

Chapter ILHR 14

GENERAL HAZARD FIRE PREVENTION

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Note: Chapter Ind 65 as it existed on April 30, 1989 was repealed and a new chapter ILHR 14 was created effective May 1, 1989.

Subchapter I — Purpose and Scope

ILHR 14.001 Purpose. The purpose of this chapter is to protect the health, safety and welfare of the public and employes by establishing minimum standards for the prevention of fire.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.002 Scope. (1) **GENERAL.** The provisions of this chapter shall apply to all public buildings and places of employment.

(2) **EXEMPT BUILDINGS.** The following buildings and uses are not public buildings or places of employment and are not subject to the provisions of this chapter:

(a) One- and 2-family dwellings and outbuildings in connection with the dwellings, including but not limited to, barns and private garages;

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(b) Buildings used exclusively for farming as specified in s. 102.04 (3), Stats.;

Note: A reprint of s. 102.04 (3), Stats., is included in the Appendix.

(c) Buildings used primarily for housing livestock or for other agricultural purposes, located on research or laboratory farms of public universities or other state institutions;

(d) Temporary buildings, used exclusively for construction purposes, not exceeding 2 stories in height, and not used as living quarters;

(e) Buildings located on Indian reservation land held in trust by the United States;

(f) Buildings owned by the federal government. Buildings owned by other than the federal government and leased to the federal government are not exempt;

(g) Bed and breakfast establishments;

(h) Community-based residential facilities located in existing buildings and providing care, treatment and services to 3 to 8 unrelated adults; and

(i) Rural school buildings.

(3) **RETROACTIVITY.** (a) Except as provided in par. (b), the provisions of this chapter shall apply to all public buildings and places of employment, whether constructed before, on or after May 1, 1989.

(b) 1. The provisions of par. (a) do not apply to those sections where the text of that section specifically excludes retroactive application of that section.

2. Those sections of this code which cross reference sections of other Wisconsin administrative code chapters shall be applied as specified in the scope and application provisions of the chapter which is cross referenced.

Note 1: For example, the scope and application provisions of the Wisconsin Administrative Building and Heating, Ventilating and Air Conditioning Code, chs. ILHR 50-64, indicate that the building must be constructed and maintained in accordance with the code in effect at the time of construction. Subsequent alterations, remodeling or additions must conform to the code in current effect at the time of their construction.

Note 2: The following sections of ch. ILHR 14 cross reference other Wisconsin Administrative Code chapters and should be retroactively applied as specified in Note 1:

Sections ILHR 14.110 (2) (c), 14.111 (2), 14.119 (1), 14.120 (3), 14.121, 14.122, 14.123, 14.124, 14.126, 14.127, 14.128, 14.135, Subchapters VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII, Sections ILHR 14.143 (1), 14.150 (2) (3), Subchapters XX, XIV, XXV, Sections ILHR 14.176, 14.187 (2), (3) (e), 14.191 (2)

(4) **APPLICATION.** Where different sections of this chapter specify different requirements, the most restrictive requirement shall govern.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter II — Definitions

ILHR 14.01 Definitions. In this chapter, the following definitions shall apply:

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(1) "Approved" means acceptable to the department or to the fire department having jurisdiction in that order.

(1a) "Automatic fire sprinkler system" means an integrated system of underground and overhead piping for fire protection purposes, designed in accordance with fire protection engineering standards. The system includes a suitable water supply, such as a gravity tank, fire pump, reservoir or pressure tank or connection beginning at the supply side of an approved gate valve located at or near the property line where the pipe or piping system provides water used exclusively for fire protection and related appurtenances and to standpipes connected to automatic sprinkler systems. The portion of the sprinkler system above ground is a network of specially sized or hydraulically designed piping installed in a building, structure or area, generally overhead, and to which sprinklers are connected in a systematic pattern. The system includes a controlling valve and a device for actuating an alarm when the system is in operation. The system is usually activated by heat from a fire and discharges water over the fire area.

(1b) "Automatic fire suppression system" means a mechanical system designed and equipped to detect a fire, actuate an alarm and suppress or control a fire using water, water spray, foam, carbon dioxide, halogenated agent or other approved suppression agent.

(2) "Bed and breakfast establishment", as defined in s. 50.50 (1), Stats., means any place of lodging that provides 4 or fewer rooms for rent, is the owner's personal residence and is occupied by the owner at the time of rental.

(3) "Bonfire" means a large open-air fire kindled to mark a public event, victory celebration or similar occurrence where dry, combustible material such as wood, paper and similar items are burned.

(3m) "Building" or "structure" means a public building or place of employment.

(4) "Department" means the department of industry, labor and human relations.

(5) "Existing" means completed or in use or occupied prior to the effective date of applicable rules of this chapter.

(6) "Fire chief" means the chief or authorized representative of the fire department serving the unit of government having authority over the public building or place of employment.

(7) "Labeled" means a label, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency, or other organization concerned with product evaluation, that maintains periodic inspection of production of labeled equipment or materials and whose labeling indicates compliance with nationally recognized standards or tests to determine suitable usage in a specified manner.

(8) "Listed" means included in a list published by a nationally recognized testing laboratory, inspection agency, or other organization concerned with product evaluation, that maintains periodic inspection of production of listed equipment or materials and whose listing states either that the equipment or material meets nationally recognized standards or has been tested and found suitable for use in a specified manner.

(9) "Open burning" means a controlled, limited size open-air fire except for outdoor cooking, campfires, land clearing, fire department training and similar purposes.

(10) "Permit" means written approval or written acceptance by the department, fire chief or local authority having jurisdiction.

(11) "Place of abode" means a residential building or part of a residential building used as follows:

(a) Occupied as a residence by 3 or more families living independently or occupied by 2 such families and used also for business purposes; or

(b) Occupied for sleeping or lodging purposes by 3 or more persons not members of the same family.

Note: Examples of places of abode include, but are not limited to, apartment buildings, garden apartments, row houses, town houses, condominiums, hotels, motels, rooming houses, dormitories, convents, monasteries, homes for the aged and certain community-based residential facilities.

(12) "Place of employment" means every place, whether indoors or out or underground and the premises appurtenant thereto where either temporarily or permanently any industry, trade or business is carried on, or where any process or operation, directly or indirectly related to any industry, trade or business, is carried on, and where any person is, directly or indirectly, employed by another for direct or indirect gain or profit, but does not include any place where persons are employed in private domestic service which does not involve the use of mechanical power or in farming.

(13) "Public building" means any structure, including exterior parts of such building, such as a porch, exterior platform or steps providing means of ingress or egress, used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public or by 3 or more tenants.

(14) "Residential occupancy" means places of abode used for sleeping purposes and including, but not limited to, apartment buildings, garden apartments, row houses, town houses, condominiums, hotels, motels, rooming houses, dormitories, convents, monasteries, homes for the aged, sheltered facilities for battered women, as specified in s. 46.95, Stats., serving more than 20 occupants, community-based residential facilities serving 9 or more unrelated adults, and community-based residential facilities located in existing buildings and serving more than 20 unrelated adults.

(15) "Rural school building" means a building that is used solely for instructional purposes, is located outside of the corporate limits of a city or village, is not more than one story in height and contains not more than 2 classrooms.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter III — Administration and Enforcement

ILHR 14.02 Duties of the fire department. (1) **AUTHORIZED DEPUTY OF THE DEPARTMENT.** The fire chief of the fire department in every city, village or town, except cities of the first class, is a duly authorized deputy of the department.

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(2) FIRE PREVENTION INSPECTIONS. (a) *General.* The chief of the fire department shall be responsible for having all public buildings and places of employment inspected by officers or members of the fire department for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire, or any violations of any law or ordinance relating to fire hazards or to the prevention of fires.

(b) *Determining the number of buildings to be inspected.* 1. The fire chief shall be responsible for determining the number of public buildings and places of employment to be inspected for each municipality for which the fire department has responsibility.

2. The fire chief shall submit to the department, by January 15th of each year, the number of public buildings and places of employment to be inspected for the municipality.

a. The list shall identify the number of public buildings and places of employment by municipality.

b. The list shall identify the number of public buildings and places of employment located within locally established fire limits or congested districts subject to conflagration and those public buildings and places of employment located outside of locally established fire limits or congested districts subject to conflagration.

(c) *Scheduling of inspections.* Except as provided in par. (d), fire prevention inspections shall be conducted as follows:

1. Fire prevention inspections shall be conducted at least once every 6 months, or more often if ordered by the chief of the fire department, in all territory served by the fire department. Each 6-month period shall begin on January 1 and July 1.

2. Fire prevention inspections in territories designated by a local authority to be within the fire limits or as a congested district subject to conflagration shall be conducted at least once every 3 months, or more often if ordered by the chief of the fire department. Each 3-month period shall begin on January 1, April 1, July 1, and October 1.

(d) *Exceptions.* 1. a. In 1st class cities, the fire chief may establish the schedule of fire inspections in that city.

b. The fire chief shall base the frequency of the inspections on hazardous classification, the proportion of public area, the record of fire code violations, the ratio of occupancy to size and any other factor the chief deems significant.

c. Property other than residential property with 4 dwelling units or less shall be inspected at least once annually.

2. A fire department need not conduct all of the inspections specified in par. (c) providing all of the following conditions are satisfied:

a. At least 80% of the total required fire prevention inspections specified in par. (c) are completed;

b. At least 50% of the required number of fire prevention inspections specified in par. (c) for each public building and place of employment occupancy subject to inspection are completed; and

c. Public fire education services as specified in s. ILHR 14.021 are provided.

(e) *Written reports.* 1. Written reports of inspections shall be made and kept on file in the office of the chief of the fire department in the manner and form required by the department.

Note 1: See Appendix for a copy of the fire inspection reporting form (SBD-7959) which is available from the department. The use of other fire inspection reporting forms is permitted subject to approval of the department.

Note 2: The department is participating in the National Fire Incidence Reporting System (NFIRS), and all fire departments are encouraged to submit fire incidence reports to the department on NFIRS forms provided by the department. See Appendix for a reproduction of the NFIRS form.

2. Written fire incidence reports shall be submitted to the department at least annually. The reports shall be submitted to and received by the department no later than January 15 for the previous year.

