

Chapter SPS 314

APPENDIX

The material contained in this appendix is for clarification purposes only and is numbered to correspond to the number of the rule as the rule appears in the text of this chapter.

A-314.01 (1) STATUTORY DEFINITIONS OF TERMS USED IN THIS CHAPTER. (a) *Public buildings and places of employment*. Section 101.01 (11), Stats., reads:

(11) “Place of employment” includes every place, whether indoors or out or underground and the premises appurtenant thereto where either temporarily or permanently any industry, trade, or business is carried on, or where any process or operation, directly or indirectly related to any industry, trade, or business, is carried on, and where any person is, directly or indirectly, employed by another for direct or indirect gain or profit, but does not include any place where persons are employed in private domestic service which does not involve the use of mechanical power or in farming. “Farming” includes those activities specified in s. 102.04 (3), and also includes the transportation of farm products, supplies, or equipment directly to the farm by the operator of the farm or employees for use thereon, if such activities are directly or indirectly for the purpose of producing commodities for market, or as an accessory to such production. When used with relation to building codes, “place of employment” does not include an adult family home, as defined in s. 50.01 (1), or, except for the purposes of s. 101.11, a previously constructed building used as a community-based residential facility, as defined in s. 50.01 (1g), which serves 20 or fewer residents who are not related to the operator or administrator.

Section 101.01 (12), Stats., reads:

(12) “Public building” means any structure, including exterior parts of such building, such as a porch, exterior platform, or steps providing means of ingress or egress, used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public or by 3 or more tenants. When used in relation to building codes, “public building” does not include a previously constructed building used as a community-based residential facility as defined in s. 50.01 (1g) which serves 20 or fewer residents who are not related to the operator or administrator or an adult family home, as defined in s. 50.01 (1).

(b) *Exclusions referenced in ss. 101.01 (11) and (12), Stats., and exemptions in s. 101.05, Stats.* Section 102.04 (3), Stats., as referenced in s. 101.01 (11), Stats., reads:

(3) As used in this chapter “farming” means the operation of farm premises owned or rented by the operator. “Farm premises” means areas used for operations herein set forth, but does not include other areas, greenhouses or other similar structures unless used principally for the production of food and farm plants. “Farmer” means any person engaged in farming as defined. Operation of farm premises shall be deemed to be the planting and cultivating of the soil thereof; the raising and harvesting of agricultural, horticultural or arboricultural crops thereon; the raising, breeding, tending, training and management of livestock, bees, poultry, fur-bearing animals, wildlife or aquatic life, or their products, thereon; the processing, drying, packing, packaging, freezing, grading, storing, delivering to storage, to market or to a carrier

for transportation to market, distributing directly to consumers or marketing any of the above-named commodities, substantially all of which have been planted or produced thereon; the clearing of such premises and the salvaging of timber and management and use of wood lots thereon, but not including logging, lumbering or wood cutting operations unless conducted as an accessory to other farming operations; the managing, conserving, improving and maintaining of such premises or the tools, equipment and improvements thereon and the exchange of labor, services or the exchange of use of equipment with other farmers in pursuing such activities. The operation for not to exceed 30 days during any calendar year, by any person deriving the person’s principal income from farming, of farm machinery in performing farming services for other farmers for a consideration other than exchange of labor shall be deemed farming. Operation of such premises shall be deemed to include also any other activities commonly considered to be farming whether conducted on or off such premises by the farm operator.

Section 50.01 (1), Stats., as referenced in s. 101.01 (12), Stats., reads:

(1) “Adult family home” means one of the following and does not include a place that is specified in sub. (1g) (a) to (d), (f), or (g):

(a) A private residence to which all of the following apply:

1. Care and maintenance above the level of room and board but not including nursing care are provided in the private residence by the care provider whose primary domicile is this residence for 3 or 4 adults, or more adults if all of the adults are siblings, each of whom has a developmental disability, as defined in s. 51.01 (5), or, if the residence is licensed as a foster home, care and maintenance are provided to children, the combined total of adults and children so served being no more than 4, or more adults or children if all of the adults or all of the children are siblings.

2. The private residence was licensed under s. 48.62 as a home for the care of the adults specified in subd. 1. at least 12 months before any of the adults attained 18 years of age.

(b) A place where 3 or 4 adults who are not related to the operator reside and receive care, treatment or services that are above the level of room and board and that may include up to 7 hours per week of nursing care per resident.

Section 50.01 (1g), Stats., as referenced in s. 101.01 (12), Stats., reads:

(1g) “Community-based residential facility” means a place where 5 or more adults who are not related to the operator or administrator and who do not require care above intermediate level nursing care reside and receive care, treatment or services that are above the level of room and board but that include no more than 3 hours of nursing care per week per resident. “Community-based residential facility” does not include any of the following:

(a) A convent or facility owned or operated by members of a religious order exclusively for the reception and care or treatment of members of that order.

(b) A facility or private home that provides care, treatment, and services only for victims of domestic abuse, as defined in s. 49.165 (1) (a), and their children.

(c) A shelter facility as defined under s. 16.308 (1) (d).

(d) A place that provides lodging for individuals and in which all of the following conditions are met:

1. Each lodged individual is able to exit the place under emergency conditions without the assistance of another individual.

2. No lodged individual receives from the owner, manager or operator of the place or the owner's, manager's or operator's agent or employee any of the following:

a. Personal care, supervision or treatment, or management, control or supervision of prescription medications.

b. Care or services other than board, information, referral, advocacy or job guidance; location and coordination of social services by an agency that is not affiliated with the owner, manager or operator, for which arrangements were made for an individual before he or she lodged in the place; or, in the case of an emergency, arrangement for the provision of health care or social services by an agency that is not affiliated with the owner, manager or operator.

