

Chapter Comm 55

THEATERS AND ASSEMBLY HALLS

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**Note:** Chapter Ind 55 was renumbered to be chapter ILHR 55 effective January 1, 1984. Corrections made under s. 13.93 (2m) (b) 7., Stats., Register, March, 1997, No. 495. **Chapter ILHR 55 was renumbered to be chapter Comm 55 under s. 13.93 (2m) (b) 1. and corrections were made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1997, No. 504.**

**Comm 55.001 Scope.** The requirements of this chapter shall apply to all theatres and assembly halls.

**Note:** For assembly areas in connection with schools and other places of instruction, refer to ch. Comm 56.

**History:** 1-2-56; r. and recr. Register, August, 1985, No. 356, eff. 1-1-86.

**Comm 55.01 Definitions.** In this chapter:

(1) "Assembly halls" or "places of assembly" mean all buildings, or parts of buildings, other than theaters, which will accommodate more than 100 persons for entertainment, recreation, wor-

ship or dining purposes.

**Note:** Assembly halls or places of assembly which will accommodate not more than 100 persons are included within the scope of ch. Comm 54.

(2) "Theaters" means all buildings or parts of buildings, containing an assembly hall, having a stage which may be equipped with curtains or permanent or movable scenery, or which is otherwise adaptable to the showing of plays, operas, motion pictures or similar forms of entertainment.

**History:** 1-2-56; am. (1) (intro. par.), Register, March, 1972, No. 195, eff. 4-1-72; am. (1)(a), Register, January, 1980, No. 289, eff. 2-1-80; r. and recr. Register, August, 1985, No. 356, eff. 1-1-86.

**Comm 55.02 Class of construction. (1) GENERAL.** The capacities of buildings or parts of buildings in this classification for the various types of construction shall not exceed, and shall comply with, the following requirements:

MAXIMUM CAPACITIES

Class of Construction	Without Complete Automatic Fire Sprinkler System Protection		With Complete Automatic Fire Sprinkler System Protection	
	With Stage	Without Stage	With Stage	Without Stage
Type 1 and 2	No limit	No limit	No limit	No limit
Type 3 and 4	750	1,500	1,000	2,000
Type 5 and 6	500	1,000	750	1,500
Type 7 and 8	300	750	500	1,000

(2) UNLIMITED CAPACITY BUILDINGS. Buildings of type 3, 5 or 6 totally noncombustible construction, or type 4 construction, may have unlimited capacities provided:

- (a) The building does not exceed one story in height;
- (b) The floor framing and its supports for any mezzanine is constructed of noncombustible materials with at least a one-hour fire resistive rating; and
- (c) Any basement or ground floor is:

- 1. Separated from any upper floor level by noncombustible construction with at least a 4-hour fire resistive rating; and
- 2. Used only to accommodate mechanical equipment.

(2m) TYPE 7 AND 8 CONSTRUCTION. (See s. Comm 51.03.) Where buildings of these classifications are erected of type 7 or 8 construction, the following restrictions shall apply:

(a) Located at least 20 feet from any other building or adjoining property line, except for those buildings as permitted under par. (c) 4.;

(b) Is not built in connection with a building used for any other purpose, unless the assembly hall is separated from the other building by a fire division wall as specified in s. Comm 51.02 (13); and

(c) Except as provided in subs. 1. to 5., not more than one story in height and limited to one floor level.

1. Exception. A basement or ground floor heating and fuel room enclosed with fire-resistive construction as specified in s. Comm 51.08 (2) and Table 51.08-2, with all interior openings protected with self-closing fire-resistive door assemblies as specified in s. Comm 51.047 will be permitted.

2. Exception. A place of worship may have:
- A full basement or ground floor; and
  - A balcony or mezzanine which has at least one side open to the floor below and which has a maximum occupancy of 30 persons.
3. Exception. One-story and ground-floor assembly halls of type 7 or 8 construction will be permitted providing the following conditions are satisfied:
- Both levels shall exit directly to grade. One exit stair from the lower level up to the exit discharge grade is permitted providing the stair is enclosed to the outside by 2-hour fire-resistive rated construction;
  - The ground story exterior walls shall be of masonry or concrete;
  - The lower level shall be separated from the upper level by 2-hour noncombustible fire-resistive rated construction or better. The first floor supports shall also be of 2-hour noncombustible fire-resistive rated construction;
  - All stairways shall be enclosed by at least 2-hour fire-resistive rated enclosures;
  - The maximum capacity of the building is limited as specified in sub. (1); and
  - All other requirements of ch. Comm 55 are satisfied.
4. Exception. Additions to existing buildings of type 7 or 8 construction having a basement or second floor, or both, will be permitted under the scope of ch. Comm 54 providing the following conditions are satisfied:
- The building contains no other occupancy except the owner's private residence;
  - Public occupancy is prohibited in the basement and second floor;
  - The addition does not contain a basement, second floor or ground floor;
  - The public occupancy areas are divided by partitions, dividers and similar objects into definable areas having a maximum capacity of 100 occupants each. Each definable area shall have 2 independent, remote exits to the outside;
  - The maximum capacity of the building is limited as specified in sub. (1);
  - All other requirements of ch. Comm 54 are satisfied; and
  - This exception does not apply to buildings originally constructed within 5 years of submissions of plans for the addition.
5. Exception. Buildings completely protected by automatic fire sprinkler system protection may not exceed 2 stories in height and shall be limited to 2 floor levels.

