

## **Modifications From Agency**

SECTION 29m. Comm 61.36 (1) (a) is amended to read:

**Comm 61.36 (1) (a) *Building shell.*** Except as provided in par. (f) and sub. (2) (b), plan approval by the department or its authorized representative for new buildings and building additions shall expire 2 years after the approval date indicated on the approved building plans if the building shell is not closed in within those 2 years.

SECTION 30. Comm 61.36 (2) is renumbered Comm 61.36 (2) (a) and as renumbered is amended to read:

**Comm 61.36 (2) EXTENSION OF PLAN APPROVAL.** (a) ~~Upon~~ Except as provided in par. (b), upon request and payment of the fee specified in ch. Comm 2, the expiration dates in sub. (1) (b) to (f) ~~shall~~ may be extended ~~for one 1-year period~~ provided the request is submitted prior to expiration of the original approval.

SECTION 30m. Comm 61.36 (2) (b) is created to read:

**Comm 61.36 (2) (b)** Upon request to the secretary, the expiration dates in sub. (1) (a) and (b) may be extended at the discretion of the secretary for a one-time, 2-year period provided all of the following:

1. The approved plan is for multifamily dwelling containing less than 11 dwelling units.
2. The original plan was submitted for department review prior to January 1, 2011.
3. The request is submitted prior to expiration of the original approval.

SECTION 68. Comm 62.0903 (6) is repealed and recreated to read:

**Comm 62.0903 (6) GROUP R.** Substitute the following wording for the requirements in IBC section 903.2.7: (a) Except as provided in pars. (b) to (d), an automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

(b) An automatic fire sprinkler system need not be installed in a multifamily dwelling where the floor areas or the number of dwelling units do not exceed any of the thresholds established in Table 62.0903. The floor areas specified in the thresholds do not include any of the following:

1. Areas that are outside a building, as in the following:
  - a. Porches that are open to the outside atmosphere.

- b. Exterior stairs.
  - c. Exterior platforms.
  - d. Exterior landings.
  - e. Exterior decks.
2. An attached garage that meets all of the following criteria:

- a. Has a floor area of 600 square feet or less.
- b. Serves a single dwelling unit.
- c. Is accessed directly from the dwelling unit.

d. Is separated from the remainder of the building by at least 1-hour rated fire-resistive construction.

**Note:** Housing units that receive federal funding may be required by federal regulations to have sprinkler protection regardless of building size.

**Note:** See Appendix A for a listing of municipalities that the department believes have preexisting stricter sprinkler ordinances, and a listing of thresholds those municipalities may apply which are more restrictive than in Table 62.0903.

3. This paragraph does not apply after December 31, 2010.

**Note:** The application of paragraph (b) applies to plans submitted for department review prior to January 1, 2011 and subsequently approved. See s. Comm 61.36 concerning plan approval expirations and extensions. Under s. Comm 61.36 (2) (b), a request to the extend the expiration of a plan approval for a one-time 2-year period may be granted by the secretary provided: 1) the approved plan is for a multifamily dwelling containing less than 11 dwelling units; 2) the original plan was submitted for department review prior to January 1, 2011; and 3) the request is submitted prior to expiration of the original plan approval. This type of extension is at the discretion of the secretary.

**Table 62.0903**  
**Maximum Floor Areas and Number of Dwelling Units Where a Sprinkler System Is Not Required in a Multifamily Dwelling**

Class of Construction	Total Floor Area of Non-dwelling Unit Portions (Common use areas, such as corridors, stairways, basements, cellars, vestibules, community rooms, laundry rooms, pools, etc.)	Total Floor Area Within Individual Dwelling Units	Number of Units
Type IA	16,000 sq ft	16,000 sq ft	8 units
Type IB	12,000 sq ft		
Type IIA	8,000 sq ft		
Type IIB Type III Type IV Type VA	5,600 sq ft		
Type VB	4,800 sq ft		

(c) An automatic sprinkler system installed in a multifamily dwelling may conform with sub. (14) provided the multifamily dwelling complies with all of the following:

1. The multifamily dwelling does not contain more than 4 dwelling units.
2. The multifamily dwelling is not more than 2 stories above grade plane in height.
3. The multifamily dwelling is not served by either a community water system or a municipal water system as defined under s. NR 811.02.

**Note:** Under s. NR 811.02 “community water system means a public water system which serves at least 15 service connections used by year-round residents or regularly serves at least 25 year-round residents. Any water systemserving 7 or more homes, 10 or more mobile homes, 10 or more apartment units or 10 or more condominium units shall be considered a community water system unless information is provided by the owners indicating that 25 year-round residents will not be served.”

**Note:** Under s. NR 811.02 “municipal water system means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county or municipal owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.”

(d) 1. An automatic fire sprinkler system need not be installed in a townhouse provided the townhouse complies with all of the following:

- a. The townhouse is not more than 3 stories above grade plane in height.
- b. The townhouse does not contain more than 20 dwelling units.

c. The total gross floor area of all the individual dwelling units within the townhouse does not exceed 16,000 square feet.

