

City of Waukesha, Wisconsin

Ordinance No. 2021-_____

An Ordinance Renumbering Subsections (7)—(14) and Recreating Subsection (7) of Section 21.02 and Creating Subsection (8) of Section 21.03 of the Waukesha Fire Prevention Code, Regarding Definitions and Authority of Fire Chief to Require Electronic Reporting of Certain Inspection Reports

WHEREAS, this Fire Prevention Code adopts by reference provisions of the State of Wisconsin Administrative Code, National Fire Protection Code, and International Fire Code which require property owners or their lessees to retain qualified service personnel to conduct periodic testing and maintenance of certain fire protection systems in commercial properties, including automatic sprinkler systems, kitchen hood systems, fire alarms, and fire extinguishers; and

WHEREAS, those code provisions require the qualified service personnel retained by the property owner or lessee to generate reports of their testing and maintenance on a regular basis for Fire Department review; and

WHEREAS, under the present system, property owners or their lessees must locate those reports during routine on-site fire inspections so they may be shown to the Fire Department's Fire Inspector, which often result in delays and failed inspections because the reports cannot be located; and

WHEREAS, switching to a system requiring the qualified service personnel to provide the reports directly to the Fire Department electronically would alleviate those problems and make reporting much easier on the property owner and the Department; and

WHEREAS, internet-based reporting systems exist which permit the Fire Department to receive and review the reports electronically with no cost to the City and a nominal fee charged to the owner, lessee, or their qualified service personnel;

NOW, THEREFORE, the Common Council of the City of Waukesha do ordain as follows:

Section 1. Subsections (7)—(14) of Section 21.02 of the Waukesha Municipal Code are hereby renumbered as subsections (8)—(15), respectively.

Section 2. Subsection 21.02(7) of the Waukesha Municipal Code is hereby recreated to read as follows:

21.02 Definitions

...

(7) **Fire Prevention Code.** Unless the context indicates otherwise, the terms “Fire Prevention Code” and “Code” mean this Chapter 21 of the City of Waukesha Municipal Code.

Section 3. Subsection 21.03(8) of the Waukesha Municipal Code is hereby created to read as follows:

21.03 Fire Inspection and Regulations

...

(8) THIRD PARTY INSPECTIONS AND REPORTING SYSTEMS.

(a) The owner or owner’s lessee of property where any of the devices, equipment, alarms, or systems listed below are required by this Fire Prevention Code or are otherwise installed on the property shall cause their maintenance, testing and inspections to be conducted by qualified service personnel in accordance with this Code at the required intervals:

<u>Fire Protection Measure</u>	<u>International Fire Code</u>	<u>NFPA</u>
Automatic Fire Sprinkler System	901.6.1, 901.6.2	25
Commercial Kitchen Hood System	901.6.1, 901.6.2, 904.12.6.2	17A
Fire Alarm System	901.6.1, 901.6.2	72
Standpipe (incl. 5-year test)	901.6.1, 901.6.2	25
Private Hydrant System	507.5.2, 507.5.3	25
Foam System (incl. 5-year test)	901.6.1, 901.6.2	25

(b) Qualified service personnel include the following:

1. Persons factory-trained and certified for the type and brand of device, equipment, alarm, or system being inspected or tested.
2. Persons who are registered, licensed or certified by the State of Wisconsin to perform the required inspections and testing.
3. Persons qualified in the applicable NFPA standard.

(c) The City may retain a third-party person or entity to collect the records of inspection, testing, and maintenance described in sub. (8)(a) of this section which shall act as a repository for said records (the “designated electronic reporting system”) in the same manner as the City otherwise would act consistent with the City’s authority. Records of all installations, inspections, tests, and maintenance listed in sub. (8)(a) of this section shall be provided electronically to the City’s designated electronic reporting system. Completed records shall be submitted no later than 10 business days following the applicable inspection, test, and maintenance. The submitted report shall contain all information required by the City’s designated electronic reporting system. The designated reporting system may directly charge the qualified service personnel a reasonable fee for these services which shall not exceed the cost of administering the fire inspection program.

(d) Records of any device, equipment, alarm, and system inspection, test, and maintenance required by this Code, including but not limited to the Fire Protection Measures listed in sub. (8)(a) of this section, shall be maintained on the premises for a minimum of 3 years following the date of the inspection, test, and maintenance. Such reports shall also be provided to the Fire Department as required by this Code or upon the request of the Fire Chief or his or her designee.

Section 4. This ordinance shall take effect the day after publication.

Passed the ____ day of _____, 2021.

Shawn N. Reilly, Mayor

Attest: Gina L. Kozlik, City Clerk