



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Master

**File Number: 07734**

**File ID:** 07734

**File Type:** Ordinance

**Status:** Items Referred

**Version:** 2

**Reference:**

**Controlling Body:** PUBLIC SAFETY  
REVIEW BOARD

**Lead Referral:** BUILDING CODE, FIRE  
CODE AND  
LICENSING APPEALS  
BOA

**File Created Date :** 10/09/2007

**File Name:** energy efficient light bulbs

**Final Action:**

**Title:** SUBSTITUTE - Creating Sections 27.05(2)(aa), (bb), (cc), and (dd) and Section 29.20(21) of the Madison General Ordinances to require bulbs with an energy efficiency of at least thirty (30) lumens in some common areas and dwelling units in residential buildings.

**Notes:** 4270bulbs/KCN

**CC Agenda Date:** 10/16/2007

**Agenda Number:** 4.

**Sponsors:** Larry Palm and Brian L. Solomon

**Enactment Date:**

**Attachments:** 07734-Version 1.pdf

**Enactment Number:**

**Author:** Katherine Noonan

**Hearing Date:**

**Entered by:** Janice Pena 608-261-9159

**Published Date:**

### Approval History

Version	Date	Approver	Action
2	11/02/2007	Daniel Bohrod	Approve

### History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Attorney's Office	10/09/2007	Fiscal Note Required / Approval	Comptroller's Office/Approval Group	10/10/2007	10/10/2007	
1	Attorney's Office/Approval Group	10/09/2007	Approved As To Form				
	<b>Action Text:</b>		This Ordinance was Approved As To Form				
	<b>Notes:</b>		Substitute				

1	Comptroller's Office/Approval Group	10/10/2007	Approved Fiscal Note By The Comptroller's Office	Attorney's Office	10/10/2007	
	<b>Notes:</b> Bohrod					
1	Attorney's Office	10/10/2007	Referred for Introduction			
	<b>Notes:</b> Building Code, Fire Code and Licensing Appeals Board, Commission on the Environment, Housing Committee, Public Safety Review Board, Solid Waste Advisory Committee					
1	COMMON COUNCIL	10/16/2007	Refer	BUILDING CODE, FIRE CODE AND LICENSING APPEALS BOARD	02/19/2008	Pass
	<b>Action Text:</b> A motion was made by Ald. Bruer, seconded by Ald. Brandon, to Refer to the BUILDING CODE, FIRE CODE AND LICENSING APPEALS BOARD. The motion passed by voice vote/other.					
	<b>Notes:</b> Additional Referral(s): Commission on the Environment, Housing Committee, Public Safety Review Board, Solid Waste Advisory Committee					
1	BUILDING CODE, FIRE CODE AND LICENSING APPEALS BOARD	10/16/2007	Refer	COMMISSION ON THE ENVIRONMENT		
	<b>Action Text:</b> This Ordinance was Refer to the COMMISSION ON THE ENVIRONMENT					
	<b>Notes:</b>					
1	BUILDING CODE, FIRE CODE AND LICENSING APPEALS BOARD	10/16/2007	Refer	HOUSING COMMITTEE	03/05/2008	
	<b>Action Text:</b> This Ordinance was Refer to the HOUSING COMMITTEE					
	<b>Notes:</b>					
1	BUILDING CODE, FIRE CODE AND LICENSING APPEALS BOARD	10/16/2007	Refer	PUBLIC SAFETY REVIEW BOARD		
	<b>Action Text:</b> This Ordinance was Refer to the PUBLIC SAFETY REVIEW BOARD					
	<b>Notes:</b>					
1	BUILDING CODE, FIRE CODE AND LICENSING APPEALS BOARD	10/16/2007	Refer	SOLID WASTE ADVISORY COMMITTEE	10/31/2007	
	<b>Action Text:</b> This Ordinance was Refer to the SOLID WASTE ADVISORY COMMITTEE					
	<b>Notes:</b>					
1	SOLID WASTE ADVISORY COMMITTEE	11/01/2007	Return to Lead with the Recommendation for Approval	BUILDING CODE, FIRE CODE AND LICENSING APPEALS BOARD	02/19/2008	Pass
	<b>Action Text:</b> A motion was made by Shenot, seconded by Ingham, to Return to Lead with the Recommendation for Approval to the BUILDING CODE, FIRE CODE AND LICENSING APPEALS BOARD. The motion passed by voice vote/other.					
	<b>Notes:</b>					
2	HOUSING COMMITTEE	11/02/2007	Refer	LANDLORD AND TENANT ISSUES SUBCOMMITTEE	01/17/2008	

