

# North Shore Fire Department

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ADMINISTRATION  
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Department of Commerce Secretary Mary P. Burke  
Wisconsin Department of Commerce  
201 W. Washington Ave. Madison, WI 53707

Dear Secretary Burke:

First let me begin by introducing myself to you. I am the Fire Chief of the North Shore Fire Department. My department is a consolidated department representing seven communities in the northern Milwaukee area. The communities represented are: Bayside, Brown Deer, Fox Point, Glendale, River Hills, Shorewood and Whitefish Bay. As a department, we are the 8<sup>th</sup> largest fire department in the state.

The purpose for this correspondence is to communicate my support for the State of Wisconsin moving forward with the adoption of the 2006 edition of **NFPA 1 UFC**. My department has seen the benefits of adopting NFPA 1 since 1999. In 1999, the Board of Directors for the North Shore Fire Department, which is comprised of 6 Village Presidents and a Mayor, took action to bring all seven communities under a single fire prevention code. In January of 2000, the North Shore Fire Department began enforcement of the 2000 edition of **NFPA 1 Fire Prevention Code**. The decision to use this fire prevention code was based on my primary concern for Health, Welfare, and Safety of residents, business owners, visitors and fire fighters within the North Shore. My fire prevention staff reviewed the draft version of the **International Fire Code** (a code propagated by International Code Council) and a comparative review of the **NFPA 1 Fire Prevention Code** (a code propagated by the National Fire Protection Association).

- The outcome of my staff's review was as follows: the NFPA has been propagating Fire Codes and Standards for over 100 years.
- The goals of the NFPA are consistent with the goals established of my Fire Prevention Bureau, to reduce or eliminate potential causes of fire and explosion from all commercial buildings and places of employment and the public that frequents these buildings.
- The other key component was to ensure firefighter and emergency responder safety. The issue of firefighter safety could only be found (documented) in the NFPA code.
- Another component of the review was applicability with the Building Code. It was clear that the state was going to adopt some the 2000 edition of the **International Building Code** in some state amended version. The provisions within NFPA 1 and the IFC were examined for consistency and applicability with

the building code. The review demonstrated a higher degree of public/private and fire fighter safety was established in NFPA 1.

- NFPA 1 had (still has) language that better addressed the issue of life safety in existing structures and based on local determination (AHJ, Authority Having Jurisdiction) be applied to heighten safety concerns. This component was and is critical. NFPA 1 then and in subsequent editions, allows the latitude of the local enforcing agent 2 distinct options. If the building has no history of life safety concerns and is being well maintained under its original use, the AHJ (we) could allow the building to remain as is. If the opposite is true, there are life safety issues within the building the AHJ (we) could look to NFPA 1 to establish a minimum threshold of requirements. These requirements are not geared to make the structure meet today's building or fire codes. They are to improve life safety for the occupants within the structure. The IFC had no such provisions or options.
- My staff also discovered that there were areas in NFPA 1 that were more restrictive than the proposed building code. The areas of greatest concern to staff were sprinkler thresholds, and exiting. The IFC mirrored the building code. To reiterate, I am charged with protecting the Health, Welfare, and Safety of residents, business owners, visitors and fire fighters within the North Shore. These more restrictive provisions help accomplish this goal.
- My staff also needed to provide the monetary impact each of these documents would make to the department budget in terms of training costs for personnel, material costs for all firefighters and communities (books) and support costs to the respective organizations for technical support.
  - The NFPA provided **free** codebooks. The request made was for 130. This continues today. We have locally adopted the 2003 edition of NFPA 1 UFC and will be moving to the 2006 edition when available.
  - **Free** training for all personnel. This offer is made to us with each edition we adopt.
  - **Free** technical support. As an adopted user of the document we receive free technical support for all matters related to the code.
  - The ICC would provide books at a cost of \$ 69.00 each with a possible discount for over 100. Actual department cost for 130 books, \$ 8,970.00. All subsequent editions would be subject to negotiated price.
  - Training from the ICC would cost \$ 1,200.00 per day of instruction plus all expenses (figured for 3 days to cover all shifts). No expenses were added and no overtime was added to cover shift openings.
  - ICC technical support is only supplied to members of the ICC. Cost of membership \$ 240.00.

**NFPA, no cost to implement.**

**ICC cost \$ 12.810.00.**

In a time of heightened concerns for public safety, why would the state look to any document that does not stress life safety and firefighter safety as its goal? The state has been looking at ways of providing and demonstrating fiscal responsibility to citizens that comprise this great state. From my example above for my department, the cost of implementing the IFC was significant.

The state has always maintained a policy of not supporting unfunded mandates on the cities, towns, villages and unincorporated areas. The Department of Commerce strayed from the unfunded mandate with the adoption of the series of ICC codes currently in place. Fire departments like mine share the inspection responsibility with the building inspectors. My department like every other fire department in the state received no funding for ICC codebooks or training as part of this adoption. Prior to the ICC codes, fire departments received free building codes and trainings were provided for at no cost.

I want to make clear; I support any community in the state adopting by local ordinance any document that they (the community or its representatives) believe provides a benefit to their community. However, I disagree with the portion of the fire service in this state that chose to impose their will and have the IFC added to COMM 14 as an optional code. This decision fractionated the enforcement community and the fire service as a whole. We are on the threshold of moving fire prevention forward in the state with the adoption of the 2006 edition of NFPA 1 UFC. This is the document the state has chosen through the Fire Code Council to propagate. This is the document that the majorities of fire service personnel and departments have supported and continue to support. The benefit of local ordinance again is to address the specific needs of your community. Not to assume your needs are others.

I ask you listen to the majority of us in the Fire Service in the State of Wisconsin as well as to the recommendations that have come out of the Fire Code Council and move NFPA 1 UFC forward as the Fire Prevention Code for the state. Doing so will encourage all current users of the IFC that they can still achieve what is best in their eyes for their communities with a local ordinance.

Respectfully submitted,



David J. Berousek  
Fire Chief

DJB/kjs