

RULES CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPT. OF INDUSTRY,)
LABOR & HUMAN RELATIONS)

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TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Howard S. Bellman, Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to S. ILHR 51.15 (3) - Key-Locking of Exit Doors were duly approved and adopted by this department on 12/10/84.
(Subject) (Date)

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 7:30 am in the city of Madison, this 10th day of December A.D. 1984.

Howard S. Bellman
Secretary

ORDER OF ADOPTION

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Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section(s) 101.02(1), 101.02 (15)(h) to (j), Stats., the Department of Industry, Labor and Human Relations hereby creates; amends; repeals and recreates; and repeals and adopts rules of Wisconsin Administrative Code chapter(s):

ILHR 51.15 (3) Bldg & Htg, Vent & A/C Code - Key-Locking of Exit Doors
(Number) (Title)

The attached rules shall take effect on the first day of the month following
publication in the Wisconsin Administrative Register, pursuant to section
227.026, Stats.

Adopted at Madison, Wisconsin, this 10th
day of December, A.D., 1984.

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS

Howard S. Bellman
Secretary



RULES in FINAL DRAFT FORM

Rule: Section ILHR 51.15 (3)

Relating to: Building and Heating, Ventilating and Air Condition-
ing Code - Key Locking of Exit Doors

Clearinghouse Rule No.: 84-123

Administrative rules to repeal and recreate s. ILHR 51.15 (3) relating to key locking of certain exit doors in offices, retail stores and wholesale stores governed by the Wisconsin Administrative Building and Heating, Ventilating and Air Conditioning Code.

ANALYSIS OF PROPOSED RULES

The current Wisconsin Building Code prohibits the installation of hardware which requires the use of a key from the inside on required exit doors except for doors serving individual living units.

The proposed rules permit the installation of such key-locking hardware on one exit door in buildings housing offices, wholesale or retail store under the following conditions:

1. A glazed opening with a minimum clear opening of 24 inches and 6 square feet in area is provided in or adjacent to the door;
2. Approved safety glazing which is not bulletproof or break-resistant must be used in the window;
3. The door must be kept unlocked during periods of occupancy by employees or the public; and
4. A sign stating that the door must be unlocked during occupancy must be posted.

The proposal also includes a provision to revoke the use of the key-locking hardware for due cause.

The language of the proposal is based upon the language of AB-477 which was introduced during the last session. The department has met with representatives from the Constituent Groups requesting introduction of AB-477, the Fire Service and the Wisconsin Legislature, including the author of AB-477, to develop the language of the proposal.

The proposal has been reviewed and endorsed for public hearing by the Building Code Advisory Review Board. The following is a listing of the members of the Review Board:

Building Code Advisory Review Board

- Sharyl Bisgard, League of Women Voters
- Ronald W. Chiapete, Wisconsin State Fire Chiefs Association
- Victor Halloran, Wisconsin Society of Architects/AIA
- Pharis Horton, State Bar of Wisconsin
- Lee C. Jensen, City of Milwaukee
- James E. Knothe, Wisconsin Society of Professional Engineers
- Marshall Kuhnly, Wisconsin State AFL-CIO
- Thomas Lorenz, Master Builders Association of Wisconsin, Inc.

- George J. Mark, Wisconsin Builders Association
- Donald Roth, League of Wisconsin Municipalities
- David J. Schield, Wisconsin Association of Manufacturers and Commerce
- Stephen D. Schlough, Wisconsin Department of Health and Social Services
- Richard C. Schumacher, Wisconsin Chapter, Associated General Contractors of America, Inc.
- Helmut Seaman, Division of State Facilities Management, DOA
- William Shea, Building Owners and Manufacturers Association/Income Property Owners Association
- Jahn Tinglum, Wisconsin Department of Public Instruction
- Larry J. Wills, Wisconsin Chapter, Society of Fire Protection Engineers

Pursuant to the authority vested in the state of Wisconsin's Department of Industry, Labor and Human Relations by ss. 101.02 (1) and 101.02 (15) (h) to (j), Stats., the department hereby repeals and recreates a rule interpreting ss. 101.01 (2) (g) and 101.02 (15) (h) to (j), Stats., as follows:

