

Chapter Ind 57

RESIDENTIAL OCCUPANCIES

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Note: Chapter Ind 57 as it existed on December 31, 1981 was repealed and a new ch. Ind 57 was created effective 1-1-82, except for s. Ind 57.16 (2) which is effective 1-1-83.

Ind 57.001 Scope. (1) **GENERAL.** The requirements of this chapter shall apply to all places of abode, including, but not limited to, apartment buildings, garden apartments, row houses, town houses, condominiums, hotels, motels, rooming houses, dormitories, convents, monasteries, homes for the aged, community-based residential facilities constructed on or after the effective date of this section and serving 9 or more unrelated adults and community-based residential facilities located in existing building on or after the effective date of this section and serving more than 20 unrelated adults.

(2) **EXEMPTIONS.** The requirements of this chapter shall not apply to the following: (a) one- and 2-family dwellings; (b) buildings or motels, tourist courts and similar occupancies having separate buildings containing not more than 2 rental units each; (c) migrant labor camps; (d) health care facilities; (e) places of detention; (f) community-based residential facilities constructed on or after the effective date of this section and serving 3 to 8 unrelated adults; and (g) community-based residential facilities, serving 9 to 20 unrelated adults, located in existing buildings as specified in ss. Ind 61.001 (1) and 61.01 (7).

Note #1: See chs. Ind 20-26, Wis. Adm. Code, Uniform Dwelling Code for requirements regarding one- and 2-family dwellings. The requirements of chs. Ind 20-26, Wis. Adm. Code, also apply to newly constructed community-based residential facilities serving 3 to 8 unrelated adults.

Note #2: See ch. Ind 201, Wis. Adm. Code, for requirements regarding migrant labor camps.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.01 Construction. (1) **GENERAL.** For the purpose of determining the maximum height and area of buildings and structures within the scope of this chapter, the building construction shall be classified in accordance with the construction standards as specified in s. Ind 51.03.

Note: See ss. HSS 3.40-3.66, Wis. Adm. Code, for additional construction requirements pertaining to community-based residential facilities.

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(2) **LIVING UNIT SEPARATION.** Each living unit shall be separated from other living units, common use areas and from the exit access corridors with not less than one-hour fire-resistive construction.

(3) **BASEMENT AND GROUND FLOOR PROTECTION.** (a) Except as provided in par. (b), the ceiling of all spaces, except those within individual living units and crawl spaces located below the first story of all residential buildings shall be protected with at least the equivalent of one layer of 5/8-inch type X gypsum wallboard with taped joints.

(b) This subsection shall not apply to buildings where such spaces are protected by an approved automatic sprinkler system.

(4) **GARAGE SEPARATION.** (a) Detached garages constructed in conjunction with residential occupancies shall comply with the requirements of ch. Ind 59.

(b) Attached garages, larger than 500 square feet in area, constructed in conjunction with residential occupancies shall comply with the requirements of ch. Ind 59.

(c) 1. Attached garages, 500 square feet or less in area, or divided by walls having at least one-hour fire-resistive rating into areas of 500 square feet or less, shall be completely separated from the residential occupancy by at least one-hour fire-resistive rated construction.

2. Facilities for repairing or fueling vehicles within the garage shall be prohibited.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.02 Allowable height and area. (1) **GENERAL.** Buildings and structures within the scope of this chapter shall not exceed the height and area limitations specified in Table 57.02.

(2) **ALLOWABLE INCREASE IN FLOOR AREAS.** (a) When the entire building is protected by an automatic sprinkler system, the areas in Table 57.02 may be increased by 100%.

(b) 1. No building shall be limited in area when divided into sections which do not exceed the maximum areas tabulated in this section by vertical division walls. Such vertical division walls shall extend from the foundation to the underside of the roof deck and shall have at least the following fire-resistive ratings:

- a. 2-hour for type 4, 5A, 5B, 7 and 8 construction;
- b. NC-2 hour for type 3 and 6 construction; and
- c. NC-3 hour for type 2 construction.