**Action Text:** Jennifer Feyerherm of the Sierra Club appeared in support. The Sierra Club talked to energy efficient experts from Energy Center of Wisconsin, Wisconsin Energy Conservation Corporation and MG&E. There hasn't been a lot of energy efficient investments in rental properties as you would see in other segments of the market. Lighting was an issue where they saw savings for both the landlord and the tenant. The Energy Center of Wisconsin did a survey on rental properties in the State of Wisconsin and they found, in terms of lighting, units that have 20 units and more have already made the switch in common areas. In rentals that have small numbers of units, there was a lot of potential to upgrade lighting to much more efficient lighting. Numerous brochures were handed out on energy-efficient lighting.

Liesel Schulte of Wisconsin Energy Conservation Corp. appeared to answer any questions if necessary.

Becky Anderson asked if there had been research in other buildings, not just residential? Is the government doing anything to improve the energy efficiency of their buildings? Feyerherm noted that the State and University are. Anderson asked what the enforcement would be? Hank stated his staff would inspect as part of a systematic inspection and they would also respond to complaints. Anderson asked about the implementation of the ordinance? Feyerherm stated June 1, 2008 would be for common areas and June 1, 2009 for interior.

Villacrez moved to refer to the Landlord & Tenant Issues Subcommittee, second by Mandeville with unanimous approval.

This Ordinance was Referred to the LANDLORD AND TENANT ISSUES SUBCOMMITTEE

**Notes:**

- 2 Attorney's Office/Approval Group 11/02/2007 Approved As To Form  
**Action Text:** This Ordinance was Approved As To Form  
**Notes:** Substitute.
- 2 Attorney's Office 11/02/2007 Fiscal Note Required / Approval Comptroller's Office 11/02/2007  
**Action Text:** This Ordinance was Fiscal Note Required / Approval to the Comptroller's Office due back on 11/2/2007  
**Notes:**
- 2 COMMISSION ON THE ENVIRONMENT 11/19/2007 Return to Lead with the Recommendation for Approval BUILDING CODE, FIRE CODE AND LICENSING APPEALS BOARD 02/19/2008 Pass  
**Action Text:** A motion was made by Sonzogni, seconded by Palm, to Return to Lead with the Recommendation for Approval to the BUILDING CODE, FIRE CODE AND LICENSING APPEALS BOARD. The motion passed by voice vote/other.  
**Notes:**
- 2 LANDLORD AND TENANT ISSUES SUBCOMMITTEE 12/20/2007
- 2 LANDLORD AND TENANT ISSUES SUBCOMMITTEE 01/17/2008 Return to Lead with the Recommendation for Approval HOUSING COMMITTEE 03/05/2008 Pass

**Action Text:** A motion was made by Ejercito, seconded by Hassel, to Return to Lead with the Recommendation for Approval to the HOUSING COMMITTEE. The motion passed by voice vote/other.

An amendment to the motion was made by Brink, seconded by Hassel, to remove Item #3 from the Ordinance. The amendment to the motion was rejected on the following vote:

Yes – Brink & Hassel  
Nos – Sparer and Ejercito

Sparer is against removing item #3 from the Ordinance. Hassel does not like the look and light from the light bulbs.

Ejercito would also like to see it Citywide but believes in how it was drafted to at least get 60% of Madison on board. It is time to phase out incandescent lightbulbs. Ejercito is a photographer and deals with lighting, color temperature and light balance, and it is far easier to compensate for compact fluorescents than it is for incandescent bulbs.

**Notes:**

2	HOUSING COMMITTEE	02/06/2008		
2	BUILDING CODE, FIRE CODE AND LICENSING APPEALS BOARD	02/19/2008	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATION S - REPORT OF OFFICER	Pass

**Action Text:** The Board had forwarded the previous Ordinance on to the Council for their consideration.

A motion was made by Glueck, seconded by Christian, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER. There was a feeling that the implementation date should be moved out to August 15th so owners could plan for it. In addition, any one year leases still in effect on August 15th would not be required to comply until that lease expires.

The motion passed by voice vote/other.

