



City of Madison

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

Meeting Minutes - Approved BUILDING CODE, FIRE CODE, CONVEYANCE CODE AND LICENSING APPEALS BOARD

Tuesday, December 20, 2011

12:15 PM

215 Martin Luther King, Jr. Blvd.
Room LL-110 (Madison Municipal Building)

CALL TO ORDER / ROLL CALL

The meeting was called to order by Chair Karow at 12:15 PM.

Staff Present: Harry Sulzer, Bill Sullivan

Additional Staff Present: Marci Paulson, City Attorney's Office, and Ed Ruckriegel, Madison Fire Department

Present: 7 -

Christopher Dodge; Louis J. Olson; Michael R. Flowers; Richard J. Link;
Paul E. Karow; Russell G. Stern and Craig E. Brown

Excused: 2 -

Colin L. Godding and Sam J. Breidenbach

APPROVAL OF MINUTES

A motion was made by Link, seconded by Stern, to Approve the Minutes of November 22, 2011. The motion passed by voice vote/other with Dodge abstaining because he was not at the last meeting.

PUBLIC COMMENT

None

DISCLOSURES AND RECUSALS

None

PETITIONS FOR VARIANCE

1. [24843](#) 1617 Northport Drive (C-12-69-2011)
Shulfer Architects appealing IFC 304.1.3. The rule requires that spaces under grandstands shall be kept free of combustible materials. The Variance requested is to allow a non-combustible cooler under the bleachers. A one-hour enclosure would

be required; however, that is impractical in this case. An automatic sprinkler will be provided in lieu of the one hour enclosure. The Fire Department recommends approval.

Attachments: [1617 Northport.pdf](#)

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A motion was made by Dodge, seconded by Brown, to Approve the Variance. The motion passed by voice vote/other.

2. [24845](#)

652 Bear Claw Way (C-12-70-2011)

Randy Bruce of Knothe & Bruce Architects appealing Comm 62.3002. The rule requires an elevator shall be sized to accommodate an ambulance stretcher. The Variance requested is to allow the existing shaft construction to remain and a standard elevator be installed. The code changed September 1, 2011; however, the changes were not distributed until October 1st. The internet packet sent out was not complete and did not include these changes.

Attachments: [652 Bear Claw Way.pdf](#)
[652 Bear Claw Way Attachment.pdf](#)

Randy Bruce of Knothe & Bruce Architects appealing Comm 62.3002. The rule requires an elevator shall be sized to accommodate an ambulance stretcher. The Variance requested is to allow the existing shaft construction to remain and a standard elevator be installed. The Code changed September 1, 2011; however, the changes were not distributed until October 1st. The internet packet sent out was not complete and did not include these changes.

Harry Sulzer passed out the DSPS web page that indicated the corrected pages were posted on December 14, 2011 that were missed in September when they were posted. Randy Bruce passed out a timeline for the project. The Fire Department recommended denial as they could not find an equivalency and the architect would have known. Randy Bruce pointed out that it would be an extreme hardship at this time to tear out the footings and three floors of shaft to make room for a larger elevator. Paul Karow asked if the elevator was required. It is required for accessibility the way the building is designed, but stretcher-sized is not required by the IBC until there are four stories.

A motion was made by Olson, seconded by Link, to Approve the Variance by accepting the elevator as built. The motion passed by voice vote/other.

ROLL CALL

Karow left at 1:00 PM.

Present: 6 -

Christopher Dodge; Louis J. Olson; Michael R. Flowers; Richard J. Link;
Russell G. Stern and Craig E. Brown

Excused: 3 -

Colin L. Godding; Paul E. Karow and Sam J. Breidenbach

3. [24844](#)

305 Palomino Lane (M-12-71-2011)

John Rock appealing MGO 34.01(6)(d). The appeal is an order of the Chief that a fire watch be provided as they were unable to reach the owner. An alarm panel had failed.

Attachments: [305 Palomino.pdf](#)

John Rock appealing MGO 34.01(6)(d). The appeal is an order of the Chief that a fire watch be provided as they were unable to reach the owner. An alarm panel had failed.

The owner indicates that the Fire Department did not try hard enough to find him. He received a \$1,550.00 bill for a fire watch service for the weekend. Marci Paulson indicated that the person could not appeal as it was past the 15 days that the order was made. Units were protected by smoke detectors with 10 year lithium batteries during the alarm failure. Harry Sulzer pointed out that this was a four-unit apartment building with less than 20 occupants so the alarm in question is not required. The conclusion of the discussion was that the owner should have had someone available to respond when he is out of town.

A motion was made by Brown, seconded by Dodge, to Affirm the Order of the Chief. The motion passed by voice vote/other.

NEW BUSINESS

4. [24043](#)

2nd SUBSTITUTE Creating Section 34.06 and amending Section 1.08(3)(a) of the Madison General Ordinances to prohibit negligent or reckless behavior that results in a fire and establishing a bail deposit in violation thereof.

Attachments: [Version 1](#)
[Version 2](#)

34.06(1) should read, "It shall be unlawful for any person who exhibits grossly negligent behavior or reckless disregard who sets fire to any part of the building."

The Board wants the Ordinance to apply to anyone who acts "grossly negligent or in reckless disregard." The reference to cooking was deleted so it applies anytime there is a fire.

A motion was made by Dodge, seconded by Brown, to RECOMMEND TO COUNCIL TO ADOPT WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER. 34.06(1) should read, "It shall be unlawful for any person who exhibits grossly negligent behavior or reckless disregard who sets fire to any part of the building." The motion passed by the following vote:

Ayes: 6 -

Christopher Dodge; Louis J. Olson; Michael R. Flowers; Richard J. Link;
Russell G. Stern and Craig E. Brown

Excused: 3 -

Colin L. Godding; Paul E. Karow and Sam J. Breidenbach

ADJOURNMENT

A motion was made by Dodge, seconded by Link, to Adjourn at 1:45 PM. The motion passed by voice vote/other.