



CITY OF MADISON FIRE DEPARTMENT

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SMOKE ALARM ORDINANCE UPDATE

On Tuesday, March 3, 2009 the Madison City Council approved a change to the smoke alarm ordinance in the City of Madison. The changes are highlighted below, and the ordinance in its entirety is available at:

<http://www.madisonfire.org>

- By August 15, 2009 all residential buildings within the City of Madison, with the exception of owner-occupied single family homes shall have smoke alarms in place which meet one of the following requirements:
 - Hardwired smoke alarm with a battery backup
 - Currently installed hardwired smoke alarms with no battery backup shall be allowed to remain in service until such time as the device must be replaced in accordance with manufacturer instructions. Unless otherwise specified by the manufacturer, **no smoke alarm shall remain in service longer than ten years.**
 - Smoke alarm powered by a non-replaceable, non-removable battery capable of powering the smoke alarm for a minimum of ten years.
- By August 15, 2009 all residential buildings within the City of Madison, with the exception of owner-occupied single family homes shall have smoke alarms installed in the following areas:
 - In each bedroom
 - In each sleeping area.
 - Within six feet of each door leading to a bedroom or sleeping area of each unit
 - On each floor of the building
- By August 15, 2010 all owner-occupied single-family residences shall install smoke alarms that meet the criteria of this ordinance.
- Any smoke alarms that become inoperable between the date of this ordinance becoming effective and August 15, 2009 shall be replaced with smoke alarms that meet the criteria of this ordinance.
- All smoke alarms installed shall be installed in accordance with all applicable state building codes and NFPA 72 (current edition).
- The owner of any residential building shall replace the battery in **hardwired smoke alarms** that meet the criteria of this ordinance each time the lease is renewed or once each year, whichever time period is shorter, or as recommended by the manufacturer.
- Fire safety education is required for all tenants. Upon each new lease, and at least once every 12 months for continuing tenants, the owner shall provide tenants with fire safety educational materials as provided by the Madison Fire Department.

This document merely highlights parts of the approved ordinance, and does not cover it in its entirety. Please visit our website at <http://www.madisonfire.org> or call us at (608) 266-4420 for further details.

The Madison Fire Department thanks you for your help in making the City of Madison a safer place to live.

Rev. 5/7/09

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Visit our web site at:
www.madisonfire.org



City of Madison

Legislative File Number 12575 (version 5)

Title

FOURTH SUBSTITUTE - Creating Sec. 34.42, amending Sec. 27.05(2)(w) and creating Secs. 32.06(2)(a)1.j. and 32.06(4) of the Madison General Ordinances to govern installation and maintenance of smoke alarms in residential buildings.

Body

DRAFTER'S ANALYSIS: This ordinance will govern installation and maintenance of smoke alarms, including placement of alarms, responsibility for maintenance in residential buildings and responsibility for testing and review with tenants and landlords.

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

1. Section 34.42 of the Madison General Ordinances entitled "Smoke Alarms" is hereby created to read as follows:

"34.42 SMOKE ALARMS

(1) Definitions. For the purposes of this section, the following terms are defined as follows:

- (a) "Residential building" means any building located in the City of Madison used in whole or in part for sleeping or lodging purposes including, but not limited to, any single family home, duplex, multifamily house, apartment house, rooming house, hotel, motel, children's home, dormitory, community-based residential facility and any other building used for sleeping or lodging purposes, but does not include a hospital or nursing home.
- (b) "Sleeping area" means the area of the unit in which the bedrooms or sleeping rooms are located. Bedrooms or sleeping rooms separated by another use area such as a kitchen or living room are separate sleeping areas but bedrooms or sleeping rooms separated by a bathroom are not separate sleeping areas. Sleeping area includes the area within an efficiency unit for sleeping purposes.
- (c) "Smoke alarm" means a single or multiple station alarm system responsive to smoke and not connected to a fire alarm system. Smoke alarms contain an audible warning device. Smoke alarms may use either photoelectric or ionization sensing technology.
- (d) "Smoke detector" means a device, suitable for connection to a circuit, which has a sensor that responds to visible or invisible particles of combustion. Smoke detectors are connected to a fire alarm control panel.
- (e) "Tenant" means an individual with a residential rental agreement whether written or verbal with the owner of the property.

(2) Required Installation.

- (a) By August 15, 2009 all residential buildings, except owner occupied single family homes, shall have smoke alarms in place which meet one of the following requirements:
 - 1. A smoke alarm with two independent power sources consisting of

a primary source that uses commercial light and power and a secondary source that consists of a non-rechargeable or rechargeable battery.