**Notes:** There was a feeling that the implementation date should be moved out to August 15th so owners could plan for it. In addition, any one year leases still in effect on August 15th would not be required to comply until that lease expires.

2	HOUSING COMMITTEE	03/05/2008	RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATION S - REPORT OF OFFICER	Pass
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**Action Text:** Alan Fish, Vice Chancellor at UW Madison, spoke in support of Ordinance 07734. He was representing himself, not UW. Mr. Fish gave the Committee some information about the University. While the University is not directly in the landlord business, they are indirectly in the landlord business. They have 300 buildings on campus, about 20 million gross square feet, about 60,000 people who are present every day, and about 7,000 of them that live there. The scale of what UW deals with is so much more immense. UW began changing out incandescent light bulbs about 15 years ago. They have comprehensively gone through the entire campus, both in the housing units and all of the academic and research buildings. UW is 98% non-incandescent bulbs. Most of the lights are fluorescent and are not CFL's. They have more a commercial/academic application and are using the long tubes. They have upgraded all of those to take the ballast out of them so that the PCB's that are in those are also removed. They have spent almost \$12 million in lighting and electric upgrades over past 15 years. The payback for UW is that last year their energy bill was \$50 million. If they can shave off 2 – 3% of the energy bill, there will be huge ramifications for their budget. UW is in a different position than the apartment owners because they have the revenue in their utility budget to help pay for the up-front costs, so they are driving down their electric usage. UW is continually growing on campus, so as they grow they are trying to make an effort to constantly shave off the usage. The demand side is 100% savings, every kilowatt you can save. As a result of their electric work, they have knocked about 8.7 million kilowatts of electricity out of campus buildings. There is a commitment from UW to support this and doing what they have to do make this reduction happen. They are also in a different situation when it comes to reutilizing the bulbs when they are no longer useful. Because of their scale, UW creates their own recycling program that they self-manage. As part of the community, people wonder why the university is doing something, and that is why Mr. Fish wanted to share their information. They have been spending a lot of time with the Sierra Club and other environmental groups lately.

Hirsch asked how UW handles specifications in dorm buildings going forward on replacement. Do they emphasize the use of compact fluorescents and other energy saving measures? Mr. Fish indicated all permanently installed lighting they have is either fluorescent or compact fluorescent in the residence halls. As they built two new residence halls in the past couple of years, that specification is in new residence halls. It is easy to do that, but harder to go back and do the old buildings.

Rebecca Anderson spoke in opposition to 07734. Ms. Anderson asked how many of the Committee members have energy-smart light bulbs in their homes. Wilcox referenced that her management company put them there. Ms. Anderson has an office in her home, with a ceiling fixture with four lamps in it (60 energy CFL's) and finds that it is not bright enough and does not give her enough light to do bookwork for long periods of time. Ms. Anderson has student properties. Students study in their apartments a lot so the low lighting will affect them. She feels the students will change out the bulbs and replace them with incandescent bulbs or whatever is better for them to see with. Ms. Anderson brought in something from the paper. There was information on the percentage of pounds of going green, and the least is for your car, then it is light bulbs and then it goes all the way up to garbage disposals/CO2, and shutting your refrigerator door. She said light bulbs are not the big problem. Ms. Anderson referenced mail she receives from MGE and that they want to cut down so 6 cents will get you a windmill on your bill. She is speaking about interior lighting only. She brought in light bulbs and said the cost and packaging are problems. A package of 4 incandescent light bulbs is \$1.88 and a package of 3 CFL's was marked \$7.58. There is a definite difference in price. The packaging on incandescent bulbs is less evasive and biodegradable, whereas the CFL's are in plastic and if you buy a case are in several layers of packing. If you are trying to save energy, then why package it in this manner? As for recycling, yes, the stores take back the light bulbs. However, not one store could tell her where the light bulbs go after they are picked up. Where do the light bulbs go? As for the mercury, Ms. Anderson asked if the Committee remembered years ago when kids were running around and their shoes were lighting up as they walked. They had mercury in them and the shoes were taken off the market. They are back now, but they do not have mercury in them. If they can take the mercury out of little kids shoes, why can't China take out the mercury in the light bulb? If the City passes this, whose liability is it if a kid gets injured? The City is directing landlords/owners to this so whose liability is it if someone gets injured?