(e) An adult family home.

(f) A residential care apartment complex.

(g) A residential facility in the village of Union Grove that was authorized to operate without a license under a final judgment entered by a court before January 1, 1982, and that continues to comply with the judgment notwithstanding the expiration of the judgment.

Section 101.05, Stats., reads:

101.05 Exempt buildings and projects. (1) No building code adopted by the department under this chapter shall affect buildings located on research or laboratory farms of public universities or other state institutions and used primarily for housing livestock or other agricultural purposes.

(2) A bed and breakfast establishment, as defined under s. 254.61 (1), is not subject to building codes adopted by the department under this subchapter.

(3) No standard, rule, code or regulation of the department under this subchapter applies to construction undertaken by the state for the purpose of renovation of the state capitol building.

(4) No standard, rule, order, code or regulation adopted, promulgated, enforced or administered by the department under this chapter applies to a rural school building if all of the following are satisfied:

(a) The school building consists of one classroom.

(b) The school building is used as a school that is operated by and for members of a bona fide religious denomination in accordance with the teachings and beliefs of the denomination.

(c) The teachings and beliefs of the bona fide religious denomination that operates the school prohibit the use of certain products, devices or designs that are necessary to comply with a standard, rule, order, code or regulation adopted, promulgated, enforced or administered by the department under this chapter.

Section 254.61 (1), Stats., as referenced in s. 101.05, Stats., reads:

254.61 (1) (a) Provides 8 or fewer rooms for rent to no more than a total of 20 tourists or transients.

(b) Provides no meals other than breakfast and provides the breakfast only to renters of the place.

(c) Is the owner's personal residence.

(d) Is occupied by the owner at the time of rental.

(e) Was originally built and occupied as a single-family residence, or, prior to use as a place of lodging, was converted to use and occupied as a single-family residence.

(f) Has had completed, before May 11, 1990, any structural additions to the dimensions of the original structure, including by renovation, except that this limit does not apply to any of the following:

1. A structural addition, including a renovation, made to a structure after May 11, 1990, within the dimensions of the original structure.

2. A structural addition, made to a structure that was originally constructed at least 50 years before an initial or renewal application for a permit under s. 254.64 (1) (b), Stats., is made and for which no use other than as a bed and breakfast establishment is proposed. The structural addition under this subdivision shall comply with the rules under s. 101.63 (1), Stats.

A-314.01 (2) (b) 4. The following tanks, containers, tank systems and facilities are not regulated by chapter SPS 310:

(a) Underground storage tanks that have a capacity of less than 60 gallons.

(b) Aboveground storage tanks and intermediate bulk containers that have a capacity of less than 110 gallons.

(c) Tanks storing products regulated under ch. ATCP 33 that are located either at facilities which are also regulated under ch. ATCP 33 or on farm premises.

Note: Chapter ATCP 33 addresses bulk storage of pesticides and fertilizers.

(d) Aboveground storage tanks storing liquids that are used in processes covered in any of the following standards:

1. NFPA 33 Spray Application Using Flammable or Combustible Materials.

2. NFPA 34 Dipping & Coating Processes Using Flammable or Combustible Liquids.

3. NFPA 35 Manufacture of Organic Coatings.

4. NFPA 45 Fire Protection for Laboratories Using Chemicals.

(e) Dedicated breakout tanks that are located at pipeline facilities.

(f) Odorant or other additive injection tanks that are directly connected to a pipeline.

(g) Contractor tanks that are mounted on pickup trucks.

(h) Oil-filled electrical equipment and transformers.

(i) Accumulator tanks.

(j) Process tanks.

(k) Product recovery tanks.

(L) Service tanks.

(m) Marine fueling facilities where fuel is stored and dispensed into the fuel tanks of marine craft of 300 gross tons or more.

(n) Aboveground or underground tank systems that store nonflammable and noncombustible hazardous liquids in concentrations of less than 1 percent by volume.

Note: Material Safety Data Sheets (MSDS) should be consulted for flash point and concentration.

(o) Aboveground tank systems which have a capacity of less than 5,000 gallons and which store nonflammable and noncombustible hazardous liquids in concentrations of 1 percent or more by volume.

Note: Material Safety Data Sheets (MSDS) should be consulted for flash point and concentration.

(p) Tank systems that store a hazardous waste which is listed or identified under subtitle C of the federal Solid Waste Disposal Act, or a mixture of such hazardous waste and other regulated substances that is nonflammable and noncombustible.

(q) Any wastewater treatment tank system that is part of a wastewater treatment facility regulated under section 307 (b) or 402 of the federal Clean Water Act.

(r) Underground storage tank systems that contain radioactive material which is regulated under the federal Atomic Energy Act of 1954.

Note: The Atomic Energy Act of 1954 is contained in 42 USC 2011 et seq.

(s) Underground storage tank systems that are part of an emergency generator system at nuclear power generation facilities regulated by the Nuclear Regulatory Commission under 10 CFR 50 Appendix A.

(t) Asphalt-plant AC tanks which are used as burner or material-supply tanks in the process of making asphalt and which comply with all of the following:

1. Tank configurations are single-wall or double-wall, with or without heating coils.
2. The products stored in the tank are Class II or III liquids ranging from heating oil to used oil, to #4 or #5 heavy oils.
3. The asphalt process equipment and the tank are typically located at an isolated location, such as a quarry, and are generally relocated from year to year or every couple of years.

(u) 1. Facilities located on Indian reservation land that are held either in trust by the United States, or in fee by the tribe or a tribal member.

2. Facilities which are located on off-reservation Indian land that is held in trust by the United States – and which are held either in trust by the United States, or in fee by the tribe or a tribal member.