2. All openings in such walls shall be protected by fire-resistive door assemblies as specified in s. Ind 51.047. The doors protecting openings in such walls located in public corridors shall be held open and equipped with an automatic closing device activated by products of combustion or smoke density.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

TABLE 57.01

Class of Construction	Street or Open Space at Least 30 feet in width within 50 feet of the Building	Number of Stories								
		1	2	3	4	5	6	7	8	Over 8
1. Fire-Resistive Type A -----	1	NO RESTRICTION -----								
	2									
	3									
	4									
2. Fire-Resistive Type B -----	1	NO RE-	15,000	12,800	10,500	8,300	6,800	5,300	4,500	
	2	STRIC-	18,800	16,500	13,900	11,600	9,800	8,300	7,500	NOT
	3	TION	23,300	20,300	17,300	15,000	12,800	11,300	10,500	PER-
	4		27,800	24,000	20,600	18,400	15,800	14,300	13,500	MITTED
3. Metal Frame Protected -----	1	15,800	13,500	11,300	9,000	NOT PERMITTED -----				
	2	19,900	17,300	14,600	12,000					
	3	24,000	21,000	18,000	15,000					
	4	28,100	24,800	21,400	18,000					
4. Heavy Timber -----	1	12,800	10,500	7,400	6,800	NOT PERMITTED -----				
	2	16,500	14,300	12,000	10,100					
	3	20,300	18,000	15,800	13,500					
	4	24,000	21,800	19,500	16,900					
5A. Exterior Masonry Protected -----	1	11,600	9,600	7,200	6,000	NOT PERMITTED -----				
	2	15,000	12,800	10,700	8,800					
	3	18,400	16,100	13,900	11,600					
	4	21,800	19,500	17,100	14,500					
5B. Exterior Masonry Unprotected -----	1	10,500	8,600	6,800	NOT PERMITTED -----					
	2	13,500	11,300	9,400						
	3	16,500	14,300	12,000						
	4	19,500	17,300	14,600						
6. Metal Frame Unprotected -----	1	10,000	8,600	6,800	NOT PERMITTED -----					
	2	13,500	11,300	9,400						
	3	16,500	14,300	12,000						
	4	19,500	17,300	14,600						
7. Wood Frame Protected -----	1	10,500	8,700	6,800	NOT PERMITTED -----					
	2	13,500	11,300	9,400						
	3	16,500	14,300	12,000						
	4	19,500	17,300	14,600						
8. Wood Frame Unprotected -----	1	7,500	3,800	NOT PERMITTED -----						
	2	9,000	4,500							
	3	10,500	5,300							
	4	12,000	6,000							

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Ind 57.03 Number and location of exits. (1) **NUMBER OF EXITS.** There shall be at least 2 directions of travel from each living unit door by means of exits to grade, stairways, interior enclosed stairways, ramps, fire escapes or horizontal exits.

(2) **DISTANCE TO EXIT.** (a) Exits shall be distributed so that the entrance to each living unit will be not more than 100 feet distant from an exit, measuring along public passageways.

(b) The exit distances required by this section shall be measured to exits to grade, to doors leading to stairway enclosures as specified in ss. Ind 51.165, 51.17 and 51.18, or to horizontal exits as specified in s. Ind 51.19.

(3) **EXIT DISTRIBUTION.** The number and location of exits shall be such that in case any exit or passageway is blocked at any point, some other exit will still be accessible through public passageways from every living unit.

(4) **DIRECTIONS FOR ESCAPE.** A notice shall be conspicuously posted in every habitable room to be used by transients giving complete and plain directions for reaching at least 2 exits.