LeTourneau asked if there is information on the packaging about what to do if a CFL breaks and Ms. Anderson said no. Ms. Anderson then said it does reference on the package the bulb contains

mercury.

A motion was made by Ejercito, seconded by Konkel, to recommend approval of Ordinance 07734 to the Common Council.

LeTourneau would like to see this Ordinance separated. She thinks a lot of people are in favor of the Ordinance for the common areas. Her biggest concern is the in-unit issue. She was listening to a radio station and heard about somebody out East who broke a bulb in her apartment a couple weeks ago. The woman called the Fire Department and LeTourneau thought that was ridiculous for someone to do something like that. However, she then looked up on the EPA website what the EPA recommends doing if a light bulb is broken, as she felt she should know what she was putting in someone's apartment. It was a lot more extensive than what was on the back of this piece of paper. She was shocked to see that if you break a bulb that you should open a window and leave the room, and turn off A/C or heat. You should be gone for 15 minutes and then go back and scoop up the bulb with whatever you can. You cannot use a vacuum cleaner. Use tape to get rid of the broken bulb and put it in a bag or glass jar with a metal top. Then once it is all picked up, you can vacuum the area. Once you vacuum, you should take the vacuum cleaner bag and put it in another bag, and then throw that bag away. It is a big deal. She does not know any tenant that would have a clue about doing this and that is why she asked Ms. Anderson about the packaging. She has these bulbs at home and has broken them before. Unless the information is on the packaging, you would not know what to do. We do not need to start another serious health issue, like lead paint, by requiring landlords to put these in people's apartments. She does not want to be sued if there is an incident, nor would the City want to be sued for it. It is the tenant's responsibility to change their light bulbs, not the landlord's.

Villacrez agrees with LeTourneau. How are they going to make sure that the light bulbs are being used? How do you enforce this? Do you put something in the lease? He asked Konkel if that was possible and she said that yes, you could put that in your lease. Wilcox said they are not allowed to disarm fire alarms. Villacrez said we are going to lose some of the so-called value to this Ordinance. He is for reducing energy costs and global warming issues. He has been to South America several times over the past five years and there is less snow on the mountaintops each time. He thinks there should be more education and the City should have a plan on how they are going to recycle the bulbs. One of the arguments that was heard is that the apartment industry is the last to jump on the bandwagon here, and there could be good reason for that. A lot of times you cannot control what goes on inside someone's home. The apartment is their home and they have certain rights. He will be voting against at this time, but would eventually like to see it pass.

Sparer referenced that at the Landlord/Tenant Subcommittee Meeting, people reminded the Subcommittee that apparently on a Federal level, there has already been a law passed that is going to get rid of incandescent bulbs. It is going to happen that this will be required because the other bulbs will not exist. We are requiring it more quickly than the Federal Government. He thinks the discussion should be on whether the Committee should change the effective dates to provide for a little more education and more clarity on the funding issues before it goes into effect. Sparer thinks it is clear on if the Committee should pass it. We are talking about environmental issues that are bigger than the City of Madison. We could do our little part. Sparer thinks there is plenty of time to do this and clarify things. If the Committee sends this to the Common Council and in the meantime there is more information about the funding or the County Committee comes up with information, it will all be talked about by the full City Council. He could see having some slight adjustments in the effective dates but otherwise thinks it is wise to adopt.

Porterfield's concern from the testimony is on the interior timing for large landlords. He wants the large landlords to be able to take advantage of grant programs and other ways to absorb the cost.

Porterfield made an Amendment to the motion, seconded by Villacrez, to give until the end of 2009 for the interior of units.

Porterfield said if you are operating rental housing, you could build that additional cost into the 2010 budget if you extend the time for the interior of units.

Konkel recommended that the Sponsor should adjust the dates when it gets to Council, as it requires George Hank to submit a report by the end of March. Konkel is not sure what the date should be changed to, not knowing when it gets to Council. Konkel indicated that maybe it should say the sponsor should adjust the dates when it gets to the Council. Legistar is not showing the legislative history so Konkel is not sure what other Committees may have this. Feyerherm referenced that this has not been to Public Safety Review Board or the Fire Code, Building Code & Licensing Appeals Board. Zopelis referenced that it did go to the Fire Code, Building Code & Licensing Appeals Board as she types the Minutes for them as well. They recommended approval to the Council with an amendment. Feyerherm also said that it went to the Solid Waste Advisory Committee.