**(3) BALCONIES ACCOMMODATING MORE THAN 100.** In any theater or assembly hall, balconies which accommodate more than 100 persons shall be type 1 or 2 construction as specified in s. Comm 51.03.

**History:** 1-2-56;(1); (1) (a); (2); (2) (a); (2) (b); (2) (c); (2) (d); (2) (e); (2) (f); (3); am Register, June, 1956; No. 6, eff. 7-1-56; am. (1) (a), Register, August, 1957, No. 20, eff. 9-1-57; am Register, January, 1961, No. 61, eff. 2-1-61; am (2) (a), Register, February, 1971, No. 182, eff. 7-1-71; r. and recr. (2) (a) eff. 8-1-71 and exp. 1-1-72; cr. (2) (a) eff. 1-1-72, Register, July, 1971, No. 187; r. and recr. (1), am. (2) intro. par., and (3), Register, June, 1972, No. 198, eff. 1-1-73; cr. (1) (a), Register, September, 1973, No. 213, eff. 10-1-73; am. (2) (a), Register, May, 1974, No. 221, eff. 6-1-74; am. (1) (a), Register, July, 1974, No. 223, eff. 8-1-74; r. (2) (d) and (e), Register, December, 1977, No. 264, eff. 1-1-78; am. (1) (a), cr. (2) (a) 1. to 3., Register, December, 1978, No. 276, eff. 1-1-79; am. (2) (a) 2. c., Register, January, 1980, No. 289, eff. 2-1-80; am. (2) (a) 3. c., Register, December, 1981, No. 312, eff.

1-1-82; reprinted to correct error in (2) (a) 1., Register, February, 1982, No. 314; renum. (2) (a) 1. to 3., (b) and (c) to be (2) (c) 2. to 4., (a) and (b), r. (2) (a) (intro.) and cr. (2) (c) (intro.) and 1., Register, August, 1985, No. 356, eff. 1-1-86; emerg. r. and recr. (1) and (2) (a) and (b), am. (2) (c) (intro.), 3. e. and 4. e., cr. (2) (c) 5., eff. 9-6-86; r. and recr. (1) renum. (2) to be (2m) and am. (c) (intro.), 3. e. and 4. e., cr. (c) 5., Register, November, 1986, No. 371, eff. 12-1-86; reprinted to restore dropped copy, Register, December, 1986, No. 372; r. recr. (2) and (2m) (c) 2., am. (2m) (a) and (b), Register, March, 1991, No. 423, eff. 4-1-91; am. (2) (intro.), Register, January, 1994, No. 457, eff. 2-1-94; correction in (2m) (c) made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1997, No. 504.

**Comm 55.03 Height above grade.** The height of the sills of the principal entrance doors to any theater, as defined in s. Comm 55.001, shall be not more than 18 inches above the outside grade at that point. The floor level at the highest row of seats on the main floor shall not be more than 6 feet above the outside grade at the main entrance; the floor level at the lowest row of seats on the main floor shall be not more than 6 feet below, or above, the grade at the nearest exit.

**History:** 1-2-56; r. and recr. Register, September, 1959, No. 45, eff. 10-1-59; am. (2) and (3), Register, June, 1972, No. 198, eff. 1-1-73; am. (2), Register, September, 1973, No. 213, eff. 10-1-73; r. (2) and (3), renum. (1) to be ILHR 55.03, Register, March, 1991, No. 423, eff. 4-1-91.

**Comm 55.04 Exposure and courts. (1)** Every theater or assembly hall which accommodates more than 600 persons shall have at least 3 walls abutting on streets, alleys, or open courts.

**(2)** The wall containing the main entrance to any theater or assembly hall shall abut on a street. The lobby or passageway leading from the main entrance doors to the foyer or auditorium shall be direct and unobstructed and of a minimum width equal to the sum of the widths of the main entrance doors. There shall be no openings from other occupancies to such a corridor or passageway.

**(3)** The width of every exit court shall be at least 6 feet for an occupancy not exceeding 500 persons, and shall be increased at the rate of one foot per each 500 persons additional. Every such court shall lead to a public thoroughfare, either directly, or through a passageway of equal width, not less than 8 feet high enclosed with unpierced 4-hour fire-resistive walls, ceiling and floor as specified in s. Comm 51.04. The floor and ceiling shall be designed for a live load of not less than 150 pounds per square foot. No such court, or passageway shall be used for storage or any other purpose whatsoever.

**History:** 1-2-56; am. (3), Register, February, 1971, No. 182, eff. 7-1-71; r. and recr. (3) eff. 8-1-71 and exp. 1-1-72; cr. (3) eff. 1-1-72, Register, July, 1971, No. 187.