A-314.01 (8) INTERFERING WITH FIRE FIGHTING, AND FALSE ALARMS. Section 941.12, Stats., reads:

941.12 Interfering with fire fighting. (1) Whoever intentionally interferes with the proper functioning of a fire alarm system or the lawful efforts of fire fighters to extinguish a fire is guilty of a Class I felony.

(2) Whoever interferes with, tampers with or removes, without authorization, any fire extinguisher, fire hose or any other fire fighting equipment, is guilty of a Class A misdemeanor.

(3) Whoever interferes with accessibility to a fire hydrant by piling or dumping material near it without first obtaining permission from the appropriate municipal authority is guilty of a Class C misdemeanor. Every day during which the interference continues constitutes a separate offense.

Section 941.13, Stats., reads:

941.13 False alarms. Whoever intentionally gives a false alarm to any public officer or employee, whether by means of a fire alarm system or otherwise, is guilty of a Class A misdemeanor.

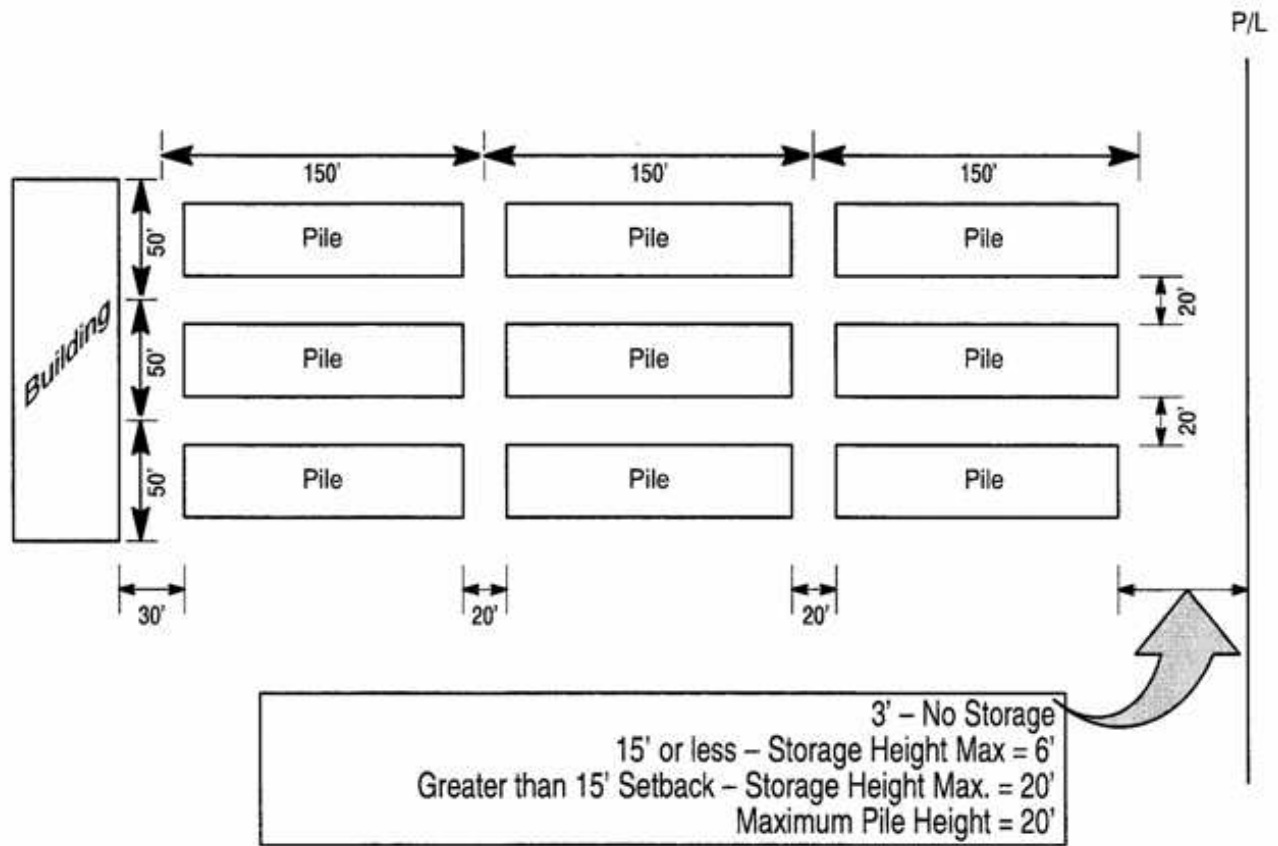
A-314.01 (9) (b) Section 101.02 (7) (c) of the Statutes reads:

(c) Upon receipt of such petition the department shall order a hearing thereon, to consider and determine the issues raised by such appeal, such hearing to be held in the village, city or municipality where the local order appealed from was made. Notice of the time and place of such hearing shall be given to the petitioner and such other persons as the department may find directly interested in such decision, including the clerk of the municipality or town from which such appeal comes. If upon such investigation it shall be found that the local order appealed from is unreasonable and in conflict with the order of the department, the department may modify its order and shall substitute for the local order appealed from such order as shall be reasonable and legal in the premises, and thereafter the said local order shall, in such particulars, be void and of no effect.

Section 101.01 (8) of the statutes defines “local order” and reads:

A-314.01 (13) The pages after the following page contain the forms the Department has developed for use with this chapter, which are primarily intended for use by local fire departments. More-current versions of these forms may be available at the Department’s Web site at <http://dsps.wi.gov> through links to Division of Industry Services forms.

A-314.10 (2) OUTSIDE STORAGE SCHEMATIC.



