

Chapter ILHR 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Note: Chapter Ind 57 as it existed on December 31, 1981 was repealed and a new ch.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; chapter Ind 57 was renumbered to be ch. ILHR 57 effective January 1, 1984.

ILHR 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; rowhouses; townhouses; condominiums; hotels; motels; rooming houses; dormitories; convents; monasteries; homes for the aged; sheltered facilities for battered women, as specified in s. 46.95, Stats., serving more than 20 occupants; 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 buildings on or after the effective date of this section and serving more than 20 unrelated adults.

Note: See s. ILHR 51.01 (102a) and 51.01 (114a) for the definitions of the terms "places of abode" and "rowhouse", respectively.

(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;
- (g) Community-based residential facilities, serving 9 to 20 unrelated adults, located in existing buildings as specified in ss. ILHR 61.001 (1) and 61.01 (7); and

(h) Sheltered facilities for battered women, as specified in s. 46.95, Stats., serving 20 or less occupants as specified in s. ILHR 61.001 (3).

(i) Bed and breakfast establishments as defined in s. ILHR 51.01 (11a).

Note 1: See chs. ILHR 20-25, Uniform Dwelling Code for requirements regarding one- and 2-family dwellings. The requirements of chs. ILHR 20-25 also apply to newly constructed community-based residential facilities serving 3 to 8 unrelated adults.

Note 2: See ch. Ind 201, for requirements regarding migrant labor camps.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; am. Register, October, 1982, No. 322, eff. 11-1-82; am. (1), Register, December, 1983, No. 336, eff. 1-1-84; cr. (2) (i), Register, August, 1985, No. 356, eff. 1-1-86.

ILHR 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. ILHR 51.03.

Note: See ss. HSS 3.40-3.65, Wis. Adm. Code, for additional construction requirements pertaining to community-based residential facilities.

(2) **LIVING UNIT SEPARATION.** (a) Each living unit, except rowhouse units as specified in s. ILHR 51.01 (114a), shall be separated from other living units, common use areas and from the exit access corridors by construction protected with at least the equivalent of one layer of 5/8-inch Type X gypsum wallboard with taped joints.

1. The fire-protective membrane shall be provided on both sides of walls and on the ceiling beneath the floor construction providing the separation. The membrane shall be fastened to the framing or suspended in the manner as required for one-hour fire-resistive rated assemblies.

2. The membrane protection may be omitted on the ceiling of the top-most story if firestopping as specified in s. ILHR 53.63 (1) (d) is provided at the intersection of the living unit separation walls and the roof.

Note 1: See s. ILHR 51.03 for building elements required to have fire-resistive ratings to satisfy class of construction standards.

Note 2: This section is intended to apply to living unit separations only. The design and construction of required fire-resistive rated construction for stairway enclosures, hazardous occupancy separations, exit corridors, isolation of hazards enclosures, vertical division walls, fire division walls and other rated construction is governed by ss. ILHR 51.043 to 51.046.

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(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 SEPARATIONS.** A residential occupancy shall be separated from a storage garage or repair garage in accordance with s. ILHR 51.08.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; am. (4) (b) and (c), cr. (4) (d), Register, December, 1983, No. 336, eff. 1-1-84; r. and recr. (2), Register, August, 1985, No. 356, eff. 1-1-86; am. (2) (a) 2. and (3) (a), r. and recr. (4), Register, March, 1991, No. 423, eff. 4-1-91.

Register, March, 1991, No. 423

ILHR 57.015 Height of first floor above grade for sheltered facilities for battered women. The elevation of the first floor and the sills of all required exit discharges from the first floor for existing buildings to be converted to sheltered facilities for battered women shall be at or not more than 6 feet above an exit discharge grade.

History: Cr. Register, December, 1983, No. 336, eff. 1-1-84.

ILHR 57.016 Automatic fire sprinkler protection. (1) A building more than 60 feet in height shall be protected throughout the entire building in accordance with ss. ILHR 52.01 and 51.23, except that the sprinklers within the living units shall be either a residential type or quick response type.