**Comm 55.05 Occupancy separations and hazard enclosures.** Occupancies within the scope of this chapter shall be separated from other occupancies or uses in accordance with s. Comm 51.08. Hazards shall be enclosed in accordance with s. Comm 51.08.

**History:** 1-2-56; am. Register, January, 1961, No. 61, eff. 2-1-61; am. (3), Register, February, 1971, No. 182, eff. 7-1-71; r. and recr. (3) eff. 8-1-71 and exp. 1-1-72; cr. (3) eff. 1-1-72, Register, July, 1971, No. 187; am. (2), Register, June, 1972, No. 198, eff. 1-1-73; cr. (4), Register, December, 1978, No. 276, eff. 1-1-79; am. (1) and (3), cr. (5), Register, December, 1981, No. 312, eff. 1-1-82; r. and recr. Register, March, 1991, No. 423, eff. 4-1-91; r. and recr., Register, December, 1995, No. 480, eff. 4-1-96; r. and recr. Register, March, 1997, No. 495, eff. 4-1-97.

**Comm 55.06 Capacity. (1)** Table 55.06 includes the various types of occupancy within the scope of this section, together with the method to be used in determining the capacity.

**(2)** No greater number of persons than the number thus established shall be permitted in any theater or assembly hall.

**TABLE 55.06**  
**OCCUPANCY CAPACITY**

Use or Occupancy	Basis of Capacity
(a) Arenas and field houses . . .	4 sq. ft. per person. Use seated areas only.
(b) Assembly halls, with stage . . .	7 sq. ft. per person.
(c) Banquet halls . . . . .	10 sq. ft. per person.
(d) Churches (auditoriums) . . . .	7 sq. ft. per person.
(e) Churches (dining rooms) . . .	10 sq. ft. per person.
(f) Dance halls . . . . .	10 sq. ft. per person.
(g) Dining rooms . . . . .	10 sq. ft. per person.
(h) Gymnasiums . . . . .	6 sq. ft. per person for seated space. 15 sq. ft. per person for unseated space.
(i) Lecture halls . . . . .	7 sq. ft. per person.
(j) Lodge halls . . . . .	6 sq. ft. per person for seated space. 15 sq. ft. per person for unseated space.
(k) Skating rinks . . . . .	45 sq. ft. per person.
(L) Theaters . . . . .	7 sq. ft. per person.
(m) Theater lobbies . . . . .	7 sq. ft. per person.
(n) Swimming pool rooms . . . .	10 sq. ft. per person for deck area

(3) The capacity of theaters and theater lobbies must be combined to determine the theater capacity.

(4) (a) Every theater or assembly hall having movable seats shall display a sign stating the maximum number of persons permitted by code.

1. The sign shall be placed in a conspicuous place at the main entrance to each theater or assembly hall.

2. The sign shall have the following wording: "Limit (Number) Persons." The maximum number of persons shall be determined by the capacity as permitted by sub. (2) and s. Comm 55.12. The lettering shall be white on a dark background. The letters shall be not less than 1 1/2 inches in height and the number shall be not less than 3 inches in height.

**History:** 1-2-56; cr. (4) (a), Register, July, 1966, No. 127, eff. 8-1-66; r. (2) (k), renum. (2) (l) (m) (n) to be (k) (l) and (m), Register, September, 1973, No. 213, eff. 10-1-73; am. (2)(k), Register, December, 1981, No. 312, eff. 1-1-82; am. (1), cr. (2) (n), Register, January, 1994, No. 457, eff. 2-1-94.

**Comm 55.07 Number and location of exits.** (1) (a) Except as provided in par. (b), every floor and balcony of a theater and assembly hall shall be provided with not less than 2 exits, placed as far apart as practicable and so located that if any exit is blocked, some other exit will still be available from every part.

(b) A balcony accommodating not more than 30 persons in places of worship may be served by one exit.

(2) Where more than 600 persons are accommodated, there shall be at least 3 exits and where more than 1,000 persons are accommodated, there shall be at least 4 exits.

(3) Exits shall be distributed on all sides which adjoin streets, alleys or open courts.

**History:** 1-2-56; r. and recr. (1), Register, August, 1985, No. 356, eff. 1-1-86.

**Comm 55.08 Type of exits.** (1) The required exits from any part of a theater or assembly hall shall be exit doorways, stairways or ramps.

(2) All exits to grade from a higher or lower level shall be stairways or approved ramps. In all theaters and in assembly halls having a capacity of more than 400 persons, where the exit rise is not more than 3 feet approved ramps shall be used. By approved ramp

is meant an incline located inside the building and having a slope of not more than one foot of rise in 8 feet.

(3) Stairway exits shall be interior stairways, or smokeproof towers as specified in s. Comm 51.17; except that "B" type fire escapes may be used as exits from balconies for not more than one-half the required exit width, if located against blank walls.

(4) All ramps for barrier-free public access to a building, including nonrequired ramps, shall be inside the building.

(5) Exterior stairs may be used as required exits from exterior decks, for seasonal recreational facilities.