Note: It is recommended that fire incidence reports be submitted monthly to facilitate the processing of the reports and the preparation of the annual state Fire Statistics Report.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.021 Public fire education-related activities. Fire departments may reduce the number of fire prevention inspections conducted as specified in s. ILHR 14.02 (2) (c), provided the fire department completes at least 4 of any of the following 11 public fire education-related activities:

(1) **FIRE PREVENTION TRAINING.** All fire department personnel directly involved in conducting fire inspections shall be certified by the department and by the fire chief upon completion of required training approved by the department and by the fire chief;

(2) **FIRE PREVENTION WEEK PROGRAM.** Fire departments shall complete at least 3 of the following activities during national fire prevention week; children's poster contest; fire department open house; school visits to teach children fire safety; fire department fire safety demonstrations, such as but not limited to fire fighting demonstrations, fire extinguisher and smoke detector demonstrations, "stop/drop/roll" demonstrations; or one activity that specifically ties in with the national fire prevention week theme;

(3) **RESIDENTIAL FIRE INSPECTION PROGRAM.** Fire departments shall advertise and conduct residential fire inspections on a request basis or in response to local ordinance;

(4) **BUILDING PLAN REVIEW PROGRAM.** Fire departments shall conduct plan reviews prior to construction of public buildings and places of employment;

(5) **SCHOOL EDUCATION PROGRAM.** Fire departments shall conduct approved fire safety education programs in the school districts for which they have responsibility;

(6) **CONTINUING PUBLIC FIRE EDUCATION PROGRAM.** Fire departments shall conduct public fire education programs. Fire departments may not utilize activities specified in sub. (2). for this program. At least 12 programs per year shall be conducted over a minimum 8-month period. No more than 2 programs may be conducted in any one month. The programs may include monthly public service announcements for radio or

television, monthly newspaper articles, booths at fairs, demonstrations at shopping centers, billboards with fire safety messages and similar activities acceptable to the department;

(7) **PUBLIC FIRE EDUCATION SPEAKING BUREAU.** Fire departments shall organize a group of speakers to make public fire education presentations to civic organizations, professional organizations, school organizations and similar groups. At least 4 presentations per year shall be given;

(8) **YOUTH FIRE AWARENESS PROGRAM.** Fire departments shall conduct youth fire awareness programs including but not limited to skill award and merit badge clinics for scouts, junior fire marshall program, juvenile fire starter program, first aid and CPR training and related activities;

(9) **FIRE EXTINGUISHER TRAINING PROGRAM.** Fire departments shall conduct at least 2 training programs for the public or industry regarding the operation of fire extinguishers. Industrial fire brigade training programs may be conducted to complete this requirement;

(10) **OCCUPANCY INSPECTION PROGRAM.** Fire departments shall conduct inspections of public buildings and places of employment prior to the issuance of local occupancy permits. Written documentation of the inspections shall be kept as specified in s. 101.575 (3) (a) 5., Stats.; or

(11) **SMOKE DETECTOR AWARENESS PROGRAM.** Fire departments shall conduct at least 4 programs per year to inform people regarding the effectiveness and proper installation of smoke detectors in residential buildings, public buildings and places of employment.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.022 Recordkeeping. (1) **GENERAL.** The following records shall be generated and maintained by each fire department:

- (a) Current roster of active fire department members;
- (b) Date and location of the fire prevention inspections conducted, violations found and corrective actions taken;
- (c) Time, date and location of fires, and number of fire department members responding;
- (d) Number and duration of, and attendance at, fire department meetings;
- (e) Number and duration of, topic of and attendance at fire department training sessions; and
- (f) Number, type, and duration of and attendance at public fire education related activities.

(2) **AVAILABILITY OF RECORDS.** The records specified in sub. (1) shall be kept at the fire station and shall be made available upon request to the fire department.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.023 Equipment. Pursuant to s. 101.575 (3) (a) 7., Stats., each fire department shall maintain at least the following equipment:

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(1) At least one 150-foot length of 1-1/2 inch preconnected hose, or the equivalent, with a nozzle capable of discharging either a fog or a straight stream;

(2) Two portable fire extinguishers, suitable for use on Class A, B and C fires. The minimum size of each extinguisher shall be 20-B:C rating in dry chemical, 10-B:C rating in carbon dioxide or 2-A rating in water-type extinguishers;

(3) One 12-foot ladder with folding hooks;

(4) One 24-foot extension ladder;

(5) One pick-head axe;

(6) Two electric lanterns;

(7) One pike pole;

(8) One bolt cutter;

(9) One claw tool; and

(10) One crowbar.

Note: See s. 101.575 (3) (a), Stats., for additional requirements pertaining to fire departments. A copy of s. 101.575 (3) (a) is reprinted in the Appendix.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.024 Local regulations. This chapter shall not limit the power of cities, villages and towns to make, or enforce, additional or more stringent regulations, provided the regulations do not conflict with this chapter or with any other rule of the department, or law.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.025 Revocation of approval. The department or authority having jurisdiction, may revoke any approval, issued under the provisions of this chapter, for any false statements or misrepresentation of facts on which the approval was based.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.026 Appeals. Any person affected by any local order as defined in s. 101.01 (1) (g), Stats., which is in conflict with a rule of the department may petition the department for a hearing on the grounds that the local order is unreasonable or in conflict with the rule of the department or both.

Note: Section 101.01 (1) (g), Stats., defines "local order" as any ordinance, order, rule or determination of any common council, board of aldermen, board of trustees or the village board, of any village or city, or the board of health of any municipality, or an order or direction of any official of such municipality, upon any matter over which the department has jurisdiction.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.027 Petition for variance. (1) **PROCEDURE.** The department shall consider and may grant a variance to a provision of this chapter upon receipt of a fee, a completed petition for variance form from the owner, and a position statement from the fire department having responsibility and an interest in the provision, provided an equivalency is established in the petition for variance which meets the intent of the provision being petitioned. The department may impose specific conditions in

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a petition for variance to promote the protection of the health, safety or welfare of the employes or the public. Violation of those conditions under which the petition for variance is granted constitutes a violation of the provision.

Note 1: See Appendix for an example of the petition for variance (form SB-8) and the fire department position statement (form SB-8A).

Note 2: Section 101.02 (6), Stats., and ch. ILHR 3 outline the procedure for submitting petitions to the department and the department procedures for hearing petitions.

(2) **PETITION PROCESSING TIME.** Except for priority petitions, the department shall review and make a determination on a petition for variance within 30 business days of receipt of all calculations, documents and fees required to complete the review. The department shall process priority petitions within 10 business days.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.028 Penalties. Penalties for violations of this chapter shall be assessed in accordance with s. 101.02, Stats.

Note 1: Section 101.02 (13) (a), Stats., indicates penalties will be assessed against any employer, employe, owner or other person who fails or refuses to perform any duty lawfully enjoined, within the time prescribed by the department, for which no penalty has been specifically provided, or who fails, neglects or refuses to comply with any lawful order made by the department, or any judgment or decree made by any court in connection with ss. 101.01 to 101.25. For each such violation, failure or refusal, such employe, owner or other person must forfeit and pay into the state treasury a sum not less than \$10 nor more than \$100 for each violation.

Note 2: Section 101.02 (12), Stats., indicates that every day during which any person, persons, corporation or any officer, agent or employe thereof, fails to observe and comply with an order of the department will constitute a separate and distinct violation of such order.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.029 Adoption of standards by reference. (1) **CONSENT TO INCORPORATE.** Pursuant to s. 227.21, Stats., the attorney general and the revisor of statutes have consented to the incorporation by reference of the following standards of the National Fire Protection Association:

(a) NFPA No. 14-1986 - Standard for Standpipes and Hose Systems, Ch. 8 - Tests and Inspections.

(b) NFPA No. 37-1984 - Standard for Stationary Combustion Engines and Gas Turbines.

(c) NFPA No. 82-1983 - Standard on Incinerators, Waste and Linen Handling Systems and Equipment.

(d) NFPA No. 211-1984 - Standard for Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances.

(2) **INTERIM AMENDMENTS.** Interim amendments of a standard shall have no effect in the state until such time as this section is correspondingly revised to reflect those changes.

Note 1: Standards of the National Fire Protection Association may be obtained by writing to Publications Sales Department, National Fire Protection Association, Batterymarch Park, Quincy, Massachusetts 02269.

Note 2: Copies of the standards in reference are on file in the offices of the department, the secretary of state and the revisor of statutes.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

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ILHR 14.10 Open burning. (1) **PRIOR APPROVAL.** (a) Except as provided in par. (b), all persons shall obtain authorization from the fire chief before kindling or maintaining any open burning or authorizing the kindling or maintaining of any open burning within the limits of any incorporated city or village.

(b) The following open burning shall be permitted without authorization from the fire chief:

1. Outdoor cooking;
2. Campfires; and
3. Training for fire departments.

Note: Burning outside the incorporated limits of cities and villages is regulated by the department of natural resources under ch. NR 30 - Forest Fire Control and ss. 26.11 to 26.13, Stats.

(2) **SIZE OF PILE.** The size of the pile of material to be burned shall not exceed 4 feet by 4 feet by 3 feet high.

(3) **LOCATION.** The location of the open burning shall be approved by the fire chief and either:

(a) The pile of material being burned shall be at least 50 feet from any structure, wood or lumber pile, wooden fence, trees or bushes, and provisions shall be made to prevent the fire from spreading to within 50 feet of such items; or

(b) The fire shall be contained in an approved burner located at least 15 feet from any structure, wood or lumber pile, wooden fence, tree or bush.

(4) **MATERIAL FOR BURNING.** (a) Fuel for open burning shall consist of dry material only and shall not be ignited with flammable or combustible liquids.

(b) Material for open burning may not include rubbish, garbage, trash, any material made of or coated with rubber, plastic, leather or petroleum based materials and may not contain any flammable or combustible liquids.

(5) **SUPERVISION.** Open burning shall be constantly attended and supervised by a competent person at least 16 years of age until such fire is extinguished. This person shall have readily available for use fire extinguishing equipment deemed necessary by the fire chief.

(6) **TIME OF BURN.** Open burning shall be permitted only from 7:00 a.m. to 1/2 hour after sunset or as permitted by the fire department having jurisdiction.

(7) **OTHER REGULATIONS.** Open burning shall also be subject to the administrative rules of the department of natural resources and ordinances or regulations of the local authority having jurisdiction.

Note: See ch. NR 30 - Forest Fire Control and ss. 26.11 to 26.13, Stats., for regulations pertaining to burning in areas outside the incorporated limits of cities and villages.

(8) **PROHIBITION.** Outdoor burning shall be prohibited when the wind velocity exceeds 9 MPH or local circumstances make the fires potentially hazardous. Local circumstances include but are not limited to thermal inversions, ozone alerts, and very dry conditions.