(2) A building less than 60 feet in height which provides housing for the elderly shall be protected by either:

(a) An automatic fire sprinkler system conforming with NFPA 13R, provided the building does not exceed 4 stories in height; or

(b) An automatic fire sprinkler system conforming with NFPA 13, except that the sprinklers within the living units shall be either a residential type or quick response type.

Note: See ss. ILHR 51.01 (71b) for the definition of "housing for the elderly".

History: Emerg. cr. eff. 9-6-86; cr. Register, November, 1986, No. 371, eff. 12-1-86; r. and recr. Register, March, 1991, No. 423, eff. 4-1-91.

ILHR 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 this section.

(2) **ALLOWABLE INCREASE IN FLOOR AREAS.** (a) *Limited area ch. ILHR 57 buildings.* 1. Chapter ILHR 57 buildings not protected by automatic fire sprinkler systems as specified in s. ILHR 57.016 may not exceed the height and area limitations specified in Table 57.02-1.

2. A building may not exceed the height and area limitations specified in Table 57.02-2 if the building is protected by an automatic fire sprinkler system conforming with NFPA 13R.

Note: NFPA standard 13R applies only to buildings 4 stories or less in height.

3. A building may not exceed the height and area limitations specified in Table 57.02-3 if the building is protected by an automatic fire sprinkler system conforming with NFPA 13, except that the sprinklers within the living units shall be either a residential type or quick response type.

(b) *Vertical division wall separations.* 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 or the first floor level if the floor construction and supporting elements are of 3-hour rated non-combustible construction, 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-rated door assemblies as specified in s. ILHR 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 other than heat.

(c) *Street access for unlimited area buildings.* 1. Streets shall be within 50 feet of the adjacent building side with no obstructions between the street and the building which will impede fire-fighting efforts.

Note: See s. ILHR 51.01 (124) for definition of street.

2. a. Buildings with no area limitations as permitted under Table 57.02-3, shall have a continuous all-weather, hard-surfaced area 30 feet or more in width for a distance of not less than 50% of the perimeter of the building. These buildings shall have at least one wall facing a street for its entire length. At least 2 of the remaining building walls shall face streets for at least 50% of their respective lengths.

b. Unlimited area buildings of fire-resistive type 1 construction and one-story unlimited area buildings of fire-resistive type 2 construction shall be provided with street access as defined in s. ILHR 51.01 (124) to at least one side of the building.

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(3) ACCESS ROADWAYS FOR FIRE APPARATUS. (a) Buildings shall be accessible to fire department apparatus by means of streets as specified in s. ILHR 51.01 (124) or access roadways. Access roadways shall be at least 20 feet in width, be capable of supporting the imposed loads of the fire apparatus and have a minimum of 13 feet 6 inches in vertical clearance.

1. For buildings 3 stories or less in height, the street or access roadway shall:

a. Be located within 150 feet of all portions of the exterior walls of the first story as measured along the perimeter of the building; or

b. Extend along at least one entire side of the building which constitutes at least 25% of the total building perimeter with the road edge closest to the building located at least 10 feet but not more than 50 feet from the building.

2. For buildings more than 3 stories in height, the street or access roadway shall extend along at least one entire side of the building which constitutes at least 25% of the total building perimeter with the road edge closest to the building at least 10 feet but not more than 50 feet from the building.

(b) The required streets and access roadways shall be kept free at all times of all obstructions, including parked vehicles and snow.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; am. (2) (b) 2., cr. (3), Register, December, 1983, No. 336, eff. 1-1-84; am. (3) (a) 1., Register, August, 1985, No. 356, eff. 1-1-86; emerg. am. (1), r. and recr. (2), r. table 57.02, cr. tables 57.02-1, 57.02-2 and 57.02-3, eff. 9-6-86; am. (1), r. and recr. (2), r. table 57.02, cr. tables 57.02-1, 57.02-2 and 57.02-3, Register, November, 1986, No. 371, eff. 12-1-86; cr. (2) (c) 2. b., r. and recr. (2) (a) 2. and 3., renum. and am. (2) (c) 2. to (2) (c) 2. a., am. (3) (a) 1. a. and 2., Register, March, 1991, No. 423, eff. 4-1-91; reprinted to restore text in (3) (a), Register, June, 1991, No. 426, eff. 7-1-91.