FIRE PREVENTION PROGRAM SUPPLIES FORM



Mail To:
FIRE PREVENTION PROGRAM
PO BOX 7839
MADISON WI 53707-7839

If you have questions please contact us via FAX (608) 283-7412 or e-mail at: DSPSSBFireForms@wisconsin.gov

The following documents are made available to Fire Departments as tools to assist in providing fire protection and fire prevention services under ss.101.14, 101.575, Stats. There is no charge to Fire Departments for REASONABLE quantities of the supplies listed. We reserve the right to limit quantities.

Many forms and codes can be found on-line at <http://dsps.wi.gov/sb/SB-FirePreventionProgram.html>

| FORM # | TITLE (unit of measure) | QUANTITY |
|------------|--|------------|
| SBD-2113 | Inspection Envelopes (each) | _____ea |
| SBD-5295 | Inspection Correction Order Pads (50 forms/pad) | _____pad |
| SBD-6396 | Fire Inspector ID Card Sheet (6 cards/sheet) | _____sheet |
| SBD-7257 | Bolt or Bar Adhesive Signs (25/pkg) | _____pkg |
| SBD-8221 | Fire Door Adhesive Signs (25/pkg) | _____pkg |
| SBD-9144 | Interfering With Fire Fighting And False Alarm Warning Adhesive Signs (25/pkg) | _____pkg |
| SBD-10615a | Fire Inspection Report (50/pkg) | _____pkg |
| SBD-10780P | Smoke Detector Brochure (25/pkg) | _____pkg |
| SBD-10870 | Fire Prevention Pocket Guide to Codes | _____ea |
| SBD-10882 | Carbon Monoxide Brochure (25/pkg) | _____pkg |

| CHAPTER # | CODE NAME | # EACH |
|-------------|-----------------------------------|--------|
| SPS 305 | Credentials | |
| SPS 307 | Explosive and Fireworks | |
| SPS 310 | Flammable & Combustible Liquids | |
| SPS 314 | Fire Prevention | |
| SPS 316 | Electrical | |
| SPS 320-325 | Uniform Dwelling | |
| SPS 326 | Manufactured Home Communities | |
| SPS 328 | Smoke Detectors | |
| SPS 330 | Fire Department Safety and Health | |
| SPS 340 | Gas Systems | |
| SPS 345 | Mechanical Refrigeration | |
| SPS 361-366 | Wisconsin Commercial Bldg Code | |
| SPS 375-379 | Existing Buildings | |

Please complete ALL of the fields below so they are LEGIBLE: This will be the shipping label.

Order Date:

| |
|------------------------------|
| First & Last Name: |
| Fire Department Name: |
| Mailing or Shipping Address: |
| City & Zip Code: WI |

| |
|----------------------------|
| Daytime Phone Number: |
| Or E-mail address |
| FAX Number: |
| Number of Fire Inspectors: |
| FDID Number: |



Application for Review, Petition for Variance SBD-9890X
SBD-9890X (R. 10/11)

-Complete all pages-

Safety & Buildings Division Use this page for fax appointments (fax 877-840-9172)
NOTE: Personal information you provide may be used for secondary purposes [Privacy Law s. 15.04(1)(m), Stats.] Indicate date plans will be in S&B office

| | |
|--|--|
| <p>1. Facility Information</p> <p>Facility (Building) Name: _____</p> <p>Number and Street _____ Zip: _____</p> <p>SPS Site Number (if known): _____</p> <p>Legal Description: _____</p> <p>County of: _____</p> <p>() City () Village () Town of: _____</p> | <p style="text-align: center;">Complete for confirmed appointments*:</p> <p>Transaction ID: _____</p> <p>Previous Related Trans. ID: _____</p> <p>Assigned Reviewer: _____</p> <p>Assigned Office: _____</p> <p>Review Start Date*: _____</p> <p>*Submittal must be received in the office of the appointment no later than 2 working days before the confirmed appointment.</p> |
|--|--|

| | |
|--|--|
| <p>2. Owner Information Customer #</p> <p>Name _____</p> <p>Company Name _____</p> <p>Number and Street _____</p> <p>City, State, Zip Code _____</p> <p>Contact Person _____</p> <p>Telephone Number _____ Fax Number _____</p> | <p>3. Designer Information Customer #</p> <p>Designer _____</p> <p>Design Firm _____</p> <p>Number and Street _____</p> <p>City, State, Zip Code _____</p> <p>Contact Person _____</p> <p>Telephone Number _____ Fax Number _____</p> |
|--|--|

4. Plan Review Status **Plan previously review by (please enclose a copy of review letter)**

Plan submitted with petition State Municipality Approved Held Denied

Plan will be submitted after petition determination **Code Being Petitioned** Commercial Building HVAC Plumbing

Requesting revision Other: _____ Private Sewage System Swimming Pool Electrical Flammable Liquids

SPS Transaction Number _____ Amusement Rides Uniform Dwelling Code Boilers Elevators

Gas Systems Refrigeration Rental Weatherization Other: _____

5. State the code section being petitioned AND the specific condition or issue you are requesting be covered under this petition for variance.
- _____
6. Reason why compliance with the code cannot be attained without the variance (Attach additional sheets, if necessary)
- _____
7. State your proposed means and rationale of providing equivalent degree of health, safety, or welfare as addressed by the code section petitioned.
- _____
8. List attachments to be considered as part of the petitioner's statements (i.e., model code sections, test reports, research articles, expert opinion, previously approved variances, pictures, plans, sketches, etc.).
- _____

VERIFICATION BY OWNER - PETITION IS VALID ONLY IF NOTARIZED WITH AFFIXED SEAL AND ACCOMPANIED BY REVIEW FEE
 Note: Petitioner must be the owner of the building or system or credential applicant for a SPS 305 petition. Tenants, agents, designers, contractors, attorneys, etc., shall not sign petition unless Power of Attorney is submitted with the Petition for Variance Application.

