

## Chapter Comm 79

### APARTMENT HOUSES, HOTELS AND PLACES OF DETENTION

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**Note:** Chapter Ind 164 was renumbered chapter ILHR 79 under s. 13.93 (2m) (b) 1., Stats., Register, June, 1995, No. 474; chapter ILHR 79 was renumbered chapter Comm 79 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., Register, May, 1998, No. 509.

**Note:** For rooms which accommodate more than 100 persons, see ch. Comm 77, theaters and assembly halls.

**Comm 79.001 Scope; apartment houses.** Under this classification is included every building or part of a building occupied as the residence of 3 or more families living independently, or occupied by 2 such families and also used for business purposes.

**History:** 1-2-56; renum., Register, September, 1974, No. 225, eff. 10-1-74.

**Comm 79.01 Hotels and places of detention.** Under this classification are included all hotels, lodging and boarding houses, club houses, dormitories, convents, monasteries, hospitals, homes for the aged and infirm, nursing homes, convalescent homes, convalescent hospitals, asylums, jails and other places of detention, including every building or part of a building used for sleeping or lodging purposes by 3 or more persons not members of a family.

**Note:** Where the following requirements refer to "families" or "apartments," the requirements apply to apartment houses; where they refer to "persons" or "rooms," the requirements apply to hotels and other places as listed in s. Comm 79.01.

**History:** 1-2-56; renum., Register, September, 1974, No. 225, eff. 10-1-74.

**Comm 79.02 Exits; number and location.** (1) In every apartment house there shall be at least 2 exits accessible from each apartment without passing through another apartment.

(2) In every hotel, place of detention or other occupancy listed in s. Comm 79.01, there shall be at least 2 exits from each floor. The number and location of such exits shall be such that in case if any exit or passageway is blocked at any point, some other exit will still be accessible through public passageways from every room, except that in fire-resistant buildings a total area of not more than 1200 square feet may be placed between an exit and the end of the building.

**History:** 1-2-56; renum. and am., Register, September, 1974, No. 225, eff. 10-1-74; correction made under s. 13.93 (2m) (b) 7., Stats., Register, June, 1995, No. 474.

**Comm 79.03 Type of exits.** The exits herein required shall be either stairways, or fire escapes, or horizontal exits as described in s. Comm 75.12.

**History:** 1-2-56; renum. and am., Register, September, 1974, No. 225, eff. 10-1-74.

**Comm 79.04 Fire escapes.** (1) Fire escapes hereafter constructed shall be stairway fire escapes as described in ss. Comm 75.15 to 75.25. Existing stairway fire escapes will be accepted if strongly and properly built and in good condition. Fire escapes constructed on hospitals and sanitariums, and on hotels or rooming houses over 2 stories in height, shall be "B" type fire

escapes. Access to such fire escapes shall be by standard exit doors.

(2) Every fire escape shall be placed against a blank wall if possible.

**History:** 1-2-56; renum. and am., Register, September, 1974, No. 225, eff. 10-1-74; correction made under s. 13.93 (2m) (b) 7., Stats., Register, June, 1995, No. 474.

**Comm 79.05 Stairways.** (1) Inside stairways at a steeper angle than 45° with the horizontal are not accepted as exits. Every new stairway shall comply with the requirements of s. Ind 51.16, 1956.

(2) Every stairway which serves as an exit shall lead to a separate exit door.

(3) Outside stairways heretofore constructed on 2-story buildings will be accepted if in good condition.

(4) All stairways and shaftways within buildings in the classification described in ss. Comm 79.001 and 79.01 which are 3 or more stories in height shall be enclosed with partitions, including doors, of not less than one-hour fire-resistant construction.

(5) Except that one stairway may be unenclosed in the first story provided it does not lead to the basement.

(6) All stairways and steps of more than 3 risers shall have at least one handrail. Stairways and steps which are 5 feet or more in width, or which are open on both sides, shall have a handrail on each side. Rails shall be not less than 2 feet 6 inches vertically above nose of treads or 3 feet 6 inches above platform.

**History:** 1-2-56; renum. and am., Register, September, 1974, No. 225, eff. 10-1-74; corrections made under s. 13.93 (2m) (b) 4. and 7., Stats., Register, June, 1995, No. 474.

**Comm 79.06 Basement stairway enclosure.** In every building as listed in s. Comm 79.01 more than 2 stories high, every stairway which extends from the basement to the second floor or above, shall be enclosed in the basement with not less than one-hour fire-resistant partitions and doors.