TABLE 57.02-1 — ALLOWABLE HEIGHT (STORIES) AND AREA (SQUARE FEET) FOR BUILDINGS WITHOUT COMPLETE AUTOMATIC FIRE SPRINKLER SYSTEM PROTECTION (MAXIMUM GROSS FLOOR AREA PER FLOOR)
NOTE: DO NOT USE FOR BUILDINGS EXCEEDING 60 FEET IN HEIGHT

CLASS OF CONSTRUCTION	OPEN SPACE AT LEAST 30 FEET IN WIDTH OR STREET 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	19,800	17,000	14,800	12,500	10,300	8,800	7,300	6,500	5,300	
	2	23,900	20,800	18,500	15,900	13,600	11,800	10,300	9,500	8,300	
	3	28,000	25,300	22,300	19,300	17,000	14,800	13,300	12,500	11,300	
	4	32,100	29,800	26,000	22,600	20,400	17,800	16,300	15,500	14,300	
2. Fire-Resistive Type B	1	17,800	15,000	12,800	10,500	8,300	6,800	5,300	4,500	N.P.	
	2	21,900	18,800	16,500	13,900	11,600	9,800	8,300	7,500		
	3	26,000	23,300	20,300	17,300	15,000	12,800	11,300	10,500		
	4	30,100	27,800	24,000	20,600	18,400	15,800	14,300	13,500		
3. Metal Frame Protected	1	15,800	13,500	11,300	9,000	N.P.	N.P.	N.P.	N.P.	N.P.	
	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	N.P.	N.P.	N.P.	N.P.	N.P.	
	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	N.P.	N.P.	N.P.	N.P.	N.P.	
	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	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.	
	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	10,500	8,600	6,800	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.	
	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	8,600	6,800	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.	
	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	N.P.							
	2	9,000	4,500								
	3	10,500	5,300								
	4	12,000	6,000								

N.P. MEANS NOT PERMITTED

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TABLE 57.02-2 — ALLOWABLE HEIGHT (STORIES) AND AREA (SQUARE FEET) FOR BUILDINGS PROTECTED IN ACCORDANCE WITH NFPA 13R
(MAXIMUM GROSS FLOOR AREA PER FLOOR) NOTE: USE FOR ALL BUILDINGS

CLASS OF CONSTRUCTION	OPEN SPACE AT LEAST 30 FEET IN WIDTH OR STREET 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	39,600	34,000	29,600	25,000	N.A.	N.A.	N.A.	N.A.	N.A.
	2	47,800	41,600	37,000	31,800					
	3	56,000	50,600	44,600	38,600					
	4	64,200	59,600	52,000	45,200					
2. Fire-Resistive Type B	1	35,600	30,000	25,600	21,000	N.A.	N.A.	N.A.	N.A.	
	2	43,800	37,600	33,000	27,800					
	3	52,000	46,600	40,600	34,600					
	4	60,200	55,600	48,000	41,200					
3. Metal Frame Protected	1	31,600	27,000	22,600	18,000	N.P.	N.P.	N.P.	N.P.	N.P.
	2	39,800	34,600	29,200	24,000					
	3	48,000	42,000	36,000	30,000					
	4	56,200	49,600	42,800	36,000					
4. Heavy Timber	1	25,600	21,000	14,800	13,600	N.P.	N.P.	N.P.	N.P.	N.P.
	2	33,000	28,600	24,000	20,200					
	3	40,600	36,000	21,400	17,600					
	4	48,000	43,600	39,000	33,800					
5A. Exterior Masonry Protected	1	23,200	19,200	14,400	12,000	N.P.	N.P.	N.P.	N.P.	N.P.
	2	30,000	25,600	21,400	17,600					
	3	36,800	32,200	27,800	23,200					
	4	43,600	39,000	34,200	29,000					
5B. Exterior Masonry Unprotected	1	21,000	17,200	13,600	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
	2	27,000	22,600	18,800						
	3	33,000	28,600	24,000						
	4	39,000	34,600	29,200						
6. Metal Frame Unprotected	1	21,000	17,200	13,600	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
	2	27,000	22,600	18,800						
	3	33,000	28,600	24,000						
	4	39,000	34,600	29,200						
7. Wood Frame Protected	1	21,000	17,200	13,600	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
	2	27,000	22,600	18,800						
	3	33,000	28,600	24,000						
	4	39,000	34,600	29,200						
8. Wood Frame Unprotected	1	15,000	7,600	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.
	2	18,000	9,000							
	3	21,000	10,600							
	4	24,000	12,000							