(5) **EXITS FOR NONRESIDENTIAL PORTIONS OF BUILDINGS.** Exits serving portions of buildings without sleeping rooms or living units (i.e., basements of apartment buildings, hotel lobbies, and similar areas) shall be as specified in ss. Ind 54.02 to 54.07.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.04 Capacity of buildings and exits. (1) **BUILDINGS.** (a) **Sleeping areas.** The capacity of the habitable rooms of the living units of the building, other than a community-based residential facility, shall be established as follows:

1. 400 cubic feet for each occupant over 12 years of age; and
2. 200 cubic feet for each occupant 12 years of age or under.

(b) **Minimum size.** The size of habitable rooms shall provide the minimum volumes specified in par. (a).

(c) **Nonsleeping areas.** The capacity of the areas not within the living units of the building shall be established as specified in ss. Ind 54.05 or 55.06.

(d) **Overcrowding.** The number of occupants permitted in any room or in the building shall not exceed the capacities specified in this section.

(2) **COMMUNITY-BASED RESIDENTIAL FACILITIES.** (a) **Facilities serving 9 to 20 residents.** The minimum size of resident bedrooms in community-based residential facilities serving 9 to 20 residents shall be as follows:

1. Sixty square feet of habitable floor space per ambulatory resident;
2. Eighty square feet of habitable floor space per semiambulatory or nonambulatory resident in multiple bed sleeping rooms; and
3. One hundred square feet of habitable floor space per semiambulatory or nonambulatory resident in single bed sleeping room.

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(b) *Facilities serving more than 20 residents.* The minimum size of resident bedrooms in community-based residential facilities serving more than 20 residents shall be as follows:

1. Eighty square feet of habitable floor space per ambulatory resident;
2. Eighty square feet of habitable floor space per semiambulatory and nonambulatory resident in multiple bed sleeping rooms; and
3. One hundred square feet of habitable floor space per semiambulatory and nonambulatory resident in single bed sleeping rooms.

(3) **EXITS.** The total required exit width from each level of the building shall be as specified in ss. Ind 51.15 (6) and 51.16 (3).

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.05 Type of exits. (1) **GENERAL.** Except as provided in sub. (2), at least one-half of the required exits, accessible from each living unit, shall be exits to grade or stairways as specified in ss. Ind 51.15 and 51.16. The remaining exits shall be either stairways, interior enclosed stairways, exits to grade or horizontal exits. Fire escapes placed against blank walls may be used as exits from floors which are not more than 40 feet above grade.

(2) **EXCEPTIONS.** (a) Every building which accommodates more than one family, or 8 persons, above the second story shall have at least 2 stairways.

(b) A rescue platform (exterior balcony) of combustible construction may be used as a required second exit for 2-story buildings of type 5 through type 8 construction, provided the following conditions are satisfied:

1. The exit serves a single living unit;
2. The exit platform is located not more than 10 feet above the adjacent exit discharge grade;
3. The platform area is at least 14 square feet, with a minimum dimension of 3 feet;
4. The platform is designed for 80 pounds per square foot live load plus dead load;
5. Railings are provided as specified in s. Ind 51.162;
6. Platforms having solid floors are provided with a roof equal in area to that of the platform; and
7. The building is not a residential care facility, group foster home or home for the elderly.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.06 Doors. (1) **EXIT DOORS.** (a) *General.* Except as provided in par. (b), exit doors shall be as specified in s. Ind 51.15.

(b) *Exception.* 1. Sliding glazed patio-type doors may serve as the second exit from individual living units. A means to prevent accumula-

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tion of snow and ice in the door track or freezing of the door shall be provided.

2. A door which is used by not more than 25 persons is not required to swing in the direction of egress.

(2) **OPENINGS INTO CORRIDORS.** All doors opening into exit access corridors shall be protected by at least 20-minute labeled fire-door assemblies. Such doors shall be self-closing.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.07 Steps, stairs and shafts. (1) **EXTERIOR STAIRS.** Exterior stairs shall be as specified in s. Ind 51.16, except that less than 3 steps may be provided between exterior platforms and grade serving only apartments, row houses and town houses, and the platforms or treads between such risers do not exceed 5 feet 0 inches in length in the direction of travel.

