



Legislation Details (With Text)

File #: 080830 **Version:** 0
Type: Ordinance **Status:** Placed On File
File created: 10/7/2008 **In control:** COMMON COUNCIL
On agenda: **Final action:** 6/16/2020
Effective date:
Title: An ordinance amending the city building code relating to adoption of state building code provisions, for boilers and liquefied petroleum gas.
Sponsors: THE CHAIR
Indexes: BUILDING CODE
Attachments: 1. Notice List

Date	Ver.	Action By	Action	Result	Tally
10/7/2008	0	COMMON COUNCIL	ASSIGNED TO		
10/13/2008	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/21/2008	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
6/9/2020	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PLACING ON FILE	Pass	5:0
6/16/2020	0	COMMON COUNCIL	PLACED ON FILE	Pass	15:0

080830
ORIGINAL

THE CHAIR

An ordinance amending the city building code relating to adoption of state building code provisions, for boilers and liquefied petroleum gas.

200-33-8.8 am

200-46-3 cr

223-7-1-a am

223-9-4-b (table) am

236-01 am

236-61 cr

266-1 cr

This ordinance amends city building code provisions and allows testing facilities to temporarily install experimental boilers for testing their efficiencies, and adds several new American Society of Power Engineers (ASOPE) license classifications which are used to determine an applicant's fitness for a particular class of operating permit related to boilers. It also creates a set of inspection procedures for liquefied petroleum gas systems and establishes a fee for failure to comply with a related order. The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 200-33-8.8 of the code is amended to read:

200-33. Fees.

8.8. CODE ENFORCEMENT FEE. A monthly fee of \$50 may be charged for failure to comply with an order to correct any condition in violation of chs. 223 or 295 >>or s. 236-61<<.

Part 2. Section 200-46-3 of the code is created to read:

200-46. Changes in Occupancy or Use.

3. OCCUPANCY CLASSIFICATION. If the occupancy classification of an existing building or use is changing to a use of higher hazard, as described in ch. Comm 66, Wis. Adm. Code, as amended, the department may require a written evaluation of the building or space for compliance with building and fire code requirements. This evaluation must be prepared by a Wisconsin registered architect or engineer if the building is greater than 50,000 cubic feet.

Part 3. Section 223-7-1-a of the code is amended to read:

223-7. General Inspection Rules.

1. PERMIT REQUIREMENTS. a. No person may install, alter, replace or repair any boiler, unfired pressure vessel, fired pressure vessel or power piping regulated in this section without first obtaining a permit and paying the fees as prescribed in s. 200-33 >> , except boilers installed within a testing facility solely for the purposes of boiler research and testing may be installed for a minimum fee<<.

Part 4. Section 233-9-4-b (table) of the code is amended to read:

223.9. Stationary Engineer's Permit to Operate.

4. APPLICATION AND EXPERIENCE.

b.

Milwaukee	NIULPE	ASOPE
Low Pressure Boiler Operators Permit	5 th Class License	Facility Operating Engineer 3 rd Class License
Fourth Class Stationary Engineers Permit	4 th Class License	Facility Operating Engineer 2 nd Class License >> <u>Facility Operating Engineer 1st Class License</u> <<
Third Class Stationary Engineers Permit	3 rd Class License	Power Plant Operating Engineer 3 rd Class License
Second Class Stationary Engineers Permit	2 nd Class License	Power Plant Operating Engineer 2 nd Class License
First Class Stationary Engineers Permit	1 st Class License	Power Plant Operating Engineer 1 st Class License >> <u>Power Plant Operating Engineer Chief, Plant Operating Engineer Master Chief</u> <<

Part 5. Section 236-01 of the code is amended to read:

236-01. Adoption of State Code. Except as otherwise provided in this chapter, the city of Milwaukee adopts chs. Comm. 10 ~~[[and]]~~ >>1<< 40 >>and 43<<, Wis. Adm. Code, as amended, as part of this code.

Part 6. Section 236-61 of the code is created to read:

236-61. Liquefied Petroleum Gas (LPG).