N.P. MEANS NOT PERMITTED; N.A. MEANS NOT APPLICABLE

TABLE 57.02-3 — ALLOWABLE HEIGHT (STORIES) AND AREA (SQUARE FEET) FOR BUILDINGS PROTECTED IN ACCORDANCE WITH NFPA 13
(MAXIMUM GROSS FLOOR AREA PER FLOOR) NOTE: USE FOR ALL BUILDINGS

CLASS OF CONSTRUCTION	OPEN SPACE AT LEAST 30 FEET IN WIDTH OR STREET WITHIN 50 FEET OF THE BUILDING	NUMBER OF STORIES												
		1	2	3	4	5	6	7	8	9	Over 9			
1. Fire-resistive Type A stories and area may be unlimited subject to s. ILHR 57.02 (2) (c) 2.	1 2 3 4				NO	LIMIT								
2. Fire-resistive type B 1 to 9 story area may be unlimited subject to s. ILHR 57.02 (2) (c) 2.	1 2 3 4		NO	53,400	45,000	38,400	31,500	24,900	20,400	15,900	13,500	N.P.		
		LIMIT	78,000	69,900	60,900	51,900	45,000	38,400	33,900	31,500				
			90,300	83,400	72,000	61,800	55,200	47,400	42,900	40,500				
3. Metal frame protected 1 to 5 story area may be unlimited subject to s. ILHR 57.02 (2) (c) 2.	1 2 3 4	63,200	47,400	40,500	33,900	27,000	N.P.	N.P.	N.P.	N.P.	N.P.			
		79,600	59,700	51,900	43,800	36,000								
		96,000	72,000	63,000	54,000	45,000								
		112,400	84,300	74,400	64,200	54,000								
4. Heavy Timber 1 to 3 story area may be unlimited subject to s. ILHR 57.02 (2) (c) 2.	1 2 3 4	51,200	38,400	31,500	22,200	20,400	N.P.	N.P.	N.P.	N.P.	N.P.			
		66,000	49,500	42,900	36,000	30,300								
		81,200	60,900	54,000	47,400	40,500								
		96,000	72,000	65,400	58,500	50,700								
5A. Exterior Masonry Protected 1 to 3 story area may be unlimited subject to s. ILHR 57.02 (2) (c) 2.	1 2 3 4	46,400	34,800	28,800	21,600	16,000	N.P.	N.P.	N.P.	N.P.	N.P.			
		60,000	45,000	38,400	32,100	26,400								
		73,600	55,200	48,300	41,700	34,800								
		87,200	65,400	58,500	51,300	43,500								
5B. Exterior Masonry Unprotected 1 story area may be unlimited subject to s. ILHR 57.02 (2) (c) 2.	1 2 3 4	42,000	31,500	25,800	20,400	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.			
		54,000	40,500	33,900	28,200									
		66,000	49,500	42,900	36,000									
		78,000	58,500	51,900	43,800									
6. Metal Frame Unprotected 1 story area may be unlimited subject to s. ILHR 57.02 (2) (c) 2.	1 2 3 4	42,000	31,500	25,800	20,400	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.			
		54,000	40,500	33,900	28,200									
		66,000	49,500	42,900	36,000									
		78,000	58,500	51,900	43,800									
7. Wood Frame Protected	1 2 3 4	42,000	31,500	25,800	20,400	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.			
		54,000	40,500	33,900	28,200									
		66,000	49,500	42,900	36,000									
		78,000	58,500	51,900	43,800									
8. Wood Frame Unprotected	1 2 3 4	30,000	22,500	11,400	N.P.									
		36,000	27,000	13,500										
		42,000	31,500	15,900										
		48,000	36,000	18,000										

N.P. MEANS NOT PERMITTED

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ILHR 57.03 Number and location of exits. (1) **NUMBER OF EXITS.** (a) Except as provided in par. (b), all living units shall have exits or exit accesses in accordance with one of the following:

1. The unit shall have at least one exit access door into a common area of the building arranged such that there are 2 directions of travel from the unit's exit access door leading to separate exits;

2. The unit shall be provided with 2 separate exits contained within the unit;

3. The unit shall be provided with 2 exit access doors into separate common areas, with each common area provided with at least one exit; or

4. The unit shall be provided with an exit access door into a common area with at least one exit, in addition to an exit contained within the unit.