_____, being duly sworn, I state as petitioner that I have read the foregoing petition and I believe it is true and that I have significant ownership rights to the subject building or project.

| | | | |
|------------------------|---|---------------|--------------------------|
| Petitioner's Signature | Subscribed and sworn to before me this date | Notary Public | My commission expires on |
|------------------------|---|---------------|--------------------------|

| | |
|---|---|
| <p>MAKE CHECKS PAYABLE TO DEPT. OF SAFETY AND PROFESSIONAL SERVICES</p> <p>Complete other side for variance from SPS 320-325 and SPS 361-366</p> | <p>TOTAL AMOUNT DUE \$ _____</p> <p>Attach check here.</p> |
|---|---|

| | | |
|--------------|------------------|-------------|
| Owner's Name | Project Location | Plan Number |
|--------------|------------------|-------------|

Page 2 of _____

Fire Department Position Statement

To be completed for fire or life-safety related variances requested from SPS 361-366, SPS 310, SPS 316, and other fire related requirements.

I have read the application for variance and recommend: (check appropriate box)

- Approval Conditional Approval Denial No Comment

Explanation for recommendation including any conflicts with local rules and regulations and suggested conditions:

| | |
|--|------------------|
| Fire Department Name and Address | |
| Name of Fire Chief or Designee (type or print) | Telephone Number |
| Signature of Fire Chief or Designee | Date Signed |

MUNICIPAL BUILDING INSPECTION RECOMMENDATION

To be completed for variances requested from SPS 320-323. Also to be used for SPS 316 electrical petitions, if SPS 361-366 plan review is by municipality or orders are written on the building under construction; optional in other cases. Please submit a copy of the orders

I have read the application for variance and recommend: (check appropriate box)

- Approval Conditional Approval Denial No Comment

Explanation for recommendation including any conflicts with local rules and regulations and suggested conditions:

| | |
|--|--|
| Municipality Exercising Jurisdiction | |
| Name and Address of Municipal Official (type or print) | Telephone Number of Enforcement Official |
| Signature of Municipal Enforcement Official | Date Signed |

SBD-9890X (R10/11)

Safety and Buildings Division

**PETITION FOR VARIANCE
INFORMATION AND INSTRUCTIONS SPS 303**

In instances where exact compliance with a particular code requirement cannot be met or alternative designs are desired, the Division has a petition for variance program where it reviews and considers acceptance of alternatives which are not in strict conformance with the letter of the code, but which meet the intent of the code. **A variance is not a waiver from a code requirement.** The petitioner must **provide an equivalency which meets the intent** of the code section petitioned to obtain a variance. Documentation of the rationale for the equivalency is requested below. Failure to provide adequate information may delay your petition. Pictures, sketches, and plans may be submitted to support equivalency. If the proposed equivalency does not adequately safeguard the health, safety, and welfare of building occupants, frequenters, firefighters, etc., the variance request will be denied. **NOTE: A SEPARATE PETITION IS REQUIRED FOR EACH BUILDING AND EACH CODE ISSUE PETITIONED** (i.e., 57.13 window issue cannot be processed on the same petition as 51.16 stair issue). It should be noted that a **petition for variance does not take the place of any required plan review submittal.**

The Division is unable to process petitions for variance that are not properly completed. Before submitting the application, the following items should be checked for completeness in order to avoid delays:

- Petitioner's name (typed or printed)
- Petitioner's signature
- The Petition for Variance Application must be signed by the owner of the building or system unless a Power of Attorney is submitted.
- Notary Public signature with affixed seal
- Analysis to establish equivalency, including any pictures, illustrations or sketches of the existing and proposed conditions to clearly convey your proposal to the reviewer.
- Proper fee
- Any required position statements by fire chief or municipal official

A position statement from the chief of the local fire department is required for fire or life-safety issues. No fire department position statement is required for bonfire safety topics such as sanitary, plumbing or POWTS systems and energy conservation. Submit a municipal building inspection department position for SPS 316 electrical petitions, if SPS 361-366 plan review is by municipality or orders are written on the building under construction; optional in other cases. (Please submit a copy of the orders.) For rules relating to one- and two-family dwellings, only a position statement from the local enforcing municipality is required. Position statements must be completed and signed by the appropriate fire chief or municipal enforcement official. See the back of SBD-9890-X, Petition for Variance Application form for these position statement forms. Signatures or seals on all documents must be originals. Photocopies are not acceptable.

Contact numbers and fees for the Division's review of the petition for variance are as follows:

| Chapter | (circle appropriate category) | Revenue Code | Review Office | Contact Number | Fee | Revision Fee |
|--|-------------------------------|--------------|-------------------|--------------------------|-------|--------------|
| SPS 316, Electrical | | 7631 | Madison, Waukesha | (608) 266-3064 | \$300 | \$100 |
| SPS 318, Elevators | | 8260 | Waukesha | (262) 521-5444 | \$300 | \$100 |
| SPS, 320-325 Uniform Dwelling Code | | 7655 | Madison | (608) 267-5113 | \$175 | \$50 |
| SPS 334, Amusement Rides | | 8266 | Madison | (608) 267-4434 | \$300 | \$100 |
| SPS 340, Gas Systems | | 8258 | Waukesha | (262) 548-8617 | \$300 | \$100 |
| SPS, 341 Boilers and Pressure Vessels | | 8258 | Waukesha | (262) 548-8617 | \$300 | \$100 |
| SPS 343, Anhydrous Ammonia | | 8258 | Waukesha | (262) 548-8617 | \$300 | \$100 |
| SPS 345, Mechanical Refrigeration | | 8258 | Waukesha | (262) 548-8617 | \$300 | \$100 |
| SPS 360-366, Commercial Building Code | | 7648 | All Offices | See Office Numbers Below | \$550 | \$100 |
| (For Fire System Petition for Variances – Contact the Green Bay or Waukesha offices) | | | | | | |
| SPS 367, Rental Unit Energy Efficiency Code | | 7646 | Madison | (608) 267-2240 | \$175 | \$50 |
| SPS 381-387, General Plumbing | | 7657 | All Office | See Office Numbers Below | \$300 | \$75 |
| SPS 390, Swimming Pools | | 7650 | Madison | (608) 267-5265 | \$300 | \$75 |
| SPS 383 POWTS | | 7657 | All Offices | See Office Numbers Below | \$300 | \$75 |
| All Other Chapters | | | | | \$300 | \$100 |

Revisions are accepted only for 1 year after action on original petition.