2. Each dwelling unit within the townhouse is separated from other dwelling units by at least 2-hour fire-resistive-rated separation walls constructed in accordance with the requirements of Section 705 and do not contain any openings and plumbing equipment or mechanical equipment. The separation wall does not have to comply with the structural stability requirements of Section 705.2 and the horizontal continuity requirements of Section 705.5.

3. An automatic sprinkler system installed in a townhouse may conform with sub. (14) provided the townhouse complies with all of the following:

a. The townhouse does not exceed more than 3 stories above grade plane in height.

b. Each dwelling unit within the townhouse is separated from other dwelling units by at least 2-hour fire-resistive-rated separation walls constructed in accordance with the requirements of Section 705 and do not contain any openings and plumbing equipment or mechanical equipment. The separation wall does not have to comply with the structural stability requirements of Section 705.2 and the horizontal continuity requirements of Section 705.5.

4. An automatic sprinkler system need not be installed a townhouse provided the townhouse is constructed of at least 2-hour fire resistance as defined under s. 101.14 (4m) (a) 5m., Stats.

**Note:** Section 101.14 (4m) (a) 5m. reads “ ‘Two-hour fire resistance’ means 2-hour fire separations for all walls that separate dwelling units, exit corridors and exit stair enclosures and for all floors and ceilings, so that the specified walls, floors and ceilings are capable of resisting fire for a period not shorter than 2 hours.”

SECTION 68m. Comm 62.0903 (6m) is created to read:

**Comm 62.0903 (6m) STUDENT HOUSING.** These are department rules in addition to the requirements in IBC section 903.2.7:

(a) *Definition.* In this paragraph, “private student residential building” has the meaning as given under s. 101.14 (4) (b) 1m., Stats.

**Note:** Section 101.14 (4) (b) 1m., Stats., reads: “In this paragraph, “private student residential building” means a privately owned and operated residential building that has a capacity of at least 100 occupants, that is occupied by persons at least 80 percent of whom are enrolled in an institution of higher education, and that has attributes usually associated with a student residence hall or dormitory such as a food service plan or occupancy by a resident advisor.”

(b) *Existing housing.* 1. Except as provided in this subd. 2., an automatic fire sprinkler system shall be provided by January 1, 2006 throughout every residence hall and dormitory greater than 60 feet in height, the initial construction of which was begun before April 26, 2000, that is owned or operated by the board of regents of the University of Wisconsin System.

2. An automatic fire sprinkler system shall be provided by January 1, 2008 throughout Ogg Residence Hall at the University of Wisconsin-Madison.

3. An automatic fire sprinkler system shall be provided by January 1, 2014 throughout every residence hall and dormitory greater than 60 feet in height, the initial construction of which was begun before January 7, 2006, that is owned or operated by an institution of higher education, other than a residence hall or dormitory owned or operated by the board of regents of the University of Wisconsin System.

4. An automatic fire sprinkler system shall be provided by January 1, 2014 throughout every private student residential building greater than 60 feet in height, the initial construction of which was begun before January 7, 2006.

5. An automatic fire sprinkler system shall be provided by January 1, 2014 throughout every student residential facility operated by a fraternity, sorority or other organization authorized or sponsored by an institution of higher education, the initial construction of which was begun before January 7, 2006

(c) *New housing.* 1. An automatic fire sprinkler system shall be provided throughout every residence hall and dormitory, the initial construction which is begun on or after April 26, 2000, that is owned or operated by the board of regents of the University of Wisconsin System.

2. An automatic fire sprinkler system shall be provided throughout every residence hall and dormitory, the initial construction which is begun on or after January 7, 2006, that is owned or operated by an institution of higher education, other than a residence hall or dormitory owned or operated by the board of regents of the University of Wisconsin System.

3. An automatic fire sprinkler system shall be provided throughout every student residential facility, operated by a fraternity, sorority or an organization authorized or sponsored by an institution of higher education, the initial construction of which is begun on or after January 7, 2006.

4. An automatic fire sprinkler system shall be provided throughout every private student residential building, the initial construction of which is begun on or after January 7, 2006.

SECTION 74. Comm 62.0903 (13) and (14) are created to read:

**Comm 62.0903 (13) BALCONIES.** Substitute the following wording for the requirements in IBC section 903.3.1.2.1: Sprinkler protection complying with NFPA 13 shall be provided for exterior balconies and ground-floor patios of dwelling units where the building is of Type V construction. Sidewall sprinklers that are used to protect such areas shall be permitted to be located such that their deflectors are within 1 inch to 6 inches below the structural members, and a maximum distance of 14 inches below the deck of the exterior balconies that are constructed of open wood joist construction.

**(14) NFPA 13D SPRINKLER SYSTEMS.** (a) Substitute the following wording for the requirements in IBC section 903.3.1.3: Where allowed, automatic sprinkler systems in

townhouses and multifamily dwellings shall be installed throughout in accordance with NFPA 13D, except as provided in par. (b).

(b) Multipurpose piping systems shall conform with s. Comm 82.40 (3) (e) 2. a. and b.