(b) Units with habitable rooms on a floor of exit discharge may be provided with at least one exit, directly from the unit to the exterior, with the unit exit door sill at or within 3 feet of grade at the exit door.

(c) A minimum of 2 exits or exit access doors shall be provided from any living unit which accommodates more than 8 people.

(2) **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.

(3) **DISTANCE TO EXIT.** (a) 1. 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.

Note: Also see s. ILHR 57.08 (2).

2. Where automatic fire sprinkler system protection as specified in option 2 of s. ILHR 57.016 (1) (b) is provided an increase in exit distance to 150 feet will be permitted.

(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. ILHR 51.165, 51.17 and 51.18, or to horizontal exits as specified in s. ILHR 51.19.

(4) **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 provided in accordance with the appropriate occupancy chapter, chs. ILHR 54 to 62, which may govern.

(5) **DIRECTIONS FOR ESCAPE.** An exiting diagram shall be conspicuously posted in every habitable room to be used by transients, including but not limited to those habitable rooms of hotels, motels, rooming houses and dormitories. The exit diagram shall depict the location of the room with respect to other rooms and at least 2 exits.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; am. (1), Register, August, 1985, No. 356, eff. 1-1-86; emerg. renum. (2) (a) to be (2) (a) 1., cr. (2) (a) 2., eff. 9-6-86; renum. (2) (a) to be (2) (a) 1., cr. (2) (a) 2., Register, November, 1986, No. 371, eff. 12-1-86; r. and recr. (1) (a) and (b) and (5), renum. (2) to (5) to be (3), (2), (5), and (4) respectively, am. (4), Register, March, 1991, No. 423, eff. 4-1-91.

Register, March, 1991, No. 423

ILHR 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 s. ILHR 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.

(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.

(c) *Nonsleeping rooms.* In addition to the floor areas required under pars. (a) and (b), a community-based residential facility shall provide habitable floor space, other than sleeping rooms of not less than:

1. Sixty square feet in area for each ambulatory resident;
2. Ninety square feet in area for each semiambulatory resident; and
3. Ninety square feet in area for each nonambulatory resident.

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

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; cr. (2) (c), Register, March, 1991, No. 423, eff. 4-1-91.

ILHR 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. ILHR 51.15 and 51.16. The remaining exits shall be either stairways, interior enclosed

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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 of combustible construction may be used as a required second exit for 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. ILHR 51.162;
6. Platforms having solid floors are provided with a roof equal in area to that of the platform;
7. All wood used in the construction of the rescue platform shall be pressure treated wood satisfying the requirements of the applicable standards specified in s. ILHR 53.63 (6) unless the wood is inherently resistant to decay; and
8. 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; am. (2) (b) (intro.) and 6., renun. (2) (b) 7. to be (2) (b) 8., cr. (2) (b) 7., Register, December, 1983, No. 336, eff. 1-1-84; am. (2) (b) (intro.) and 7., Register, March, 1991, No. 423, eff. 4-1-91.

ILHR 57.06 Doors. (1) **EXIT DOORS.** Exit doors shall be as specified in s. ILHR 51.15, except:

(a) Sliding glazed patio-type doors may serve as the second exit from individual living units, provided there is a means to prevent accumulation of snow and ice in the door track or freezing of the door; and

(b) 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 from living units opening into public exit access corridors shall be protected by at least 20-minute labeled fire-door assemblies. Such doors shall be self-closing.

(3) **ACCESS DOORS.** Exit access doors from individual living units shall be at least 3 feet 0 inches in width.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; r. and recr. (1), am. (2), cr. (3), Register, March, 1991, No. 423, eff. 4-1-91.