SECTION 1. ILHR 51.15 (3) is repealed and recreated to read:

ILHR 51.15 (3) (a) A standard exit door shall have such fastenings or hardware that it can be opened from the inside by pushing against a single bar or plate or turning a single knob or handle. The latch or other approved fastening device on the door shall be of an obvious method in its release and shall be so located on the exit door that the device is not less than 32 inches or more than 40 inches above the floor level. Except as provided in pars. (b) to (d), the installation of hardware requiring use of a key for opening an exit door from the inside is prohibited. This subsection shall apply to all buildings in existence and to any building built after the effective date of this subsection.

(b) Exit and exit access doors serving individual living units may be provided with hardware requiring the use of a key for opening from the inside.

(c) Upon written request to the department by the owner, key-locking, or securing, of exits may be approved in fire-resistive buildings, or parts of fire-resistive buildings, which are used as jails, prisons, mental institutions, asylums, nursing homes with senile patients, and similar type occupancies.

Note #1: The owners request should include the following considerations: accessibility of keys to the fire department and staff personnel for the locked areas; electrical devices which release the locks; and 24-hour supervision of the locked areas by personnel who carry keys for the locked areas while on duty. Electrical devices which release the locks upon power failure or upon activation of the fire alarm or sprinkler system or the product of combustion detectors should be considered for securing of exits in nursing homes.

Note #2: Written approval to lock exits must also be obtained from the department of health and social services in accordance with the rules of that department.

(d) 1. One door serving as an exit from any building housing any office or wholesale or retail store may be equipped with hardware which requires use of a key to open it from the inside provided one of the following conditions is satisfied:

a. The door has a window which has a minimum clear opening of not less than 24 inches, and 6 square feet in area with the bottom of the window opening not more than 4 feet above the inside floor level;

b. A glazed sidelight satisfying the dimensional and location requirements for the windows specified in par. (a) is located adjacent to the door; or

c. A window satisfying the dimensional and location requirements for the window specified in par. (a) is located within five feet of the door.

2. Approved safety glazing shall be used in all installations but the glazing may not be bullet-resistant or break-resistant.

3. The door may not be used as an exit serving any required exit stairway enclosure.

4. The door shall not be key-locked during periods of occupancy by the public or employees. A readily visible, permanent sign shall be placed on or adjacent to the door on the egress side stating, "THIS DOOR SHALL NOT BE KEY-LOCKED WHEN THE BUILDING IS OCCUPIED". The sign shall be in letters at least one inch in height on a contrasting background.

5. The use of keyed hardware as specified in this section may be revoked by the department of its authorized deputy upon one violation of any of the conditions specified in subds. 1. to 4.

EFFECTIVE DATE

Pursuant to s. 227.026 (1) (intro), Stats., these rules shall take effect on the first day of the month following publication in the Wisconsin Administrative Register.

The Wisconsin Department of Industry, Labor and Human Relations

December 12, 1984

Office of the Secretary
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P.O. Box 7946
Madison, Wisconsin 53707
Telephone 608/266-7552

Gary Poulson
Assistant Revisor of Statutes
for Administrative Rules
411 West, State Capitol
Madison, Wisconsin

Douglas LaFollette
Secretary of State
Room 271, GEF-1
201 East Washington Avenue
Madison, Wisconsin

Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO. 84-123

RULE NO. S. ILHR 51.15 (3)

RELATING TO: Bldg & Heating, Ventilating & A/C Code - Key Locking of Exit Doors

Pursuant to section 227.023, Stats., agencies are required to file a certified copy of every rule adopted by the agency in the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you.

- 1. Order of Adoption.
- 2. Rules Certificate Form.
- 3. Rules in Final Draft Form.

Pursuant to section 227.016 (6), Stats., a summary of the final regulatory flexibility analysis is also included.

Respectfully submitted,



Howard S. Bellman
Secretary

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cc: Agency Contact Person