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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,

In August, I made a request to allow an internal policy change to the current practice of the Department of Building Inspections and Neighborhood Services (BINS) only performing plumbing inspections as part of our annual liquor license inspections. The License and Health Committee asked me for more information pertaining to how this program would be implemented and also what other local communities are doing for their annual inspections. This communication will outline that information for you.

First, I would like to reiterate that the focus of these inspections is for safety, and not just for additional regulation. We are seeing a large amount of electrical violations by these establishments when they are sold to new owners. According to the National Fire Protection Association, "Electrical distribution and lighting equipment" is the third leading cause of structure fires in eating and drinking establishments. We want our licensed premises to be safe for everyone that visits them.

I will break this communication down into three sections; what other communities are doing, how our system will be implemented, and what we will be looking for.

#### What Inspections Other Communities are Performing

There is really a wide range of different policies pertaining to these types of inspections. I spoke with inspectors in Greendale, Greenfield, Franklin, New Berlin, Oak Creek, Waukesha and Wauwatosa. Two of the cities do not require building inspection approval of liquor licenses. One city sends a plumbing inspector only and two cities send out a building inspector only. The other two cities send out building, plumbing and electrical, but one city sends out all 3 inspectors every year and the other city rotates one inspector each year between the three disciplines. Clearly, there is no real consensus on who should go out and perform these inspections; it is based on what each community prioritizes. Many of the communities did mention that even if they are only sending out one inspector, that person is looking for other glaring issues and reporting them back to the appropriate inspector.

#### What We Propose to Do

Our solution is to rotate an electrical and plumbing inspector each year to each location. One year, an establishment would get the electrical inspector and the next year, they would get the plumbing inspector. We propose to split the city evenly so that both plumbing and electrical inspectors would have half of the inspections to do each year. Thanks to Pat Walker in the IT Department, it was determined that if we use 76<sup>th</sup> Street as the line to split the city in half, there would be 81 inspection on the east side and 78 inspections on the west side. We would propose for the first year, 2017, plumbing would be inspected on the east side and electrical would be inspected on the west side. In 2018, the sides would flip and plumbing would inspect the west side and electrical would inspect the east side. For the electrical inspections performed in 2017 and 2018, an emphasis would be on critical life safety items only. Unless

an establishment is in imminent danger of causing a fire, the licenses would be approved for this license period. The inspectors may however note additional items that should be taken care of for future inspections, but will still approve the inspection for this period. We can reevaluate the program after that initial 2 year run, but I would see it moving into other major electrical violations in 2019 and on. There would be no change to the plumbing inspections, other than there will be half as many as they are used to.

#### What Will We Be Looking For

If this is approved to move forward, we would send out a letter to all establishments right away, informing them of the change and letting them know the things we are going to focus on for the first year. We want to give these establishments as much time as possible to make any necessary changes or make any corrections before we get there. We have developed a list of 5 items the electrical inspectors would focus on for the 2017 and 2018 inspection years. The first 2 years of this program would focus on the following 5 items:

- Electrical panels being clear and accessible
- Exposed wiring in open junction boxes, outlets, coolers, and/or switches
- Extension cords
- Proper grounding of electrical and gas piping systems
- Wiring that was clearly tampered with or added without permits

If these 5 items can be cleaned up and corrected in our establishments, it will have a huge impact on the safety of these locations. The inspectors may also talk to property owners or managers about other electrical related items such as rope lighting, low voltage wiring without permits, GFCI protected outlets, waterproof outlets, tamper resistant outlets, and lighting controls. Those items would not be a part of the official inspection report and would not be required at this time.

We feel that with proper communication and the right approach moving forward, we can make these establishments much safer for everyone. Allowing BINS to perform both electrical and plumbing inspections on liquor licensed establishments will not only enhance the life safety, but also will resolve future conflicts and issues. We can run this as a two year trial and get some feedback at the end from our customers if that is preferred, but the bottom line is we should not completely ignore electrical violations in our licensed establishments. We are open to any comments or suggestions, but if this is going to be implemented for the 2017 inspection season, we would like to give people as much warning as we can. Thank you for your consideration.

Sincerely,



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