ILHR 57.07 Steps, stairs and shafts. (1) **EXTERIOR STAIRS.** Exterior stairs shall be as specified in s. ILHR 51.16, except that less than 3 steps may be provided between exterior platforms and grade serving only

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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.** (a) Changes of elevation within the living unit shall be overcome by means of steps, stairs or ramps and shall be as specified in s. ILHR 21.04, except a spiral stairway as specified in s. ILHR 51.16 (7) may serve as the only exit from floor levels within an individual living unit, if the floor level served is no larger than 400 square feet in net area.

Note: See appendix for a reprint of s. ILHR 21.04.

(b) A spiral stairway as specified in s. ILHR 51.16 (7) may serve as the only exit from floor levels within an individual living unit, if the floor level served is no larger than 400 square feet.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; r. and recr. (3), Register, August, 1985, No. 356, eff. 1-1-86; r. and recr. (3) (a), Register, March, 1991, No. 423, eff. 4-1-91.

ILHR 57.08 Enclosure of interior stairways and shafts. (1) **APPLICATION.** Except as provided in sub. (2), all stairways, including landings, ramps and shafts, shall be enclosed as specified in s. ILHR 51.02 (11) with fire-resistive rated construction as specified in Table 51.03-A.

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(2) **EXCEPTIONS.** (a) The exit access stairway or shaft connecting the first and second floor in residential buildings 2 stories or less in height may be left open in the following applications providing the conditions specified in par. (b) are satisfied:

1. Buildings having not more than 4 individual living units per floor each of which is served by 2 or more means of egress; or

2. A building which is used as a rooming house, dormitory or congregate living facility and which has a maximum occupancy limit of 16 persons per floor.

(b) 1. Every exit access stairway or shaft to the basement or ground floor is cut off at the first floor or first adjacent basement or ground floor level with fire resistive construction as specified in Table 51.03-A or better; and

2. The distance to an exit, including the horizontal travel distance on the exit stair, does not exceed 50 feet in buildings not completely protected with an automatic fire sprinkler system or 75 feet in buildings completely protected as specified in s. ILHR 57.016 (1) (b).

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; am. Register, October, 1982, No. 322, eff. 11-1-82; emerg. am. (2) (b) 2., eff. 9-6-86; am. (2) (b) 2., Register, November, 1986, No. 371, eff. 12-1-86; r. and recr. (2) (a) 2., Register, March, 1991, No. 423, eff. 4-1-91.

ILHR 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.

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(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. ILHR 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.

(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.

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ILHR 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.** (a) Except as provided in par. (b), every required exit, from each floor shall be indicated by an approved illuminated, exit sign.

(b) 1. Exits within an individual living unit need not be provided with exit signs.

2. Exits in buildings having 4 living units or less per floor need not be provided with exit signs if the building contains not more than 8 living units and the path of exit from all floor levels including the basement to the outside is readily apparent.

(c) Exit lights shall be as specified in s. ILHR 15.15 (5).

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; am. (2), Register, December, 1983, No. 336, eff. 1-1-84.

ILHR 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) Every habitable room shall have at least one outside window which can be opened from the inside without the use of tools to provide a clear opening of not less than 20 inches in width, 24 inches in height, and 5.7 square feet in area, with the bottom of the opening not more than 44 inches above the floor.

(d) All living units with floors below grade shall have access to 2 exits complying with s. ILHR 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

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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 1½ 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. ILHR 64.07 for additional requirements.

(b) Have stairway exits complying with ss. ILHR 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. ILHR 82.

Note 2: See s. ILHR 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; r. and recr. (1) (c), r. (1) (d) and (e), renum. (1) (f) to be (1) (d), Register, December, 1983, No. 336, eff. 1-1-84.

ILHR 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 single toilet room to accommodate both sexes may be provided in individual living or sleeping units.