Villacrez wants to separate out the part that has to do with the interior lights and refer it until the Committee can get some questions resolved. There are too many unknown factors on the interior part. There have been a lot of meetings with a lot of different landlords and even through the Board of the Apartment Association on the hallways and the research done on the LED exit lights. The interior part seems unequal in the fact that we are not requiring all homeowners to do it.

Hirsch interrupted on a procedural basis because Villacrez was beginning to make a case. Hirsch said he heard Villacrez say that the Committee should recommend not covering the interior of the units at all. Hirsch asked if that was a friendly amendment to the previous amendment that was made. Villacrez said yes. Hirsch said the amendment under consideration would be to recommend passage without application to the insides of the units at all. Hirsch asked if there was discussion on that amendment.

Sparer recommended that the Committee not do as indicated above, but instead extend the date because it has been discussed at great length and presentations have been made. In his view, the only issue with whether to do it on the interiors is to make sure that people have the option of getting this done within the time period they needed. That is why the Committee would extend the date. Hopefully, that information can be brought before the City Council before the vote happens there. He feels the Committee should recommend the lights be changed on the interiors as well. He votes against totally removing it from the Ordinance.

Brink referenced that they do not know what the funding is. If you try to get funding, you are not guaranteed funding. The Committee is mandating and telling what to do inside the apartments. The co-ops have all of the ability to change all of the lights they want inside. There are no real estate taxes paid by the co-ops in that situation. People can do whatever they want in their own homes. If we are really going to do this, then we should demand everyone inside their homes to change them too. That is where it has to be equitable. Most people have done the common areas. He has no control over what people do inside their apartments. He thinks it is too soon to do this.

Judge asked for a point of information. If the Committee separates it, would it become a separate Ordinance? Konkel said it could, if that was what the Committee wanted, but it would take work by staff to do this.

Hirsch called for a vote on the amendment, to delete the application of the requirement for CFL's to the insides of rental units (Section 3). The motion for the amendment failed by the following vote:

Yes – Day, Villacrez, Brink, LeTourneau

No – Ejercito, Judge, Konkel, Porterfield, Rutten, Sparer, Wilcox

Abstain - Hirsch

Absent - Hassel & Mandeville

Excused - Munson

A motion was made by Judge, seconded by LeTourneau, to separate the Ordinance into two pieces, one dealing with the insides of the units and the other dealing with the common and exterior areas.

Wilcox is concerned that by separating the Ordinance, it would have to go through all of the same process as the original Ordinance and it would essentially be starting over, which is very time consuming. Konkel said the Council does not do this very often so she is not sure on the process.

Her understanding is that if you separate something, you can recommend only moving forward with the issue that the Committee agrees on, and holding the piece in question back in Committee, but technically the Council can move forward however they want. Hirsch clarified that the Committee does not have the power to separate, and only have the power to make a recommendation to the Council that they consider these things separately. Konkel said a Committee could keep a piece in Committee because the Council can go forward regardless of what the Committee recommends.

Hirsch said that without objection, the Committee would separate and move on to consideration of piece number one, which addresses the insides of the units.

Point of clarification from Sparer. The Ordinance has Sections 1, 2, 3, 4 & 5. Section 4 is a report, so would the Committee have Sections 1, 2, 4 & 5 as one part, and then the other piece would be Sections 3 & 4 again? That was Judge's intention.

A motion was made by Judge, seconded by Villacrez, to refer/table Sections 3 & 4 (insides of units) until questions are answered. The motion passed by voice vote/other with Chair Hirsch abstaining.

Judge thinks this is a very good idea. Seeing as the date is 2009 right now, Judge feels referring it one month to discover this very important information, will not change the bottom line because it is still 16 months away.

Konkel indicated that the issue of the March 31, 2008 due date for a report from George Hank does not make sense and recommends that they move this date to June. Wilcox thinks it would be a good idea to provide information on disposal of light bulbs to tenants at the time a lease is signed.

A motion was made by Judge, seconded by Rutten, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER, to approve Sections 1, 2, 4 & 5. The motion passed by the following vote:

**Notes:** A motion was made by Ejercito, seconded by Konkel, to recommend approval of Ordinance 07734 to the Common Council.