(2) **INTERIOR STAIRS.** Interior stairs used by not more than 25 persons shall be not less than 3 feet wide.

(3) * **CHANGES OF ELEVATION WITHIN INDIVIDUAL LIVING UNITS.** Changes of elevation within the living unit shall be overcome by means of steps, stairs or ramps and shall be as specified in s. Ind 21.04, Wis. Adm. Code, except as follows:

(a) A spiral stairway as specified in s. Ind 51.16 (10) may serve as the only exit from mezzanines and loft areas no larger than 400 square feet; and

(b) Open handrails and guardrails shall be provided with intermediate rails or an ornamental pattern designed to prevent the passage of an object with a diameter larger than 9 inches.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.08 Enclosure of interior stairways and shafts. All stairways, including landings, ramps and shafts, shall be enclosed as specified in s. Ind 51.02 (11) with fire-resistive rated construction as specified in Table 51.03-A.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.09 Passageways. (1) **WHERE REQUIRED.** Where there is not direct access to outside exit doors, safe and continuous passageways, aisles or corridors leading directly to every exit shall be maintained at all times on all floors of all buildings.

(2) **MINIMUM WIDTH.** Every public passageway leading from an exit shall be at least as wide as the required width of the exit as specified in s. Ind 51.15 (6), but in no case shall the width be less than 3 feet.

(3) **WIDTH DETERMINATION.** Widths shall be measured in the clear, at their narrowest points produced by any projection, radiator, pipe or other object.

* See Appendix A for further explanatory material.

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(4) **MAINTENANCE.** The required width shall be kept clear and unobstructed at all times.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.10 Illumination of exits and exit signs. (1) **ILLUMINATION.**
(a) Buildings having more than 4 living units or accommodating more than 30 persons or accommodating transients shall have public passageways, stairways and exit doors illuminated from one hour after sunset to one hour before sunrise.

(b) The illumination requirements specified in par. (a) shall be provided at all intersections or passageways, at all exits and at the head, foot and landing of every stairway.

(2) **EXIT LIGHTS.** Every required exit, other than those within private living units, from each floor shall be indicated by an approved illuminated, exit sign.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.11 Habitable rooms with floors below grade. (1) **GENERAL.** Living units in residential buildings other than housing for the elderly having habitable rooms or parts on floor levels below grade shall comply with the following:

(a) The grade at the building does not include the grade level within the perimeter of an areaway;

(b) Every habitable room shall have at least one exterior wall adjoining an areaway or court;

(c) All windows shall comply with the requirements of ss. Ind 52.02 and 57.13;

(d) Windows having sills below grade shall be provided with an areaway as described in sub. (3);

(e) Window assemblies shall be of a type, which do not obstruct emergency egress, when opened; and

(f) All living units with floors below grade shall have access to 2 exits complying with s. Ind 57.05, except living units having one exit door leading directly outside and not to an areaway need not have access to a second exit.

(2) **HOUSING FOR THE ELDERLY.** Living units in housing for the elderly having habitable rooms or parts on floor levels below grade shall have at least one exterior wall with a full exterior exposure from the ground floor level to the ceiling. The exterior exposure shall not be made by the construction of an areaway.

(3) **AREAWAYS.** Areaways used as specified in this section shall:

(a) Be 1-½ times the depth of the bottom of the opening with a minimum width of 3 feet measured perpendicular to the building wall; and

Note: See s. Ind 64.07 for additional requirements.

(b) Have stairway exits complying with ss. Ind 51.16 and 52.21, when used as a required exit.

(4) **MOISTURE PROTECTION.** All buildings having living units below grade shall be designed and constructed to prevent undue collection of moisture in all stories below grade.

Note #1: Surface and subsoil draining systems for areaways and foundation walls are regulated under the requirements of ch. H 62, Wis. Adm. Code.