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

TABLE 57.12
NUMBER OF SANITARY FIXTURES REQUIRED FOR
RESIDENTIAL OCCUPANCIES ^{1,2}

Type of Occupancy	Type of Fixture					
	Water Closets (WC)		Urinals (U)	Drinking Facilities (DF)	Lavatories (L)	Bathtubs Showers (S)
	Males (M)	Females (F)				
With individual unit toilet rooms	One for each living unit		0	0	One for each living unit	One for each living unit
With communal use sanitary facilities	One for each 10 (M), or fraction; one for each 10 (F), or fraction		Urinals may be substituted for up to ½ required (WC) for (M)	One for each 100 persons	One for each 10 persons	One for each 20 persons

¹ 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/alteration area 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.

² Where a single toilet room designated as UNISEX is provided, it shall be considered as accommodating no more than 10 employes and 25 occupants.

(b) *Employes.* Sanitary facilities for employes who do not sleep in the building shall be provided as specified in Table 54.12-A, unless the employes have access to the sanitary facilities provided for the residents during all shifts.

(c) *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.

(3) **FOOD PREPARATION.** 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; r. and recr., Register, August, 1993, No. 452, eff. 3-1-94.

ILHR 57.13 Windows. (1) LIGHT. (a) Every habitable room shall be provided with natural light by means of glazed openings.

1. Glazed openings shall consist of windows or skylights or a combination of the two.

2. The amount of glazed openings shall equal at least 8% of the floor area of the room served.

3. Glazed openings serving habitable rooms shall view onto the outside, except the glazed openings may obtain borrowed light from naturally lighted pool or recreational areas to serve:

a. Habitable rooms in motels and hotels, or

b. Other similar sleeping rooms accommodating transients.

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(2) VENTILATION. (a) Except as provided in par. (b), every habitable room shall be provided with natural ventilation by means of openable doors or windows. The openable amount of such doors and windows shall be at least 4% of the floor area of the room.

(b) Habitable rooms in motels and hotels and similar sleeping rooms in buildings accommodating transients shall not be required to be provided with openable doors and windows for ventilation purposes if the rooms are provided with mechanical ventilation supplying tempered outside air as specified in s. ILHR 64.06.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; am. (1)(a), Register, October, 1982, No. 322, eff. 11-1-82; am. (1) (a), Register, August, 1985, No. 356, eff. 1-1-86; r. and recr., Register, March, 1991, No. 423, eff. 4-1-91.

FP ILHR 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. ILHR 51.043.

(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. ILHR 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.

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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.

5. Direct vent sealed combustion chamber appliances may be used without a fire-resistive rated enclosure.

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

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; cr. (1) (c) 5., Register, August, 1985, No. 356, eff. 1-1-86.

ILHR 57.145 Occupancy separations. Occupancies within the scope of this chapter shall be separated from other occupancies or uses in accordance with s. ILHR 51.08.

History: Cr. Register, March, 1991, No. 423, eff. 4-1-91.

ILHR 57.15 Fire protection systems. (1) **SPRINKLER SYSTEMS.** Automatic fire sprinkler systems shall be provided as outlined in ss. ILHR 52.01, 52.011, 52.012 and 52.013.

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(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 shall be provided in all buildings 3 stories or more in height which accommodate more than 20 occupants, unless an approved automatic sprinkler system as specified in Option 2 of s. ILHR 57.016 is installed.

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

ILHR 57.16 Smoke detection. (1) **NUMBER OF DETECTORS REQUIRED AND LOCATION.** (a) All buildings within the scope of this chapter, except CBRF shall be provided with approved smoke detectors as specified in this section.

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(b) The owner shall install at least one smoke detector:

1. In the basement;
2. At the head of every open stairway;
3. At the door on each floor level leading to every enclosed stairway; and

4. Either in each sleeping area of each living unit or elsewhere in the unit within 6 feet from the doorway of each sleeping area and not within a kitchen.

(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.

2. Such detectors shall be electrically interconnected to the required manual fire alarm system. All smoke detectors, which are electrically interconnected to the manual fire alarm system, shall be a latching type, system detector intended for use with a control panel and shall utilize a supervised circuit.

Note: See s. ILHR 51.245 for additional requirements pertaining to smoke detectors.

(d) Smoke detectors shall be installed and maintained in accordance with s. 101.145 (3), Stats.