**History:** 1-2-56; renum. and am., Register, September, 1974, No. 225, eff. 10-1-74; correction made under s. 13.93 (2m) (b) 7., Stats., Register, June, 1995, No. 474.

**Comm 79.07 Exit doors.** All exit doors shall be as required in s. Comm 75.24 except that a door which accommodates not more than 4 families or 20 persons will not be required to swing outward.

**History:** 1-2-56; renum. and am., Register, September, 1974, No. 225, eff. 10-1-74; correction made under s. 13.93 (2m) (b) 7., Stats., Register, June, 1995, No. 474.

**Comm 79.08 Exit lights and signs.** (1) In every building which accommodates more than 4 families or 20 persons, and in every building which accommodates transients, the public passageways, stairways, and exit doors shall be illuminated from one hour after sunset to one hour before sunrise. This illumination

shall include lights at all intersections of passageways, at all exits, and at the head and foot of every stairway.

(2) The lights at all exit doors shall be red lights and shall be accompanied by a sign bearing the word EXIT or OUT, in plain letters not less than 5 inches in height. Exit lights shall be installed in accordance with the requirements of the Wisconsin state electrical code and s. Comm 75.24.

**History:** 1-2-56; renum. and am., Register, September, 1974, No. 225, eff. 10-1-74; correction made under s. 13.93 (2m) (b) 7., Stats., Register, June, 1995, No. 474.

**Comm 79.09 Size of rooms.** Every sleeping room shall be of sufficient size to afford at least 400 cubic feet of air space for each occupant over 12 years of age, and 200 cubic feet for each occupant under 12 years. No greater number of occupants than the number thus established shall be permitted in any such room.

**History:** 1-2-56; renum., Register, September, 1974, No. 225, eff. 10-1-74.

**Comm 79.10 Windows.** No room shall be used as a sleeping or living room unless it has a window or windows opening upon a street, alley, or yard, or upon a court connecting therewith, or above the roof of an adjoining building, or upon an inner court not less than 25 square feet in area; or unless it has a vertically-sliding pulley-hung sash window, not less than 15 square feet in area, opening into another room in the same apartment, which other room opens on a street, alley, or yard, either directly or through similar windows. Every such sash window shall be placed as nearly as possible in line with outside windows, and both halves shall be made to open readily, and the glass in the lower half shall be translucent.

**History:** 1-2-56; renum., Register, September, 1974, No. 225, eff. 10-1-74.

**Comm 79.11 Basement rooms. (1)** No basement room shall be used as a sleeping or living room unless all the following conditions are complied with:

- (a) The room shall be at least 8 feet high from floor to ceiling.
- (b) The ceiling shall be at least 4 feet above the surface of the adjoining street or ground.
- (c) The room shall have a window or windows opening upon a street, alley, or yard, or upon a court connecting therewith, or upon an inner court not less than 60 square feet in area; and the total window area shall be at least one-tenth of the floor area of the room, and the upper half of such window or windows shall be made to open the full width.
- (d) The walls and floor shall be dampproof and waterproof.
- (e) The room shall have sufficient light and ventilation and shall be fit for human habitation.

**History:** 1-2-56; renum., Register, September, 1974, No. 225, eff. 10-1-74.

**Comm 79.12 Toilet rooms. (1)** In every apartment building where a sewer system is available, at least one water-closet shall be provided for every 2 apartments. Every such water-closet shall be located within the building, in a separate room or compartment, on the same floor with the apartments which it serves, and shall be accessible from each such apartment without passing through another apartment. All water-closets and the pipes connecting therewith shall be properly protected against frost; if located in a public hall such hall shall be heated, if necessary, so as to prevent the closets and pipes from freezing.

(2) In every building of this classification where a sewer system is available, except apartment houses, at least one water-closet shall be provided for every 15 persons or fraction.

(3) Rooms with private water-closets shall not be considered in counting either the number of rooms or number of fixtures.

(4) Toilet rooms and fixtures hereafter installed shall comply with ss. Ind 52.50 to 52.64, 1956. For details of plumbing, see state plumbing code issued by the department.

(5) Every existing toilet room shall be ventilated by an outside window; or, where this is not possible, by a ventilating pipe approved by the department or by the local health officer.

(6) In buildings where a sewer system is not available and cannot be made available, an equal number of sanitary privies, or closets connected with a septic tank or cesspool, shall be provided in accordance with rules of the department.

