



## *Office of the City Attorney*

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### Memorandum

To: Plan Commission

From: Miles Eastman, Assistant City Attorney

Date: April 27, 2017

Re: Amendments to the Fire Code Required by Act 270

Enclosed please find draft amendments to the City of Waukesha Fire and Property Maintenance Codes. The law requires the Plan Commission to consider ordinance amendments regulating fire prevention of buildings. The enclosed amendments are the final step in a long process brought about by a change in state law.

In 2014, the State Legislature passed Act 270, which forbade municipalities from enforcing ordinances relating to fire detection, prevention or suppression that were more restrictive than the State's commercial building regulations unless the ordinances were submitted to the Wisconsin Department of Safety and Professional Services. Code sections submitted could be "grandfathered" and still enforced once approved by the DSPS. The City submitted relevant sections of its Building, Fire and Property Maintenance Codes for approval and eventually the DSPS opined that most sections could be grandfathered except for a few provisions in the Fire Code and one provision in the Property Maintenance Code.

The enclosed draft would amend the Fire and Property Maintenance Codes so that they accurately reflect the DSPS's determination. The amendments also correct a few typographical errors and ensure all references to the State's construction codes are up-to-date. The amendments would not substantively change the Fire Code except where required by Act 270, and those changes are minor and acceptable to the Fire Department.

Please contact me at your convenience if you have any questions or concerns.