

## Chapter Comm 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Note: Chapter Ind 57 as it existed on December 31, 1981 was repealed and a new ch.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.

Note: Chapter ILHR 57 was renumbered to be chapter Comm 57 under s. 13.93 (2m) (b) 1. and corrections were made under s. 13.93 (2m) (b) 7., Stats., Register September, 1998, No. 513.

## Subchapter I — General Standards for Residential Occupancies

**Comm 57.001 Scope. (1) GENERAL.** Except as provided in sub. (2), this subchapter applies to all places of abode, including, but not limited to:

- (a) Apartment buildings, residential condominiums, and townhouses, that exceed 60 feet in height or 6 stories;
- (b) Motels;
- (c) Hotels;
- (d) Dormitories;
- (f) Sheltered facilities for battered women, as specified in s. 46.95, Stats., serving more than 20 occupants;
- (g) Rooming houses;
- (h) Convents and monasteries;
- (i) Community-based residential facilities serving 9 or more unrelated adults; and
- (j) Community-based facilities located in existing buildings serving more than 20 unrelated adults.

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

**(2) EXEMPTIONS.** The requirements of this subchapter 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. Comm 61.001 (1) and 61.01 (7);

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

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

(j) Multifamily dwellings within the scope of ch. Comm 66.

Note: See chs. ILHR 20-25, Uniform Dwellings 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: See ch. DWD 301, 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; r. and rec. (1), am. (2) (intro.), Register, April, 1994, No. 460, eff. 5-1-94; am. (1) and (2) (g) to (i), cr. (2) (j), Register, March, 1995, No. 471, eff. 4-1-95; r. (1) (e), Register, June, 1996, No. 486, eff. 7-1-96.

**Comm 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. Comm 51.03.

Note: See ss. HFS 83.41 to 83.65, 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. Comm 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. Comm 53.63 (1) (d) is provided at the intersection of the living unit separation walls and the roof.

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

3. a. The annular space around ducts, pipes, and conduits or other penetrating items that penetrate fire-protective membranes required under this paragraph shall be protected as specified in s. Comm 51.049.

b. For the purpose of protecting the annular spaces under subd. 1. a., the methods of protection shall be the same as the membranes for at least a one-hour rated assembly.

Note: 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. Comm 51.043 to 51.046.

(b) Doors separating one hotel or motel living unit from another shall have a  $3/4$ -hour fire-resistive rating. Where 2 doors are provided in one frame, only one of the doors is required to be rated. The connecting doors are not required to be equipped with self-closing devices.

(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. Comm 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; cr. (2) (b), Register, January, 1994, No. 457, eff. 2-1-94; emerg. cr. (2) (a) 3., eff. 1-28-98; cr. (2) (a) 3., Register, September, 1998, No. 513, eff. 10-1-98.

**Comm 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.

**Comm 57.016 Automatic fire sprinkler protection.** A building more than 60 feet in height shall be protected throughout the entire building in accordance with ss. Comm 52.01 and 51.23, except that the sprinklers within the living units shall be residential type conforming to NFPA 13R, installed in accord with the recommendations and requirements of the manufacturer.

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; am. (1) and (2) (b), Register, January, 1994, No. 457, eff. 2-1-94; renum. (1) to be Comm 57.016, r. (2), Register, June, 1996, No. 486, eff. 7-1-96.

**Comm 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. Comm 57 buildings.* 1. Chapter Comm 57 buildings not protected by automatic fire sprinkler systems as specified in s. Comm 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 residential type conforming to NFPA 13R, installed in accord with the recommendations and requirements of the manufacturer.

(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 1 and type 2 construction.

2. All openings in such walls shall be protected by fire-rated door assemblies as specified in s. Comm 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. Comm 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. Comm 51.01 (124) to at least one side of the building.

(3) ACCESS ROADWAYS FOR FIRE APPARATUS. (a) Buildings shall be accessible to fire department apparatus by means of streets as specified in s. Comm 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; am. (2) (a) 3., (b) 1. c., and table 57.02-2, Register, January, 1994, No. 457, eff. 2-1-94.

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 BUILDING	THE 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
	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		
	2	21,900	18,800	16,500	13,900	11,600	9,800	8,300	7,500	N.P.	
	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						
	2	19,900	17,300	14,600	12,000	N.P.	N.P.	N.P.	N.P.	N.P.	
	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						
	2	16,500	14,300	12,000	10,100	N.P.	N.P.	N.P.	N.P.	N.P.	
	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						
	2	15,000	12,800	10,700	8,800	N.P.	N.P.	N.P.	N.P.	N.P.	
	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							
	2	13,500	11,300	9,400	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.	
	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							
	2	13,500	11,300	9,400	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.	
	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							
	2	13,500	11,300	9,400	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.	
	3	16,500	14,300	12,000							
	4	19,500	17,300	14,600							
8. Wood Frame Unprotected	1	7,500	3,800								
	2	9,000	4,500	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.	
	3	10,500	5,300								
	4	12,000	6,000								

N.P. MEANS NOT PERMITTED

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 BUILDING	THE 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.
	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.	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	31,600	27,000					
	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. Comm 57.02 (2) (c)	1 2 3 4				NO	LIMIT						
2. Fire-resistive type B 1 to 9 story area may be unlimited subject to s. Comm 57.02 (2) (c)	1 2 3 4		53,400	45,000	38,400	31,500	24,900	20,400	15,900	13,500	N.P.	
2.		NO	65,700	56,400	49,500	41,700	34,800	29,400	24,900	22,500		
		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. Comm 57.02 (2) (c)	1 2 3 4	63,200	47,400	40,500	33,900	27,000	N.P.	N.P.	N.P.	N.P.	N.P.	
2.		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. Comm 57.02 (2) (c)	1 2 3 4	51,200	38,400	31,500	22,200	20,400	N.P.	N.P.	N.P.	N.P.	N.P.	
2.		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. Comm 57.02 (2) (c)	1 2 3 4	46,400	34,800	28,800	21,600	16,000	N.P.	N.P.	N.P.	N.P.	N.P.	
2.		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. Comm 57.02 (2) (c)	1 2 3 4	42,000	31,500	25,800	20,400	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.	
2.		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. Comm 57.02 (2) (c)	1 2 3 4	42,000	31,500	25,800	20,400	N.P.	N.P.	N.P.	N.P.	N.P.	N.P.	
2.		54,000	40,500	33,900	28,200							
		66,000	49,500	42,900	36,000							
		78,000	58,500	51,900	43,500							
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.	N.P.	N.P.	N.P.	N.P.	N.P.	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

**Comm 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 6 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. Comm 57.08 (2).

2. Where automatic fire sprinkler system protection as specified in s. Comm 57.016 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. Comm 51.165, 51.17 and 51.18, or to horizontal exits as specified in s. Comm 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. Comm 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) and am. (4), Register, March, 1991, No. 423, eff. 4-1-91; am. (1) (b), Register, January, 1994, No. 457, eff. 2-1-94; correction in (3) (a) 2. made under s. 13.93 (2m) (b) 7, Stats., Register, January, 1994, No. 457.

#### Comm 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. Comm 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. Comm 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.