Note #2: See s. Ind 50.07 (2) Note #3 for reference to flood plain requirements.

(a) All foundation walls shall be thoroughly damp proofed prior to backfilling of soil.

(b) Provisions shall be made to prevent the accumulation of moisture due to condensation of high humidity so as to prevent slippery floors and to prevent conditions susceptible to mildew or other undesirable fungi or bacteria. The inside design conditions for cooling or dehumidification shall be on the basis of a dry bulb temperature of 75° F. and a relative humidity not greater than 50%.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.12 Sanitary facilities. (1) **TOILET ROOMS.** Every building included under the scope of this chapter shall be provided with separate toilet rooms for each sex, except that a common toilet room may be provided in individual living or sleeping units.

(2) **SANITARY FIXTURES.** The number of sanitary fixtures required for each sex shall be determined in accordance with the ratios established in Table 57.12.

TABLE 57.12

Type of Occupancy	Type of Fixture					
	Water Closets (WC)		Urinals (U) Males (M)	Lavatories (L)	Bathtubs or Showers	Drinking Facilities (DF)
	Males (M)	Females (F)				
Occupancies having individual unit toilet rooms, such as hotels, motels, apartments, row houses, town houses, condominiums	One (WC) for each living unit		0	One (L) for each living unit	One for each living unit	0
Occupancies requiring communal use of sanitary facilities, such as dormitories, camps, rooming houses, foster care homes	One (WC) for each 10 (M), or fraction	One (WC) for each 10 (F), or fraction	Urinals may be substituted for up to 2/3 of the required no. of (WC)	One (L) for each 10 persons	One for each 20 persons	One (DF) for each 100 persons

(3) EMPLOYEES. Sanitary facilities for employees who do not sleep in the building shall be provided as specified in Table 54.12, unless the employees have access to the facilities provided for the residents.

(4) GENERAL PUBLIC. Sanitary facilities for the general public shall be provided as specified in Table 54.12-A or Table 54.12-B, unless the general public has access to the facilities provided for the residents.

(5) KITCHEN SINK. One kitchen sink, equipped with hot and cold running water, shall be provided in living units equipped for food preparation.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.13 Windows. (1) GENERAL. (a) The outside windows in every habitable room shall have a total glazed area of at least 8% of the floor area of the room.

(b) Except as provided in sub. (2), the openable area of such windows shall be equal to not less than 4% of the floor area of the room served.

(2) EXCEPTION. Hotel and motel rooms and similar sleeping rooms in buildings accommodating transients need not be provided with openable outside windows provided the rooms have clear glazed panels facing naturally lighted roofed over pool or recreational areas. The rooms shall be provided with mechanical ventilation supplying at least 5 CFM of tempered outside air per occupant.

Note: See s. Ind 52.02 and 64.07 for additional requirements.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.14 Isolation of hazards. (1) GENERAL. (a) Buildings 3 or more stories. Except as provided in par. (c), all boilers and furnaces, fuel rooms and breeching, storage vaults for paints, oils and similar combustibles and other similar hazards in buildings 3 or more stories in height shall be isolated from the rest of the building by at least a 2-hour fire-resistive rated enclosure as specified in s. Ind 51.043.

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(b) *Buildings less than 3 stories.* Except as provided in par. (c), the hazards specified in par. (a) in buildings less than 3 stories in height shall be isolated from the rest of the building by at least a one-hour fire-resistive rated enclosure as specified in s. Ind 51.043.

(c) *Exceptions.* 1. The hourly rating of hazard enclosures in mixed use buildings shall comply with the most stringent requirement for the occupancies located in the building.

2. Gas-fired space heaters may be used within living units of apartment buildings and within habitable rooms of motels or tourist courts without an enclosure if approved by the department.

3. Space heaters fired with liquid fuel may be used without an enclosure in motels and apartment buildings not more than one story in height.

4. A residential fuel-fired clothes dryer having a rated capacity of 37,000 Btu/hour or less, may be used without an enclosure.