**History:** 1-2-56; cr. (4) and (5), Register, January, 1994, No. 457, eff. 2-1-94.

**Comm 55.09 Stairways.** (1) Every stairway in a theater or assembly hall shall be enclosed as specified in s. Comm 51.18 with the following exceptions:

(a) Monumental stairways from the main floor to the first balcony need not be enclosed provided the balcony is served by additional enclosed stairways as specified in ss. Comm 51.02 (11) and 55.07.

(b) 1. In a place of worship, a monumental exit access stairway from the main floor to the first balcony having an occupant load of not more than 30 persons need not be enclosed.

2. In a place of worship, a monumental exit access stairway from the main floor to the first balcony having an occupant load of 31 to 100 persons need not be enclosed provided the balcony is served by an additional open stairway.

3. In a place of worship, stairways from the main floor to the first balcony having an occupant load greater than 100 persons shall be enclosed to the outside as specified in ss. Comm 51.02 (11) and 51.18.

4. Stairways from the basement to the first floor of a single story place of worship need not be enclosed if they lead directly to the exits.

(2) Stairways and steps which have more than 3 risers shall have handrails on both sides.

(3) Less than 3 risers may be used to elevated altars, podiums and similar areas in churches provided the elevated area is not part of a required exit passageway.

**Note:** See s. Comm 51.16 for general stairway requirements.

**History:** 1-2-56; am. Register, January, 1961, No. 61, eff. 2-1-61; r. and recr. Register, February, 1968, No. 146, eff. 3-1-68; am. (4), Register, February, 1971, No. 182, eff. 7-1-71; am. (2), Register, December, 1974, No. 228, eff. 1-1-75; am. (1) (intro.) and cr. (4) (a), Register, December, 1978, No. 276, eff. 1-1-79; am. (1) (a), Register, December, 1981, No. 312, eff. 1-1-82; r. and recr. (1) (b), Register, October, 1982, No. 322, eff. 11-1-82; r. (2), renum. (3) and (4) to be (2) and (3) and am. (3) Register, August, 1985, No. 356, eff. 1-1-86; r. (3) (a), renum. (3) (b) to be (3), Register, January, 1994, No. 457, eff. 2-1-94.

**Comm 55.10 Exit doors and doorways.** (1) Every required single exit doorway shall contain a standard exit door as specified in s. Comm 51.15, except:

(a) No single door or leaf of a double door may be more than 3 feet 6 inches wide and multiple door panels may not be hinged together; and

(b) Rolling, sliding and overhead types of doors or gates may be used as standard exit doors for tenant spaces in malls provided:

1. The door or gate is equipped with exit hardware in accordance with s. Comm 51.15 (3);

2. The door or gate is counterbalanced such that it can be opened by a force not exceeding 12 pounds, or, if the door or gate is electrically operated, the door is supplied by an emergency power source capable of opening the door or gate;

3. The door or gate is maintained in a fully opened position during the business hours of the tenant space;

4. A security device permitted by s. Comm 51.15 (3) (e) 2. is not engaged when the tenant space is occupied; and

5. Manual, chain hoist operators for the doors or gates are not employed.

(2) Sills at all exit doorways shall be level and flush with adjacent inside and outside floors and ramps. Where an aisle or pas-

sageway leads to an exit from either side of the exit doorway there shall be a level floor space at the doorway extending the width of the aisle and the doorway.

**History:** 1-2-56; am. (4), Register, August, 1985, No. 356, eff. 1-1-86; r. and recr. Register, March, 1991, No. 423, eff. 4-1-91; r. and recr. (1) (a), r. (1) (b), renum. (1) (c) to be (1) (b), Register, January, 1994, No. 457, eff. 2-1-94.

**Comm 55.11 Exit lights.** All required exits, except those in church auditoriums, shall be identified by an approved exit light. Directional exit lights shall be provided to direct occupants to the exits. Exit lights and directional exit lights shall be as specified in s. Comm 51.15 (5).

**History:** 1-2-56; r. and recr. Register, December, 1983, No. 336, eff. 1-1-84.

**Comm 55.12 Required exit width.** (1) The total required exit width from a building level shall be in accordance with the requirements of ss. Comm 51.15 (6) and 51.16(3).

(2) In theaters, the width of the front entrance shall be not less than 1/3 of the total required exit width.

**History:** 1-2-56; am. (1), Register, June, 1972, No. 198, eff. 1-1-73; am. (1), Register, December, 1974, No. 228, eff. 1-1-75.

**Comm 55.13 Seating.** All chairs, seats and benches used for the purpose of assembly seating shall conform to the requirements of subch. V, Assembly Seating Facilities, of ch. ILHR 62.

**History:** 1-2-56; am. Register, January, 1961, No. 61, eff. 2-1-61; r. (2), renum. (3) to (6) to be (2) to (5), Register, January, 1980, No. 289, eff. 2-1-80; r. and recr., Register, December, 1981, No. 312, eff. 1-1-82.

