

CITY COUNCIL QUESTIONS/COMMENTS – STAFF RESPONSES

FOR THE JANUARY 23, 2012 COUNCIL AS OF JANUARY 23, 2012 at 5:44 AM

Received emails from Aldermen Schmidt, Anderson, Fazzini and Stearns –“No Questions on the Consent Agenda”

Alderman: Rob Fazzini

Item 7A: Regular Agenda- “Residential Fire Sprinklers”

Question/Comment: “Perhaps this should be clarified in the staff verbal presentation on Monday. Email from Chuck Montgomerie-“I reviewed the letter from State Farm VP and the claim that 70 Illinois communities have fire sprinkler requirements for homes. Could you ask him or the City Manager for clarification? Is that single family residential homes? What are the 70 communities? If this is true I misled you and I apologize. We are not aware of 70 communities with single family detached home residential sprinkler requirements.”

Staff Response: See the attached list provided by Staff.

Alderman: Judith Stearns

Item 7A: Regular Agenda- “Residential Fire Sprinklers”

Question/Comment: “Could you please provide a list of the fees required now for businesses with sprinklers and how it is calculated? Could you please review what the requirements typically are for inspection and maintenance of sprinklers? Someone from the Board of Realtors will want to speak tonight and I think that is a reasonable proposal.”

Staff Response: In commercial structures with fire protection there are on-going responsibilities and charges related to maintenance of the system. *NFPA 25, Inspection, Testing and Maintenance of Water-based Fire Protection Systems* is the standard for maintenance of these systems. While the City's fire inspectors validate these standards are being met, there is no charge by the City for this activity. The business is responsible for any charges incurred for the inspection and maintenance of their systems by an independent contractor. There is a monthly charge for private fire protection services by the Water Department. For 2012, the charge is \$27.20 per inch/month. Presuming the system has a backflow preventer, there is an annual charge for testable devices. This ensures protection of the potable water supply.

In the case of 13D, residential fire suppression systems, none of the above are required or expected. The systems are designed to have minimal maintenance that can be done by the home owner. There are no additional charges for water or fire service to the home since all water usage goes through the meter. The backflow device for this type of system typically doesn't require inspection. The charges are only related to installation permits needed to cover staff time for plan review and inspections.

All documents attached are all regarding the Home Fire Sprinkler issue.