**Comm 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. Comm 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 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 15 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. Comm 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. Comm 53.63 (6) unless the wood is inherently resistant to decay; and
8. The building is not a residential care facility or group foster home.

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; am. (2) (b) (intro.) and 6., renum. (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; am. (2) (b) 2., Register, March, 1995, No. 471, eff. 4-1-95; am. (2) (b) 8., Register, June, 1996, No. 486, eff. 7-1-96.

**Comm 57.06 Doors.** (1) **EXIT DOORS.** Exit doors shall be as specified in s. Comm 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 pre-

vent 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.

**Comm 57.07 Steps, stairs and shafts.** (1) **EXTERIOR STAIRS.** Exterior stairs shall be as specified in s. Comm 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.** (a) Interior stairs used by not more than 25 persons shall be not less than 3 feet wide.

(b) Common use interior stairs and steps not provided along an accessible route as specified in s. Comm 57.82 shall comply with s. Comm 51.16 (4), except the stairs and steps shall have a rise not more than 7/4 inches and a tread not less than 9 1/2 inches, measured from tread to tread and from riser to riser.

Note: See s. Comm 57.77 (5) for definition of "common use".

(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. Comm 21.04, except a spiral stairway as specified in s. Comm 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. Comm 21.04.

(b) A spiral stairway as specified in s. Comm 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; renun. (2) to be (2) (a), cr. (2) (b), Register, April, 1994, No. 460, eff. 5-1-94.

**Comm 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. Comm 51.02 (11) with fire-resistive rated construction as specified in Table 51.03-A.

(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. Comm 57.016.

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; correction in (2) (b) 2. made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1996, No. 492.

**Comm 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. Comm 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.

**Comm 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. Comm 51.15 (5).

History: Cr. Register, December, 1981, No. 312, eff. 1-1-82; am. (2), Register, December, 1983, No. 336, eff. 1-1-84; am. (2) (c), Register, January, 1994, No. 457, eff. 2-1-94.

**Comm 57.11 Habitable rooms with floors below grade.** (1) **GENERAL.** Living units in residential buildings 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. Comm 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) **AREAWAYS.** Areaways used as specified in this section shall:

(a) Be 1 1/2 times the depth to the bottom of the opening with a minimum width of 3 feet measured perpendicular to the building wall; and

Note: See s. Comm 64.07 for additional requirements.

(b) Have stairway exits complying with ss. Comm 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: Surface and subsoil drainage systems for areaways and foundation walls are regulated under the requirements of ch. Comm 82.

Note: See s. Comm 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; am. (3) (a), Register, January, 1994, No. 457, eff. 2-1-94; renum. (2) to be Comm 66.44 (3), renum. (3) to be (2), Register, June, 1996, No. 486, eff. 7-1-96.

**Comm 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**

Type of Occupancy	Type of Fixture					
	Water Closets (WC)		Urinals (U)	Drinking Facilities (DF)	Lavatories (L)	Bathtubs or 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 2/3 required (WC) for (M)	One for each 100 persons	One for each 10 persons	One for each 20 persons

<sup>1</sup>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. Comm 50.03 (4) (d), fixtures shall be provided in conformance to this table utilizing the capacity of the entire building.

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

(b) **Employees.** Sanitary facilities for employees who do not sleep in the building shall be provided as specified in Table 54.12-A, unless the employees 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.

**Comm 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 area 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.

(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 ven-

tilation systems supplying tempered outside air and air movement as specified in ss. Comm 64.05 and 64.06.

Note: Section Comm 57.13 was revised in December, 1995, effective April 1, 1996. On April 6, 1996 the department of industry, labor and human relations published an emergency rule stating that the effective date of the December, 1995 rule revision was delayed. A permanent rule was adopted in December, 1996 stating that the revised text of s. Comm 57.13, as published, would be effective April 1, 1997.

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; am. (1) (a) 2, January, 1994, No. 457, eff. 2-1-94; emerg. am. (2) (b), eff. 8-14-95; am. (2) (b), Register, December, 1995, No. 480, eff. 4-1-96; am. (2) (b), Register, December, 1996, No. 492, eff. 4-1-97.

**Comm 57.145 Occupancy separations and hazard enclosures.** Occupancies within the scope of this chapter shall be separated from other occupancies or uses in accordance with s. Comm 51.08. Hazards shall be enclosed in accordance with s. Comm 51.08.

History: Cr. Register, March, 1991, No. 423, eff. 4-1-91; r. and recr., Register, December, 1995, No. 480, eff. 4-1-96; r. and recr., Register, March, 1997, No. 495, eff. 4-1-97.

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

(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 s. Comm 57.016 is installed. Dry standpipes that are required under this paragraph shall comply with s. Comm 51.21 (3) (b) and (k).

Note: Dry standpipes that are required under this paragraph are required by s. Comm 51.21 (6) (b) to be located within stairway enclosures. Other stairway enclosures may be provided that do not include dry standpipes.

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; am. (2) (b), Register, January, 1994, No. 457, eff. 2-1-94.

**Comm 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.

(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. Comm 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. Comm 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."

(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; correction in (1) (c) 1. made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1996, No. 442.

**Comm 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. Comm 51.245 for additional requirements pertaining to smoke detectors.

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

**Comm 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. Comm 57.04, shall be provided with a manual fire alarm system as specified in s. Comm 51.24.

(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.

**Comm 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.

Note: See Appendix A for further explanatory material.

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. Comm 51.22.

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.

**Comm 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. Comm 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. Comm 51.049 (3) for additional requirements pertaining to plastic components.

(2) **EXITS.** Each living unit shall have a separate exit within 6 feet of the exit discharge grade.

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

(4) **EXCEPTIONS.** Where each living unit has a separate heating system, compliance with ss. Comm 51.08 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; am. (2), Register, January, 1994, No. 457, eff. 2-1-94; correction in (4) made under s. 13.93 (2m) (b) 7., Stats., Register, September, 1998, No. 513.

**Comm 57.20 Accessibility requirements.** All places of abode covered under this subchapter shall comply with the applicable requirements of s. Comm 52.04.

*History:* Cr. Register, April, 1994, No. 460, eff. 5-1-94.

## Subchapter II — Accessibility Standards for Covered Multifamily Housing

### Part 1 — Scope, Purpose and Application

**Comm 57.70 Scope.** (1) **COVERED.** Except as specified in sub. (2), this subchapter applies to all covered multifamily housing including apartment buildings, rowhouses, townhouses and condominiums.

(2) **NOT COVERED.** Multilevel dwelling units with separate exterior entrances in buildings without elevators are exempt from the accessibility requirements specified in this subchapter.

*History:* Cr. Register, April, 1994, No. 460, eff. 5-1-94; am., Register, December, 1998, No. 516, eff. 1-1-99.

**Comm 57.71 Purpose.** (1) **GENERAL.** The purpose of this subchapter is to ensure that all buildings under the scope of this subchapter are designed and constructed to be accessible to people with disabilities.

(2) **SEPARATE BUILDINGS.** Dwelling units within a single structure separated by any fire-resistant rated walls within a structure do not create separate buildings, unless the walls are 4-hour fire-resistant building division walls as defined in s. Comm 50.01 (144) (a).