Porterfield made an Amendment to the motion, seconded by Villacrez, to give until the end of 2009 for the interior of units.

Villacrez wants to separate out the part that has to do with the interior lights and refer it until the Committee can get some questions resolved. There are too many unknown factors on the interior part. There have a lot of meetings with a lot of different landlords and even through the Board of the Apartment Association on the hallways and the research done on the LED exit lights. The interior part seems unequal in the fact that we are not requiring all homeowners to do it.

Hirsch interrupted on a procedural basis because Villacrez was beginning to make a case. Hirsch said he heard Villacrez say that the Committee should recommend not covering the interior of the units at all. Hirsch asked if that was a friendly amendment to the previous amendment that was made. Villacrez said yes. Hirsch said the amendment under consideration would be to recommend passage without application to the insides of the units at all. Hirsch asked if there was discussion on that amendment.

Sparer recommended that the Committee not do as indicated above, but instead extend the date because it has been discussed at great length and presentations have been made. In his view, the only issue with whether to do it on the interiors is to make sure that people have the option of getting this done within the time period they needed. That is why the Committee would extend the date so that they could do that. Hopefully, that information can be brought before the City Council before the vote happens there. He feels the Committee should recommend the lights be changed on the interiors as well. He votes against totally removing it from the Ordinance.



Judge asked for a point of information. If the Committee separates it, would it become a separate Ordinance? Konkel said it could, if that was what the Committee wanted, but it would take work by staff to do this.

Hirsch called for a vote on the amendment, to delete the application of the requirement for CFL's to the insides of rental units (Section 3). The motion for the amendment failed by the following vote:

Yes - Day, Villacrez, Brink, LeTourneau  
No - Ejercito, Judge, Konkel, Porterfield, Rutten, Sparer, Wilcox  
Abstain - Hirsch  
Absent - Hassel & Mandeville  
Excused - Munson

A motion was made by Judge, seconded by LeTourneau, to separate the Ordinance into two pieces, one dealing with the insides of the units and the other dealing with the common and exterior areas.

Wilcox is concerned that by separating the Ordinance, it would have to go through all of the same process as the original Ordinance and it would essentially be starting over, which is very time consuming. Konkel said the Council does not do this very often so she is not sure on the process. Her understanding is that if you separate something, you can recommend only moving forward with the issue that the Committee agrees on, and holding the piece in question back in Committee, but technically the Council can move forward however they want. Hirsch clarified that the Committee does not have the power to separate, and only have the power to make a recommendation to the Council that they consider these things separately. Konkel said a Committee could keep a piece in Committee because the Council can go forward regardless of what the Committee recommends.

Hirsch said that without objection, the Committee would separate the Ordinance and move on to consideration of piece number one, which addresses the insides of the units.

Point of clarification from Sparer. The Ordinance has Sections 1, 2, 3, 4 & 5. Section 4 is a report, so would the Committee have Sections 1, 2, 4 & 5 as one part, and then the other piece would be Sections 3 & 4 again? That was Judge's intention.

A motion was made by Judge, seconded by Villacrez, to refer/table Sections 3 & 4 (insides of units) until questions are answered. The motion passed by voice vote/other with Chair Hirsch abstaining.

Judge thinks this is a very good idea. Seeing as the date is as of right now 2009, Judge feels referring it one month to discover this very important information, will not change the bottom line because it is still 16 months away.

Konkel indicated that the issue of the March 31, 2008 due date for a report from George Hank does not make sense and recommends that they move this date to June. Wilcox thinks it would be a good idea to provide information on disposal of light bulbs to tenants at the time a lease is signed.

Absent: 2 Howard Mandeville and Detria D. Hassel  
Excused: 1 Brian A. Munson  
Ayes: 11 Susan K. Day; Philip P. Ejercito; Victor E. Villacrez; Tobi L. Rutten; Judith M. Wilcox; Curtis V. Brink; Rose M. LeTourneau; David C. Porterfield; David R. Sparer; Eli Judge and Brenda K. Konkel

Abstentions: 1 Thomas E. Hirsch

2 PUBLIC SAFETY REVIEW 03/11/2008 Refer PUBLIC SAFETY 04/08/2008 Pass  
BOARD REVIEW BOARD

**Action Text:** This would provide for more efficient, effective and safe lighting in: Common areas (exterior), outside areas and inside rental units. The Sierra Club has attended most other committee meetings - demonstrated the lights and they were very bright. Tenants and landlords agreed on the common and outside areas. It was unknown what the fiscal impact would be on the inside of rental units. There is a service where these costs can be subsidized. Sixty percent of our buildings are rental units. The mercury component of the fluorescent bulbs was a concern of some members - however all businesses that sell these bulbs must also recycle old ones by Ordinance. Police offered no view on the matter, but did feel that more light is always good. The ordinance will be referred to the April meeting with the request that the Sierra Club and/or the ordinance sponsor come to the meeting to give their input.