Prepared by:
Barbara J. Adkins
Deputy City Manager

MUNICIPALITIES/DISTRICTS WITH SINGLE-FAMILY HOME RESIDENTIAL
FIRE SPRINKLERS ORDINANCES FOLLOWING NFPA 13D

No.	CITY	DATE	COMMERCIAL/RESIDENTIAL SQUARE FEET
1	Long Grove (Municipality)	April, 1988	0/13D
2	Barrington Fire Protection District	September, 1997	0/13D
3	Lake Barrington	December, 1997	0/13D
4	Wheeling	July, 2000	0/13D plus manufactured homes
5	Clarendon Hills	August, 2000	2000/13D
6	Village of Barrington	December, 2000	0/13D
7	Park Ridge	March, 2001	0/13D
8	West Dundee	August, 2001	4,000/13D - all 1-2 family new con.
9	Glenside	2001	13D/3,000 square feet
10	Hoffman Estates	January, 2002	1,000 for all use groups & 13D
11	Glen Ellyn	March, 2002	0/13D
12	Round Lake Beach	March, 2002	0/13D
13	Streamwood	June, 2002	1,000 Commercial/13D
14	LaGrange Park	Aug-03	0/A, E, H, I R1, R2; 2,000/13D
15	Mount Prospect	June, 2003	0/13D + condo conversions & mfg. homes
16	Berkeley	November, 2003	A,E,H,P,R,S - 0/13D / M,B,I - 3000
17	Rolling Meadows	2003	4,000 square feet
18	Vernon Hills	2003	5,000 square feet
19	Matteson Fire Department	January, 2004	0/13D
20	Countryside Fire Protection District	March, 2004	0/13D
21	Huntley Fire Protection District	July, 2004	0/13D
22	North Maine Fire Protection District	July, 2004	0/13D
23	Indian Creek (Countryside FPD)	Feb-00	0/13D
24	Skokie	October, 2004	5,000/13D
25	Long Grove Fire Protection District	November, 2004	13D
26	Hickory Hills	January, 2005	0/13D/multi-family retrofit
27	Justice	February, 2005	0/13D
28	Des Plaines	March, 2005	0/13D
29	Libertyville (Municipality)	March, 2005	1,000/13D
30	Sunnycrest FPD (Flossmoor)	January, 2005	13D
31	Bedford Park Fire Department	July, 2005	0/13D
32	Roselle		13D
33	St. Charles/Countryside FPD	August, 2005	
34	Oak Forest	August, 2005	0/13D/ +50% Commercial
35	Lincolnwood	October, 2005	5,000/13D
36	Libertyville Fire Protection District	November, 2005	0/13D
37	Bridgeview	November, 2005	0/13D, mfg homes,
38	River Forest	March, 2006	5000/13D + 50 % single-family
39	Glenwood	June, 2006	0/13D + 50% assessed valuation retrofit/ownership changes
40	Palos Hills	August, 2006	0/13D/ Apartment to Condo
41	Villa Park	August/October, 2006	1,500/13D
42	Oak Brook Terrace (Municipality)	December, 2006	0/13D, 50% Addition
43	Prospect Heights	December, 2006	0/13D
44	Northbrook	February, 2007	5,000/13D plus Townhomes
45	Bellwood	January, 2007	0/13D + 50% Retrofit Apartment to Condo
46	Lake Bluff	March, 2007	0/13D, 75% Additions
47	Lake Zurich Rural Fire Protection District	April, 2007	13D
48	Lincolnshire/Riverwoods Fire Protection District	May, 2007	13D
49	Orland FPD	2007	Unincorporated No Water Supply, 5,000
50	Highwood	August, 2007	0/13D
51	Lisle-Woodridge FPD	October, 2007	5,000 sq. ft.
52	Alsip	October, 2007	0/13D
53	Palatine Rural FPD	November, 2007	0/13D
54	Chicago Ridge	December, 2007	0/13D
55	Pleasantview FPD	January, 2008	Single exit subdivision
56	Country Club Hills	January, 2008	0/13D
57	Park Forest	September, 2008	0-13D
58	Newport Township FPD (Wadsworth)	January, 2009	0/13D
59	Green Oaks	February, 2009	13D
60	Riverside	March, 2009	13D
61	Palos Heights FPD	June, 2009	13D
62	Lake Zurich	September, 2009	13D
63	Palos Fire Protection District	October, 2009	13D/5,000†
64	Crest Hill	December, 2009	0 sqft commercial/ all 13D
65	Normal	January, 2010	13D
66	Burlington Fire Protection District	April, 2010	13D
67	Riverwoods	April, 2010	13D
68	Wilmette	May, 2010	13D/Lightweight Construction
69	Aurora	May, 2010	13D/5,000†
70	Forest Park	May, 2010	0 Sq Ft / 13D
71	St Charles	July, 2010	13D effective 2012
72	Oak Brook	January, 2011	13D
73	Palos Park	March, 2011	NFPA 13D, 5,000†
74	Schaumburg	May, 2011	13D, 1,000 Sq Ft, High Rise Retrofit, Apartment to Condo
75	Central Stickney FPD	June, 2011	0/13D, 2009 IFC with Amendments
76	Glencoe	Jan., 2012	0 sq. ft./13D 2013

Memo to: Mayor and City Council
From: Todd Greenburg, Corporation Counsel
Re: Public Comments After Board Hearings
Date: January 23, 2012

I have been requested to refer to the City Council the following ordinance which is part of the City Code:

Chapter 2 : Section 26 : Final Action of Matters After Public Hearing - Limitation of Rehearing.

- (a) Except as otherwise provided by law or ordinance, the City Council shall not rehear matters which have been referred to any body, agency, or person for public hearing. (Ordinance No. 1981-71)**
- (b) The provisions of subsection (a) notwithstanding, the City Council may, upon passage of a proper motion to suspend the rules, permit one spokesman for each side a limited period of time not to exceed five (5) minutes to summarize his or her side's position to the City Council. (Ordinance No. 1981-71)**
- (c) When, in the judgment of the City Council, unique circumstances require, the Council may upon a proper motion to do so suspend the operation of this Section. (Ordinance No. 1981-71)**
- (d) This provision is directory, and the failure of the City Council to follow its provisions in any matter before it shall not be grounds for invalidation of any action taken on such matter. (Ordinance No. 1981-71)**

The issue before the City Council is the adoption of a new ordinance rather than an administrative appeal. The Council is acting in a legislative, rather than a quasi-judicial capacity. It is therefore up to the discretion of the City Council on whether to waive the rules and permit representatives of the different points of view to address the Council. However, this issue has been the subject of two hearings before the Construction Board of Appeals in which the interested parties have had the full opportunity to present their views.

It is my opinion that the reason for this policy (directing the public to present their views at hearings conducted before a board or commission) is twofold: it sends a clear message to all parties that the proper place to submit evidence is in front of the board or commission which has been designated by the City to receive the evidence and which has expertise in that particular area. In addition, the boards and commissions of the City are designed for the purpose of both fact-finding and applying the facts in accordance with

City ordinances. It is a burden on the City Council to ask it to perform fact-finding in the context of a City Council meeting.