Note: Outdoor burning may be prohibited by the department of natural resources due to air quality considerations.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.101 Bonfires. (1) **PRIOR APPROVAL.** All persons shall obtain authorization from the fire chief before kindling or maintaining any bonfire or authorizing the kindling or maintaining of any bonfire on any premises.

(2) **QUANTITY OF MATERIAL TO BE BURNED.** The allowable quantity of material to be burned shall be determined by the fire chief and shall be based upon the fire safety considerations of the situation and the desired duration of burn.

(3) **MATERIAL FOR BURNING.** (a) Fuel for bonfires shall consist of dry material only and shall not be ignited with flammable or combustible liquids.

(b) Material for bonfires may not include rubbish, garbage, trash, any material made of or coated with rubber, plastic, leather or petroleum based materials and may not contain any flammable or combustible liquids.

(4) **OTHER REGULATIONS.** Persons kindling or maintaining bonfires or authorizing the kindling or maintenance of bonfires shall be subject to the ordinances and regulations of the fire department having jurisdiction.

Note: See ch. NR 30 - Forest Fire Control and ss. 26.11 to 26.13, Stats., for regulations pertaining to burning in areas outside the incorporated limits of cities and villages.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.102 Kindling of fire. The kindling of fire shall comply with ss. 941.11, 943.02 and 943.03, Stats.

Note: See Appendix for reprint of ss. 941.11, 943.02 and 943.03, Stats.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.103 Handling of burning material. The handling of burning material shall comply with ss. 941.10 and 943.05, Stats.

Note: See Appendix for reprint of ss. 941.10 and 943.05, Stats.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.104 Hot ashes and other dangerous materials. (1) **GENERAL.** Except as provided in sub. (2), no person may deposit hot ashes or cinders, smoldering coals, or greasy or oily substances liable to spontaneous ignition, into any combustible receptacle or place these materials within 15 feet of any combustible materials.

(2) **METAL OR NONCOMBUSTIBLE RECEPTACLES.** Hot ashes or cinders, smoldering coals or greasy or oily substances liable to spontaneous ignition placed in metal or noncombustible, covered receptacles are exempt from the provisions of sub. (1), providing the following conditions are satisfied:

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(a) The receptacle is resting upon a noncombustible floor or on the ground outside the building; or

(b) The receptacle is placed on a noncombustible stand; and

(c) The receptacle is kept at least 15 feet away from any combustible material, combustible wall or partition, exterior window opening, exit access or exit.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.105 Incinerators. Incinerators installed after the effective date of this section shall comply with the requirements of NFPA Standard 82 - Standard on Incinerators, Waste and Linen Handling Systems and Equipment and NFPA Standard 211 - Standard for Chimneys, Fireplaces, Vents and Solid Fuel Burning Appliances.

Note: See Appendix for partial reprint of NFPA Standard 211 pertaining to incinerators.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.106 Use of incinerators prohibited. If the fire chief determines that burning in incinerators during periods of high fire hazard weather conditions will create an undue fire hazard, use of the incinerator shall be prohibited.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.107 Miscellaneous use of torches and welding equipment. (1) GENERAL. Any person using a torch or other flame-producing device for removing paint from any building or structure within the scope of this chapter or for sweating pipe joints, cutting, heat welding seams, thawing pipes, building construction or demolition shall provide at least one approved minimum 2-A water type fire extinguisher, minimum 4-A dry chemical type fire extinguisher, or minimum 1/2-inch diameter water hose connected to the water supply at the site where the burning is done.

Note 1: Also see Federal Occupational Safety and Health Administration regulations 29 CFR 1910, OSHA 2206, revised March 11, 1983 and chs. Ind 1000-2000 - Safety and Health Code for additional requirements.

Note 2: See s. ILHR 14.174 and A14.174 for additional rules pertaining to welding.

(2) **ATTENDANCE.** A firewatch shall be maintained in effect for at least 1/2 hour after each use of the torch or flame-producing device.

(3) **ELECTRIC WELDING.** The provisions of subs. (1) and (2) shall apply to the miscellaneous uses specified in sub. (1) of electric welding equipment.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.108 Asphalt kettles. (1) TRANSPORTATION. An asphalt kettle may not be transported over any highway, road or street when the heating device for the kettle is operating.

(2) **PROHIBITED LOCATIONS.** (a) Subject to par. (b), an asphalt kettle may not be used inside of or on the roof of any building, unless the building is under construction,

(b) Asphalt kettles may be used on the roofs of buildings in excess of 60 feet in height when the building is being re-roofed or the roof is being repaired subject to the following conditions:

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1. The asphalt kettle is taken to the roof outside the building;
2. All roof scuppers are closed during the roofing or repair operation;
3. The asphalt kettle is located on a noncombustible platform surface which is a minimum of 8 inches above the roof surface and which extends at least 2 feet beyond the exterior of the asphalt kettle; and
4. A source of water of at least 25 gallons per minute is available on the roof.

(3) **FIRE EXTINGUISHERS.** There shall be at least one approved fire extinguisher of a minimum 20-B:C classification within 30 feet of each asphalt kettle during the period such kettle is in use.

Note: See ch. ILHR 11 and NFPA Standard 58 for additional rules pertaining to LP-fired asphalt kettles.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.109 Accumulation of waste. (1) **GENERAL.** Accumulations of litter or combustible or flammable waste may not be permitted to remain longer than 24 hours in any court, yard, vacant lot, alley, parking lot or open space unless in closed metal, noncombustible or other approved containers.

(2) **VEGETATION.** All weeds, grass, vines or other growth which endanger property, or are liable to be set afire, shall be cut down and removed.

(3) **STORAGE WITHIN BUILDINGS.** (a) All combustible rubbish or waste material not stored in approved covered, metal or noncombustible containers and not located in rooms of at least one-hour rated fire-resistive construction shall be removed from the building at least once every 24 hours.

(b) Oily waste and oily rags, when not in actual use, during work hours, shall be kept in approved, standard, self-closing metal waste cans, set firmly on 3-inch legs or approved noncombustible containers and located at least 10 feet from any combustible materials.

(4) **NUISANCE OR HAZARD.** Storage of waste may not produce conditions which in the opinion and judgment of the fire chief will tend to create a nuisance or a hazard to the public safety.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.11 Handling and storage of combustible materials. (1) **HANDLING.** No persons making, using, storing or having under their control any combustible packing materials and litter may fail or neglect at the close of each day to cause all material which is not compactly baled and stacked in an orderly manner to be removed from the building or stored in a single portable metal bin of a size for one day's supply; in metal-lined, covered portable receptacles or bins; or in a hazard enclosure as specified in s. ILHR 54.14.

(2) **INSIDE STORAGE.** (a) No persons may store in excess of 2500 cubic feet gross volume of combustible empty packing cases, boxes, barrels or similar containers, or rubber or cork, or other similarly combustible material without a permit from the fire chief.

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(b) Combustible storage in buildings shall be orderly, shall be more than 2 feet from the ceiling, and shall be so located as not to endanger exit from the building.

Note: In areas protected by automatic fire sprinkler systems, refer to NFPA Standard No. 13 for proper clearances to sprinkler heads. See Appendix for reprint of s. 4-2.5.1. of NFPA Standard 13.

(c) Clearances between combustible materials and electric equipment shall be as specified in Section 110.16 of the National Electric Code as adopted in ch. ILHR 16.

Note: See Appendix for reprint of Section 110.16 of the NEC.

(3) OUTSIDE STORAGE. (a) Outside storage shall be so located as not to constitute a hazard to adjacent buildings or property and shall be compact and orderly.

(b) Individual piles shall not exceed 20 feet in height and shall be located at least 30 feet from buildings and to provide at least 15 foot wide driveways between piles.

(c) Driveways shall be so spaced that a maximum grid system unit of 50 feet by 150 feet is provided.

Note: See Appendix for diagram of acceptable sample layout of piles and driveways.

(d) Outside storage shall be prohibited within 3 feet of any property line and may not exceed 6 feet in height when within 15 feet of such property line, except where no hazard or menace of fire to adjoining property is created.

(e) Storage or accumulation of combustible waste matter, which constitutes a hazard or menace of fire, shall be removed within 24 hours.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.111 Packing material. (1) **GENERAL.** The owner of a public building or place of employment in which shavings, sawdust, chips, excelsior, straw, plastics, or similar light combustible material is used for packing, shipping or manufacturing purposes, shall provide a minimum 2-hour rated fire-resistive enclosure of a capacity to contain all packing material.

(2) **PROTECTION OF OPENINGS.** Any opening into the enclosure specified in sub. (1) shall be protected by self-closing, fire-rated door assemblies as specified in s. ILHR 51.047.

(3) **STORAGE OF PACKING MATERIAL.** (a) Except as provided in par. (b), all packing material shall be stored in the fire-rated enclosure.

(b) 1. Packing material needed for immediate use may be kept outside the fire-rated enclosure.

2. All remaining packing material shall be returned to the fire-rated enclosure at the end of each day's work.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.112 Chemically soiled wastes. (1) **CHEMICALLY SOILED CLOTH TOWELS AND RAGS.** All chemically soiled linen towels and rags within all laboratories, beauty shops, beautician schools, barber shops and similar

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occupancies shall be kept in approved, listed self-closing metal waste cans, set firmly on 3-inch legs until removed from the building.

(2) **CHEMICALLY SOILED PAPER PRODUCTS.** All chemically soiled paper products within all laboratories, beauty shops, beautician schools, barber shops and similar occupancies shall be kept in approved, listed self-closing metal waste cans, set firmly on 3-inch legs. The contents of the can shall be removed from the building at the close of each day's work.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.113 Cleanliness. Every public building and place of employment, including connecting yards, courts, passages, areas or alleys, shall be kept clean and orderly, and shall be kept free from any accumulation of dirt, filth, rubbish, garbage or other matter.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.114 Prohibition of smoking. (1) **GENERAL.** Smoking or carrying of lighted smoking materials shall be prohibited in public buildings and places of employment where flammable materials are handled, sold or stored.

Note: See Appendix for reprint of ch. ILHR 4 - Signs for Smoking Areas and s. 101.123, Stats.

(2) **DESIGNATED SAFE LOCATIONS.** The fire chief may designate specific safe locations in any building, structure or place in which smoking may be permitted.