*Note:* This subchapter does not invalidate or limit the remedies, rights and procedures of federal laws or local laws that provide greater or equal protection for the rights of individuals with disabilities or individuals associated with them.

*History:* Cr. Register, April, 1994, No. 460, eff. 5-1-94.

### Part 2 — Departmental Action

**Comm 57.74 Plan examination and department action.** Conformance with the accessibility requirements as specified in this subchapter shall be presented as a part of the general plan submittals as required under s. Comm 50.12.

*History:* Cr. Register, April, 1994, No. 460, eff. 5-1-94.

### Part 3 — Definitions

**Comm 57.77 Definitions.** In this subchapter:

(1) "Accessible" means able to be approached, entered and used by persons with disabilities.

(2) "Accessible route" means a continuous unobstructed path connecting accessible elements and spaces in a building or within a site or from a site to a vehicular route, that can be negotiated by all persons with a disability. Interior accessible routes include corridors, floors, ramps, elevators and lifts. Exterior accessible routes include parking access aisles, curb ramps, walks, ramps and lifts.

(3) "Bathroom" means a room which contains a water closet, lavatory and bathtub or shower.

(4) "Clear" means unobstructed.

(5) "Common use areas" means rooms, spaces or elements inside or outside of a building that are made available for the use of residents of a building or their guests and which are not within an individual living unit.

(6) "Covered multifamily housing" means any of the following housing or dwelling units that are first ready for occupancy on or after October 1, 1993:

(a) Housing consisting of 3 or more dwelling units if the housing has one or more elevators.

(b) Grade-level dwelling units, in housing without elevators, consisting of 3 or more dwelling units.

(7) "Dwelling unit" means a single unit of residence for a household of one person or a family.

(8) "Entrance" means any exterior access door to a building or portion of a building used by residents to enter the building. An "entrance" does not include a door to a loading dock or a door used primarily as a nonrequired service entrance, even if nondisabled residents occasionally use that door to enter.

(9) "Finished grade" means the ground surface of the site after all construction, leveling, grading, and development has been completed.

(10) "Grade-level floor" means the floor of a building closest to finished grade that contains dwelling units.

*Note:* See s. Comm 57.81 (1) for accessible building entrances to a grade-level floor.

(11) "Loft" means an intermediate level floor between the floor and ceiling of any story located within a room or rooms of a dwelling unit.

(12) "Multilevel dwelling unit" means an individual dwelling unit with finished living space located on one floor level and a floor level immediately above or below it.

(13) "Powder room" means a room which contains a water closet and a lavatory.

(14) "Primary floor" means a floor which is intended for use by the employees or patrons, or both. A floor used primarily for mechanical purposes or storage, or both, will not be considered as a primary floor.

(15) "Public use areas" means interior or exterior rooms or spaces of a building that are made available to the general public.

(16) "Single-level dwelling unit" means an individual dwelling unit with all of the finished living space located on one floor.

(17) "Site" means a parcel of land bounded by property lines.

(18) "Slope" means the relative steepness of the land between 2 points.

(19) "Undisturbed site" means the site before any construction, leveling, grading, or development associated with the current project.

(20) "Vehicular or pedestrian arrival points" means public or resident parking areas, public transportation stops, passenger loading zones, and public streets or sidewalks.

(21) "Vehicular route" means a route intended for vehicular traffic, such as a street, driveway or parking lot.

*History:* Cr. Register, April, 1994, No. 460, eff. 5-1-94; r. (6) (c), Register, December, 1998, No. 516, eff. 1-1-99.

### Part 4 — General Requirements

**Comm 57.78 Accessibility requirements, new construction.** All covered multifamily housing constructed on or after May 1, 1994 shall comply with the accessibility requirements in ss. Comm 57.81 to 57.871.

*History:* Cr. Register, April, 1994, No. 460, eff. 5-1-94.

**Comm 57.79 Accessibility requirements for additions and remodeled covered multifamily housing.**

(1) **GENERAL.** All existing multifamily housing being remodeled or added to under this section shall comply with the following:

(a) *More than 50% remodeled or added.* If more than 50% of the gross interior area of an existing multifamily housing building is remodeled or added to, the entire building shall be designed and constructed in accordance with the accessibility requirements specified in ss. Comm 57.81 to 57.871.

(b) *25% to 50% remodeled or added.* If 25% to 50% of the gross interior area of an existing multifamily housing building is remodeled or added to, that portion of the building being remodeled or added to shall be designed and constructed in accordance with the accessibility standards specified in ss. Comm 57.81 to 57.871.

(c) *Less than 25% remodeled or added.* If less than 25% of the gross interior area of an existing multifamily housing building is remodeled or added to, the remodeling is not subject to the accessibility standards specified in ss. Comm 57.81 to 57.871, unless the alteration involves work on interior doors, entrances, exits, bathrooms or toilet rooms, in which case the interior doors, entrances, exits, bathroom or toilet rooms shall comply with the standards specified in ss. Comm 57.81 to 57.871.

(2) **REMODELING OR ADDING IN STAGES.** The percentage requirements established in this section apply to the accumulative sum of any remodeling or additions, or both, undertaken after May 1, 1994.

(3) **EXISTING BUILDINGS WITH MIXED OCCUPANCIES.** (a) *Buildings with an area of 20,000 square feet or less.* If an existing building with mixed occupancies is remodeled or added to and the gross interior area of the building after remodeling or adding to is 20,000 square feet or less, access and interior circulation shall be provided to a primary floor. Interior circulation between floor levels is not required.

(b) *Buildings with an area greater than 20,000 square feet.* If an existing building with mixed occupancies is remodeled or added to and the gross interior area of the building after the remodeling or adding to is greater than 20,000 square feet, access and interior circulation shall be provided to all floor levels. The method of interior circulation provided between the floor levels shall comply with the applicable provisions in s. Comm 52.04.

(4) **CHANGE OF USE.** If the use of an existing building is changed to a covered multifamily housing use and building is remodeled or added to, the building shall comply with this section.

History: Cr. Register, April, 1994, No. 460, eff. 5-1-94.

*Part 5 — Accessibility requirements*

**Comm 57.81 Accessible building entrance on an accessible route.** Covered multifamily housing shall comply with this section and Table 57.81 for the number of accessible entrances and exits, dwelling units and the accessible interior features required in the dwelling units.

(1) **ACCESSIBLE BUILDING ENTRANCES TO A GRADE-LEVEL FLOOR.** Except for covered multifamily housing with site impracticality as specified in sub. (4), the grade-level floor of each covered multifamily housing building on a site shall be served by a building entrance on an accessible route. In addition to the designated grade-level floor with dwelling units, all other floors containing dwelling units which are located within 30 inches of finished grade shall be served by a building entrance on an accessible route.

(2) **ACCESSIBLE ENTRANCE DOOR.** Each accessible entrance door to a covered multifamily housing building shall be at least 36 inches in width. Minimum space requirements at the latch side of the door shall comply with the applicable portions of Table 57.82.

(3) **ACCESSIBLE ROUTE.** Except for covered multifamily housing with site impracticality as specified in sub. (4), each building on a site shall have at least one accessible route complying with applicable portions of Table 57.82.

