

Almost on a daily basis Fire Inspections are conducted throughout the city and surrounding area. In the 107 square miles that the Baraboo Fire Department covers there are hundreds of commercial buildings that are required to be inspected. The State of Wisconsin Department of Safety and Professional Services regulate all Fire Departments in the state. All fire departments receive money from the Department of Safety and Professional Services that is known as 2% dues. This money comes from insurance companies. When you pay your homeowners insurance, 2% of that money goes to the State to pay the Fire Departments. This money isn't just handed over to the fire department though. Each department must achieve "significant compliance" to collect these monies. Completion of fire inspections is a large part of meeting that compliance.

What are the duties of the Fire Department? The Department of Safety and Professional Services Fire Prevention Code (SPS 314), and the NFPA (National Fire Protection Association) Fire Code Handbook spell out the duties of the fire department concerning fire inspections. These codes give the Fire Department the authority to conduct the fire inspections. SPS 314.1(13)(b) states that "The Chief of the fire department shall be responsible for having all public buildings and places of employment within the territory of the fire department inspected for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of any law or ordinance relating to fire hazards or to the prevention of fires." The NFPA Fire Code Handbook takes that one step further and includes the correction of conditions that "...are deemed hazardous to life and property..."

Who is doing the fire inspections? The State of Wisconsin appoints the Fire Chief as an "Authorized deputy of the department" and the Chief may appoint others on their department to assist with inspections, also known as Fire Inspectors. NFPA 1 – 1.7.6.6 states "Persons authorized to enter and inspect buildings, structures, marine vessels, vehicles and premises as herein set forth shall be identified by credentials issued by the governing authority." In other words, a photo ID must be shown by the Inspector. NFPA 1 - 1.7.9 states, "Persons shall not use a badge, uniform, or other credentials to impersonate the AHJ." There have been cases around the country where criminals have "cased" a business by showing up and "doing a fire inspection" to learn the layout of the building, and see what they have for security.

How many inspections are required? This is laid out in SPS 314. Inspections must be done two times a year, with some exceptions. The first inspection must be done between January 1st and June 30th of each year. The second one must be done between July 1st and December 31st. Some "low hazard" buildings are exempt from having two inspections per year and get only one inspection. Some examples of these types of buildings are... Office buildings, non-occupied utility facilities, churches, libraries, museums, hotels and motels (if less than 3 stories in height), apartment buildings with less than 5 units under one roof, vacant buildings, and some buildings that are fully sprinklered. In the Baraboo fire territory we currently have around 540 occupancies that get 2 inspections per year, and 340 that get 1 per year. This figures out to over 1400 inspections per year. There are many buildings that are exempt from fire inspections altogether. These include single family, and 2 family (duplexes) dwellings, farms, bed & breakfasts, and group homes housing less than 5 unrelated adults. Someone that runs a business out of his or her home is also exempt provided the business space occupies less than 25% of the habitable floor area. The NFPA codes adopted by The State of Wisconsin gives the fire department; also know as Authority Having Jurisdiction (AHJ), the power to inspect all buildings stating, "Persons shall not interfere or cause conditions that would interfere with an AHJ carrying out any duties or functions prescribed by this *Code*." If someone denies the inspector access to a building the inspector can get a warrant to enter the premises, or can have the Police and/or other enforcement agencies render necessary assistance when requested by the inspector.

When are inspections done? According to the NFPA handbook inspections shall be done during “reasonable times”. Meaning, during business hours, unless other arraignments are made. Inspections can be done without notice to the occupant, but some buildings require the inspector to prearrange the inspection due to the building, or parts of the building being inaccessible without a key. Some businesses require the inspector to be escorted through them. Banks and medical facilities are examples of these because of the sensitive documents that can be left lying on desks. An escort also gives the inspector peace of mind knowing that they can’t be accused of reading these documents, or taking money from a bank. Some inspections take many hours to complete (R.R. Donnelley & Baraboo Sysco Foods) and some can take a minute or two (vacant buildings).