(3) **"NO SMOKING" SIGNS.** The fire chief shall order the owner to post "No Smoking" signs in each building, structure, room or place in which smoking is prohibited. The content, lettering, size, color and location of required "No Smoking" signs shall be subject to the approval of the fire chief.

(4) **REMOVAL OF SIGNS PROHIBITED.** No person may obscure, remove, deface, mutilate or destroy a posted "No Smoking" sign.

(5) **COMPLIANCE WITH "NO SMOKING" SIGNS.** No person may smoke, throw or deposit any lighted or smoldering substance in any place where "No Smoking" signs are posted.

(6) **ASH TRAYS.** Noncombustible ash trays shall be provided at locations where smoking is permitted. The ash trays shall be of a design and construction to prevent smoking materials from falling out of the ash tray and shall be of a type which provides self-extinguishment of unattended smoking materials.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.115 Open flame or light. (1) **GENERAL.** (a) Except as provided in par. (b), no person may take an open flame or light into any room or area, or other place where highly flammable, combustible or explosive material is kept.

(b) The use of open flame equipment for work requiring heat may be permitted subject to the approval of the fire chief having jurisdiction.

(2) **OPEN FLAME CANDLES AND FIXTURES.** (a) Except as provided in par. (b), the use of open flame candles or open flame fixtures in public buildings and places of employment shall be prohibited.

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(b) 1. Open flame candles or open flame fixtures may be used in churches, fraternal lodges and other buildings as part of a religious, fraternal, or ceremonial ritual.

2. Candles may be used in restaurants, supper clubs and similar occupancies provided the candle is enclosed on all sides with glass or similar noncombustible material and the enclosure extends at least one inch above the tip of the flame.

3. Open flame candles and open flame fixtures may be used in the seating areas of public assembly buildings provided the following conditions are satisfied:

a. The stand upon which the candle is placed shall be non-tipping weighted stands or shall be securely attached to the end of the pew in at least 2 places;

b. The base of the candle shall be at least 78 inches from the floor;

c. The candle shall be guarded on top and sides at all times; and

Note: Compliance with this subparagraph may be attained by the use of a glass chimney and a perforated metal cap.

d. The aisle where the candles are placed shall be at least 5-feet wide.

4. Open flame food warming candles may be used in restaurants and similar occupancies.

5. The use of decorative or other lights, which are fueled by flammable or combustible liquids, may be used provided they are self-extinguishing.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.116 Matches. The manufacture, storage and distribution of matches shall comply with s. 167.07, Stats.

Note: See Appendix for reprint of s. 167.07, Stats.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.117 Dilapidated or vacant buildings. (1) **DILAPIDATED BUILDINGS.** (a) Any building which for any reason is especially liable to fire and which is so located as to endanger other buildings or property shall be repaired and put in safe and sound condition or shall be torn down and all materials removed.

(b) Conditions considered especially liable to fire shall include, but are not limited to, the following:

1. Missing or rotten shingles or similar defects on the roof;

2. Loose, missing or rotten siding;

3. Needless wall openings;

4. Broken plastering;

5. Holes in floors, ceilings or partitions;

6. Cracked or defective chimneys; and

7. Other conditions determined hazardous by the fire chief.

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(c) The kind, form, manner or extent of repairs may be authorized by local ordinance when a building is damaged from any cause to an extent of more than 50% of its sound value.

(d) Within 30 days of written notification, the owner of a dilapidated building as specified in par. (a) shall decide whether to repair or tear down the building. Within 30 days of the decision, the building shall be repaired or torn down and all materials removed.

Note: Section 66.05, Stats., addresses the topic of razing buildings. A reprint of s. 66.05, Stats., is included in the Appendix of this chapter.

(2) **VACANT BUILDINGS.** (a) Upon vacating or abandoning any premises, the owner shall remove any and all noxious and hazardous material or waste matter and such premises shall be left in a clean and neat condition.

(b) Every person owning or in charge of or control of any vacant building shall remove all accumulations of flammable or combustible waste or rubbish and shall securely lock, barricade or otherwise secure all doors, windows and other openings.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.118 Extension cords. (1) **DEFINITION.** In this section, "extension cord" means a cord set consisting of a length of flexible cord with an attachment plug at one end and a cord connector, which permits the connection of more than one attachment plug, at the other end.

Note: A cord set consisting of a length of flexible cord with an attachment plug at one end and a cord connector which permits a single attachment plug only at the other end is not an extension cord and its use is not regulated or prohibited by this rule.

(2) **GENERAL.** (a) Extension cords shall be listed by Underwriters' Laboratories or other approved nationally recognized testing agency.

Note: See Underwriters' Laboratories standard UL 817 - Cord Sets and Power Supply Cords for additional information.

(b) 1. Extension cords shall have the load capacity for the intended load usage.

2. Extension cords shall be of a 3-wire grounding type when used in conjunction with devices equipped with 3-prong grounding type attachment plugs.

(c) 1. Except as provided in subd. 2., extension cords may not be multiplied or plugged into one another.

2. Extension cords may be multiplied or plugged together at construction sites provided ground-fault-circuit-interrupter protection is provided.

(d) Extension cords shall be of a length to eliminate the need to bundle or coil excess cord.

(3) **APPLICATION.** The use of extension cords shall be permitted in the following applications:

(a) At meetings or other activities which require the use of any type of projection equipment, recording equipment or other types of electrical equipment, if the extension cord shall be disconnected and removed at the conclusion of the meeting or activity;

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(b) During periods of construction, remodeling, maintenance, repair or demolition of buildings, equipment or similar activity;

(c) For up to 90 days for Christmas decorative lighting, except that extension cords may not be used for decorative Christmas lighting on live trees in public buildings and places of employment;

(d) For temporary displays used for advertising purposes in public buildings and places of employment up to a maximum period of 30 days; and

(e) As power strips for surge or other protection needed for the proper control and operation of computers and data processing equipment, and meeting the following requirements:

1. The power strip shall be labeled and identified as providing surge protection.

2. The power strip shall be permanently mounted to the equipment or furniture used in conjunction with the equipment, with any excess cord located to prevent any physical damage to the cord.

Note: See ss. ILHR 16.31 and NEC 400-8 for additional information.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter V — Building Components and Construction

ILHR 14.119 Chimneys and heating appliances. (1) INSTALLATION AND MAINTENANCE. (a) All chimneys, incinerators, smokestacks or similar devices for conveying smoke or hot gases to the outside and the stoves, furnaces, fire-boxes or boilers to which they are connected shall be constructed in accordance with ss. ILHR 64.45 to 64.50 and shall be maintained so as not to create a fire hazard.

Note: See Appendix for reprint of ss. ILHR 64.45 to 64.50.

(b) Chimneys or vents and connectors serving solid-fuel burning appliances shall be cleaned and inspected for damage annually.

(c) Chimneys and vents, which have been subjected to a chimney fire, shall not be reused until inspected and approved by the department or authorized deputy.

(2) EXISTING INSTALLATIONS. (a) 1. Existing masonry chimneys which upon inspection are found to be without flue liners and with open mortar joints which will permit smoke or gases to be discharged into the building, or which are cracked as to be dangerous shall be made safe by means of a fire-clay liner, fire-brick, a corrosion-resistant metal pipe or other approved materials and otherwise repaired if necessary, the chimney shall be removed or the chimney openings shall be effectively sealed to prevent further use.

2. Metal pipe liners shall be one inch less in diameter than the least dimension of the flue, and the entire space between the metal liner and the walls of the chimney shall be filled with cement mortar.

(b) Existing chimneys and vents of metal, which are corroded or improperly supported, shall be repaired or replaced.

(c) Existing chimney and vent connectors of metal, which are corroded or improperly supported, shall be replaced.

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(3) **FOOD PREPARATION EQUIPMENT.** (a) Exhaust systems provided for food preparation equipment shall be maintained in a manner such as not to create a hazardous condition.

Note: See s. ILHR 64.67 (6) for additional information. A reprint of s. ILHR 64.67 (6) is included in the Appendix.

(b) Hoods, grease removal devices, fans, ducts and other devices shall be inspected and cleaned semi-annually or more often as needed to remove grease and deposits of residues.

(c) 1. Fire extinguishing systems shall be inspected semi-annually and checked for proper operation by a factory-authorized service representative. Inspections shall include a check that the supply of extinguishing agent in the system is adequate, and all actuation components are operating satisfactorily.

2. Fusible links shall be replaced at least annually.

3. A copy of the semi-annual inspection report shall upon request be sent to the fire department having jurisdiction.

(d) Instructions for manually operating the fire extinguishing system shall be posted conspicuously in the kitchen, and employes shall be checked for their knowledge of operating procedures.

(e) Any fire dampers, if employed, shall be tested periodically to insure proper functioning of all parts.

(4) **UNSAFE HEATING APPLIANCES.** (a) Any existing stove, oven, furnace, incinerator, boiler or any other heat producing device or appliance found to be defective or in violation of code requirements may not be used. The fire chief shall order the discontinuation of use with a written notice to the owner, firm, agent or operator of the equipment to cease use immediately.

(b) The fire chief shall seal any device or appliance without notice when inspection shows the existence of an immediate fire hazard or that the device or appliance imperils life.

(c) The defective appliance shall remain withdrawn from service until all necessary repairs or alterations have been made.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.12 Service equipment areas. (1) **ILLUMINATION.** Illumination shall be provided for all service equipment areas, motor control centers and electrical panelboards.

(2) **CLEARANCE.** (a) Clearance of not less than 36 inches shall be provided between all electrical service equipment and storage.

(b) Clearances to heat producing equipment shall be provided as specified in the listing for the equipment.

(3) **STORAGE PERMITTED.** Storage shall be permitted in the isolation of hazard rooms specified in chs. ILHR 54 to 62 provided the clearances to heat producing equipment as specified in sub. (2) (b) and in NFPA Standard 211 as adopted in s. ILHR 51.27 (7) (b) are maintained.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.
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ILHR 14.121 Interior finishes and flammable and decorative materials. (1) **INTERIOR FINISH MATERIALS.** Interior finish materials installed in public buildings and places of employment since January 1, 1982, shall comply with the provisions of s. ILHR 51.07.

Note 1: Section ILHR 51.07 became effective on January 1, 1982 and applies only to finish materials installed subsequent to the effective date.

Note 2: See Appendix for reprint of s. ILHR 51.07.

(2) **THEATRES AND ASSEMBLY HALLS.** (a) Fabric decorations used in theatres and assembly halls shall be flameproofed.

