

April 4, 2014

LETTER TO THE EDITOR or
Tribune Reporter Working/Monitoring the
HB 4609 State Fire Marshal Legislation by
Rep. Sara Feigenholtz D-Chicago

Please allow this submittal to respond to Rep. Sara Feigenholtz' Letter to the Editor.

In 2013, State Fire Marshal Larry Matkaitis submitted his intention to file a rule change to the State of Illinois Joint Committee on Administrative Rules (JCAR) seeking to upgrade the current State Code, which is the National Fire Protection Association (NFPA) Life Safety Code 101, 2000 Edition, to the 2012 Edition. The current code has been in effect since January 2, 2002. The 12-member JCAR panel is composed of state representatives and senators (see attached list).

Both the 2000 and 2012 editions of the State Code require all high-rise buildings to be retrofitted with fire sprinkler systems. Both editions also offer an alternative option of retrofitting an engineered life-safety system into a high-rise, which allows a variety of other fire-safety features to be combined to provide a different level of safety. The current 2000 edition requires immediate compliance. When submitting his intent to upgrade to the 2012 edition, State Fire Marshal Matkaitis added a 12-year timetable to complete the retrofits, making it more feasible to achieve than the current code. However, the State Fire Marshal was unsuccessful in his attempt to upgrade the code; therefore compliance with the 2000 edition of the State Code must be immediate.

For years, however, the City of Chicago has not enforced the current State Code, claiming Home Rule allows them to follow their own ordinances. When State Fire Marshal Matkaitis submitted his intent to upgrade the code, he also made it clear he would enforce the code in the City of Chicago. As a result, Chicago aldermen, state representatives, other elected officials and the public are being misinformed by opposing groups about the costs to retrofit. As a result, Representative Feigenholtz introduced HB4609, which would take away the State Fire Marshal's responsibility to upgrade codes that include fire sprinklers and protect the citizens and firefighters in Illinois.

If HB4609 goes through as written, Illinois will be the only state in the United States to not have a code that contains fire sprinklers in any building type to be recommended for adoption. To pass this legislation would remove over 100 years of fire safety progress throughout Illinois and specifically in Chicago.