**Comm 55.14 Width of aisles.** (1) Aisles having seats on both sides shall not be less than 2 feet 10 inches wide at the beginning and shall increase in width toward the exits at the rate of 1/4 inch per foot of run; or the aisle may have a uniform width not less than the average width of the foregoing calculation. No wall aisle shall be less than 3 feet wide and no other straight aisle shall be less than 3 feet 6 inches wide.

(2) There shall be a cross aisle leading to each required side exit. Cross aisles shall not be less than 6 feet 8 inches back to back of adjacent rows of seats.

**Comm 55.15 Lobbies and foyers.** The width of lobbies and foyers shall be determined on the same basis as required for exits in s. Comm 55.12, but shall in no case be less than 5 feet wide, and shall be so designed and apportioned as to prevent congestion and confusion. Lobbies and foyers which serve as means of egress shall be at least equal in combined width to the required width of the stairways, passageways, aisles or exit doorways leading to them.

**Comm 55.16 Inclines and aisle steps.** (1) To overcome any difference in level between courts, corridors, lobbies, passageways or aisles required, or used, in egress from a theater or an assembly hall, approved ramps as specified in s. Comm 55.08 shall be employed where the difference in elevation does not exceed 3 feet, except that this requirement need not apply to balconies.

(2) Steps in balcony aisles shall extend the full width of the aisle and shall have a uniform rise and run as specified in s. Comm 55.09. No handrails will be required.

**Comm 55.17 Obstruction.** (1) All lobbies, aisles, passageways and doorways shall be kept free from furniture, drapes, display equipment, merchandise, vending machines and other obstructions, and no person except an employe shall be allowed to stand in or occupy, any of the aisles, passageways, corridors or lobbies during any performance or public gathering. Except that patrons may be allowed to wait in a lobby or similar space if such use does not encroach upon the required clear width of the exits. Such waiting shall be restricted to areas separated from the required exit ways by fixed railings not less than 42 inches high. In entrance lobbies only, the exit space may be divided by railings

not less than 36 inches high set up in the direction of travel in an approved manner for the regulation of ingress and egress.

(2) A booth or counter for the sale of package merchandise may be placed in the lobby or foyer of a theater where there is sufficient excess space so that the front of the booth or counter can be located not less than 5 feet back of the line marking the width of the lobby or foyer required for exit purposes.

**Comm 55.18 Mirrors and false openings.** (1) No mirror shall be placed in any part of a theater or assembly hall used by the public for exit purposes, including lobbies, corridors, stairways, ramps or any other exit facility. Where a mirror is used in an auditorium, it shall be placed flush with the wall and with the bottom at least 7 feet above any floor, balcony, gallery or platform.

(2) No false opening or decorative device giving the appearance of a door or window, where none exists, shall be placed in any part of a theater or assembly hall used by the public.

**Comm 55.19 Decorations.** Fabric decorations used in theaters and assembly halls shall be flame proof.

**Comm 55.20 Elevator and vent shafts.** Enclosures for elevator and vent shafts shall be of 2-hour fire-resistive construction as specified in s. Comm 51.04 and all openings therein protected by fire-resistive doors or windows as specified in s. Comm 51.047.

**History:** 1-2-56; am. Register, February, 1971, No. 182, eff. 7-1-71; r. and recr. eff. 8-1-71 and exp. 1-1-72; cr. eff. 1-1-72, Register, July, 1971, No. 187.

**Comm 55.21 Stage separation.** (1) In every theater and assembly hall the stage shall be completely separated from the auditorium by a proscenium wall of 4-hour fire-resistive construction as specified in s. Comm 51.04, except as follows:

(a) In theaters and assembly halls having a capacity not exceeding 500 persons, the proscenium wall shall be of 2-hour fire-resistive construction as specified in s. Comm 51.04, or better.

(b) In theaters and assembly halls an open stage or platform will be permitted without the proscenium wall separation from the auditorium, provided the stage or platform is not more than 6 feet higher or wider than the proscenium opening.

**History:** 1-2-56; am. (1) intro par., and (1) (a), Register, February, 1971, No. 182, eff. 7-1-71; r. and recr. (1) intro, para. and (a), eff. 8-1-71 and exp. 1-1-72, and cr. (1) intro par. and (a), eff. 1-1-72, Register, July, 1971, No. 187.

**Comm 55.22 Proscenium wall.** (1) The proscenium wall shall extend from an incombustible foundation, or from the lowest fireproof floor below the stage floor, to the highest adjoining roof, except that where a 4-hour fire-resistive wall is required it shall extend at least 2 feet above the highest adjoining roof.

(2) There shall be not more than 2 openings in the proscenium wall below the level of the auditorium floor, and not more than 2 openings other than the proscenium opening, in the proscenium wall above the level of the auditorium floor, except that in addition to the above openings there may be one opening to provide access through the proscenium wall to the orchestra pit.

(3) Each such opening shall be protected by fire-resistive door assemblies as specified in s. Comm 51.047.

**History:** 1-2-56; am. (3), Register, March, 1972, No. 195, eff. 4-1-72; am. (3), Register, August, 1985, No. 356, eff. 1-1-86.