(b) For fabrics treated on or after May 1, 1989, a tag or similar indication shall be affixed to the fabric and include the following information:

1. Date of flameproofing treatment;
2. Period of time for which the treatment is effective or expiration date when flameproofing is no longer effective; and
3. Name of person or firm responsible for the flameproofing treatment.

(c) The use of paper decorations, confetti or flammable decorative material shall be prohibited.

(3) **LIVE AND ARTIFICIAL CHRISTMAS TREES.** Live and artificial Christmas trees, except those within individual living units, shall be flameproofed as specified in sub. (2).

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.122 Fire-resistive construction and components. (1) **GENERAL.** Fire division walls, fire separation walls, occupancy separations and all other fire-resistive rated construction and components required by the provisions of chs. ILHR 50 to 64 shall be maintained.

(2) **OPENINGS.** (a) 1. Except as provided in subd. 2., all openings for doors and windows in required fire-rated construction shall be protected by fire door or fire window assemblies as specified in ss. ILHR 51.047 and 51.048, respectively.

2. Openings in the fire-resistive rated walls and partitions rated only to meet class of construction requirements as specified in s. ILHR 51.03 need not be protected by fire door or fire window assemblies.

Note: See Appendix for reprint of ss. ILHR 51.047 and 51.048.

(b) All hardware needed for proper operation of fire door and fire window assemblies shall be maintained in good working order.

(c) The use of door stops, wedges and other nonapproved hold-open devices shall be prohibited on fire doors.

(d) No fire door may be blocked or obstructed or otherwise made inoperable.

(e) Approved hold-open devices and automatic door closers, if used, shall be maintained in good working order. During any period when the hold-open device or automatic door closer is out of service for repairs, the door it operates shall remain in the closed position.

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(f) 1. Except as provided in subd. 2., all doors serving smokeproof stair towers or interior enclosed stairways shall be equipped with a self-closing device or an automatic self-closing device actuated by products of combustion other than heat.

2. The self-closing device may be actuated by a rate-of-rise heat detector in those locations with smoke- or contaminated-filled environments.

(g) The doors protecting openings in vertical division walls of ch. ILHR 57 buildings and located in public corridors shall be held open and equipped with an automatic closing device activated by products of combustion other than heat.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter VI — Fire Protection Systems

ILHR 14.123 General requirements. All fire prevention, detection and protection systems, including automatic fire sprinkler systems, automatic fire suppression systems, standpipe systems, manual fire alarm systems, smoke detection systems, smoke detectors, heat detection systems, heat detectors, portable fire extinguishers and related systems shall be designed, installed and maintained as specified in this subchapter and chs. ILHR 50 to 64.

Note: See Appendix for reprint of ss. ILHR 51.21 to 51.245.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.124 Automatic fire sprinkler systems. Automatic fire sprinkler systems shall be tested, inspected and maintained as specified in NFPA No. 13A - Inspection, Testing, and Maintenance of Sprinkler Systems, as adopted by reference in s. ILHR 51.27 (7).

Note: See Appendix for reprint of NFPA No. 13A.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.125 Standpipe systems. Standpipe systems shall be tested, inspected, and maintained as specified in NFPA No. 14 - Standpipe and Hose Systems, Ch. 8 - Tests and Inspections, as adopted by reference in s. ILHR 14.029.

Note: See Appendix for reprint of NFPA No. 14, ch. 8.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.126 Manual fire alarm systems. Manual fire alarm systems shall be tested, inspected and maintained as specified in NFPA No. 72A - Installation, Maintenance and Use of Local Protective Signaling Systems, as adopted by reference in s. ILHR 51.27 (7).

Note: See Appendix for reprint of NFPA No. 72A.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.127 Smoke detection systems, heat detection systems, smoke detectors and heat detectors. Smoke detection systems, heat detection systems, smoke detectors and heat detectors shall be tested, inspected and maintained as specified in NFPA No. 72E - Automatic Fire Detectors and NFPA No. 74 - Household Fire Warning Equipment, as adopted by reference in s. ILHR 51.27 (7).

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Note: See Appendix for partial reprint of NFPA Nos. 72E and 74.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.128 Portable fire extinguishers. Portable fire extinguishers shall be tested, inspected and maintained as specified in NFPA No. 10 - Portable Fire Extinguishers, as adopted by reference in s. ILHR 51.27 (7).

Note: See Appendix for partial reprint of NFPA No. 10.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.129 Other fire safety devices. Special fire safety devices, including automatic smoke removal and control equipment, emergency generators and any other special fire safety equipment shall be tested annually by the owner or an authorized representative, and the results of such tests shall be logged in a journal kept available for inspection by the fire chief.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.13 Test records. A complete written record of all tests and inspections required under this subchapter shall be maintained on the premises by the owner or occupant in charge of the premises, and all such records shall be submitted to the fire chief when requested for inspection and evaluation.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.131 Unsafe buildings. (1) **GENERAL.** Except as provided in sub. (2), when any required fire alarm, fire communication, fire extinguishing, fire detecting, first-aid fire fighting system, device or unit, or part becomes inoperative and affects the fire safety of a building or structure or the occupants, the fire chief shall order the building or structure or portion vacated until the inoperative system, device or unit is repaired and returned to full service.

(2) **EXCEPTION.** Buildings may be occupied during servicing of the systems specified in sub. (1) provided safety alternatives approved by the fire chief are utilized until the system is placed back in operation.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.132 Buildings under construction. (1) **GENERAL.** During the construction of a building and until the permanent fire-extinguishing system has been installed and is in service, fire protection shall be provided in accordance with this section.

(2) **WHERE REQUIRED.** (a) Every building 6 stories or more in height shall be provided with not less than one Class I standpipe for use during construction.

(b) The standpipes shall be installed when the progress of construction is not more than 50 feet in height above grade.

(c) The standpipe shall be provided with fire department inlet connections at accessible locations adjacent to usable stairs.

(d) The standpipe systems shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.

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(e) On each floor there shall be provided a 2-1/2 inch valve outlet for fire department use. Where construction height requires installation of a Class II standpipe, fire pumps and water main connections shall be provided to serve the standpipe.

(3) **TEMPORARY STANDPIPES.** (a) Temporary standpipes may be provided in place of permanent systems if they are designed to furnish 500 gallons of water per minute at 50 pounds per square inch pressure with a standpipe size of not less than 4 inches.

(b) All outlets shall be not less than 2-1/2 inches.

(c) Pumping equipment sufficient to provide the pressure and volume specified in par. (a) shall be available at all times when a Class III standpipe system is required.

(4) **DETAILED REQUIREMENTS.** Standpipe systems for buildings under construction shall be installed as required for permanent standpipe systems.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.133 Vacant buildings. (1) **GENERAL.** Except as provided in sub. (2), the owner of vacant or unoccupied buildings or portions shall maintain all required sprinkler and standpipe systems and all component parts in a workable condition at all times. Fire alarm systems shall be maintained in operating condition at all times.

(2) **EXCEPTION.** (a) If the building is vacated for periods of time of more than one week, the fire alarm systems may be rendered inoperable. Before the building is occupied, the fire alarm system shall be restored and tested in the presence of the fire chief.

(b) In vacant or unoccupied buildings, where the fire chief determines the type of construction, fire separation and security of the building is not a fire hazard, the fire chief may permit the fire protection systems to be taken out of service in a manner and for a time as the chief specifically prescribes.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.134 Buildings under demolition. When a building is being demolished and a standpipe or sprinkler system is existing within the building, the standpipe or sprinkler system or both shall be maintained in an operable condition so as to be available for use by the fire department. The standpipe or sprinkler system or both shall be demolished with the building, but in no case shall the system, or systems, be more than one floor below the floor being demolished.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter VII — Means of Egress

ILHR 14.135 General requirements. All means of egress in public buildings and places of employment shall be provided and maintained as specified in chs. ILHR 50 to 64.

Note: See Appendix for reprint of ss. ILHR 51.15 to 51.20 and related sections from the occupancy chapters.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.
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Subchapter VIII — Flammable and Combustible Liquids

Note: See NFPA No. 30 and related standards as adopted by reference in ch. Ind 8 - Flammable and Combustible Liquids Code and the text of ch. Ind 8.

Subchapter IX — Oil Burning Equipment

Note: See NFPA No. 31 as adopted by reference in ch. Ind 8 - Flammable and Combustible Liquids Code.

Subchapter X — Organic Coatings

Note: See NFPA No. 35 as adopted by reference in ch. Ind 8 - Flammable and Combustible Liquids Code.

Subchapter XI — Hazardous Materials and Chemicals

Note: See NFPA No. 45 as adopted by reference in ch. Ind 8 - Flammable and Combustible Liquids Code.

Subchapter XII — Application of Flammable Finishes

Note 1: See NFPA Nos. 33 and 34 as adopted by reference in ch. Ind 8 - Flammable and Combustible Liquids.

Note 2: See s. 1910.147 for the federal Occupational Safety and Health Administration standards for requirements dealing with spray booths.

Subchapter XIII — Service Stations and Garages

Note: See NFPA No. 30A as adopted by reference in ch. Ind 8 - Flammable and Combustible Liquids Code and the text of ch. Ind 8.

Subchapter XIV — Liquefied Petroleum Gases

Note: See NFPA Nos. 54, 58, 59 and 501C as adopted by reference in ch. ILHR 11 - Liquefied Petroleum Gases and the text of ch. ILHR 11.

Subchapter XV — Liquefied Natural Gas

Note: See NFPA No. 59A as adopted by reference in ch. ILHR 12 - Liquefied Natural Gas and the text of ch. ILHR 12.

Subchapter XVI — Compressed Natural Gas

Note: See NFPA No. 52 as adopted by reference in ch. ILHR 13 - Compressed Natural Gas and the text of ch. ILHR 13.

Subchapter XVII — Public Buildings and Places of Employment

ILHR 14.136 General requirements. All public buildings and places of employment shall be designed, constructed, operated and maintained as specified in chs. ILHR 50 to 64 and as specified in this chapter.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter XVIII — Bowling Establishments

ILHR 14.137 Permit required. A permit shall be obtained from the fire chief for bowling pin refinishing and bowling lane resurfacing operations involving the use and application of flammable liquids or materials.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

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ILHR 14.138 Prior notification. The fire chief shall be notified when bowling lanes are to be resurfaced.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.139 Prohibitions during lane resurfacing operations. (1) **BUSINESS HOURS.** Resurfacing operations may not be carried on while the establishment is open for business.

