



# Wisconsin Builders Association

*Dedicated to Preserving and Promoting the American Dream*

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### FIRE SPRINKLER CODE NOT A WISCONSIN LAW

**Madison-**The fire sprinkler mandate for all one- and two-family homes and townhouses in 2011 is part of the 2009 International Residential Code (IRC). This code does not apply to builders in the state of Wisconsin. The Uniform Dwelling Code (UDC) is the statewide building code for one- and two-family dwellings built since June 1, 1980. Overseen by the Wisconsin Department of Commerce, the UDC guides the education, construction standards, and inspection procedures of Wisconsin builders.

### IRC Background

The IRC was developed by the International Code Council (ICC), established in 1994 as a nonprofit organization dedicated to developing a single set of comprehensive and coordinated national model construction codes. The Council has not achieved their goal of adoption on a national basis, as many building codes are a state-by-state issue.

The IRC is altered through a collaboration of national-level bodies and organizations. Any interested individual or group may submit a code change proposal and participate in the proceedings in which it and all other proposals are considered. This policy has resulted in disproportional voting by special interest groups including fire inspectors, insurance companies, manufacturing representatives, building inspectors, and others, which directly benefit from the codes passed. This imbalance is further exacerbated by the fact that builders do not have a vote.

The sudden — and controversial — arrival of 900 fire officials eligible to vote at the International Code Council's final action hearings in Minneapolis swelled the number of sprinkler proponents and the measure was approved by a vote of 1,283 to 470. Approximately 1,200 voting devices were turned in immediately after the residential fire sprinkler mandate was approved; suggesting that most of the proponents left immediately after the vote was taken.

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The UDC, by contrast, is changed via a process confined to Wisconsin state departments, state builders and state inspectors. The localized nature of the change process used for the UDC should result in quicker, more appropriate changes than that used by the IRC.

### **Who Benefits from IRC?**

The residential fire sprinkler mandates will provide a sizable financial boon for the fire sprinkler manufacturing industry. In Dane County alone, sprinkler manufacturers would have reaped approximately \$5.7 million in revenue. Depending on the type of system installed, this figure is based on a conservative cost of \$2.00 per square foot applied to the 1,167 housing starts in 2007 for the average 2,454 square foot home.

Other groups also benefit from the IRC method of adoption. One of the arguments in favor of IRC has to do with ISO and insurance ratings. The financial and insurance industries cite lack of IRC adoption as the reason Wisconsin municipalities may face a higher-than-national average rate for insurance. The fact is the rating has nothing to do with whether building to the UDC actually results in a higher quality structure than does building to the IRC. Simply, if the municipality has not adopted the IRC, its structures are considered higher insurance risks.

### **Minnesota Amendments**

While the State of Minnesota adopted the 2006 IRC, with state amendments, into its 2007 Minnesota State Building Code (MSBC), the manner of adoption is troubling for two reasons:

- 1) Since the MSBC contains only references, deletions and amendments to the IRC, users must also refer to the IRC. This back-and-forth reference is potentially fraught with error and confusion.
- 2) The number of deletions and amendments is rather staggering, filling 22 pages. Whole sections of the IRC were deleted and replaced with Minnesota code language. In fact, only the Building code sections (IRC Sections 1-10) and referenced standards section (Chapter 43) are “fully” included. All seismic and floodplain paragraphs are ignored. Energy codes and all mechanical sections (heating, plumbing, electrical, etc.) of the IRC are replaced by Minnesota codes.

This piecemeal methodology opens the door for confusion and errors and requires builders and inspectors to purchase two codebooks and cross-reference them.

### **Adding more than just water**

The Wisconsin Builders Association has identified several concerns with residential fire sprinkler systems — among them the distinct potential for increased cost on homes in a market already crippled by troubled mortgage lenders.

With the average Dane county home, this mandate would add \$4,908 to the cost of a home. National Association of Home Builders (NAHB) research has found that, for every additional \$1,000 in new home construction cost, 217,000 prospective new homebuilders are priced out of the market.

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In Wisconsin, a \$1,000 increase would price the following number of households out of the market in these areas: Appleton 241, Eau Claire 200, Fond du Lac 89, Green Bay 310, La Crosse 10, Madison 374, Milwaukee/Waukesha/West Allis 496, Oshkosh/Neenah 101, Sheboygan 73, and Wausau 144-more than 2,000 households in just the highly populated areas alone.

In rural areas served by wells or where water is scarce, the availability of an adequate water supply or pressure are other possible problems. Cost increases would apply to the need for additional components such as storage tanks, larger pumps, and backup generators.

Other realistic concerns include the potential for pipes installed in attics to freeze in colder climates. In addition, more burdens would be placed on homeowners to perform the maintenance required to ensure that the sprinklers remain operational. Unlike smoke alarms, there is no way to test sprinklers without applying heat, and accidental discharge could produce damaging results.

### **Homes are Safer than Ever**

Several existing code requirements have contributed to a significant decline in fire-related deaths and injuries over the past 30 years.

The most effective improvement has been the introduction of hard-wired interconnected smoke alarms, which the code requires to be installed in every bedroom and on every floor. National Fire Protection Association reports conclude that approximately 890 fatalities could be avoided each year if every home had at least one working smoke alarm. A 2006 U.S. Fire Administration study on the presence of working smoke alarms in residential fires from 2001-2004 showed that 88% of the fatal fires in single-family homes occurred where there were no working smoke alarms.

Because of changes in residential construction technology, improved building code requirements as well as consumer behavior and the concerted efforts of fire fighters, home builders and other safety advocates, the number of fatal fires has dropped dramatically in the last 20 years without the installation of sprinklers or the need to mandate them.

While changes made by the ICC may influence future discussions about Wisconsin's Uniform Dwelling Code and its already stringent fire protection standards, at this time, the new mandate from the ICC has no impact on Wisconsin residents, and builders continue to focus on safe, affordable homes for all Wisconsin families.

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