**Table 57.81**  
**NEW CONSTRUCTION REQUIREMENTS**

Types of Covered Multifamily Housing	Number of Accessible Entrances <sup>1</sup>	Number of Required Accessible Exits from Grade-Level Floor	Number of Accessible Dwelling Units	Accessible Features of Dwelling Unit
<b>I. Covered multifamily housing without elevators</b>				
<b>A. Housing with common entrances to a grade-level floor with dwelling units</b>				
1. Single-level dwelling units	All entrances <sup>2</sup>	All required exits <sup>4,5,6</sup>	All dwelling units on the grade-level floor	ss. Comm 57.82 to 57.871
2. Multilevel dwelling units	All entrances <sup>2</sup>	All required exits <sup>4,5,6</sup>	Grade-level portion of dwelling units on the grade-level floor	ss. Comm 57.82 to 57.871
<b>B. Housing with separate exterior entrances to each dwelling unit</b>				
1. Single-level dwelling units	All entrances <sup>3</sup>	All required exits <sup>4,5,6</sup>	All grade-level dwelling units	ss. Comm 57.82 to 57.871
<b>II. Covered multifamily housing with elevators</b>				
<b>A. Single-level dwelling units</b>	All entrances <sup>3</sup>	All required exits <sup>4,5,6</sup>	All dwelling units on all floors served by an elevator shall be accessible	ss. Comm 57.82 to 57.871 required in all dwelling units on all floors served by an elevator
<b>B. Multilevel dwelling units</b>	All entrances <sup>3</sup>	All required exits <sup>4,5,6</sup>	Grade-level portions of all multilevel dwelling units on all floors served by an elevator shall be accessible	ss. Comm 57.82 to 57.871 required in grade-level portion of all dwelling units on all floors served by an elevator

<sup>1</sup>An accessible entrance may also serve as a required exit.

<sup>2</sup>Exits required by chs. Comm 50 to 64.3 Where all entrances are not accessible, site impracticality for the nonaccessible entrances shall be determined through the petition process.

<sup>4</sup>Where a rescue platform as specified in s. Comm 57.05 (2) or an exterior stairway is provided as a second exit from an individual dwelling unit, the rescue platform or exterior stairway shall be sized to accommodate at least one wheelchair space. The wheelchair space shall measure at least 30 inches by 48 inches and the swing of the exit door shall not infringe into the wheelchair space.

<sup>5</sup>A second exit from a grade-level floor with dwelling units may be to an exterior stairway, providing the exit stairway platform is sized to accommodate space for two wheelchairs. Each wheelchair space shall measure at least 30 inches by 48 inches and the swing of the exit door shall not infringe into the wheelchair spaces.

<sup>6</sup>Where all exits are not accessible, site impracticality for the nonaccessible exits shall be determined through the petition process.

<sup>8</sup>Where a building elevator is provided only as a means of creating an accessible route to dwelling units on a grade-level floor, the building is not considered an elevator building, only the grade-level dwelling units shall be accessible.

(4) **SITE IMPRACTICALITY DUE TO TERRAIN OR UNUSUAL CHARACTERISTICS OF THE SITE.** (a) *Petition for variance.* Except for housing in floodplains or coastal high-hazard areas as specified in par. (d), the department may grant a variance from the requirements relating to an accessible entrance or an accessible route to a covered multifamily housing without elevators, if the person designing, constructing or remodeling the housing shows that complying with the accessible entrance or an accessible route is impractical because of the terrain or unusual characteristics of the site. Site impracticality shall be determined through the petition for variance procedure specified in s. Comm 50.25.

(b) *Determining site impracticality.* To determine the site impracticality of an undisturbed site, the designer shall use the site impracticality requirements as specified in requirement number 1., (2) of the federal fair housing accessibility guidelines, as printed in the federal register, volume 56, number 44, on March 6, 1991.

Note: See Appendix for a copy of the site impracticality guidelines from the federal register.

(c) *Petition conditions and waiver.* Exterior accessibility shall be provided to at least 50% of the dwelling units of covered multifamily housing at one site. The department may impose specific conditions in granting a variance to promote exterior accessibility of the covered multifamily housing to persons with disabilities. If the department finds that exterior accessibility is impractical to all dwelling units at a site, the department may grant a waiver from the exterior requirements under sub. (1).

(d) *Floodplains and coastal high-hazard areas.* A petition for variance is not required for covered multifamily housing located in a federally, state or locally designated floodplain or coastal high-hazard area. Written documentation shall be submitted to this department for approval indicating the covered multifamily housing building is located such that the lowest floor or the lowest structural member of the lowest floor must be raised to a specified level at or above the base flood elevation.

History: Cr. Register, April, 1994, No. 460, eff. 5-1-94; emerg. r. table I, B, line 2., eff. 6-14-98; r. footnote 7 of table I, Register, December, 1998, No. 516, eff. 1-1-99.

**Comm 57.82 Accessible and usable public and common use areas.** (1) **GENERAL PUBLIC AND COMMON USE AREAS.** All public and common use areas, such as hallways, lounges, lobbies, laundry rooms, refuse rooms, mail rooms, recreational areas and passageways among and between buildings in covered multifamily housing shall comply with Table 57.82 and the appropriate sections of the Americans with Disabilities Act Accessibility Guidelines (ADAAG), as printed in Part III of the July 26, 1991 Federal Register and the September 6, 1991 Federal Register and as corrected in the January 14, 1992 Federal Register. Table 57.82 cites the appropriate section of the ADAAG standards and describes the appropriate application of the standards, including modifications to the referenced standard.

Note: Copies of the ADAAG standards can be obtained from the New Orders, Superintendent of Documents, P.O. Box 371954, Pittsburgh, Pennsylvania 15250-7954.

(2) **ACCESSIBLE PARKING SPACES.** If parking spaces, such as surface parking or garage parking, are provided at covered multi-

family housing, accessible parking spaces shall be provided and designed in accordance with the following:

(a) *Size.* 1. Tenant parking. a. Except as specified in subpar. b, an accessible parking space shall be at least 96 inches wide with an adjacent marked access aisle at least 60 inches wide.

b. A private garage serving an individual accessible dwelling unit shall have a minimum clear inside dimension of 13 feet in width.

2. Visitor parking. An accessible parking space when provided for visitors shall be at least 96 inches wide with an adjacent marked access aisle at least 60 inches wide.

(b) *Number of accessible parking spaces.* 1. Tenant parking. At least 2% of the total number of tenant parking spaces at each type of parking facility, such as surface parking or garage parking, shall be accessible. In no case shall there be less than one accessible parking space at each type of parking facility at each building.

2. Visitor parking. If visitor parking is provided in addition to the tenant parking, at least 2% of the visitor parking spaces, with a minimum of one, shall be accessible.

(c) *Accessible route.* 1. General. Except as specified in subd. 2., an exterior accessible route shall be provided from each accessible parking space to an accessible building entrance. The accessible parking spaces shall be located as close as possible to the accessible building entrance.