(2) **PROTECTION OF OPENINGS.** All openings in rated enclosures shall be protected by labeled self-closing fire-door assemblies as specified in s. Ind 51.047.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.15 Standpipes. (1) **FIRE DEPARTMENT STANDPIPES.** Fire department standpipes shall be provided in all buildings exceeding 60 feet in height.

(2) **FIRST-AID STANDPIPES.** First-aid standpipes shall be provided in all buildings 3 stories or more in height which accommodate more than 20 occupants, unless an approved automatic sprinkler system is installed or portable fire extinguishers, as specified in s. Ind 57.18, are provided.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.16 Smoke detection. (1) **NUMBER OF DETECTORS REQUIRED AND LOCATION.** (a) All buildings within the scope of this chapter shall be provided with approved smoke detectors.

(b) At least one detector shall be provided at the head of every open stair and at the door leading to every enclosed stair on each floor level, including the basement, and in each sleeping area.

(c) All smoke detectors in stairways, corridors and other public places in the building shall be directly and permanently wired to a proper unswitched circuit.

1. Such detectors shall be connected to the emergency electrical power system, when the system is required by ch. ILHR 16, Wis. Adm. Code.

2. Such detectors shall be electrically interconnected to the required manual fire alarm system.

Note: Subsection (2) is effective 1-1-83.

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(2) **RETROACTIVITY.** The provisions of sub. (1) (a) and (b) shall apply to all buildings constructed on or after the effective date of this section and to those buildings previously constructed.

History: Cr. (1), Register, December, 1981, No. 312, eff. 1-1-82; cr. (2), eff. 1-1-83.

Ind 57.17 Fire alarms. (1) **GENERAL.** Every building, which can accommodate 20 or more persons, as determined by the requirements specified in s. Ind 57.04, shall be provided with a manual fire alarm system as specified in s. Ind 51.24.

(2) **APPLICATION.** This section shall apply to all buildings in existence on the effective date of this section and to those buildings constructed thereafter.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.18* Fire extinguishers. (1) **GENERAL.** Portable fire extinguishers may be substituted for the first aid standpipes specified in s. Ind 57.15 (2) provided the extinguishers are located in the public areas of the building and comply with the requirements of Table 57.18.

TABLE 57.18		
Basic Minimum Extinguisher Rating	Maximum Travel Distance to Extinguisher (feet)	Area to be Protected per Extinguisher (sq. ft.)
1A	75	3,000
2A	75	6,000

(2) **LOCATION.** (a) Extinguishers shall be conspicuously located where they are readily accessible and immediately available in the event of fire.

(b) Extinguishers shall not be obstructed or obscured from view.

(3) **MAINTENANCE.** Portable fire extinguishers shall be maintained as specified in s. Ind 51.22.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.

Ind 57.19 Rowhouse. (1) **VERTICAL OCCUPANCY SEPARATIONS.** (a) Piercing of the vertical occupancy separation between the units by doors or windows shall be prohibited.

(b) Piercing of the vertical occupancy separation by mechanical, electrical or plumbing elements may be permitted provided the piercing is as specified in s. Ind 51.049 and it does not violate the hourly rating of the wall.

Note: Mechanical, electrical or plumbing systems may be located in the occupancy separation wall and components may penetrate one or both sides of the wall within the same stud space. See s. Ind 51.049 (3) for additional requirements pertaining to plastic components.

(2) **EXITS.** Each living unit shall have a separate exit within 3 feet of the exit discharge grade.

* See Appendix A for further explanatory material.

(3) **ATTIC ACCESS.** Each living unit shall have attic access as specified in s. Ind 51.02 (18) (a). Compliance with the provisions of s. Ind 51.02 (18) (b) is not required.

(4) **EXCEPTIONS.** Where each living unit has a separate heating system, compliance with ss. Ind 57.14 and 57.17 is not required.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82.