**Notes:**

2 HOUSING COMMITTEE 04/02/2008

2 PUBLIC SAFETY REVIEW 04/16/2008  
BOARD

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**Text of Legislative File 07734**

**Fiscal Note**

The Neighborhood Preservation and Inspection Division anticipates implementation of the Ordinance provisions would have little impact on its Inspection operations. However, the City Recycling Coordinator has indicated that the reporting requirement in the Ordinance may consume many hours to research and write as the Ordinance may require the replacement of thousands of incandescent bulbs and the establishment of recycling programs for disposal of the bulbs. In addition, there may be some expense to survey property owners to get an idea of how many bulbs will be replaced and to alert them to recycling options prior to the start of the replacement mandate.

**Title**

SUBSTITUTE - Creating Sections 27.05(2)(aa), (bb), (cc), and (dd) and Section 29.20(21) of the Madison General Ordinances to require bulbs with an energy efficiency of at least thirty (30) lumens in some common areas and dwelling units in residential buildings.

**Body**

DRAFTER'S ANALYSIS: This amendment is intended to decrease energy use in certain residential buildings and increase tenant safety by decreasing the frequency with which bulbs will burn out and require replacement.

\*\*\*\*\*

The Common Council of the City of Madison do hereby ordain as follows:

1. Subdivision (aa) of Subsection (2) of Section 27.05 entitled "Safe and Sanitary Maintenance of Property" of the Madison General Ordinances is created to read as follows:

"(aa) In all buildings containing three (3) or more rental dwelling units and that are more than six (6) stories or sixty (60) feet in height, and all buildings containing three (3) or more rental dwelling units and that are up to six (6) stories or sixty (60) feet in height and were constructed prior to January 1, 1993, all common area lights shall contain any bulb that has an energy efficiency of at least thirty (30) lumens per watt. The effective date of this subdivision shall be June 1, 2008. This subdivision shall not apply to lights with a candelabra base."

2. Subdivision (bb) of Subsection (2) of Section 27.05 entitled "Safe and Sanitary Maintenance of Property" of the Madison General Ordinances is created to read as follows:

"(bb) In all buildings containing three (3) or more rental dwelling units and that are more than six (6) stories or sixty (60) feet in height, all buildings containing three (3) or more rental dwelling units and that are up to six (6) stories or sixty (60) feet in height and were constructed prior to January 1, 1993, and all buildings that do not contain dwelling units, required exit lights shall contain light emitting diode bulbs. The effective date of this Subdivision shall be June 1, 2008."

3. Subdivision (cc) of Subsection (2) of Section 27.05 entitled "Safe and Sanitary Maintenance of Property" of the Madison General Ordinances is created to read as follows:

"(cc) All mounted fixtures with Edison bases that are in rental dwelling units in buildings with three (3) or more dwelling units shall have any bulb that has an energy efficiency of at least thirty (30) lumens per watt at the beginning of a resident's initial lease period. This requirement shall not apply to fixtures controlled by dimmer switches or to any fixtures in appliances. The effective date of this subdivision shall be June 1, 2009. "

4. Subdivision (dd) of Subsection (2) of Section 27.05 entitled "Safe and Sanitary Maintenance of Property" of the Madison General Ordinances is created to read as follows:

"(dd) Due to the potential disposal of large number of light bulbs based on (aa) through (cc) above, the Recycling Coordinator shall report to the Common Council by March 31, 2008 on concerns and solutions to such disposal."

5. Subsection (21) of Section 29.20 entitled "Items to be Enforced Over Wisconsin Administrative Code" of the Madison General Ordinances is created to read as follows:

"(21) Required exit signs in all buildings containing three (3) or more rental dwelling units and that are more than six (6) stories or sixty (60) feet in height shall contain light emitting diode bulbs."