Priority Review: The Department will schedule Petitions for Variance at the earliest available date, or the date requested at time of scheduling, which ever is later. Therefore, Priority Reviews are not generally available. In special circumstances, the Section Chief of the reviewing office may permit review prior to the scheduled date upon request by the submitter. If earlier review is permitted by the Section Chief, the Petition review fees will be doubled.

Except for special cases, the Division will review and make a determination on a petition for variance within 30 business days of the scheduled beginning date, provided all calculations, documents, and fees required for the review have been received.

Appointment and Scheduling Information

It is strongly recommended that an appointment be made in advance. **For your convenience we have installed a 24 hour, toll free number dedicated to receiving faxed plan review appointment requests. The dedicated fax number is 877-840-9172. Be sure to indicate whether you want the next available review statewide or prefer a choice of an office.** The petition review will be scheduled with the same office where the plan was/will be reviewed. You will receive a Schedule Letter back with an Appointment Date, Transaction ID No. and Assigned Reviewer. You may also email the request to DspsSbPlanSchedule@wi.gov. At the time of making an appointment, you may request review for a specific office of desired (beginning) date for review. Plans must be received in the office of the appointment no later than **2 working days before the confirmed appointment**. Non-scheduled submittals or submittals received without a confirmed appointment date and transaction number on the form may be assigned to offices other than the receiving office depending on reviewer availability. **Certain petitions may be limited to certain offices depending on the petition issues, see above table for appropriate office.**

| Madison S&BD | Hayward S&BD | La Crosse S&BD | Green Bay S&BD | Waukesha S&BD |
|--|--|--|---|--|
| 201 W Washington Ave 53703 PO Box 7162 Madison WI 53707-7162 | 10541N Ranch Rd Hayward WI 54843 | 3824 Creekside La Holmen WI 54636 | 2331 San Luis Place Green Bay, WI 54304 | 141 NW Barstow St 4 th Floor Waukesha WI 53188-3789 |
| 608-266-3151 | 715-634-4870 | 608-785-9334 | 920-492-5601 | 262-548-8600 |
| Fax: (for sending questions or additional info to reviewers) 608-267-9566 | Fax: (for sending questions to additional info to reviewers) 715-634-5150 | Fax: (for sending questions or additional info to reviewers) 608-785-9330 | FAX: (for sending questions or additional info to reviewers) 920-492-5604 | Fax: (for sending questions or additional info to reviewers) 262-548-8614 |
| TTY: Contact Through Relay | Email: DspsSbPlanSchedule@wi.gov | Email: DspsSbPlanSchedule@wi.gov | Email: DspsSbPlanSchedule@wi.gov | Email: DspsSbPlanSchedule@wi.gov |
| Email: DspsSbPlanSchedule@wi.gov | | | | |

Code Change Proposal



Department of Safety and Professional Services

Division of
Safety and
Buildings

Code section number _____

Topic _____

A. Proposed change _____

B. Justification: (Use reverse side, or attach a separate page.)

1. Describe the problem this proposed change would address. Include information to substantiate that a problem exists.
2. What is the extent of the problem? How often does it occur and who does it affect?
3. What will happen if this change is not made?
4. What costs, in terms of time and money, are associated with implementing this change?

Name _____

Address _____

Send proposals to Program Development Bureau PO Box 2689 Madison WI 53701-2689, or email them to norma.mcreynolds@wi.gov. For more information, call 608-267-7907.

Personal information you provide may be used for secondary purposes. Privacy Law, s.15.04 (1) (m).

The Department of Safety and Professional Services does not discriminate on the basis of disability in the provision of services or in employment. If you need this printed material interpreted or in a different form, or if you need assistance in using this service, please contact us. TTTY - use relay..

1. Describe the problem this proposed change would address. Include information to substantiate that a problem exists.

2. What is the extent of the problem? How often does it occur? Who does it affect?

3. What will happen if this change is not made?

4. What costs, in terms of time and money, are associated with implementing this change?



FIRE INSPECTION REPORT FORM

LOCATION (Legal Address) _____ HEIGHT _____ CONSTRUCTION _____
 NAME OF BUSINESS _____ MAILING CITY _____ ZIP CODE _____
 DATE OF INSPECTION _____ COMPLIANCE DATE _____

* Violations requiring corrective actions are circled below.

* §101.14 of the Wisconsin Statutes constitutes every Fire Chief a deputy of the Wisconsin Department of Safety & Professional Services, and requires the chief or appointed inspectors to make inspections periodically for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violation of any law or local ordinance relating to fire hazards or prevention of fires per SPS 314.

