

1987 Assembly Bill 845

Date of enactment: April 22, 1988
Date of publication: May 2, 1988

1987 Wisconsin Act 376

AN ACT to renumber and amend 101.645 (3); to amend 101.145 (4), 101.745 (4) and 101.925 (4); to repeal and recreate 101.145 (3); and to create 101.645 (3) (b) of the statutes, relating to the maintenance of smoke detectors in rental units.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 101.145 (3) of the statutes is repealed and recreated to read:

101.145 (3) INSTALLATION AND MAINTENANCE. The owner of a residential building shall install any smoke detector required under this section according to the directions and specifications of the manufacturer of

the smoke detector and maintain any such smoke detector which is located in a common area of that residential building. The occupant of a unit in a residential building shall maintain any smoke detector in that unit, except that if an occupant who is not an owner gives written notice to the owner that a smoke detector in his or her unit is not functional the owner shall provide, within 5 days after receipt of that notice,

any maintenance necessary to make that smoke detector functional.

SECTION 2. 101.145 (4) of the statutes is amended to read:

101.145 (4) REQUIREMENT. The owner of a residential building of which construction is commenced on or after May 23, 1978, shall install and maintain a functional smoke detector ~~in each sleeping area of each unit~~, in the basement and at the head of ~~the~~ any common stairway on each floor level of the building and shall install a functional smoke detector in each sleeping area of each unit or elsewhere in the unit but no more than 6 feet from the doorway of each sleeping area.

SECTION 3. 101.645 (3) of the statutes is renumbered 101.645 (3) (a) and amended to read:

101.645 (3) (a) The owner of a ~~multi-unit~~ dwelling the initial construction of which was commenced on or after May 23, 1978, shall install ~~and maintain~~ a functional smoke detector in the basement of the dwelling and on each floor level except the attic or storage area of each dwelling unit. The occupant of such a dwelling unit shall maintain any smoke detector in that unit, except that if any occupant who is not the owner gives written notice to the owner that the smoke detector is not functional the owner shall provide, within 5 days after receipt of that notice, any maintenance necessary to make that smoke detector functional.

SECTION 4. 101.645 (3) (b) of the statutes is created to read:

101.645 (3) (b) Notwithstanding par. (a), the owner of any dwelling which was constructed prior to May 23, 1978, shall install a functional smoke detector in the basement of that dwelling and on each floor level

of that dwelling except the attic or storage area of each dwelling unit. The occupant of such a dwelling unit shall maintain any smoke detector in that unit, except that if any occupant who is not the owner gives written notice to the owner that the smoke detector is not functional the owner shall provide, within 5 days after receipt of that notice, any maintenance necessary to make that smoke detector functional.

SECTION 5. 101.745 (4) of the statutes is amended to read:

101.745 (4) REQUIREMENT. The manufacturer of a manufactured building manufactured on or after May 23, 1978, shall install a functional smoke detector on each floor level except the attic or storage area of each dwelling unit.

SECTION 6. 101.925 (4) of the statutes is amended to read:

101.925 (4) REQUIREMENT. The manufacturer of a manufactured home shall install a functional smoke detector in each manufactured home manufactured on or after May 23, 1978.

SECTION 7. **Nonstatutory provisions.** The department of industry, labor and human relations shall submit in proposed form the changes to its rules required under section 101.645 (3) (a) of the statutes, as affected by this act, to the legislative council under section 227.15 (1) of the statutes no later than the first day of the 6th month beginning after the effective date of this SECTION.

SECTION 8. **Effective dates.** This act takes effect on the first day of the 18th month beginning after publication except as follows:

(1) SECTION 7 of this act takes effect on the day after publication.