(2) **RECIRCULATION OF AIR.** Heating, ventilating or cooling systems employing recirculation of air may not be operated during resurfacing operations or within one hour following the application of flammable finishes.

(3) **SOURCES OF IGNITION.** All electric motors or other equipment in the area which might be a source of ignition shall be shut down, and all smoking and use of open flames shall be prohibited during the application of flammable finishes and for one hour thereafter.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.14 Ventilation. Mechanical ventilation shall be provided to remove flammable vapors.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.141 Waste materials. A metal waste can with a self-closing cover shall be provided for all waste materials and rags, and the contents shall be disposed of daily.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.142 Pin refinishing. (1) **ISOLATION OF HAZARD.** Pin refinishing involving the application of flammable finishes shall be done only in a room isolated from the remainder of the building by at least 2-hour fire-resistive rated construction.

(2) **SMOKING PROHIBITED.** Smoking shall be prohibited at all times in the pin refinishing room.

(3) **POWER TOOLS.** All power tools used in the pin refinishing room shall be grounded.

(4) **DUST COLLECTION.** A metal box or other receptacle shall be provided for catching dust thrown off during operation of lathes and sanding or buffing machines. The contents shall be removed daily and disposed of safely.

(5) **STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS.** Storage of flammable or combustible liquids in pin refinishing rooms may not exceed a combined aggregate of 60 gallons in original metal containers, or 5 gallons individual capacity in approved safety containers.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter XIX — Tents and Air-Supported Structures

ILHR 14.143 General requirements. (1) **TENTS.** Tents shall comply with the provisions of this subchapter and of ch. ILHR 62, subch. III.

Note: See Appendix for reprint of ch. ILHR 62, subch. III.

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(2) **AIR-SUPPORTED STRUCTURES.** Air-supported structures shall comply with the provisions of this subchapter.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.144 Parking of vehicles. Automotive equipment that is necessary to the operation of the establishment may not be parked within 20 feet of the tent or air-supported structure except by special permission of the fire chief. No other automotive equipment or internal combustion engines may be parked within 50 feet of the tent except upon a public street.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.145 Location of air-supported structures and tents. (1) An air-supported structure shall be located not less than 10 feet from any property line or permanent structure except where the property line is a street or alley.

(2) Air-supported structures having a floor area in excess of 1500 square feet but less than 15,000 square feet shall be located not less than 30 feet from any other air-supported structure, tent or structure.

(3) Air-supported structures having an area of 15,000 square feet or more shall be located not less than 50 feet from any other structure or tent as measured from the side wall of the structure, unless joined together by a corridor.

(4) Unless otherwise approved by the fire chief, an unobstructed passageway or fire road not less than 12 feet in width and free from guy ropes or other obstructions shall be maintained on all sides of all tents or air-supported structures.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.146 Flame retardant treatment. (1) **GENERAL.** (a) The side wall, drops and top of all tents and air-supported structures shall be of flame-retardant material or shall be made fire retardant in a manner approved by the department.

(b) All bunting and other flammable decorations or effects, sawdust or wood chips when used on floors or passageways, shall be treated with a flame-retardant solution.

(2) **AFFIDAVIT.** An affidavit or affirmation shall be retained at the premises on which the tent or air-supported structure is located, attesting to the following information relative to the flame-retardant treatment of the fabrics:

- (a) The date the fabric was last treated with flame-retardant solution;
- (b) The trade name of kind of chemical used in treatment;
- (c) The name of person or firm treating the material; and
- (d) The name and address of the owner of the tent.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.147 Smoking and open flame. (1) **SMOKING.** Smoking shall be prohibited in any tent or air-supported structure or in any adjacent areas where hay, straw, alfalfa, sawdust or other highly combustible materials

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are kept or stored. Approved "No Smoking" signs shall be conspicuously posted.

(2) **OPEN FLAME.** No fireworks, open flame or other device emitting flame or fire may be used in or immediately adjacent to any tent or air-supported structure while open to the public, except upon special permission from the fire chief.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.148 Fire extinguishers and other fire protection equipment. (1) FIRE EXTINGUISHERS. Fire extinguishers and other fire protection equipment shall be provided in every tent or air-supported structure as follows:

(a) One 2-A type extinguisher shall be provided in every tent or air-supported structure having a floor area of more than 500 square feet but less than 1000 square feet and also one in each adjacent auxiliary tent or air-supported structure. One additional 2-A type extinguisher shall be provided for each additional 2000 square feet or fraction thereof.

(b) At least one 10-B:C type fire extinguisher shall be provided for each eating area, power generator or transformer and at locations where flammable or combustible liquids are used, stored or dispensed.

(c) At least one 40-B:C type fire extinguisher shall be provided for each kitchen.

(2) **OTHER EQUIPMENT.** Fire hose lines, water supplies and other auxiliary fire equipment shall be maintained at the site in such numbers and sizes as may be required by the fire chief.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.149 Abatement of special fire or panic hazards. Any unforeseen condition that presents a fire hazard or would contribute to the rapid spread of fire, or would delay or interfere with the rapid exit of persons from the tent or air-supported structure, or would interfere with or delay the extinguishment of a fire and which is not otherwise covered by this subchapter shall be immediately abated, eliminated or corrected as ordered by the fire chief.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.15 Flammable and combustible liquids (1) GENERAL. Flammable or combustible liquids may not be stored in a tent or air-supported structure nor less than 50 feet from any tent or air-supported structure used for public assemblage.

(2) **STORAGE AND DISPENSING.** The storage and dispensing of flammable or combustible liquids shall be in accordance with ch. Ind 8.

(3) **LIQUEFIED PETROLEUM GASES.** Liquefied petroleum gas may not be stored or used in connection with any tent or air-supported structure unless the storage containers, equipment, fittings and appliances, and the placement, use and operation of such equipment comply with ch. ILHR 11.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.
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ILHR 14.151 Housekeeping. (1) **WEEDS AND VEGETATION.** All weeds and flammable vegetation shall be removed from the premises adjacent to or within 35 feet of any tent or air-supported structure.

(2) **COMBUSTIBLE MATERIAL.** Hay, straw, trash and other flammable material may not be stored less than 35 feet from any tent or air-supported structure, except upon special permission from the fire chief.

(3) **COMBUSTIBLE WASTE.** The grounds both inside and outside of tents and air-supported structures shall be kept free and clear of combustible waste. The waste shall be stored in approved containers or removed from the premises. The burning of waste on the premises shall be prohibited except upon specific permission from the fire chief.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter XX — Dry Cleaning Plants

Note: See ch. ILHR 15 - Cleaning and Dyeing.

Subchapter XXI — Lumber Yards

ILHR 14.152 Permit required. A permit shall be obtained from the fire chief for any facility or operation in which more than 100,000 board feet of lumber is to be stored or used.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.153 Open yard storage and driveways. Open yard storage and driveways in lumberyards shall comply with s. ILHR 14.11 (3).

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.154 Fences. Permanent outdoor lumber storage in excess of 100,000 board feet shall be surrounded by a fence at least 6 feet high.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.155 Operational fire hazards. (1) **BURNING OF REFUSE MATERIALS.** Where approved by the department of natural resources and the fire chief, the burning of shavings, sawdust and refuse materials shall be only in boilers, furnaces, incinerators or refuse burners, safely constructed and located.

(2) **SPARK PROTECTION.** Stacks shall be provided with approved spark arresters having openings not greater than 3/4 inch, or other effective means provided, such as an expansion chamber, baffle walls or other effective arrangement, which will eliminate the danger from sparks.

(3) **STORAGE FACILITY.** At the boiler or other points where sawdust or shavings are used as fuel, a storage bin of noncombustible construction with raised sill shall be provided.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.156 Smoking prohibited. Smoking shall be prohibited except in specified safe locations in buildings. "No Smoking" signs shall be posted on exterior building walls and at the edges of driveways. "No Smoking" signs shall be posted throughout all buildings except in specific locations designated as safe for smoking purposes.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.157 Yards. Weeds shall be kept down throughout the entire yard and shall be sprayed, cut or dug out. Dead weeds shall be removed.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.158 Removal of debris. Debris, such as sawdust, chips and scrap pieces shall be removed regularly from piling areas and not less frequently than quarterly. Proper housekeeping shall be maintained at all times.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.159 Fire extinguishing equipment. (1) YARD HYDRANT. (a) An approved yard hydrant system shall be provided for open storage yards.

(b) The provisions of par. (a) shall apply to lumber storage yards constructed on or after May 1, 1989.

(2) FIRE EXTINGUISHERS. (a) Portable fire extinguishing equipment as specified in NFPA No. 10 for the fire hazard involved shall be provided.

(b) When used, approved Class A portable fire extinguishers, properly protected against freezing where necessary, shall be provided so that the travel distance from any point in the yard to the nearest extinguisher does not exceed 75 feet.

Note: See Appendix for partial reprint of NFPA Standard 10.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter XXII — Woodworking Plants

ILHR 14.16 Refuse removal. (1) REMOVAL SYSTEM OR BINS. Sawmills, planing mills and other woodworking plants shall be equipped with either:

(a) Refuse removal systems which will collect and remove sawdust and shavings as produced; or

(b) Suitable metal or metal-lined bins, provided with normally closed covers or automatically closing covers, shall be installed at or near such machines. Shavings and sawdust shall be swept up and deposited in such bins at sufficiently frequent intervals as to keep the premises clean.

(2) BLOWERS AND EXHAUST SYSTEMS. Blowers and exhaust systems shall be installed in accordance with nationally recognized good practice.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.161 Fire protection. Fire fighting equipment, either portable fire extinguishers as specified in NFPA No. 10 or minimum 1/2-inch diameter hose supplied from a water system, shall be provided near any machine producing shavings or sawdust.

Note: See Appendix for partial reprint of NFPA Standard 10.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter XXIII — Vehicle Tire Rebuilding Plants

ILHR 14.162 Permit required. A permit shall be obtained from the fire chief to conduct or maintain any tire recapping or rebuilding operation.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

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ILHR 14.163 Refuse removal. (1) **REMOVAL SYSTEM OR BINS.** Vehicle tire rebuilding plants shall be equipped with either:

(a) Refuse removal systems which will collect and remove dust and shavings as produced; or

(b) Suitable metal or metal-lined bins, provided with normally closed covers or automatically closing covers, which shall be installed at or near such machines. Shavings and dust shall be swept up and deposited in such bins at sufficiently frequent intervals as to keep the premises clean.