As mentioned above, if the City Council decides that it does not have sufficient facts to make a decision, it should send the matter back to the Construction Board. However, bearing in mind that that this issue has already been the subject of two public hearings, this procedure should not be used for the purpose of avoiding the making of a decision.

January 22, 2012

To: Chuck Montgomerie, Realtor
Coldwell Banker, Heart of America Realtors, Ltd.

Dear Mr. Montgomerie:

I regret that I missed your call Friday afternoon. As I understand from my assistant's note, you were inquiring about the 70 communities in Illinois that have adopted residential sprinklers in their building code.

In the call you referenced my December 2011 letter on behalf of State Farm Insurance Companies to Bloomington City Manager David Hales supporting the adoption of residential sprinklers in the city of Bloomington building code.

There are 76 forward looking communities in Illinois, including the town of Normal, that have adopted residential sprinkler ordinances as part of their building code. You can see a complete list at the Northern IL Fire Sprinkler Advisory Board web site
<http://firesprinklerassoc.org/pdfs/13D%20Ordinance%20Towns%203.3.09.pdf> .

State Farm supports the adoption of residential sprinklers in the building code as an effectual, cost effective, and proven way to reduce the 3000 annual deaths from residential fires in the United States and the 100 yearly firefighter line of duty deaths.

- Fires kill more people in the United States every year than all natural disasters combined. 8 out of 10 deaths from fire occur in the home.
- Installing both smoke alarms and a fire sprinkler system reduces the risk of death in a home fire by 82%, relative to having neither.
- As an incentive for customers, insurance companies offer discounts ranging from 5% to 25% off the fire portion of homeowner premiums.

For more facts about and benefits of residential sprinkler systems please see the Home Fire Sprinkler Coalition's website <http://www.homefiresprinkler.org/builder-fire-sprinkler-facts>

Residential sprinklers produce stronger, safer homes where lives are saved and a family's biggest investment is better protected. In the Bloomington Normal area, we enjoy a quality of life that is above other communities in Central Illinois. Besides the life safety and economic benefits, the inclusion of residential sprinklers in our building code will be a way for the Twin Cities to continue to positively differentiate ourselves from other cities and towns.

Very truly yours,

Rod Matthews, CPCU
Operations Vice President – Property and Casualty
State Farm Insurance Companies

CC: Honorable Steve Stockton, Mayor
Mr. David Hales, City Manager
Mr. Mark Huber, Director, PACE
Chief Mike Kimmerling



NFPA

Fire Prevention Regional Office,
8518 N.W. 163rd Terrace
Miami Lakes, FL. USA 33016
phone: 305-364-0396
email: mfigueroa@nfpa.org

January 23, 2012

Mayor and Aldermen
City of Bloomington
109 East Olive Street
Bloomington, IL 61701

Re: Home fire sprinkler code adoption

Honorable Mayor and Aldermen:

I am writing to encourage you to support the adoption of fire sprinkler requirements in all new one- and two-family home construction in the City of Bloomington. This letter provides an overview of the home fire problem, explains the importance of home fire sprinklers, and the reason fire sprinklers should be required in all new one- and two-family dwellings.

Every year, one- and two-family dwellings are the leading occupancy on a percentage basis for fire deaths, fire injuries, fire property damage and fireground firefighter deaths. Those at greatest risk are; adults over the age of 65, children under five years of age, and persons with disabilities. Home sprinkler systems respond quickly to reduce the heat, flames, and smoke from a fire, giving families valuable time to get to safety.

Smoke alarms are vital and NFPA is a leading smoke alarm advocate. Smoke alarms have done a good job providing early warning, significantly reducing fire deaths; but people continue to die in home fires at an unacceptable rate. The majority of those deaths could have been prevented. Sprinkler systems provide additional benefits, on top of the benefits already provided by smoke alarms.

- Working smoke alarms cut the risk of dying in a home fire by 50 percent.
- The risk of dying in a home fire decreases by about 80 percent when sprinklers are present.

All model safety codes now require home fire sprinklers in new one- and two-family homes. This occurred through a properly vetted process and represent minimum standards to provide reasonable levels of safety to protect people in their homes. Minimum standards are always included in the fixed costs of homes, cars, etc. Consumers expect that the products they buy, including their homes, come equipped with minimum safety features, not offered as an option like other amenities; granite counter tops, upgraded flooring, and whirlpools baths. **Removing the fire sprinkler requirement from the adopted code results in a substandard built environment.** The decision you make today will impact the housing stock for many generations.