**History:** 1-2-56; renum. and am., Register, September, 1974, No. 225, eff. 10-1-74; corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, June, 1995, No. 474.

**Comm 79.13 Maintenance and housekeeping.**

(1) Every building of this classification, and all parts thereof, shall be kept in good repair and the roof shall be kept so as not to leak, and all rain water shall be so drained and conveyed therefrom as not to cause dampness in the walls and ceilings.

(2) All exit doors, corridors, passageways and stairways shall be kept clear and unobstructed at all times.

**History:** 1-2-56; renum., Register, September, 1974, No. 225, eff. 10-1-74.

**Comm 79.14 Water supply.** Where city water supply is available or can be made available, every apartment house shall be provided with proper sinks with running water, and there shall be at least one such sink within each apartment.

**History:** 1-2-56; renum., Register, September, 1974, No. 225, eff. 10-1-74.

**Comm 79.15 Cleanliness.** Every building shall be kept clean and shall also be kept free from any accumulation of dirt, filth, rubbish, garbage, or other matter in or on the same or in the yards, courts, passages, areas or alleys connected with or belonging to the same.

**History:** 1-2-56; renum., Register, September, 1974, No. 225, eff. 10-1-74.

**Comm 79.16 Fire extinguishers.** In every building in this classification which accommodates more than 20 persons and is not equipped with a complete automatic sprinkler system or with interior standpipes, at least one approved fire extinguisher shall be provided on each floor. Such fire extinguishers shall be located at the head of each stairway or each elevator group.

**History:** 1-2-56; renum., Register, September, 1974, No. 225, eff. 10-1-74.

**Comm 79.17 Automatic sprinklers. (1)** Where city water supply is available, an approved automatic sprinkler system as described in s. Comm 75.28 shall be provided in the basement and sub-basements of all buildings of this classification, except

- (a) Apartment houses.
- (b) Buildings not more than 2 stories high.
- (c) Buildings which accommodate not more than 40 persons.
- (d) Buildings of fire-resistive construction.

**Note:** In a summer hotel or similar building 3 stories or more in height, where the hazard is great, the department reserves the right to order a sprinkler system, even though city water supply is not available.

**History:** 1-2-56; renum. Register, September, 1974, No. 225, eff. 10-1-74; correction made under s. 13.93 (2m) (b) 7., Stats., Register, June, 1995, No. 474.

**Comm 79.18 Fire alarm. (1)** Every building which accommodates more than 20 persons, except hospitals and places of detention, shall be provided with a fire alarm system complying with s. Comm 75.29.

(2) Every hospital which accommodates 20 or more persons shall be provided with a fire alarm system complying with s. Comm 75.29 except that chimes or other approved sounding devices shall be used when within hearing distance of the patients. Visual attention compelling devices may be used in hospitals where approved by the department.

(3) A presignal fire alarm system may be installed in hospitals or hotels where not less than 4 employees are on duty at all times to respond to fire alarms.

**Note:** Where presignal systems are installed, it is recommended that the fire department be called immediately after the pre-alarm signal is received.

**History:** 1-2-56; renum., and am., Register, September, 1974, No. 225, eff. 10-1-74; corrections made under s. 13.93 (2m) (b) 7., Stats., Register, June, 1995, No. 474.

**Comm 79.19 Directions for escape.** In every room occupied by transients, a notice shall be conspicuously posted giving complete and plain directions for reaching at least 2 exits.

**History:** 1-2-56; renum., Register, September, 1974, No. 225, eff. 10-1-74.

**Comm 79.20 Isolation of fire hazards. (1)** All boiler or furnace rooms, including the breeching and fuel room as well as other hazardous work rooms and storage rooms, shall be provided with a 2-hour fire-resistive floor and shall be enclosed with

not less than one-hour fire-resistive walls and ceiling. All openings shall be protected with self-closing fire-resistive doors.

**(2)** The enclosure for the heating plant may be omitted in apartment buildings not more than 2 stories in height and having not more than 2 apartments on a floor and in rooming houses not more than 2 stories in height and having not more than 8 living or sleeping rooms on each floor provided no part of the building is used for business purposes and all interior stairways are enclosed in the basement with a one-hour fire-resistive enclosure or better.

**(3)** Gas-fired space heaters may be used in private apartments without an enclosure if approved by the department.

**History:** 1-2-56; renum. and am., Register, September, 1974, No. 225, eff. 10-1-74.