Note: Section 101.145 (3), Stats., states: "*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 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, or a state, county, city, village or town officer, agent or employe charged under statute or municipal ordinance with powers or duties involving inspection of real or personal property, gives written notice to the owner that a smoke detector in the 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.*"

FP (2) **RETROACTIVITY.** (a) 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.

(b) 1. If the owner of a building constructed prior to the effective date of this paragraph elects to interconnect the smoke detectors with each other, no more than 6 single station, self-contained, nonlatching smoke detectors shall be so interconnected.

2. If the owner of a building constructed prior to the effective date of this paragraph elects to interconnect the smoke detectors with the manual fire alarm system, the detectors shall be a latching type, system detector intended for use with a control panel and shall utilize a supervised circuit.

History: Cr. (1), Register, December, 1981, No. 312, eff. 1-1-82; cr. (2), eff. 1-1-83; am. (1)(c) 2., Register, October, 1982, No. 322, eff. 11-1-82, am. (2), eff. 1-1-83; am. (1) (a), Register, August, 1985, No. 356, eff. 9-1-85; r. and recr. (1) (b), cr. (1) (d), Register, April, 1990, No. 412, eff. 5-1-90.

FP **ILHR 57.165 Smoke detection for CBRF.** (1) **GENERAL.** All CBRF within the scope of this chapter shall be provided with an approved smoke detection system.

(2) **TYPE OF SYSTEM.** The smoke detection system specified in sub. (1) shall be at least a low voltage interconnected smoke detection system designed to protect the entire facility and capable of sounding an alarm throughout the facility or at a central location upon actuation of any smoke detector.

(3) **SMOKE DETECTOR LOCATION.** At least 1 approved interconnected smoke detector shall be provided at the following locations:

(a) At the head of every open stairway;

(b) At the door leading to every enclosed stairway on each floor level;

(c) In every corridor, spaced not more than 30 feet apart and not further than 15 feet from any wall;

(d) In each common use room, including living rooms, dining rooms, family rooms, lounges and recreation rooms but not including kitchens; and

(e) In each sleeping room in which smoking is allowed.

(4) **APPLICABILITY.** The provisions of this section shall apply to all CBRF constructed on or after the effective date of this section and to those CBRF previously constructed.

Note: See s. ILHR 51.245 for additional requirements pertaining to smoke detectors.

History: Cr. Register, August, 1985, No. 356, eff 9-1-85.

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

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(b) Residential occupancies, including hotels and motels, not more than one story in height in which each living unit has a primary swinging exit door at grade level are exempted from the provisions of par. (a).

(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; am. (1), Register, October, 1982, No. 322, eff. 11-1-82; am. (1) (b), Register, December, 1983, No. 336, eff. 1-1-84.

ILHR 57.18* Fire extinguishers. (1) **GENERAL.** Portable fire extinguishers shall be provided in buildings more than one story in height. The extinguishers shall be located in the public areas of the building and comply with the requirements of Table 57.18.

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Table 57.18

Basic Minimum Extinguisher Rating for Area Specified	Maximum Travel Distance to Extinguishers (feet)	Area to be Protected per Extinguisher (square feet)
2A	75	6,000
3A	75	9,000
4A	75	11,250
6A	75	11,250

(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. ILHR 51.22.

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History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; emerg. am. (1), eff. 9-6-86; am. (1), Register, November, 1986, No. 371, eff. 12-1-86; r. and recr. Table, Register, March, 1991, No. 423, eff. 4-1-91.

*See Appendix A for further explanatory material.

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ILHR 57.19 Rowhouse. (1) **VERTICAL OCCUPANCY SEPARATIONS.** (a) Each living unit shall be separated from the adjacent living unit by a vertical occupancy separation of not less than one hour fire-resistive construction, extending from the foundation to the underside of the roof deck.

(b) Piercing of the vertical occupancy separation between the units by doors or windows shall be prohibited.

(c) Piercing of the vertical occupancy separation by mechanical, electrical or plumbing elements may be permitted provided the piercing is as specified in s. ILHR 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. ILHR 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.

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

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

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; renum. (1) (a) and (b) to be (1) (b) and (c), cr. (1) (a), Register, August, 1985, No. 356, eff. 1-1-86.