**Comm 55.23 Proscenium curtain.** Where a proscenium wall is required for the separation of a stage from an auditorium, the proscenium opening shall be provided with a curtain as approved by the department.

**History:** 1-2-56; r. and recr. Register, May, 1971, No. 185, eff. 6-1-71.

**Comm 55.24 Automatic smoke outlet.** Where a fireproof proscenium curtain is required, or provided, the stage shall be provided with one or more automatic smoke outlets, constructed of metal or other incombustible material, placed near the center and above the highest part of the stage, and having a

combined area equal to not less than 8% of the area of the stage floor. Vertical louver openings shall be placed not less than 3 feet above the roof and shall be not less than twice the area of the shaft. The smoke outlet shall be designed and constructed so as to open by gravity, and so as to effectively overcome the effects of neglect, rust, dirt, frost, snow, heat, twisting, or warping of the frame work. The louvers, or dampers in the openings shall be held closed by cotton or hemp cords running to the stage floor close to each stage door. Fusible links, or other approved heat release devices, shall be inserted in each cord near the outlets.

**Comm 55.25 Stage vestibules.** All entrances to the stage shall be vestibuled in such manner as to protect the curtain, scenery, and auditorium from drafts of air.

**Comm 55.26 Footlight trough.** The footlight trough shall be made of, or lined with, incombustible material.

**Comm 55.27 Fireproof paint.** All stage scenery, properties, curtains, and decorations made of combustible material, and all woodwork in or about the stage, shall be effectively flame-proofed.

**Comm 55.28 Stage accessory rooms. (1)** All property rooms and other storage or workrooms shall be built of non-combustible material throughout, and shall be separated from the stage by 4-hour fire-resistive rated construction.

**(2)** All dressing rooms shall be separated from the stage by 2-hour fire-resistive rated construction. No dressing room or employes' room may be placed more than one story below the grade line, and no dressing room may be placed above or below the auditorium unless separated therefrom by 2-hour fire-resistive rated construction.

**History:** 1-2-56; am. Register, January, 1994, No. 457, eff. 2-1-94.

**Comm 55.30 Lights and lighting. (1)** Electric lights shall be used for lighting where electric current is available. No oil lamps or other open lights shall be used in or about any stage containing scenery.

**(2)** No gas lighting of any kind shall be used on any stage containing scenery, nor in any property room, storage room, scene dock, or fly gallery, except in localities where electricity is not available.

**(3)** In all theaters and assembly halls, all stairways, passageways, and exit doors shall be properly lighted and shall remain lighted throughout every performance or entertainment and until the audience has left the building.

**Comm 55.32 Sanitary facilities. (1) TOILET ROOMS.** All occupancies included under the scope of this chapter shall be provided with separate toilet rooms for each sex. Separate toilet rooms for the employes and the general public need not be provided if the toilet rooms are accessible to both the employes and the general public.

**(a) Toilet rooms in connection with stage.** In theaters and assembly halls which are equipped for the showing of stage productions, separate toilet rooms for each sex, furnished with at least one water closet and one lavatory, shall be provided in connection with the stage.

**(b) Toilet room in connection with motion picture booth.** In theaters where motion picture machines are run continuously for a period of more than 2 hours without at least 10 minutes intermission for the motion picture machine operator for each 2-hour period, a toilet room, furnished with one water closet and one lavatory, shall be provided in direct connection with the motion picture booth.

**(2) SANITARY FIXTURES.** The number of water closets, urinals, lavatories and drinking facilities required for the total number of

occupants of each sex shall be determined in accordance with the ratios established in Table 55.32, but in no case shall the ratio of the number of fixtures to number of employes be less than those specified in Table 54.12-B. The total number of occupants will be considered equally divided between men and women unless a different ratio is established and submitted to the department and accepted.

**TABLE 55.32  
NUMBER OF FIXTURES REQUIRED FOR PATRONS/OCCUPANTS  
IN PLACES OF ASSEMBLY**

Number of Patrons/ Occupants of Each Sex <sup>2</sup>	Type of Fixture <sup>1</sup>				
	Water Closets (WC)			Drinking Facilities (DF)	Lavatories <sup>3</sup> (L)
	Males (M)	Females (F)	Urinals (U)		
1- 100	1	1	0		
101-200	1	2	1	One (DF) for each 150 occu- pants or fraction up to 600	One (L) for each 2 fix- tures (WC) or (U) required, or both, or fraction
201-250	1	3	2		
251-300	1	4	2		
301-350	2	5	2		
351-400	2	6	2		
401-450	2	7	3		
451-500	2	8	3		
501-600	2	9	4		
Over 600	One (WC) for each additional 600 (M) or fraction; one for each additional 275 (F) or fraction		One (U) for each additional 500 (M) or fraction	One addi- tional (DF) for each addi- tional 3000 occupants or fraction	
<b>Taverns and restaurants<sup>1</sup></b>					
	One (WC) for each 75 (M) or fraction; one (WC) or each 30 (F) or fraction		One (U) <sup>2</sup> for each 50 (M) or fraction	0	

<sup>1</sup>The ratio of the number of fixtures to the number of occupants accommodated in excess of 300 need be one-half of the figures shown.