(2) **BLOWERS AND EXHAUST SYSTEMS.** Blowers and exhaust systems shall be installed in accordance with nationally recognized good practice.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.164 Ventilation. Each room where rubber cement is used or mixed, or flammable or combustible solvents are applied, shall be equipped with mechanical or natural ventilation.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter XXIV — Fireworks

Note: See ch. ILHR 9 - Manufacture of Fireworks.

Subchapter XXV — Explosives, Ammunition and Blasting

Note: See ch. ILHR 7 - Explosive Materials.

Subchapter XXVI — Magnesium

ILHR 14.165 Permit required. A permit shall be obtained from the fire chief for the melting, casting, heat treating, machining or grinding of more than 10 pounds of magnesium per working day.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.166 Storage of magnesium. (1) **OUTSIDE STORAGE.** Outside storage of magnesium pigs, ingots and billets shall be in piles not exceeding 500 tons each, separated by aisles not less in width than one-half the height of the pile, and separated from combustible materials or buildings on the same or adjoining property by a distance of not less than the height of the nearest pile.

(2) **INSIDE STORAGE.** Storage of pigs, ingots and billets in buildings shall be on floors of noncombustible construction, in piles not larger than 250 tons each, separated by aisles not less in width than one-half the height of the pile.

(3) **ARTICLES.** The size of storage piles of magnesium articles in foundries and processing plants shall not exceed 1,250 cubic feet and shall be separated by aisles not less in width than one-half the height of the pile.

(4) **ARTICLES WAREHOUSES AND STORES.** Magnesium storage in a quantity greater than 50 cubic feet shall be separated from storage of other materials that are either combustible or are in combustible containers, by aisles equal in width to not less than the height of the piles of magnesium.

(5) **MAXIMUM PILE SIZES.** Magnesium storage in a quantity greater than 1,000 cubic feet shall be separated into piles each not larger than

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1,000 cubic feet with aisles between each pile equal in width to not less than the height of the piles.

(6) **COMBUSTIBLE BUILDINGS OR CONTAINERS.** Where storage in a quantity greater than 1,000 cubic feet is in a building of combustible construction, or the magnesium is packed in combustible crates or cartons, or there is other combustible storage within 30 feet of the magnesium, the storage area shall be protected by an automatic fire sprinkler system.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.167 Handling of magnesium. (1) PROCESSING OPERATIONS. At each grinding, buffing or wire-brushing operation on magnesium, not including rough finishing of castings, dust shall be collected by means of hoods or enclosures connected to a liquid precipitation type of separator, so that the dust will be converted to sludge without contact in a dry state with any high speed moving parts.

(2) **CONNECTING DUCTS.** Connecting ducts or suction tubes shall be completely grounded and as short as possible, without unnecessary bends. Ducts shall be carefully fabricated and assembled, with a smooth interior and with internal lap joints pointing in the direction of air flow, and without unused capped side outlets, pockets or other dead-end spaces which might allow an accumulation of dust.

(3) **DUST SEPARATORS.** Each machine shall be equipped with an individual dust separating unit, except that with multi-unit machines not more than 2 dust-producing units may be served by one separator. Not more than 4 portable dust-producing units in a single enclosure or stand may be served by one separator unit.

(4) **POWER INTERLOCKS.** Power supply to dust-producing machines shall be interlocked with the motor driving the exhaust blower and the liquid level controller of the wet collector in such a way that improper functioning of the dust collecting system will shut down the machine it serves. A time delay switch or equivalent device shall be provided in the dust-producing machine to prevent starting of its motor drive until the wet collector is in complete operation and several changes of air have swept out any residual hydrogen.

(5) **ELECTRICAL SYSTEM.** All electrical wiring, fixtures and equipment in the immediate vicinity of and attached to dust-producing machines, including those used in connection with separator equipment, shall be of types approved for use in Class II, Group E, hazardous locations as specified in ch. ILHR 16.

(6) **GROUNDING.** All equipment shall be securely grounded by permanent ground wires.

(7) **HEAT TREATING OVENS.** Approved means shall be provided for control of magnesium fires in heat treating ovens.

(8) **MELTING POTS.** Floors under and around melting pots shall be of noncombustible construction.

(9) **HANDLING OF FINES.** Chips, turnings and other fine magnesium scrap shall be collected from the pans or spaces under the machines and from other places where they collect at least once each working day and placed in a covered, vented steel container and removed to a safe location.

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(10) SEPARATION. (a) Magnesium fines shall be kept separate from other combustible materials.

(b) Storage in a quantity greater than 50 cubic feet of fine magnesium scrap shall be separated from other uses by at least 2-hour rated fire-resistant construction without window openings or by an open space of at least 50 feet.

(c) Storage in a quantity greater than 1,000 cubic feet of fine magnesium scrap shall be separated from all buildings other than those used for magnesium scrap recovery operations by a distance of not less than 100 feet.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.168 Fire safety requirements. (1) SMOKING PROHIBITED. (a) Smoking shall be prohibited in areas where magnesium is being stored, melted, cast, heat treated or ground.

(b) "No Smoking" signs shall be posted in all areas specified in par (a).

(2) FIRE EXTINGUISHING POWDER. A supply of approved extinguishing powder in a container with a hand scoop or shovel for applying powder on magnesium fires or an approved extinguisher unit designed for use with the powder shall be kept within easy reach of every operator performing a machining, grinding or other processing operation on magnesium.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter XXVII --- Cryogenic Liquids

ILHR 14.169 Definitions. In this subchapter:

(1) "Container" means any cryogenic vessel whether used for transportation or storage.

(2) "Cryogenic vessel" means any pressure vessel, low pressure tank, or atmospheric tank on which venting, insulation, refrigeration, or a combination of these, are used in order to maintain the operating pressure, and the contents in a liquid phase.

(3) "Cryogenic liquid" means those liquids that have a boiling point below -200° F.

(4) "Flammable cryogenic liquid" means those cryogenic liquids which are flammable in their vapor state.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.17 Permit required. A permit shall be obtained from the fire chief for:

(1) The production, storage or sale of cryogenic liquids;

(2) The storage of nonflammable, nontoxic cryogenic liquids in quantities greater than 500 gallons; or

(3) The storage or use of more than 10 gallons of liquid oxygen, flammable cryogenic liquids or cryogenic oxidizers.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

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ILHR 14.171 Containers and equipment. (1) **PROTECTION.** All containers, valves and piping shall be located so that they are readily accessible for inspection and repair and shall be protected against tampering.

(2) **CONTAINER DESIGN AND CONSTRUCTION.** (a) All containers, including piping, valves and pressure relief devices, shall be located, designed and constructed in accordance with the requirements of nationally recognized standards for the intended use.

(b) Containers and related piping and components shall be maintained in a safe and sound condition.

(3) **WARNING LABELS.** Warning labels and signs regarding cryogenic contents shall be posted on all containers and equipment.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.172 Fire safety requirements. (1) **GENERAL.** Dispensing of flammable cryogenic liquids, liquefied oxygen or liquid oxidizers shall be only at locations approved by the fire chief. Water lines and hose shall be provided for cleaning the area and melting ice accumulations.

(2) **SOURCES OF IGNITION.** (a) Flammable cryogenic liquids, liquid oxygen or cryogenic oxidizers may not be loaded, unloaded, dispensed or handled where vapors can reach a source of ignition.

(b) Smoking shall be prohibited and "No Smoking" signs shall be conspicuously posted.

(c) Loading, unloading and dispensing of oxygen shall be prohibited in the vicinity of loading, unloading or dispensing of gaseous or liquid fuel.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.173 Transportation. (1) **CONTAINERS-TANKS-VESSELS.** Containers, tanks and vessels used for transporting cryogenic liquids shall meet all applicable requirements of 49 CFR.

(2) **VEHICLES.** (a) Vehicles used for transportation of cryogenic liquids shall be placarded at the front, rear and each side with the name of the product in addition to placards which are required by 49 CFR.

(b) Vehicles shall be equipped with at least one approved fire extinguisher with a minimum 20-B:C rating and with wheel chock blocks.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter XXVIII — Welding, Cutting and Brazing

ILHR 14.174 General. All welding and cutting; storage, handling and use of calcium carbide; and use of acetylene generators shall be as specified in Subpart Q - Welding, Cutting and Brazing, of OSHA Safety and Health Standards 29 CFR 1910.

Note: See Appendix for reprint of Subpart Q of 29 CFR 1910.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter XXIX — Cellulose Nitrate Motion Picture Film

ILHR 14.175 Permit required. (1) A person may not store, keep or have on hand more than 25 pounds of cellulose nitrate film without securing a permit from the fire chief for the activity.

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(2) A person may not sell, lease or otherwise dispose of any cellulose nitrate film to any person not having a permit issued by the fire chief to handle, use or display the film.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.176 Projection booths. Projection booths used in conjunction with cellulose nitrate motion picture film shall comply with ss. ILHR 55.40 to 55.49.

Note: See Appendix for reprint of ss. ILHR 55.40 to 55.49.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter XXX — Cellulose Nitrate Plastics

ILHR 14.177 Permit required. (1) **STORAGE AND HANDLING.** All retailers, jobbers and wholesalers storing or handling more than 25 pounds of cellulose nitrate plastics shall obtain a permit from the fire chief.

(2) **MANUFACTURING.** A permit shall also be obtained from the fire chief for the manufacture of articles of cellulose nitrate plastics, including the use of cellulose nitrate plastics in the manufacture or assembling of other articles.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.178 Fire safety requirements. (1) **SMOKING PROHIBITED.** Smoking is prohibited in all areas where cellulose nitrate plastics is stored, handled or manufactured. "No Smoking" signs shall be clearly posted in these areas.

(2) **FIRE PROTECTION EQUIPMENT.** All new and existing buildings or any portions of the building used for the manufacture or storage of articles of cellulose nitrate plastics shall be equipped with an approved automatic fire suppression system. Vaults located within buildings for the storage of raw pyroxylin shall be protected with an approved automatic fire sprinkler system capable of discharging 1.66 gallons per minute per square foot over the area of the vault.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter XXXI — Combustible Fibers

ILHR 14.179 Scope. The equipment, processes and operations for handling, storage or use of combustible vegetable or animal fibers, including but not limited to readily ignitable and free burning fibers such as cotton, sisal, henequen, ixtle, jute, hemp, tow, cocoa fiber, oakum, baled waste, baled waste paper, kapok, hay, straw, Spanish moss, excelsior, certain synthetic fibers and cloth in the form of scraps and clippings, shall comply with the provisions of this subchapter.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.18 Permit required. A permit shall be obtained from the fire chief for the storage and handling of combustible fibers in quantities in excess of 100 cubic feet.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

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ILHR 14.181 Storage. (1) **LOOSE STORAGE.** (a) Except as provided in pars. (b) to (e), loose combustible fibers not in bales or packages, whether housed or in the open, may not be stored within 100 feet of any building.