2. Exceptions. a. In a covered multifamily housing building with underground parking, interior circulation to a grade-level floor with dwelling units may be provided in lieu of an exterior accessible route from the underground parking to an accessible building entrance. The method of interior circulation shall be an elevator or another approved method of interior circulation as specified in s. Comm 52.04 and ch. Comm 18.

b. In a covered multifamily housing building without elevators and having underground parking, on-grade covered garage parking located on an exterior accessible route to an accessible building entrance may be used in lieu of the underground accessible parking spaces and the exterior accessible route from the underground parking facility.

3. Private attached garages. If a single-level dwelling unit or an accessible multilevel dwelling unit has an attached garage which serves only that dwelling unit, an exterior or interior accessible route shall be provided from the attached garage to an accessible dwelling unit entrance.

(d) *Passenger loading zones.* If passenger loading zones are provided, the passenger loading zones shall be designed and installed to comply with ADAAG 4.6.6.

(e) *Identification.* 1. Tenant parking. The accessible tenant parking spaces provided at covered multifamily housing shall be designated with a sign which clearly states that the parking space is reserved for use by tenants with disabilities. The sign specified in s. Trans 200.07 shall not be used to identify tenant accessible parking spaces.

2. Visitor parking. Accessible visitor parking spaces shall be identified with a sign complying with s. Trans 200.07. Additional signs shall be installed to direct persons from the accessible parking space to the accessible entrance.

TABLE 57.82  
BASIC COMPONENTS FOR ACCESSIBLE AND USABLE PUBLIC AND COMMON USE AREAS OR FACILITIES

Accessible element or space	ADAAG Section	Application
1. Accessible route(s) .....	4.3	(1) Except as specified in (2), within the boundary of the site: (a) From public transportation stops, accessible parking spaces, accessible passenger loading zones, and public streets or sidewalks to accessible building entrances. (b) Connecting accessible buildings, facilities, elements and spaces that are on the same site. Handrails are not required on accessible walks. Handrails shall be provided on ramps with a slope of 1:12. (c) Connecting accessible building or facility entrances with accessible spaces and elements within the building or facility, including adaptable dwelling units. (2) Where site or legal constraints prevent a route accessible to persons using wheelchairs between covered multifamily dwellings and public or common use facilities elsewhere on the site, a vehicular route may be provided as an alternative accessible route, providing there is accessible parking at each facility. Other site provisions shall comply with the applicable portions of this table.
2. Protruding objects .....	4.4	Accessible route or maneuvering space including, but not limited to halls, corridors, passageways or aisles.
3. Ground and floor surface treatments .....	4.5	Accessible routes, rooms and spaces, including floors, walks, ramps, stairs and curb ramps.
4. Parking and passenger loading zones .....	4.6.6	If provided, accessible parking at covered multifamily housing shall comply with s. Comm 57.82 (2). If provided, passenger loading zones shall comply with ADAAG 4.6.6.
5. Curb ramps .....	4.7	Accessible routes crossing curbs.
6. Ramps .....	4.8	Accessible routes with slopes greater than 1:20 shall comply with ADAAG 4.8, except the ramp width shall be at least 48 inches.
7. Stair .....	4.9	Stairs on accessible routes connecting levels not connected by an elevator. Stairs not on accessible routes shall comply with s. Comm 57.07.
8. Elevator .....	4.10	If provided, elevators shall comply with s. Comm 52.04 and ch. Comm 18.
9. Platform lift .....	4.11	May be used in lieu of an elevator or ramp only as specified in s. Comm 52.04.
10. Drinking fountains and water coolers .....	4.15	Fifty percent of fountains and coolers on each floor, or at least one, water coolers if provided in the facility or at the site.
11. Toilet rooms and bathing facilities (including water closets, toilet rooms and stalls, urinals, lavatories and mirrors, bathtubs, shower stalls and sinks) .....	4.22	Where provided in public use and common use facilities, at least one of each fixture provided per room.
12. Seating, tables or work surfaces .....	4.32	If provided in accessible spaces, at least one of each type provided.
13. Places of assembly .....	4.33	If provided in the facility or at the site.
14. Common use spaces and facilities (including swimming pools, playgrounds, entrances, rental offices, lobbies, elevators, mailboxes areas, lounges, halls and corridors, and the like) .....	4.1 through 4.33	If provided in the facility or at the site: (a) Where multiple recreational facilities such as, but not limited to tennis or racketball courts, are provided at least 10% with a minimum of one recreational facilities or game area of each type shall be accessible. (b) Access is required to all spectator viewing for recreational facilities. (c) Access is required only to the deck area of such facilities as, but not limited to, swimming pools and whirlpools. (d) Where practical, access to all or a portion of nature trails and jogging paths.
15. Laundry rooms .....	4.32.6	If provided in the facility or at the site, at least one of each type of appliance provided in each accessible laundry area shall be accessible. Where washers are provided, at least one washer shall be front-loading.

History: Cr. Register, April, 1994, No. 460, eff. 5-1-94; correction in (2) (c) 2. made under s. 13.93 (2m) (b) 7., Stats., Register, December, 1996, No. 492.

**Comm 57.83 Usable doors.** All covered multifamily housing shall provide usable doors as follows:

(1) **PUBLIC AND COMMON USE AREAS.** (a) *Doorways.* All doorways that are part of an accessible route in the public and common use areas of covered multifamily housing shall have a minimum clear opening of 32 inches in width and shall comply with the applicable portions of Table 57.82, and Figures 57.83-1 and 57.83-2.

(b) *Double leaf doorways.* Where double leaf doorways are used in covered multifamily housing at least one door leaf shall provide a minimum clear opening of 32 inches in width.

(c) *Lever door handles.* Lever door handles shall be provided on all entrance and exit doors and on all entrance doors to individual dwelling units of covered multifamily housing.

(2) **INDIVIDUAL DWELLING UNITS.** (a) *Doorways.* All single leaf doorways and at least one door leaf of double leaf doorways into and within individual dwelling units shall provide a minimum clear opening of at least 32 inches nominal width between the face of the door and stop.

**Note:** A 34-inch door, hung in the standard manner, provides an acceptable nominal 32-inch clear opening. This door can be adapted to provide a wider opening by using offset hinges, by removing lower portions of the door stop or both. Pocket or sliding doors are acceptable doors in covered multifamily dwelling units and have the added advantage of not impinging on clear floor space in small rooms. The nominal 32-inch clear opening provided by a standard six-foot sliding patio door assembly is acceptable.

(b) *Doorways and corridors.* All doorways and corridors shall be designed to provide access and shall comply with the minimum design standards specified in Figure 57.83-2.

(c) *Lever door handles.* Lever door handles on interior dwelling unit doors may be requested by the renter and shall be provided by the landlord at no additional cost to the renter.