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|---|---|---|
| <p>Ch 1 Administration [Also See SPS 314.01 314.01(2)(f) Temporary Use 1.7.6 Authority – Right of Entry to Inspect Ch 10 General Fire Safety 10.1 Fundamental Requirements 10.2 Owner/Occupant Responsibilities [Also See SPS 314.01(6)] 10.3 Occupancy 10.4 Maintenance, Inspection, & Testing 10.5 Building Evacuation 10.6 Fire Drills 10.7 Reporting of Fires & Other Emergencies 10.8 Tampering with Fire Safety Equipment 10.10 Smoking 10.11 Open Flame, Candles, Open Fires, & Incinerators 10.12 Fire Protection Markings 10.13 Vacant Buildings and Premises 10.14 Combustible Vegetation 10.15 Special Outdoor Events, Carnivals, & Fairs 10.16 Outside Storage [Also See SPS 314.10(2)] 10.19 Combustible Materials 10.20 Indoor Children's Playground Structures Ch 11 Building Services 11.1 Electrical Fire Safety 11.2 Heating, Ventilation, & Air-Conditioning 11.3 Elevators, Escalators, & Conveyors 11.5 Heating Appliances [Also See SPS 314.11] 11.6 Rubbish Chutes, Incinerators, & Laundry Chutes 11.8 Smoke Control 11.9 Emergency Command Center Ch 12 Features of Fire Protection 12.1 General 12.2 Construction 12.3 Fire-Resistive Materials & Construction 12.4 Fire Doors & Windows 12.5 Interior Finish 12.6 Contents & Furnishings 12.7 Fire Barriers 12.8 Smoke Partitions 12.9 Smoke Barriers Ch 13 Fire Protection Systems 13.1 General 13.2 Standpipe Systems 13.3 Automatic Sprinklers [Also See SPS 314.13(1)-(2)] 13.6 Portable Fire Extinguishers 13.7 Detection, Alarm, & Communications Systems [Also See SPS 314.13(3)] 13.8 Other Fire Protection Systems Ch 14 Means of Egress 14.4 Means of Egress Reliability 14.5 Door Openings 14.12 Illumination of Means of Egress 14.13 Emergency Lighting 14.14 Marking of Means of Egress</p> | <p>Ch 16 Safeguards During Building Construction, Alteration, & Demolition Operations 16.1 General Requirements 16.4 Safeguarding Construction & Alteration Operations [Also See SPS 314.16] Ch 17 Wildland Urban Interface Ch 18 Fire Department Access & Water Supply [Also See SPS 314.01(2)4.a.-b.] 18.1 General 18.2 Fire Department Access Ch 19 Combustible Waste & Refuse 19.1 General 19.2 Combustible Waste & Refuse Ch 20 Occupancy Fire Safety Ch Scope: Furnishings; Contents; Decorations; Treated Finishes; Scenery; Foam; Exhibit & Display Materials; Hot Plates; Cooking Operations; Exposition Facilities & Trade Shows; Crowd Managers; Multi-Level Play Structures; High-Rise Buildings; Bulk Storage; Pesticides & Herbicides 14.20 Open Flame Devices & Pyrotechnics All Occupancies Ch 21 Airports & Heliports Ch 22 Automobile Wrecking Yards Ch 23 Cleanrooms Ch 24 Drycleaning Ch 25 Grandstands & Bleachers, Folding & Telescopic Seating, Tents, & Membrane Structures 25.1 General 25.2 Tents Ch 26 Laboratories Using Chemicals Ch 27 Manufactured Home & Recreational Vehicle Sites [Not Included - See SPS 314.27 & SPS 326] Ch 28 Marinas, Boatyards, Marine Terminals, Piers, & Wharves Ch 29 Parking Garages 29.1 General Ch 30 Motor Fuel Dispensing Facilities & Repair Garages 30.1 General 30.2 Repair Garages 30.3 Operational Requirements Ch 31 Forest Products Ch 32 Motion Picture & Television Production Studio Soundstages & Approved Production Facilities Ch 33 Outside Storage of Tires Ch 34 General Storage 34.1 General 34.4 Storage Arrangement 34.5 General Fire Protection 34.6 Building Equipment, Maintenance, & Operations 34.10 Storage of Idle Pallets Ch 40 Dust Explosion Prevention Ch 41 Hot Work Operations 41.1 General 41.2 Responsibility for Hot Work 41.3 Fire Prevention Precautions</p> | <p>Ch 42 Refueling 42.1 General Ch 43 Spraying, Dipping, & Coating Using Flammable or Combustible Materials [Also See SPS 314.01(1)(f) & SPS 310] 43.1 Application 43.5 Miscellaneous Spray Operations Ch 44 Solvent Extraction Ch 45 Combustible Fibers 45.1 General 45.3 No Smoking 45.6 Baled Storage 45.7 Storage of Hay, Straw, & Other Similar Agricultural Products Ch 50 Commercial Cooking Equipment 50.1 Application 50.2 General Requirements 50.4 Fire-Extinguishing Equipment 50.5 Procedures for the Use & Maintenance of Equipment 50.6 Minimum Safety Requirements for Cooking Equipment Ch 51 Industrial Ovens & Furnaces Ch 52 Stationary Lead-Acid Battery Systems Ch 53 Mechanical Refrigeration Ch 60 Hazardous Materials Ch 61 Aerosol Products Ch 63 Compressed Gases and Cryogenic Fluids 63.1 General Provisions 63.3 Compressed Gases Ch 64 Corrosive Solids & Liquids Ch 65 Explosives, Fireworks, & Model Rocketry [Also See SPS 314.65] 65.1 General 65.2 Display Fireworks 65.3 Pyrotechnics Before a Proximate Audience 65.11 Sale, Handling, & Storage of Consumer Fireworks Ch 66 Flammable & Combustible Liquids [Also See SPS 314.01(1)(f) & SPS 310] 66.19 Operations 66.9 Container & Portable Tank Storage Ch 67 Flammable Solids Ch 68 Highly Toxic and Toxic Solids & Liquids Ch 69 Liquefied Petroleum Gases & Liquefied Natural Gases 69.1 General Provisions 69.2 LP-Gas Equipment & Appliances 69.3 Installation of LP-Gas Systems 69.5 Storage of Cylinders Awaiting Use, Resale, or Exchange 69.8 Liquefied Natural Gas [LNG] Ch 70 Oxidizers & Organic Peroxides Ch 71 Pyrophoric Solids & Liquids Ch 72 Unstable [Reactive] Solids & Liquids Ch 73 Water-Reactive Solids & Liquids * Other Violations – See Remarks Below</p> |
| <p>REMARKS - A COPY OF THIS NOTICE WILL BE ON FILE IN THE OFFICE OF THE FIRE INSPECTOR FOR FURTHER ACTION Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04 (1)(m)].</p> | | |
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OWNER/AGENT/MANAGER REPRESENTATIVE
 SBD-10615a (R. 12/11)