1. SCOPE. This section applies to the design, construction, location, installation, operation, repair, and maintenance of equipment for the storage, handling and use of liquefied petroleum gases in public buildings and places of employment.

2. GENERAL INSPECTION RULES. In addition to the regulations set forth in Comm 40, Wis. Adm. Code, the owner or user shall comply with the following:

a. Permit Requirements.

a-1. Permit Required. No person may install, alter, replace or repair any liquefied petroleum gases system or piping regulated in this section without first obtaining a permit and paying the fees as prescribed in s. 200-33.

a-2. Penalty. Any person who fails to procure a permit for the installation, alteration, replacement or repair of any liquefied petroleum gases system or piping shall be subject to penalties and fees as provided in ss. 200-19-1 and 200-32-3.

b. Inspection Requirements.

b-1. Inspection. Every liquefied petroleum gases system may be inspected by the commissioner to determine whether it complies with the requirements of this section before it is place in service.

b-2. Notification.

b-2-a. The installer shall notify the department prior to the start of the job so that inspections may be arranged. The department shall be given a minimum of 5 business days' notice to arrange for the inspection.

b-2-b. Upon the completion of any job, the person making the installation, alteration, replacement or repair shall notify the commissioner requesting an inspection of the work as soon thereafter as is practicable.

b-3. Other Standards. In any case not covered by reference in s. 236-01, the commissioner may use the NFPA codes for liquefied petroleum gases systems, as amended, as representing standard engineering and safe practice.

b-4. Special Rules. The commissioner may promulgate such rules for the enforcement of the regulations of this section as are deemed proper and desirable, and which are not inconsistent with this chapter and state statutes.

b-5. Change Orders. The commissioner may order such changes to any liquefied petroleum gases system as may be necessary for the proper protection of life and property.

c. Periodic Inspections and Inspection Fees.

c-1. Inspection. All liquefied petroleum gases systems regulated by this section may be subject to a regular inspection by the commissioner at least once every 36 months.

c-2. Testing Authority.

c-2-a. The owner or user of a liquefied petroleum gases system to be tested by the commissioner shall, after receiving notice, prepare the liquefied petroleum gases system for examination.

c-2-b. Failure to comply with the notice within the time specified may result in re-inspection fees established in s. 200-33-23-i.

c-3. Inspection Fees. Each inspection service performed by the commissioner shall be paid for at rates established in s. 200-33-23-h.

c-4. Responsibility. The owner or user of a liquefied petroleum gases system shall be responsible for obtaining a periodic inspection and maintaining a valid inspection certificate.

c-5. Service of Order. Any order issued under this section shall be served upon the owner of record pursuant to s. 200-12. The order may also be posted on the premises. The department may place a charge for the posting in the amount provided in s. 200-33-43.5 and may place a code enforcement fee as provided in s. 200-33-8.8 against the subject property which may be assessed and collected as a special charge.

d. Operations and Maintenance.

d-1. Application. The provisions of this section shall apply to all new and exiting installations at bulk plants, industrial occupancies and industrial plants.

d-2. Requirements. The owner or user of a liquefied petroleum system shall have and maintain:

d-2-a. A written operating and maintenance program as outlined in NFPA-58.

d-2-b. A written fire protection plan which contains the response to incidents including the inadvertent release of liquefied petroleum gas, fire, or other security breach shall be coordinated with the city's emergency response agencies. The plan shall include consideration of the safety of emergency personnel, workers, and the public.

d-3. Written Analysis. A written fire safety analysis for systems that have an aggregate water capacity of more than 4,000 gallons and for ASME containers on roofs. The analysis shall be submitted to the department and emergency responders

d-4. Documentation. All documentation shall be available on site for the inspector.

Part 7. Section 266-1 of the code is created to read:

266-1. Adoption of State Code. The City of Milwaukee adopts ch. Comm. 66, Wis Adm. Code, as amended, as part of this code.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

Department of Neighborhood Services

MET

10/2/08

LRB08377-1