FIGURE 57.83-1 CLEAR DOORWAY WIDTH AND DEPTH

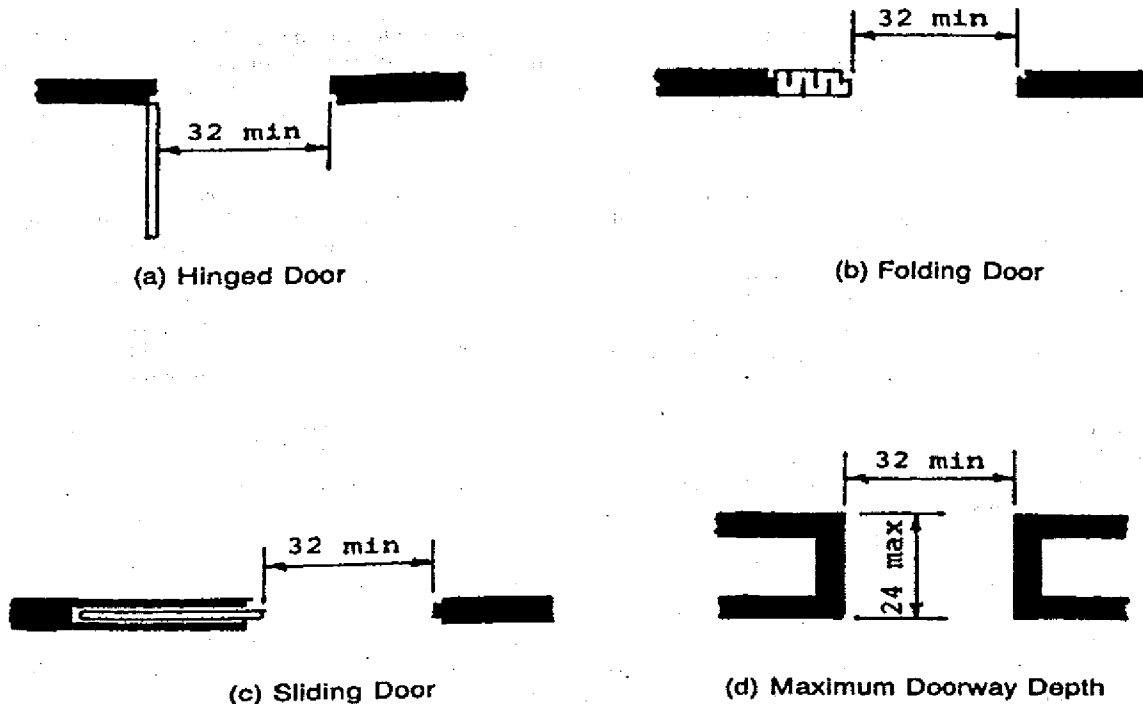
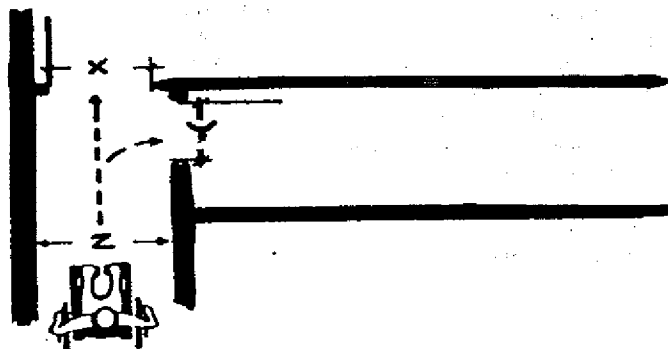


FIGURE 57.83-2 DOORWAYS AND CORRIDORS



MINIMUM CLEAR DOORWAY AND CORRIDOR DIMENSIONS		
CORRIDOR WIDTH Z Dimension <sup>1</sup>	DOORWAY CLEARANCES	
	X(Straight run)	Y(90 degree turn)
36 inches	32 inches	36 inches
38 inches	32 inches	36 inches
40 inches	32 inches	34 inches
42 inches and greater	32 inches	32 inches

<sup>1</sup>The corridor width, Z dimension, shall be maintained for a distance of at least 5 feet from the edge of the door opening.

History: Cr. Register, April, 1994, No. 460, eff. 5-1-94.

**Comm 57.84 Accessible route into and through the covered dwelling unit.** (1) **ACCESSIBLE ROUTE.** Except as specified in sub. (2), an accessible route complying with the following requirements shall be provided throughout a dwelling unit in covered multifamily housing.

(a) *Minimum width.* An accessible route shall provide a minimum clear width of 36 inches.

(b) *Changes in floor level.* Within dwelling units, changes in floor levels between  $\frac{1}{4}$  inch and  $\frac{1}{2}$  inch shall be beveled with a slope no greater than 1:2. Changes in level greater than  $\frac{1}{2}$  inch shall be ramped in accordance with the applicable portions of Table 57.82.

(c) *Thresholds at exterior doors.* Thresholds at exterior doors, including sliding door tracks, shall be no higher than  $\frac{3}{4}$  inch. Thresholds and changes in level at exterior door locations shall be beveled with a slope no greater than 1:2.

(d) *Exterior landing.* 1. Except as specified in subd. 2., an exterior landing shall be provided at all required exits or entrances of covered multifamily housing and the landing shall be no more than  $\frac{1}{2}$  inch below the floor level of the interior of the dwelling unit. The exterior landing shall have a side slope not greater than  $\frac{1}{8}$  inch per foot and shall be at least 5 feet deep measured perpendicular to the door and shall provide at least 18 inches of clear landing surface adjacent to the door knob side of the door.

2. Exterior deck, patio or balcony surfaces shall be no more than  $\frac{1}{2}$  inch below the floor level of the interior of the dwelling unit, unless the exterior deck, patio or balcony surfaces are constructed of impervious material such as, but not limited to, concrete, brick or flagstone. In such cases, the surface shall be no more than 4 inches below the floor level of the interior of the dwelling unit.

(2) **EXCEPTIONS.** (a) *Raised or sunken areas.* An accessible route is not required to a raised or sunken area of an individual dwelling unit. The raised or sunken area shall not interrupt the accessible route throughout the remainder of the dwelling unit.

(b) *Single-level dwelling units with lofts.* Single-level dwelling units may include lofts. In single-level dwelling units with lofts, all spaces other than the loft shall be on an accessible route. All portions of a loft shall be open and unobstructed to the room in which they are located, except for columns and posts and protective walls or railings not more than 44 inches in height. The area of the loft shall not be more than one-third of the area of the floor level located directly below the loft in the dwelling unit.

(c) *Multilevel dwelling units in housing with elevators.* In multilevel dwelling units in buildings with elevators, an accessible route shall be provided on the level of the dwelling unit which is served by the building elevator and shall:

1. Include the primary entry to the dwelling unit;

2. Comply with the accessibility standards specified under this subchapter with respect to the rooms located on the entry or accessible floor; and

3. Contain a bathroom or a powder room which complies with ss. Comm 57.86 and 57.871.

*History:* Cr. Register, April, 1994, No. 460, eff. 5-1-94; emerg. r. (2) (d), eff. 6-14-98; r. (2) (d), Register, December, 1998, No. 516, eff. 1-1-99.

**Comm 57.85 Light switches, electrical outlets, thermostats and other environmental controls in accessible locations.** Light switches, electrical outlets, thermostats, circuit controls and other environmental controls installed in covered multifamily housing shall be located for use by the tenant as follows:

(1) **HEIGHT OF CONTROLS.** Except as specified in sub. (2), operable parts of the controls shall be located no higher than 48 inches and no lower than 15 inches above the floor.