2. A smoke alarm which is powered by a non-replaceable, non-removable battery that is capable of powering the smoke alarm for a minimum of ten years.
 - (b) By August 15, 2009 all owners of residential buildings, except owner occupied single family homes, shall install and maintain a smoke alarm in each bedroom, in every sleeping area and within six feet of each door leading to a bedroom or sleeping area of each unit and on each floor of the building. This subdivision does not apply to owners of hotels and motels.
 - (c) Any smoke alarms that become inoperable between the effective date of this ordinance and August 15, 2009 shall be replaced with smoke alarms meeting the requirements of sub. (2)(a).
 - (d) If the residential building has smoke alarms powered by the building's commercial light and power, the smoke alarms may remain in service until such time the device must be replaced in accordance with the manufacturer's instructions or sub. (3)(h). Replacement smoke alarms must meet the requirements of sub. (2)(a)1.
 - (e) Owner Occupied Single Family Homes. It shall be the responsibility of the owner of an owner occupied single family home to install smoke alarms as required by sub. (2)(a) and sub. (2)(b) of this ordinance by August 15, 2010.
 - (f) Smoke Alarm Installation. Smoke alarms should be installed in accordance with this section and other applicable state building codes. Single and multiple station smoke alarms shall be installed in compliance with the requirements of NFPA 72.
 - (g) Approval. Any smoke alarm required by this section shall be listed by a Department approved listing source.
- (3) Maintenance of Smoke Alarms.
- (a) Replacement of Batteries.
 1. The owner of any residential building shall replace the battery for a secondary power supply in all smoke alarms each time the lease is renewed or as recommended by the manufacturer, whichever time period is shorter.
 2. The owner of any residential building shall replace the batteries in any smoke alarm whenever the battery is insufficient or unable to power the smoke alarm.
 - (b) The owner of any residential building shall provide all tenants with the manufacturer's maintenance and testing instructions.
 - (c) Smoke alarms in the common areas of residential buildings shall be maintained and tested by the owner of the building.
 - (d) The tenant shall be responsible for maintaining and testing, in accordance with the manufacturer's instructions, smoke alarms that are within the dwelling unit during the term of the tenancy. The tenant shall be responsible for notifying the owner in writing if a smoke alarm becomes inoperable. The owner shall have five days from receipt of such written notice to repair and replace the inoperable alarm(s). Any smoke alarms which are powered with standard batteries which are found to be inoperable shall be replaced by the owner with smoke alarms meeting the

- requirements of sub. (2)(a).
- (e) Tenant or occupants shall not tamper with, remove alter, damage or otherwise render any smoke alarm inoperable.
- (f) Where smoke alarms powered solely by commercial light and power have been installed and maintained in accordance with this chapter, such smoke alarms shall continue to be used and maintained in accordance with the manufacturer's instructions. Non-operational, damaged, or missing smoke alarms shall be replaced with smoke alarms meeting the requirements of sub. (2)(a).
- (g) The owner and tenant must sign a document relating to smoke alarm installation, operation and maintenance as prescribed in Sec. 32.06(4), MGO.
- (h) No smoke alarm may remain in service for more than ten years unless the manufacturer specifies a different service life.
- (4) Fire Safety Education Required. Upon each new lease and at least once every 12 months for every continuing tenant, the owner shall provide tenants with fire safety educational materials as prescribed by the Fire Chief. The Fire Chief shall prepare the text and make the text available for distribution by the owner.
- (5) This ordinance does not apply to any buildings that have smoke detectors installed as required by other codes, ordinances, or standards and located in locations specified in sub. (2)(b).
- (6) This ordinance shall be known as the Peter Talen Smoke Alarm Ordinance."

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

"(w) ~~Smoke Detectors Alarms.~~ Smoke detectors alarms shall be installed and maintained in accordance with Sec. 34.42, MGO and with ch. Comm 62 Wis. Admin. Code ch. Comm 62, s. Comm 21.09 Wis. Admin. Code § Comm 21.09 and S. Comm 28.02, Wis. Admin. Code § Comm 28.02 which are hereby incorporated by reference."

3. Subparagraph j. of Paragraph 1. of Subsection (a) of Subdivision (2) entitled "Tenant Rights and Responsibilities" of Section 32.06 entitled "Rental Agreements and Receipts" of the Madison General Ordinances is created to read as follows:

"j. summary of Section 34.42 relating to smoke alarms installation and maintenance"

4. Subsection (4) entitled "Smoke Alarm Responsibility" of Section 32.06 entitled "Rental Agreements and Receipts" of the Madison General Ordinances is created to read as follows:

"(4) Upon each new lease and at least once every 12 months for every continuing tenant, the owner and tenant(s) shall sign a document indicating the required alarms are installed and operating in accordance with this section. The form must state the tenant, by signing the form, understands it is a violation of this section to tamper with, remove, alter, damage or otherwise render any smoke alarm inoperable. In addition the tenant's signature indicates the tenant understands their responsibility for maintenance and testing of the smoke alarm(s). The form shall state the penalties for rendering smoke alarms inoperable or otherwise affecting the performance of the alarm."

Fiscal Note

Inspections and enforcement actions will be conducted through regularly scheduled inspection activities. There may be a minimal increase in revenues as a result of reinspection fees and/or citations.



