



Re: Smoke Alarm Ordinance
File Number 040338

Dear Alderman D'Amato,

The Zoning, Neighborhoods and Development Committee is considering important legislation requiring annual testing of smoke alarms. Owners would have a duty to test alarms in building common areas and to install hush button alarms near kitchens. This is sensible safety legislation and we have supported this proposal of Commissioner Collins. However, the ordinance, section 214-23, also requires owners to name tenants as their representatives to test the alarms inside each dwelling unit. This should be the tenant's sole responsibility. In fact, state statutes (sec. 101.645(3)) already require tenants to maintain the alarms inside their units.

We strongly urge you to pass an ordinance which will be consistent with state law and which will place the duty to test alarms inside a dwelling unit on the occupants of that unit. Only tenants can ultimately be responsible for their safety and the safety of their children. *They are in the best position to keep themselves and their families safe.*

The first three sentences of the proposed amendment to section 214-23 (File Number 040338) should be revised so they read as follows:

214-23. Battery-Operated Smoke Alarms. Every battery-operated smoke alarm shall be tested not less than once every calendar year. Owners shall be responsible for testing smoke alarms located in common areas. For other than common areas, the occupant of each dwelling unit shall be responsible for testing those smoke alarms which are located inside the occupant's dwelling. Owners and occupants are responsible for retaining their respective test results and shall provide a copy of test results to the commissioner or the commissioner's designee upon request.

By requiring occupant responsibility with regard to testing their smoke alarms, we could start to change the mindset of tenants about the importance of maintaining their dwelling and their neighborhood.

Respectfully,

Orville Seymer, President
Apartment Association of Southeastern Wisconsin, Inc.