The oppositions' argument against fire sprinklers is that they will increase the cost of new homes, which in turn will delay or kill recovery of the housing market. Although that's an attractive sound bite, it fails the "perspective" test in several ways:

1. There's no evidence that putting fire sprinklers in new homes will actually impact sales prices. Builders have the option of adjusting other home construction features to offset the cost of sprinklers to maintain current pricing in a competitive market. Fluctuating prices of land, lumber, concrete, etc. are routinely dealt with in that way.
2. Even if the cost of a fire sprinkler system were directly added to the sales price, the impact on monthly payments is insignificant after credits that reduce home insurance costs and mortgage related tax deductions.
3. If the cost of fire sprinklers were enough to kill the housing recovery, so too would a 0.1% increase in the interest rate on a 30-year mortgage, which has about the same impact on a monthly mortgage payment. Although rates routinely rise and fall by much more than this amount, the housing market marches on or slows down, affected by other economic indicators.

The cost of installing home fire sprinklers averages \$1.61 per square sprinklered foot (SF) for new construction. When credits/incentives are applied the cost is reduced to \$1.49 SF. Typical incentives offered by communities may offset up to one-third of the cost of home fire sprinkler systems.

Opponents of residential fire sprinkler systems like to boast that newer homes are safer homes and that the fire and death problem is limited to older homes. Age of housing is a poor predictor of fire death rate. In fact, numerous studies reveal that new methods of construction negatively impact occupant and firefighter life safety under fire conditions. Fire sprinklers can offset the increased dangers posed by lightweight construction and create a safer fire environment for firefighters to operate in.

Lightweight construction is not the only danger posed by a newer home and its contents. The synthetic construction of today's home furnishings add to the increased risk by providing a greater fuel load. Larger homes, open spaces, void spaces, and changing building materials contribute to; faster fire propagation, rapid changes in fire dynamics, shorter time to flashover – when everything in a room suddenly erupts in flame – shorter escape times, and shorter time to collapse.

Adopting a code with amendments that weaken hazard mitigation issues, as defined in the model codes and referenced standards, impacts maximum recognition for code adoption in the Building Code Effectiveness Grading Scale (BCEGS). Failure to adopt the residential sprinkler code could result in a loss, on average, of four points out of the 100 points available under BCEGS. Negative financial impact to homeowners may be substantial.

Home fire sprinklers help communities with sustainable development, protecting the environment. Water infrastructure costs are reduced at least 47% based on the reduction of needed fire flows (NFF) in communities protected by home fire sprinklers.

Adopting one- and two-family dwelling fire sprinkler requirements is vital to your community to reduce and mitigate risks, and to reduce the loss of life and property caused by home fires. I urge you to vote "yes" for the mandatory requirement of home fire sprinklers to protect the residents and firefighters of the City of Bloomington. Please do not hesitate to contact me if you require additional information.

Sincerely,



Maria Figueroa
Director - Fire Prevention Field Office



NATIONAL FALLEN FIREFIGHTERS FOUNDATION

Phone: 301-447-1365 **E-mail:** FireHero@FireHero.org **Web:** www.FireHero.org

January 20, 2012

*David Hales, City Manager
City of Bloomington
109 E. Olive St
Bloomington, IL 61701*

RE: Building Code update and adoption.

Dear Mr. Hales,

The political leaders of the City of Bloomington have a rare opportunity in the days ahead. They can be every bit a hero as the local firefighter. By adopting the 2009 International Residential Code, including the fire sprinkler provisions of Section R313, you will prevent injuries and save the lives of countless residents and visitors for generations to come. It's also an extremely important way to protect the firefighters who serve your community.

One sprinkler head will extinguish almost every fire that starts inside a house. It will put out that fire with about one-tenth of the water a firefighter's hose delivers. It prevents toxic smoke and intense heat from hurting or killing the people who live there and the firefighters who are called to respond.

The nation's firefighters, through the National Fallen Firefighters Foundation's Everyone Goes Home® program, are united and have spoken clearly on this issue. Fire service leaders helped establish the program's 16 Firefighter Life Safety Initiatives. One of the initiatives is that advocacy must be strengthened for the enforcement of codes and the installation of home fire sprinklers.

We understand the decision may not be easy. There are some who insist home building costs will increase dramatically due to the specialized materials and labor requirements. But there are many cost-effective materials available to solve that problem. The fire service heard the same thing about cost when smoke alarms were introduced and required more than 30-years-ago.

The real cost of failing to require sprinklers won't just be measured in dollars and cents. Each October the families and friends of about 100 firefighters who died in the line of duty the previous year are honored at the National Fallen Firefighters Memorial in Emmitsburg, Maryland. Some of those firefighters would be alive today if residential sprinklers were in the homes where they died.

In Illinois alone, over 70 communities already have fire sprinkler requirements for homes. Ensuring that every new home has residential sprinklers will make the City of Bloomington a

safer and more desirable place to live. Few political leaders are able to leave such a lasting legacy.

Cordially,

*Chief Ronald Jon Siarnicki
Executive Director
National Fallen Firefighters Foundation*

*Cc Honorable Mayor Stockton
 Mr. Mark Huber, Director, PACE
 Chief Mike Kimmerling*