(2) **HEIGHT OF CONTROLS OVER OBSTRUCTIONS.** If a person is required to reach over an obstruction which is between 20 and 25 inches in depth, the maximum height shall be reduced to 44 inches for a forward approach or 46 inches for a side approach. Obstructions shall not extend more than 25 inches from the wall beneath a control.

*Note:* See Appendix for example of reach dimensions over an obstruction.

*History:* Cr. Register, April, 1994, No. 460, eff. 5-1-94.

**Comm 57.86 Reinforced walls for grab bars.** All covered multifamily housing shall provide reinforced walls for grab bars as follows:

(1) **LOCATION.** (a) Except as specified in sub. (2), reinforced bathroom walls shall be provided to allow the later installation of grab bars around the water closet, tub, shower stall and shower seat, where such facilities are provided. Reinforced areas shall be provided at least at those points where grab bars will be mounted as shown in Figures 57.86-1, 57.86-2 and 57.86-3.

(b) If a powder room, containing a water closet and sink, is the only toilet facility located on an accessible level of a multilevel dwelling unit, reinforced bathroom walls shall be provided to allow the later installation of grab bars around the water closet and sink.

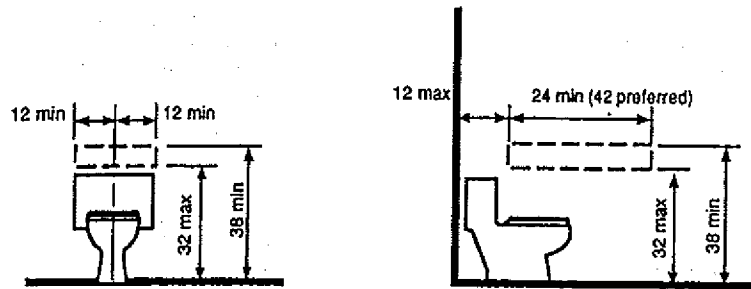
(2) **EXCEPTION.** Where the water closet is not placed adjacent to a side wall, the areas where the installation of floor mounted, foldaway or similar alternative grab bars would be installed shall be reinforced.

*Note:* A sunken tub placed away from walls could have reinforced areas for installation of floor-mounted grab bars. The same principle applies to shower stalls; for example glass-walled stalls could be planned to allow floor-mounted grab bars to be installed later.

*Note:* Reinforcement for grab bars may be provided in a variety of ways such as, by plywood or wood blocking, so long as the necessary reinforcement is placed so as to permit later installation of appropriate grab bars.

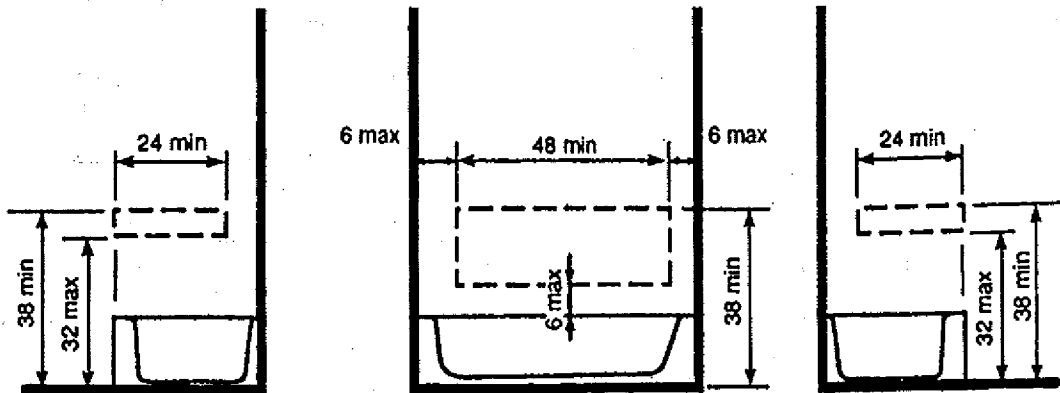


FIGURE 57.86-1  
LOCATION OF GRAB BAR REINFORCEMENT FOR WATER CLOSETS



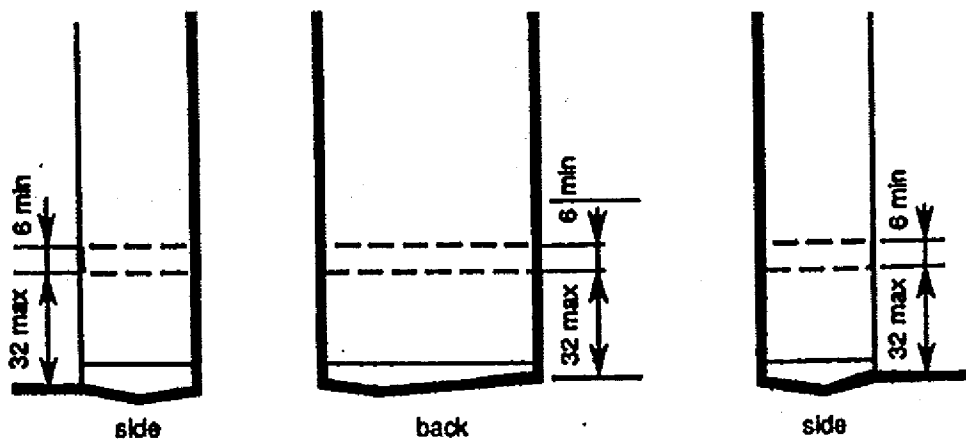
Reinforced Areas for Installation of Grab Bars

FIGURE 57.86-2  
LOCATION OF GRAB BAR REINFORCEMENT FOR ADAPTABLE BATHTUBS



NOTE: The areas outlined in dashed lines represent locations for future installation of grab bars for typical fixture configurations.

FIGURE 57.86-3  
LOCATION OF GRAB BAR REINFORCEMENTS FOR ADAPTABLE SHOWERS



NOTE: The areas outlined in dashed lines represent locations for future installation of grab bars.

**Comm 57.87 Usable kitchens.** Kitchens of covered multifamily housing shall be designed and constructed as follows:

(1) **CLEAR FLOOR SPACE.** A clear floor space at least 30 inches by 48 inches that allows a parallel approach by a person in a wheelchair shall be provided at the range or cooktop and sink, and either a parallel or forward approach shall be provided at the oven, dishwasher, refrigerator, freezer or trash compactor.

Note: See Appendix for the minimum clear floor space for wheelchairs.

(2) **CLEARANCE BETWEEN COUNTERS.** Clearance between counters and all opposing base cabinets, countertops, appliances or walls shall be at least 40 inches.

(3) **U-SHAPED KITCHENS.** In U-shaped kitchens with a sink, range or cooktop at the base of the "U," a 60-inch turning radius shall be provided to allow a parallel approach, or the base cabinets shall be removable at that location to allow knee space for a forward approach.

History: Cr. Register, April, 1994, No. 460, eff. 5-1-94.

**Comm 57.871 Usable bathrooms.** At least one bathroom in a dwelling unit shall be designed in accordance with sub. (2). All other bathrooms shall comply with sub. (1).

