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August 9, 2016

Common Council
License and Health Committee
West Allis, WI

RE: Liquor license Inspections by the Department of Building Inspections and Neighborhood Services

Dear Council Members,

As part of the City's annual liquor license process, the Department of Building Inspection and Neighborhood Services performs inspections of each business applying for a liquor license. The Revised Municipal Code, in Section 9.02(6), requires an approval from the Building Inspector without specific direction on who is to perform the inspection. Traditionally, the department performs two separate inspections – a zoning inspection of the exterior of the property and a plumbing inspection of the interior of the property.

The department is starting to notice a disproportionate compliance rate between the plumbing code and the electrical code when a new business with a liquor license takes over an existing business with a liquor license. When performing an occupancy inspection, there are few, if any, plumbing code issues. Most of those issues are being resolved during the annual liquor license renewal inspection. However, we are finding many electrical code violations. Most common are items such as extension cords being used for permanent wiring, illegal rope lighting in windows, low voltage wiring or security systems installed without permits, new outlets or lights added without permits, rewiring of new equipment without permits, and other poorly done maintenance wiring. These items are a life safety hazard and could potentially cause a huge problem in a room with many occupants.

After discussing many solutions, my staff felt the best way to reduce these hazards each year is if the electrical inspectors were included on the annual inspections of liquor license establishments. What we are proposing is to alternate half of the inspections each year with the plumbing inspector. One year, the electrical inspector would visit a business, the next year, the plumbing inspector would visit. The same number of inspections would occur, but just the inspector performing them would rotate each year. There is no change proposed to the zoning inspection of the exterior.

We feel that this would provide two major benefits to our liquor license establishments. First, it would provide a higher level of life safety for occupants of these establishments. Electrical fires are the fifth leading causes of fires in commercial buildings. A second benefit is that a new business owner, who purchases a tavern or restaurant, would not be hit with high costs of electrical work repairs in order to open.

If this change in our procedures is agreeable to you, we started to think about implementation of this new policy. There may be some hesitance on the part of business owners who may not want another inspector in their building. First, we would send out a communication as early as we can, notifying them of the change and explaining the reasons for the change. With that communication, we would also provide them a list of the most common violations that we find so that they can be prepared for our inspection. The first two years of this change, we may just focus in on a couple of major violations that

cause the biggest problems. Once we get those items resolved and cleaned up from the businesses, we can work on some of the smaller, but still very critical, violations. Also, the first two years of the program, we will work with owners to keep them open as long as they continue to work to resolve these major electrical code violations. The purpose of this is to provide a higher level of safety and reduce violations, not to take away anyone's liquor license. I think by working with people and by explaining our position and reasons, they will understand that this is for the best in the long run, and will appreciate these inspections.

As I stated, this is one option that we came up with as a way to tackle this issue. We are seeing so few plumbing violations at the time of an occupancy inspection due to the annual liquor license plumbing inspections. When compared to the many electrical violations we see at the time of occupancy inspections, I feel we owe it to the occupants and the future owners of these buildings to do something. We are certainly open to other thoughts or ideas. I think we could even do this as a one or two year trial, and see what kind of reaction and compliance we get before continuing this policy into the future. If you have any questions regarding this communication, please feel free to contact me at any time.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ed Lisinski', with a stylized flourish at the end.

Ed Lisinski, P.E.

Director

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