(b) Not more than 100 cubic feet of loose combustible fibers may be kept in any building, provided storage is in a metal or metal-lined bin equipped with a self-closing cover.

(c) Quantities exceeding 100 cubic feet of loose combustible fibers, but not exceeding 500 cubic feet, may be stored in rooms or compartments having floor, walls and ceiling with a fire-resistance rating of not less than one hour. Each opening into the rooms or compartments from other parts of the building shall be protected by an approved 3/4-hour rated fire door assembly.

(d) Quantities exceeding 500 cubic feet of loose combustible fibers may be stored in an approved 2-hour rated fire-resistive enclosure.

(e) A maximum of 2,500 cubic feet of loose combustible fibers may be stored in a detached storage building located with openings properly protected against entrance of sparks. The storage building may not be used for any other purpose.

(2) **BALED STORAGE.** (a) A single block or pile may not contain more than 25,000 cubic feet of fiber exclusive of aisles or clearances.

(b) Blocks or piles of baled fiber shall be separated from adjacent storage by aisles not less than 5 feet wide, or by flash fire barriers consisting of continuous sheets of noncombustible material extending from floor to a height of at least one foot above the highest point of piles and projecting at least one foot beyond the sides of the piles.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.182 Special baling conditions. (1) **GENERAL.** Sisal and other fibers in bales bound with combustible tie ropes, and jute and other fibers liable to swell when wet, shall be stored to allow for expansion in any direction without endangering building walls, ceilings or columns.

(2) **MINIMUM DISTANCE.** (a) Except as provided in par. (b), a minimum 3-foot clearance shall be left between walls and sides of piles.

(b) A one-foot clearance at side walls shall be sufficient if the storage compartment is not more than 30 feet in width and if a center aisle not less than 5 feet wide is maintained.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter XXXII — Dust Explosion Hazards

ILHR 14.183 Permit required. A permit shall be obtained from the fire chief for the operation of any grain elevator or bleacher; flour, starch or feed mill; malt house; wood flour manufacturing plant; or plant pulverizing aluminum, coal, cocoa, magnesium, spices, sugar or other material producing dust which, if mixed with air in the proper portions, becomes explosive and may be ignited by flame or spark.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.184 General requirements. (1) **APPLICATION.** Equipment and processes in plants where dust hazards exist shall comply with the re-Register, April, 1989, No. 400

quirements of this subchapter. Where specific requirements are not otherwise established, plants producing dusts shall comply with nationally recognized good practice.

(2) **MACHINE ENCLOSURES.** All dust-producing or dust-agitating machinery such as grinding mills and separators, and all elevators, elevator legs, spouts, hoppers and other conveyors shall be provided with casing or enclosures maintained as nearly dust-tight as possible.

(3) **SEPARATORS.** Approved magnetic or pneumatic separators shall be installed ahead of all shellers, crackers, crushers, grinding machines, pulverizers and similar machines in which the entrance of foreign materials may cause sparks to be generated.

(4) **DUST COLLECTORS.** Dust collecting equipment shall be installed and accumulation of dust shall be kept at a minimum in the interior of buildings.

(5) **GROUNDING.** All machinery and metal parts of the crushing, drying, pulverizing and conveying systems shall be electrically grounded.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.185 Fire safety requirements. (1) **SOURCES OF IGNITION.** Smoking and the carrying of matches, the use of heating or other devices employing an open fire, or use of any spark-producing equipment shall be prohibited in areas containing dust-producing or dust-agitating operations.

(2) **LIGHTING AND ELECTRICAL EQUIPMENT.** Artificial lighting in areas containing dust-producing or dust-agitating operations shall be by electricity. All wiring and electrical equipment shall be installed in accordance with the applicable provisions of ch. ILHR 16.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter XXXIII — Crop Ripening or Coloring Process

ILHR 14.186 Permit required. A permit shall be obtained from the fire chief for any crop ripening or coloring process.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.187 Fire safety requirements. (1) **ETHYLENE.** (a) The location of buildings in which crop ripening or coloring processes are conducted utilizing gas containers of ethylene shall be approved by the fire chief.

(b) The method for introducing ethylene shall provide positive control. The ethylene shall be measured so that the quantity introduced does not exceed one part ethylene to 1,000 parts of air.

(c) Ethylene gas shall be stored in approved containers.

(d) 1. Ethylene gas containers other than those connected for use shall be stored outside of the building or in a special building, except that not more than 2 portable department of transportation containers not connected for use may be stored inside of the building premises.

2. The inside rooms or portions of buildings used for storage of the department of transportation containers shall be of at least 2-hour fire-resistive rated construction and shall have at least one exterior wall.

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(e) Ethylene piping shall be of steel pipe. Flexible connectors and hose, when used, shall be an approved type. Tubing shall be of brass or copper with not less than 0.049-inch wall thickness.

(2) **ELECTRICAL EQUIPMENT.** Electrical wiring and equipment shall be installed as specified in ch. ILHR 16. Artificial lighting shall be by electricity only.

(3) **HEATING.** (a) Heating of ripening and coloring rooms shall be by indirect means with low pressure steam, hot water or warm air; approved electric heaters; or approved sealed combustion chamber appliances.

(b) Steam and hot water pipes and radiators shall have a clearance of at least one inch to combustible material.

(c) Gas heaters and their vents shall be installed in an approved manner. Gas heaters shall be equipped with an automatic pilot device to shut off the gas supply whenever the flame is extinguished.

(d) Burners for gas or kerosene heaters shall be installed so that air for combustion is taken from outside the ripening or coloring room and the products of combustion are discharged outside the building in an approved manner.

(e) Heaters shall be installed in accordance with the applicable provisions of ch. ILHR 64.

(f) Electric heaters shall be of a type not having an exposed surface at a temperature higher than 800° F and with thermostatic elements which do not produce sparks. They shall be of a type approved for use in hazardous locations.

(g) A protective guard shall be provided around any heater to prevent the possibility of it being knocked over by other equipment such as vehicles or lift trucks.

(4) **OPEN FLAMES.** Open flame heaters and open lights shall be prohibited in ripening or coloring rooms using ethylene from gas tanks or cylinders. "No Smoking" signs shall be posted at every entrance and smoking shall be prohibited in the ripening or coloring rooms.

(5) **HOUSEKEEPING.** Rooms for ripening or coloring shall be kept cleared of all combustible material.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

Subchapter XXXIV — Fumigation and Thermal Insecticidal Fogging

ILHR 14.188 Scope. (1) **GENERAL.** Except as provided in sub. (2), this subchapter shall apply to all fumigation and thermal insecticidal fogging operations.

(2) **EXCEPTION.** This subchapter does not apply to the use of those products which are designated as general use pesticides by the U.S. environmental protection agency and are commercially available to the individual consumer.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.189 Definitions. In this subchapter:
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(1) "Fumigant" includes any substance which by itself or in combination with any other substance emits or liberates a gas, fume or vapor used for the destruction or control of insects, fungi, vermin, germs, rats, or other pests, and shall be distinguished from insecticides and disinfectants which are essentially effective in the solid or liquid phases.

Note: Examples of fumigants are methyl bromide, ethylene dibromide, hydrogen cyanide, carbon disulphide and sulfuryl fluoride.

(2) "Fumigation" means the use within an enclosed space of a fumigant in concentrations which may be hazardous or acutely toxic to persons.

(3) "Thermal insecticidal fogging" means the use of insecticidal liquids which are passed through thermal fog-generating units where they are, by means of heat, pressure and turbulence, transformed and discharged in the form of a fog or mist that is blown into an area to be treated.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.19 Permit required. A person shall not perform any fumigation or thermal insecticidal fogging without securing a permit from the fire chief.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.

ILHR 14.191 Fire safety requirements. Any building where fumigation and thermal insecticidal fogging operations are conducted shall comply with the fire protection and safety requirements specified in this section.

(1) **SOURCES OF IGNITION.** All fires, open flames and similar sources of ignition shall be eliminated from the space under fumigation or thermal insecticidal fogging. Heating, if needed, shall be by indirect means with steam or hot water.

(2) **ELECTRICITY.** Electricity shall be shut off, except that circulating fans may be used provided the fans are designed and installed so as not to create an ignition hazard. Electrical equipment shall be designed and installed in accordance with ch. ILHR 16.

(3) **NOTIFICATION.** (a) The fire chief shall be notified in writing at least 24 hours before any building or structure is to be closed in connection with the use of any toxic or flammable fumigant.

(b) The notification shall give the location of the building, structure, ship or enclosed space to be fumigated or fogged as well as its character and use, the fumigants or insecticides to be used, the person or persons in charge of the operation and the date and time when it will be started.

(c) Advanced notice of any fumigation or thermal insecticidal fogging shall be served upon the occupants of any building or other enclosed space involved in the operation to enable them to evacuate the premises.

(4) **WARNING SIGNS.** (a) Suitable warning signs indicating the danger, type of chemical involved and recommended precautions shall be posted on all doors and entrances to the premises and upon all gangplanks and ladders from the deck, pier or land to the ship. The warning sign shall be printed in red ink on white background.

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(b) Letters in the headlines are to be at least 2 inches in height and shall state the date and time of the operation, the name and address of the owner, the name of the operator in charge, together with a warning to the effect that the premises so occupied shall be vacated at least one hour before the operation is started and may not be re-entered until the danger signs have been removed by the proper authorities.

(5) **BREATHING APPARATUS.** All persons engaged in the business of fumigation or thermal insecticidal fogging shall maintain and have available approved protective breathing apparatus.

(6) **WATCHPERSON.** During the period fumigation is in progress, except when fumigation is conducted in a gas-tight vault or tank, a watchperson shall remain on duty at the entrance or entrances to the building, ship, or enclosed space fumigated until after the fumigation is completed and until the premises are properly ventilated and again safe for human occupancy. Watchpersons shall prevent any person from entering the building, ship or enclosed space under fumigation.

(7) **THERMAL INSECTICIDAL FOGGING LIQUIDS.** Thermal insecticidal fogging liquids with a flash point below 100° F may not be used.

History: Cr. Register, April, 1989, No. 400, eff. 5-1-89.