(1) **BASIC USABILITY. (a) Design of bathroom.** Maneuvering space shall be provided within the bathroom for a person using a wheelchair or other mobility aid to enter and close the door, use the fixtures, reopen the door and exit. Doors may swing into the clear floor space provided at any fixture if the maneuvering space is provided. Maneuvering spaces may include any kneespace or toespace available below bathroom fixtures.

Note: See Appendix for an example of a bathroom complying with the basic usability requirements.

(b) **Clear floor space.** Clear floor space of 30 inches by 48 inches shall be provided at all fixtures. Clear floor space at fixtures may overlap.

Note: See Appendix for examples of clear floor space at bathroom fixtures.

Note: Cabinets under lavatories are acceptable provided the bathroom has space to allow a parallel approach by a person in a wheelchair. If a parallel approach is not possible within the space, any cabinets provided would have to be removable to afford the necessary knee clearance for a forward approach.

(c) **Shower stall.** If a shower stall is the only bathing facility provided in the covered dwelling unit, the shower stall shall have an inside dimension at least 36 inches by 36 inches.

(2) **HIGHER LEVEL OF USABILITY. (a) Design of bathroom. 1.** Where the door swings into the bathroom, a clear floor space of 30 inches by 48 inches shall be provided within the room for a person to position a wheelchair or other mobility aid clear of the

swing of the door and to permit use of fixtures. This clear floor space may include any kneespace and toespace available below bathroom fixtures.

2. Where the door swings out of the bathroom, a clear floor space of 30 inches by 48 inches shall be provided within the bathroom for a person using a wheelchair or other mobility aid to position the wheelchair such that the person is allowed use of fixtures. Clear floor space shall be provided to allow persons using wheelchairs to reopen the door to exit.

Note: See Appendix for examples of bathrooms complying with the higher level of usability.

(b) **Water closets.** Water closets shall be located within bathrooms so that a grab bar may be installed on one side of the water closet. In locations where water closets are adjacent to walls or bathtubs, the centerline of the water closet shall be a minimum of 18 inches from the obstacle. The side of the water closet without a grab bar shall be a minimum of 15 inches measured from the centerline of the water closet to the finished surface of adjacent walls, vanities or the edge of a lavatory.

Note: See Appendix for examples of clear floor space at water closets.

(c) **Vanities and lavatories.** When 2 or more lavatories are provided in a bathroom, at least one lavatory shall be made accessible.

1. Vanities and lavatories shall be installed with the centerline of the lavatory a minimum of 15 inches, measured horizontally, from an adjoining wall or fixture.

2. The top of the fixture rim shall be a maximum height of 34 inches above the finished floor.

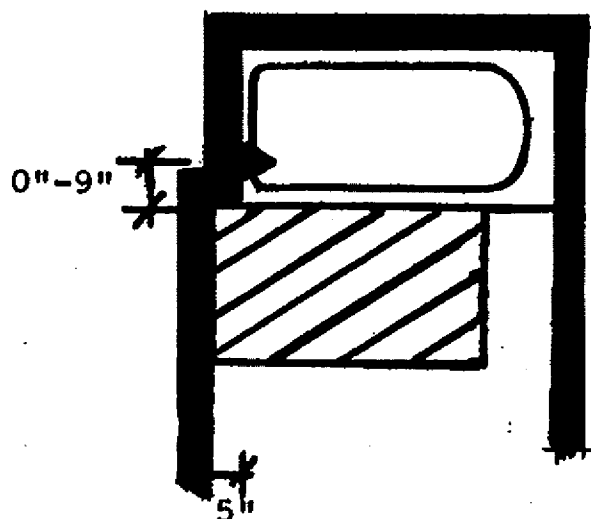
3. A clear floor space at least 30 inches by 48 inches shall be provided at a lavatory for either a parallel or front approach. If a front approach is used, full kneespace shall be provided below the lavatory at least 17 inches in depth. If kneespace is provided below the vanity, the bottom of the apron shall be at least 27 inches above the floor.

Note: See Appendix for examples of clear floor space at lavatories.

(d) **Bathtub and shower fixtures.** When both bathtub and shower fixtures are provided in the bathroom, at least one fixture shall be made accessible.

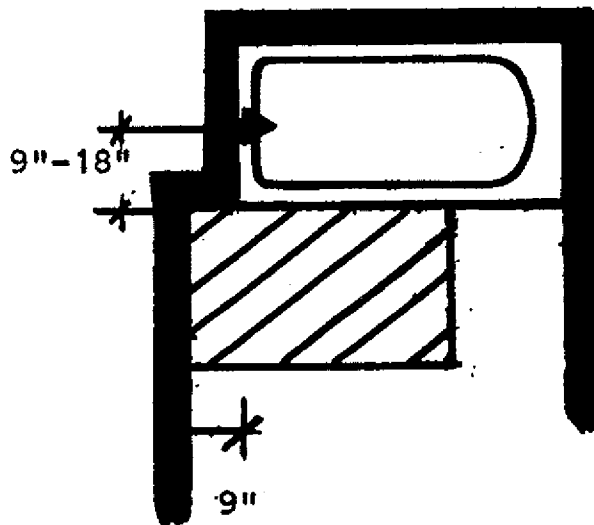
1. Bathtubs. a. Where the centerline of the controls is located not more than 9 inches from the apron of the bathtub, a clear floor space at least 30 inches by 48 inches shall extend at least 5 inches beyond the head of the bathtub as shown in Figure 57.871-1


FIGURE 57.871-1  
CLEAR FLOOR SPACE/OFFSET CONTROLS



 Clear floor space at bathtub (30" by 48")

FIGURE 57.871-2  
CLEAR FLOOR SPACE/CENTERED CONTROLS



 Clear floor space  
at bathtub (30" by 48")

b. Where the centerline of the controls is located between 9 inches and 18 inches from the apron of the bathtub, a clear floor space at least 30 inches by 48 inches shall extend at least 9 inches beyond the head of the bathtub as shown in Figure 57.871-2.

2. Shower stalls. a. Shower stalls in a bathroom shall have an inside dimension [at] least 36 inches by 36 inches.

b. A minimum clear floor space 30 inches wide by 48 inches shall be provided outside the stall.

Note: See Appendix for an example of clear floor space.

c. If the shower stall is the only bathing facility provided in the covered dwelling unit, or on the accessible level of a covered multilevel unit, the shower stall shall have reinforcing to allow for installation of a wall hung bench seat.

(3) POWDER ROOMS. Where a powder room is the only toilet room provided on the grade-level floor of a multilevel dwelling unit, the powder room shall be designed and constructed in accordance with the applicable portions of sub. (2).

Note: See Appendix for examples of adaptable powder rooms.

(4) SINGLE-LEVER PLUMBING CONTROLS. Single-lever plumbing controls or other controls which are approved by the department, may be requested by the renter for installation on plumbing fixtures used by the renter and shall be provided by the landlord at no additional cost to the renter.

History: Cr. Register, April, 1994, No. 460, eff. 5-1-94; corrections in (2) (d) 1. made under s. 13.93 (2m) (b) 12., Stats., Register, October, 1994, No. 466.

