

CITY OF MADISON  
**CITY ATTORNEY'S OFFICE**  
Room 401, CCB  
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**MEMORANDUM**

TO: City of Madison Common Council

FROM: Kate Smith, Assistant City Attorney

DATE: April 5, 2020

RE: Resolution to temporarily extend the expiration date of conveyance permits issued under MGO 40.08(3) (Legistar File # 60108)

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In her updated Emergency Order dated March 26, 2020, the Mayor temporarily authorized conveyance permits issued under Madison General Ordinance Section 40.08(3), that expired during the time that the Director of Public Health Madison and Dane County and the Governor of Wisconsin imposed emergency actions that they have taken to combat the coronavirus pandemic, to have their expiration date extended to ninety (90) days from the time that emergency action ends.

**BACKGROUND**

Madison Fire Department ("MFD") is required to perform annual inspections of new and existing elevators in order to issue a Permit to Operate ("PTO") under Madison General Ordinance Chapter 40. MFD has three fire inspectors who inspect all the elevators in the city on a rolling basis. Inspectors start the process approximately two months prior to the PTO expiring in order to give their customers time to complete any needed repairs. Depending on the type of elevator, one to two inspectors spend approximately 1.5 hours on site. The permit is issued for one year, at which point the process begins again.

**WHY THIS ORDER IS NECESSARY**

In response to Governor Ever's Safer at Home order, MFD evaluated which personnel were essential to be in the field and what work could safely be scaled back. Customers with existing elevators scheduled for inspections were questioning why MFD inspectors were on site when they had been advised to social distance and close physical locations. New construction can continue under Safer at Home, so MFD made the calculation that they would continue to inspect and issue PTOs for new elevators but delay inspections of existing

elevators. MFD believes a short delay for existing elevators will not affect customer safety and are evaluating how and when to restart inspections. As inspections are postponed, MFD cannot charge their customers nor issue new PTOs.

### **ACTIONS TAKEN THUS FAR PURSUANT TO THIS ORDER**

As of March 25, 2020, MFD has suspended all routine elevator inspections in order to decrease personnel in the field pursuant to Governor Ever's Safer at Home order. While MFD has suspended existing elevator inspections, they do still inspect and issue PTOs for elevators in new construction sites. MFD continues to evaluate safeguards for inspections so may began reinstating existing elevator inspections in select locations.

### **FISCAL IMPACT**

The cost of conveyance permits range from \$290-\$370, of which \$50 is allocated to the State. Approximately 2,200 inspections remain in 2020. If the emergency ends soon (May 1st), the impact will be minimal. If it extends through the summer, the impact on 2020 revenue will be minimal but there may be additional overtime and contract costs. If the emergency extends into the fall, revenues may be deferred to 2021 in addition to the additional overtime and contract costs.