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Installation Table

Currently Installed Alarms	New Requirement
110-volt older than 10 years	110-volt with battery back-up
110-volt interconnected older than 10 years	110-volt with battery back-up and interconnected
9-volt	10-year lithium (tamper-resistant or sealed) battery or 110-volt with battery back-up
Bedroom or hallway	Both sides of bedroom doors Hallway must be within 6 feet of the door
	All additional alarms above what is currently installed must be 110- volt with battery back-up or 10-year lithium battery

Battery back-up may be standard, rechargeable or lithium battery

Dates: rental properties – August 15, 2009

owner-occupied single-family – August 15, 2010



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Acceptable Smoke Alarms for Residential Use

The following smoke alarm models meet the minimum standards of the City of Madison's smoke alarm ordinance as approved by the Common Council on March 3, 2009. This list is not meant to be all-inclusive and other models may be added as they are identified.

KIDDE

- 0910 – 10-year lithium cell, tamper resistant features must be utilized
- KN-SMFM-i – 120-volt with rechargeable battery back-up

FIRST ALERT

- SA340B – 10-year lithium cell, tamper resistant body
- SA340CN – with 10-year tamper resistant lithium powercell
- SA305B – when used with a 10-year lithium battery and optional tamper resistant features are utilized

FIRE-X

- 4671 or 4671(C) – 10-year lithium cell, tamper resistant

BRK

- 9120LB – 110-volt with 10-year lithium battery back-up, locking features must be used
- SA340B - 10-year lithium cell, tamper resistant body



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Tenant Fire Safety

The smoke alarms in your apartment are there for your protection.

NEVER tamper with them or remove them.

Report to your landlord immediately any doors, lighting, smoke detectors or fire extinguishers that are missing or not working properly.

1. **In Case of Fire:** Call 911 immediately and get everyone out.

Cooking Fires:

1. Unattended cooking is the #1 cause of residential fires. Stay in the kitchen and keep an eye on your stove. Wear short or close-fitting sleeves and turn pan handles inward to prevent spills and burns.
2. Keep cooking surfaces clean to prevent food and grease build-up.
3. If the alarm goes off from cooking, open a door or window. Do not attempt to disable the smoke alarm.
4. If the fire is still confined to a pan, slide a tight-fitting lid over flames to smother a grease or oil fire. Then turn off the stove and leave the lid on until the pan cools. Do **NOT** attempt to move something that is on fire.
5. Some small fires may be smothered with baking soda. Never use water or flour on cooking fires.
6. For oven fires, shut the oven door and turn off the stove to smother.
7. If the fire is spreading beyond the container **OR** if you have **ANY** doubts about containing the fire, leave the building immediately and call 911.

Evacuation:

1. Develop and practice a fire escape plan with roommates/family and know at least two ways out of each room.
2. Select a safe meeting place outside and away from your building. Make sure everyone knows where it is and that they should go there once they have evacuated the building.
3. At a party, nightclub or large-scale event, know two ways out in case of an emergency.
4. Doors to basements, laundry and furnace rooms are "fire doors" that must be closed at all times (never propped open). These doors are meant to inhibit the spread of smoke and fire. Keeping them closed during a fire saves lives and property.

Fire Extinguishers

1. If the fire is not spreading **AND** you are familiar with the proper use of fire extinguishers, you may then attempt to extinguish the fire. Know both your limits and the fire extinguisher's limits.
2. Be familiar with use **BEFORE** fire starts. Remember **PASS...Pull the pin, Aim low at base of the fire, Squeeze lever to discharge, Sweep nozzle from side to side.**
3. **ALWAYS** keep your back to an unobstructed exit that is free from fire.

Grilling

1. Local fire ordinances prohibit open-flame cooking devices from being used on combustible balconies (charcoal, wood, LP, etc).
2. **ANYTHING** with an open flame must be at least 10 feet from the building. Grills that are powered by the small LP cylinders (2.5 lb water capacity), are allowed to be stored on combustible balconies or within the 10 ft limit, but cannot be used there.
3. Make sure the coals are completely cooled down with water before disposing of them (coals may stay hot for up to 48 hours after use).
4. Make sure all ashes are contained in a non-combustible container.

Candles & Smoking Materials

1. Make sure candles are in a sturdy holder and kept at least 3 feet from anything flammable.
2. **ALWAYS BLOW OUT** candles before leaving apartment or going to sleep
3. **Improperly discarded smoking materials are the leading cause of fatal fires – make sure smoking materials are fully extinguished by dousing them in water and disposing of them in a non-combustible container.**

Final Notes

1. An estimated 40% of fatal fires involve the use of alcohol by victims, their family members, or friends.
2. Leave hallways clear of clutter (garbage bags, bicycles, etc.) In the event of a fire, the hallway may be your path to safety.
3. After move-in, tour hallways, basement and common areas to locate exits (doors & windows). Know where fire extinguishers are, and which fire doors should be kept closed.
4. Inside your apartment, locate smoke and carbon monoxide detectors. Make sure they are working. Report any malfunctions to your landlord.