INSPECTING OFFICER/FIRE DEPARTMENT

WHITE – Inspector, BLUE – Owner, YELLOW – Fire Department



FIRE DEPARTMENT REGISTRATION FORM

*SAFETY AND BUILDINGS
Fire Prevention Program
P. O. Box 7839
Madison, Wisconsin 53707-7839
TTY: Contact Through Relay
Scott Walker, Governor
Dave Ross, Secretary*

Please Type or Clearly Print Information

Personal information you provide may be used for secondary purposes [Privacy Law, s. 15.04 (1)(m)].

Date: _____

Name of Fire Department: _____

Street Address of Main Station: _____

Mailing Address: _____

_____, WI _____ County: _____

Name of Designated Fire Chief: _____

Date (Month/Year) Fire Chief Originally Elected or Appointed: _____

Fire Chief Phone: (FD Non-Emergency) : (_____) _____ - _____ Best Time to Call: _____

Alternate Phone: _____ Fire Chief E-mail: _____

Name of Lead Fire Inspector: _____

Lead Fire Inspector Phone: _____ Best Time to Call: _____

Lead Fire Inspector E-mail: _____

Name of Public Fire Education Officer: _____

Public Fire Education Officer Phone: (_____) _____ - _____ Best Time to Call: _____

Public Fire Education Officer E-mail: _____

FAX Number for Fire Department Business: (_____) _____ - _____

Fire Department Pay Status*:

- 1 () Career
- 2 () Combination
- 3 () Volunteer

Roster:

Number of Current Members: _____
 Number of Firefighters: _____
 Number of Fire Inspectors: _____

*See Definitions on Back of Form

Municipalities:

List each municipality that is located within the territory served by this fire department. Designate whether Town, Village, or City of: (example; Municipality Town of Adams County: Adams). Place an X behind the type of services provided.

1. Municipality _____ County: _____
 Fire Protection: _____ Fire Prevention: _____ Effective Date for Services Provided: _____

2. Municipality _____ County: _____
 Fire Protection: _____ Fire Prevention: _____ Effective Date for Services Provided: _____
3. Municipality _____ County: _____
 Fire Protection: _____ Fire Prevention: _____ Effective Date for Services Provided: _____
4. Municipality _____ County: _____
 Fire Protection: _____ Fire Prevention: _____ Effective Date for Services Provided: _____
5. Municipality _____ County: _____
 Fire Protection: _____ Fire Prevention: _____ Effective Date for Services Provided: _____

Personal information you provide may be used for secondary purposes (Privacy Law, s. 15.04 (1) (m), Stats.).

FIRE DEPARTMENT PAY STATUS DEFINITIONS:

There are three classifications of fire departments in the United States: Career, Combination, and Volunteer. The terminology is not consistent by definition across the country. For administrative purposes, the Wisconsin Department of Commerce uses three classifications of fire departments based upon the pay status of the members. The following definitions are used in Wisconsin:

- 1 **Career:** Fire departments which have 100% of their members in full or part-time paid positions are classified as Career or Paid Fire Departments. The career fire department does not rely upon paid-on-call or volunteer firefighters to complement staffing (exception being mutual aid assistance). Examples of Career Fire Departments are: Milwaukee, Madison, Green Bay and Eau Claire.
- 2 **Combination:** Fire departments which have full-time, paid-on-call or volunteer members are classified as Combination or Part-Paid Fire Departments. The combination fire department may have one or more full-time staff, but rely upon paid-on-call or volunteer firefighters to complement the fire department. The full-time staff may be chief officers, fire inspectors, dispatchers or single engine company. Examples of Combination Fire Departments are: Menomonee Falls, Fitchburg, Plover and Rice Lake.
- 3 **Volunteer:** Fire departments which have predominantly volunteer members are classified as Volunteer Fire Departments. The classification Volunteer Fire Department may be misleading since the classification does not mean that the firefighters may not be compensated. For classification purposes, a volunteer fire department does not have any member of the fire department that is paid for 36 hours or more of work a week. Volunteer fire departments may compensate their members for fire calls, training, clothing allowance or to be on-call. The fire chief or fire inspector may be paid a yearly salary or stipend for their services. Insurance and workman's compensation organizations may have different definitions. Examples of Volunteer Fire Departments are: Washburn, Augusta-Bridge Creek, Verona and New Glarus.

For further pay status definitions, please see our website: <http://dsps.wi.gov/sb/SB-FirePrevention-FireDepartments.html>

FIRE DEPARTMENT REGISTRATION

A fire department that provides fire protection and fire prevention services to a municipality is required to register with the Department. In the fire dues process, fire department means a municipal fire department, public safety department, or public or private organization, such as a fire association, fire district, fire company or fire corporation, organized or created for the purpose of extinguishing fires and preventing fire hazards.

By statute, for the prevention of fire hazards, the chief of the fire department is constituted a Deputy of the Department of Commerce. Registration is required to issue the Deputy ID card to the fire chief, and to ensure that the fire department receives their fire dues funding from the municipalities served by the fire department.

Questions about this form? Contact Luann Robb at luann.robbs@wi.gov.