<sup>2</sup>The urinal may be omitted in restaurants which accommodate less than 25 males and do not serve alcoholic beverages.

<sup>3</sup>A minimum of one lavatory shall be provided in each toilet room. Where a single toilet room designated as UNISEX is provided, it shall be considered as accommodating no more than 10 employes and 25 occupants.

**Note:** For structures with additions or alterations, the required number of sanitary fixtures shall be the sum of the fixtures required for the existing portion at the time it was constructed plus the fixtures required by this table for the new addition or altered area. At such time as the summation of the addition and alteration areas is equal to or greater than 51% of the building area calculated as specified in s. ILHR 50.03 (4) (d), fixtures shall be provided in conformance to this table utilizing the capacity of the entire building.

**Note:** See also rules of the department of health and family services for sanitary fixtures for public swimming places, mobile home parks, camping grounds, camping resorts, recreational camps and educational camps.

**Note:** For mixed-use facilities such as a dinner theater, use the required number for restaurants as specified in s. Comm 54.12 (2) (d) 2.

**Note:** See chapter Comm 69 for the percentage and design of accessible drinking facilities.

**History:** 1-2-56; r. and recr. Register, December, 1976, No. 252, eff. 1-1-77; am (2), Register, December, 1977, No. 264, eff. 1-1-78; am. (2), Register, December, 1978, No. 276, eff. 1-1-79; am. (2), Register, December, 1981, No. 312, eff. 1-1-82; am. table, Register, August, 1985, No. 356, eff. 1-1-86; am. (2), r. and recr. table; Register, August, 1993, No. 452, eff. 3-1-94; reprinted to correct error in table, Register, August, 1995, No. 476.

**Comm 55.33 Fire protection systems. (1) SPRINKLER SYSTEMS.** Automatic fire sprinkler systems shall be provided as outlined in ss. 52.01, 52.011, 52.012 and 52.013.

**(2) STANDPIPE SYSTEMS.** (a) *Fire department standpipes.* Fire department standpipes shall be provided in all buildings exceeding 60 feet in height.

(b) *Dry standpipes.* Dry standpipes as specified under s. Comm 51.21 shall be provided in all buildings, except churches and places of worship, having theaters and assembly halls with an occupancy load of more than 750 persons, unless an approved automatic sprinkler system is installed. First-aid standpipes shall be provided on the stage of every theater and assembly hall where a proscenium curtain is required.

**(3) FIRE EXTINGUISHERS.** Portable fire extinguishers shall be provided and maintained as specified in s. Comm 51.22.

**History:** 1-2-56; r. and recr. Register, December, 1976, No. 252, eff. 1-1-77; am. (2), Register, December, 1978, No. 276, eff. 1-1-79; emerg. r. and recr. (2), eff. 9-6-86; r. and recr. (2), Register, November, 1986, No. 371, eff. 12-1-86; r. and recr. Register, March, 1991, No. 423, eff. 4-1-91; am. (2) (b), Register, January, 1994, No. 457, eff. 2-1-94.

**Comm 55.39 Use of "safety-base" film. (1)** The requirements of ss. Comm 55.40 through 55.49 will not apply in buildings in which movie projectors are used with "safety-base" film provided the conditions of pars. (a) and (b) are met.

(a) The owner shall submit an affidavit to the department stating that "safety-base" film only will be used in all movie projectors.

(b) The affidavit shall be signed by the owner and the signature notarized.

**Note:** For definition of "owner," see s. 101.01 (2) (i), Stats.

**History:** Cr. Register, April, 1971, No. 184, eff. 5-1-71.

**Comm 55.40 Motion picture machine booths, general.** Every motion picture machine using nitro-cellulose film, together with all auxiliary and associated equipment, shall be enclosed in a booth so arranged as to permit the operator to walk freely on either side and in back of the machine. At least 48 square feet in area shall be provided for one machine, and 24 square feet additional for each machine over one. The ceiling height shall be not less than 7 feet.

**Comm 55.41 Construction of booth.** The floor of each motion picture booth shall be constructed of masonry or reinforced concrete, or shall be covered with not less than 2 inches of fire-resistive material. The walls and ceilings shall be not less than 2-hour fire-resistive construction as specified in s. Comm 51.04.

**History:** 1-2-56; am. Register, February, 1971, No. 182, eff. 7-1-71; r. and recr. eff. 8-1-71 and exp. 1-1-72; cr. eff. 1-1-72, Register, July, 1971, No. 187.

**Comm 55.42 Doors. (1)** The door to the booth shall be not larger than necessary for the safe and proper use and maintenance of the booth and equipment, but in no case shall its dimensions be smaller than 2 feet by 5 feet or larger than 3 feet by 7 feet. The top of the door shall be not less than 12 inches below the ceiling of the booth.

(2) The door shall be a tight-fitting self-closing fire door as specified in s. Comm 51.047, shall open outwardly, and shall not be equipped with any latch.

