sleeping or lodging purposes, but does not include a hospital or nursing home.
 "Sleeping area" means the area of the unit in which the bedrooms or sleeping rooms are located. Bedrooms or sleeping rooms separated by another use area such as a kitchen or living room are separate sleeping areas but bedrooms or sleeping rooms separated by a bathroom are not separate sleeping areas. Sleeping area includes the area within an efficiency unit for sleeping purposes.
 "Smoke alarm" means a single or multiple station alarm system responsive to smoke and not connected to a fire alarm system. Smoke alarms contain an audible warning device. Smoke alarms may use either photoelectric or ionization sensing technology.
 "Smoke detector" means a device, suitable for connection to a circuit, which has a sensor that responds to visible or invisible particles of combustion. Smoke detectors are connected to a fire alarm control panel.
 "Tenant" means an individual with a residential rental agreement whether written or verbal with the owner of the property.
- (b) Required Installation.
1. On August 15, 2009 all residential buildings, except owner-occupied single family homes, shall have smoke alarms in place which meet one of the following requirements:
 - a. A smoke alarm with two (2) independent power sources consisting of a primary source that uses commercial light and power and a secondary source that consists of a non-rechargeable or rechargeable battery.

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- b. A smoke alarm which is powered by a non-replaceable, non-removable battery that is capable of powering the smoke alarm for a minimum of ten years.
 2. On August 15, 2009 all owners of residential buildings, except owner-occupied single family homes, shall install and maintain a smoke alarm in each bedroom, in every sleeping area and within six (6) feet of each door leading to a bedroom or sleeping area of each unit and on each floor of the building. This subdivision does not apply to owners of hotels and motels.
 3. If the residential building has smoke alarms powered by the building's commercial light and power, the smoke alarms may remain in service until such time the device must be replaced in accordance with the manufacturer's instructions or sub. (3)(h). Replacement smoke alarms must meet the requirements of sub. (2)(a)1.
 4. Owner-Occupied Single Family Homes. It shall be the responsibility of the owner of an owner-occupied single family home to install smoke alarms as required by sub. (2)(a) and sub. (2)(b) of this ordinance by August 15, 2010.
 5. Smoke Alarm Installation. Smoke alarms should be installed in accordance with this section and other applicable state building codes. Single and multiple station smoke alarms shall be installed in compliance with the requirements of NFPA 72.
 6. Approval. Any smoke alarm required by this section shall be listed by a Department approved listing source.
- (c) Maintenance of Smoke Alarms.
1. Replacement of Batteries.
 - a. The owner of any residential building shall replace the battery for a secondary power supply in all smoke alarms each time the lease is renewed or as recommended by the manufacturer, whichever time period is shorter.
 - b. The owner of any residential building shall replace the batteries in any smoke alarm whenever the battery is insufficient or unable to power the smoke alarm.
 2. The owner of any residential building shall provide all tenants with the manufacturer's maintenance and testing instructions.
 3. Smoke alarms in the common areas of residential buildings shall be maintained and tested by the owner of the building.
 4. The tenant shall be responsible for maintaining and testing, in accordance with the manufacturer's instructions, smoke alarms that are within the dwelling unit during the term of the tenancy. The tenant shall be responsible for notifying the owner in writing if a smoke alarm becomes inoperable. The owner shall have five days from receipt of such written notice to repair and replace the inoperable alarm(s). Any smoke alarms which are powered with standard batteries which are found to be inoperable shall be replaced by the owner with smoke alarms meeting the requirements of sub. (2)(a).
 5. Tenant or occupants shall not tamper with, remove alter, damage or otherwise render any smoke alarm inoperable.
 6. Where smoke alarms powered solely by commercial light and power have been installed and maintained in accordance with this chapter, such smoke alarms shall continue to be used and maintained in accordance with the manufacturer's instructions. Non-operational, damaged, or missing smoke alarms shall be replaced with smoke alarms meeting the requirements of sub. (2)(a)1.
 7. The owner and tenant must sign a document relating to smoke alarm installation, operation and maintenance as prescribed in Sec. 32.06(4), MGO.
 8. No smoke alarm may remain in service for more than ten years unless the manufacturer specifies a different service life.

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- (d) Fire Safety Education Required. Upon each new lease and at least once every twelve (12) months for every continuing tenant, the owner shall provide tenants with fire safety educational materials as prescribed by the Chief. The Chief shall prepare the text and make the text available for distribution by the owner.
- (e) This ordinance does not apply to any buildings that have smoke detectors installed as required by other codes, ordinances, or standards and located in locations specified in sub. (2)(b).
- (f) This ordinance shall be known as the Peter Talen Smoke Alarm Ordinance.
- (2) Fire Safety Education Required. Upon each new lease and at least once every twelve (12) months for every continuing tenant, the owner shall provide tenants with fire safety educational materials as prescribed by the Chief. The Chief shall prepare the text and make the text available for distribution by the owner.

This is a Charter Ordinance and shall be effective upon sixty (60) days from passage and publication subject, however, to the referendum procedures of Wis. Stat. § 66.0101(5).

(Cr. by CHA-14-00002, 3-26-14, Eff. 5-25-14)

- (3) Alarm Notification Appliances. In IFC section 907.5.2.1.1 the sentence is in addition to:
The minimum sound pressure levels shall be: 75dBA in occupancies in Groups R and in I-1; 90 dBA in mechanical equipment rooms and 70dBA in other occupancies. (Renum. by CHA-14-00002, 3-26-14, Eff. 5-25-14)

(Am. by ORD-13-00102, 6-12-13)

(Sec. 34.907 Am. by ORD-11-00004, 1-12-11)

34.914 RESERVED FOR FUTURE USE. (Rep. by ORD-13-00102, 6-12-13)

34.1001 ADMINISTRATION.

- (1) In IFC section 1001 the phrases "Section 1003 through 1029 shall apply to new construction. Section 1030 shall apply to existing buildings." are not included as part of this code.
- (2) The following language is in addition to IFC section 1001:
1001.3 Existing Buildings. Sections 1003 through 1030 shall apply to existing buildings.
Exceptions: Means of egress conforming to the requirements of the building code under which they were constructed shall be considered as complying means of egress if, in the opinion of the Chief, they do not constitute a hazard to life.

34.1004 OCCUPANT LOAD.

The Department is not required to follow IFC section 1004.2 regarding increased occupant load.

34.1022 EXIT ENCLOSURES.

The lettering size of the signage requirements found in IFC section 1022.8.1 is substituted as follows:

- (1) The signs shall be a minimum of 17 inches (431 mm) by 11 inches (279 mm).
- (2) The letters designating the identification of the stair enclosure shall be a minimum of 1 inch (25 mm) in height.
- (3) The number designating the floor level shall be a minimum of 3 ½ inches (88 mm) in height and located in the center of the sign.
- (4) All other lettering and numbers shall be a minimum of ¾ inch (19 mm) in height.

34.1028 ASSEMBLY.

The following exception is added to the exceptions found in IFC section 1028.12:

Seats not fastened to the floor are permitted for companions of a person with a disability.

34.1100 CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS.

Chapter 11 of the IFC are not included as part of this code.

(Am. by ORD-13-00102, 6-12-13)