

June 30, 2006

Commercial Building Code Council
Multifamily Dwelling Code Council
Comm. 14 Fire Prevention Code Council

Dear Council Members:

In light of your advice relative to advancing the proposed Commercial Building Code and Fire Prevention Code revisions to the public hearing stage, I would like to provide a status report on automatic fire sprinkler systems in multifamily residential occupancies

1. To respond to questions raised earlier this year about Department authority to promulgate rules for sprinkler systems, I requested an opinion from the Commerce Chief Legal Counsel, Joseph R. Thomas. Enclosed is a copy of his March 27, 2006 opinion, which states that Commerce does have authority to promulgate a rule that would require sprinklers in all multifamily buildings regardless of floor area square footage or number of units.
2. In an effort to see how the Wisconsin Commercial Building Code compares with statewide codes of other states, Commerce staff surveyed every state and the District of Columbia.
 - We learned that 35 states have statewide codes that apply to all new residential buildings of three or more units.
 - Thirty-three states have more stringent statewide sprinkler requirements than Wisconsin. (Wisconsin's Commercial Building Code requires automatic fire sprinkler systems in new construction of 21 or more units.)
 - Twenty-two states require sprinklers statewide in all new residential buildings of three or more units; reflecting the requirements in the 2006 International Building Code.
 - Please refer to the enclosed summary table entitled *Report on Statewide Fire Sprinkler Requirements of 50 States* for more specific information.

3. In response to concerns expressed about the cost of sprinkler systems, Commerce is undertaking a study of 36 multifamily buildings recently constructed in Wisconsin that had sprinkler systems installed during initial construction. We are attempting to identify the cost of the buildings and the cost of the sprinkler systems.

We hope to study 12 buildings in each of three size categories: 3 - 8 units, 9 - 16 units, and 17 - 20 units. We are trying to find projects in different areas of the state in an effort to identify cost variations between geographic regions.

4. To gauge some of the impacts of unwanted fires in residential occupancies in Wisconsin, we will soon survey all Wisconsin Fire Departments to identify the number of civilian and fire fighter deaths caused by fires in residential occupancies of various sizes over the last five years. We also have been in contact with the Wisconsin Department of Health and Family Services to learn more about fire deaths through review of death certificates.
5. We expect to hold a public hearing on the update of the Commercial Building Code and the Fire Prevention Code in 2006, with hopes to have revised codes go into effect no later than July 1, 2007.

We appreciate your interest in this matter and your contributions to this important consideration. We hope to have more information to share with you by August.

Sincerely,

Robert G. DuPont, Director
Bureau of Program Development

Enclosures: Commerce Legal Opinion dated March 27, 2006, and
Report on Statewide Fire Sprinkler Requirements of 50 States