**History:** 1-2-56; am. (2), Register, February, 1971, No. 182, eff. 7-1-71; r. and recr. (2) eff. 8-1-71 and exp. 1-1-72; cr. (2) eff. 1-1-72, Register, July, 1971, No. 187.

**Comm 55.43 Openings. (1)** Two openings for each motion picture machine may be provided. The one for the operator's view shall not be larger than 200 square inches and the one for projection not larger than 120 square inches. Where separate stereopticon, spot, or floodlight machines are installed, not more than one opening shall be provided for each such machine for both the operator's view and the projection of light. All such openings shall be as small as practicable.

(2) Each opening shall be provided with an approved gravity shutter set into guides not less than one inch at sides and bottom, and overlapping the top of the opening by at least one inch when closed. Shutters shall be not less than No. 10 U.S. Standard gauge iron or equivalent, arranged to move freely in guides of like material and thickness bolted to the wall. Each shutter shall be suspended by a cord and shall be so arranged that closing is by gravity action. A fusible link shall be provided in the cord over each shutter. A link shall also be provided over each magazine, which on operating will close all shutters. A manual release shall be provided near each exit door by which all shutters can be closed simultaneously. Shutters shall not be blocked open nor held open in any manner except by the harness of cords and links as herein described.

**Comm 55.44 Ventilation of booths.** Every booth or room housing projection, sound or any other equipment which vitiate good air conditions or requires the attention of an attendant shall be ventilated as required by s. ILHR 64.05. Fresh air intakes in booth walls, except for outside air, shall not exceed 72 square inches in area, nor be more than 3 inches above the floor. They shall be equipped with automatic shutters as described for projection openings.

**History:** 1-2-56; r. and recr. Register, October, 1967, No. 142, eff. 11-1-67; am. Register, December, 1975, No. 240, eff. 1-1-76.

**Comm 55.45 Relief outlets.** Every booth or room housing projection, sound or other equipment which constitutes a fire, smoke, explosion or fuming hazard shall be equipped with one or more gravity outlets extending upward from the ceiling through the roof. The net area of such gravity relief outlets shall be equal to one per cent of the room or booth floor area, but not less than 12 inches in diameter. Such outlets shall be constructed as sheet metal ducts having double walls with 1/2 inch air space between, or better construction. Where a relief outlet passes through, or is within 18 inches of any combustible construction, or passes through any other occupancy, approved masonry flues as specified for chimneys, s. ILHR 64.46, shall be used. The relief outlets shall be equipped, at the booth or room outlets, with a gravity shutter which will open automatically under excessive heat conditions. The automatic shutter shall normally be tightly closed where mechanical exhaust ventilation is required in the same room.

**Comm 55.46 Electric wiring.** All lights and electric wiring, also motors, arc lamps, rheostats, and associated electrical equipment shall conform in type and arrangement to the requirements of the Wisconsin state electrical code, vol. 2, ch. Comm 16.

**Comm 55.47 Motion picture machine.** Every projection machine shall be securely fastened to the floor, and together with sound head and other associated equipment, shall be of safe design. No part of the film shall be outside of a tight metal enclosure during projection, and the feed and take-up reels shall have riveted, flanged, or welded joints. A shutter shall be placed in front of the condenser, arranged so as to be closed except when held open by the operator, or by some mechanical device which will assure immediate closure when operation of the machine is stopped.

**Comm 55.48 Fire protection in booth; care and use of film. (1)** All shelves, furniture and fixtures shall be incombustible. No combustible material shall be permitted to be within such booth, except films and film cement not exceeding one pint. Smoking is prohibited. Heating equipment in booths shall be limited to steam, warm air, hot water or electric convection heaters with low surface temperature elements. Radiators shall be protected by 1/4 inch mesh screen with the top sloped at least 45° to the horizontal.

(2) Films not in process of rewinding, examination or projection shall be kept in metal containers. Up to 40 pounds of film may

be kept in the projection booth in interstate commerce commission shipping containers. Excess over 40 pounds shall be kept in an approved film cabinet, but the total quantity of film in any booth shall not exceed 125 pounds.

(3) Rewinding in the projection booth is prohibited unless done in an approved enclosed type rewind machine. An approved can with self-closing hinged cover shall be provided for scrap film.

(4) Up to 125 pounds of film in addition to that permitted in a projection booth, may be kept in containers as specified above, providing this excess is in a rewind room of not less than 80 square feet area, and of the construction specified in ss. Comm 55.41 and 55.42. Such room shall have a vent of at least 50 square inches in area extending upward to the outside of the building, with a clear-

ance to combustible material conforming to s. Comm 55.45. Furniture and heating shall be as for the projection booth, and smoking is prohibited.

Note: The weight of a 1000 foot roll of 35 millimeter film is assumed as 5 pounds.

**Comm 55.49 Portable booths.** (1) Every portable booth used to confine the fire hazards of a motion picture machine shall be of approved design conforming to the requirements for permanent booths.

(2) Every booth used for more than 3 consecutive performances in one location will be considered a permanent booth.

**Comm 55.50 Maintenance.** All theaters and assembly halls, and all parts thereof, shall be kept clean, sanitary and in good repair.