What parts of a building do you inspect? It depends on the building. A majority of the buildings get a complete inspection, closets, restrooms, under desks, behind clothes dryers, basements, and attics. The only exception to this is in apartment buildings. The only part of the building that is inspected is the common areas, hallways, basements, storage areas, and laundry rooms. We do not go into each apartment.

What do you look for when inspecting a building? Violations vary depending on the occupant. One thing that is common in every occupancy is fire extinguishers. Every inspectable property is required to have and maintain fire extinguishers per NFPA 10. A qualified technician must service them annually. Other common violations that are found are... exit signs that are not lit, emergency lights that don’t work, power strips that are “daisy chained” together, and electrical panels that are blocked. One of the biggest violations that occur at apartment buildings is finding a grill on a deck. In the City of Baraboo no grill of any kind is allowed on a deck. This code comes from a rash of fires that have burned apartment buildings all over the country. Contrary to popular belief, decks are not built as a place to sit and relax. The official name for them is “rescue platform”. They are there as an area of refuge in case of a fire in the apartment. They should be kept clear of clutter too. A few items on the platform are acceptable.

How much time does someone have to correct the violation(s)? This is left up to the discretion of the Inspector. It all depends on the violation. Ninety days is about the maximum. There have been times that the occupant has been told to correct the violation immediately, and the inspector will stay on site until they see that it is done. Generally, the most common amount of time given to fix a violation is 30 days.

Who is responsible for correcting the violation(s)? This all depends on who created the violation. The owner isn’t always the occupant of the building. There are violations that the occupant created, and violations that the owner can be responsible for. Things like “daisy chaining” power strips, or piling items in front of an exit door, are violations that the occupant has created and should be responsible to correct. Generally, any violation that is “part of the building” (broken vent pipes on gas water heaters, or furnaces... exit doors that don’t function properly... handrails that have broken off...) is the responsibility of the building owner. There are some things that the owner and occupant will have to agree upon as to which one of them will take care of, such as burnt out exit lights, and fire extinguisher maintenance. SPS 314 gives the ultimate responsibility to the owner. If the occupant doesn’t comply, we can go after the owner to get their occupant to comply.

What happens if compliance isn’t met? There are a variety of things that can be done to achieve compliance. All owner/occupants are given a second and even a third chance to comply. With each chance the time to get it done shrinks though. In the City of Baraboo there is a \$60 reinspection fee, plus, they will be fined \$100 per day per violation. In some cases the State of Wisconsin Department of Safety and Professional Services will be called in to help. In extreme cases the Fire Department can evacuate the building. NFPA Fire Code Handbook states, “The AHJ shall have the authority to order an operation, or use, stopped and the immediate evacuation of any occupied building or area when such building or area has hazardous conditions that present imminent danger.” The building owner can appeal any orders to correct a violation to the State if they question “the reasonableness of the order.” They can also petition for a variance if they feel the code is too restrictive for their business.

Do you find every code violation? No. Inspectors are human and miss things. We don't go into great detail during an inspection. We look above, below and behind things, but don't "tear things apart" to find violations. There are so many codes that it is impossible to learn them all. We are always going to training classes to learn more about the codes we are required to enforce. Fire codes have been around for over 90 years and change on an annual basis. There have been times that we've gone to a training class, learned something we weren't aware of, and came back and started enforcing that code. We'll get a, "It's been that way for years!" from the occupant. Then we have to explain why we are just now enforcing this code. Some parts of the codes "Grandfather" buildings to the "code of the day". So, if a certain code changes, the building owner doesn't have to go back and make changes to their building. Sometimes you need to know the history of the building to know which code to enforce, or not to enforce. Some changes are called sweeping changes. They affect everyone. We'll come into a business and say, "You can no longer do this", or "You must do that now".