



C. Application.

- (1) The provisions of this chapter shall apply equally to public and private property. They shall apply to all structures, whether existing or new, and they shall apply to the owner of the property as well as the occupant.
- (2) The provisions of this chapter shall apply equally to new and existing conditions, except that existing conditions not in strict compliance with the terms of this subsection shall be permitted to continue where the exceptions do not constitute a distinct hazard to life or adjoining property or have been superseded by this chapter.

D. Additions; remodeled buildings. All inspectable occupancies shall adhere to the following:

- (1) If more than 50% of the interior area of the building is remodeled and/or added to, the entire building shall be brought into compliance with the requirements of this chapter.

- [REDACTED]

- (3) If the use of any existing building is changed and becomes more hazardous as determined by the Fire Prevention and Inspection Bureau, the building shall be brought into compliance with this chapter.

- [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

### § 124-3. Adoption of state fire prevention regulations.

- A. Any and all codes and statutes of the State of Wisconsin relating to fire prevention or life safety as they are from time to time amended are adopted by reference and incorporated into this chapter as if fully set forth herein. Any violation of the incorporated provisions constitutes a violation of this chapter.
- B. Effective December 2011, any secondary references found in the International Codes, as adopted by § SPS 361.05, Wis. Adm. Code, are hereby adopted by reference and incorporated into this chapter.
- C. Copies of the Department of Safety and Professional Services Codes are available from the Department of Administration, Document Sales, 4622 University Avenue, Madison, Wisconsin, 53707, 608-266-3358, <http://www.doa.state.wi.us/divisions/enterprise-operations/bureau-of-enterprise-fleet/document-sales-and-distribution>. Copies of all DSPS Codes that are adopted by reference are on file at Fire Department headquarters for viewing upon request.

### § 124-4. Adoption of NFPA Standards.

- A. Any violation of the incorporated provisions constitutes a violation of this chapter:
 

NFPA 11	Foam Extinguishing Systems, Low Expansion
NFPA 11A	Foam Extinguishing Systems, Medium and High Expansion
NFPA 12	Carbon Dioxide Extinguishing Systems
NFPA 12A	Halon 1301 Fire Extinguishing Systems
NFPA 13	Sprinkler Systems, Installation of
NFPA 13D	Sprinkler Systems in One- and Two-Family Homes
NFPA 13R	Sprinkler Systems in Residential Occupancies up to Four Stories in Height
NFPA 14	Standpipe, Private Hydrant and Hose Systems
NFPA 15	Water Spray Fixed Systems
NFPA 16	Deluge Foam-Water Sprinkler and Spray Systems
NFPA 17	Dry Chemical Extinguishing Systems
NFPA 17A	Wet Chemical Extinguishing Systems
NFPA 25	Water Based Fire Protection Systems
NFPA 30	Flammable and Combustible Liquids Code
NFPA 30A	Motor Fuel Dispensing Facilities
NFPA 33	Spray Application Using Flammable and Combustible Materials

NFPA 34	Dipping and Coating Processes Using Flammable or Combustible Liquids
NFPA 45	Fire Protection for Laboratories Using Chemicals
NFPA 50	Bulk Oxygen Systems at Consumer Sites
NFPA 50A	Gaseous Hydrogen Systems at Consumer Sites
NFPA 50B	Liquefied Hydrogen Systems at Consumer Sites
NFPA 51B	Welding, Cutting, Other Hot Work
NFPA 69	Explosion Prevention System
NFPA 72	National Fire Alarm Code
NFPA 80	Fire Doors and Windows
NFPA 92A	Smoke Control Systems
NFPA 96	Cooking Equipment, Vapor Removal
NFPA 105	Smoke-Control Door Assemblies
NFPA 204	Smoke and Heat Venting
NFPA 230	Fire Protection of Storage
NFPA 291	Hydrants, Flow Testing and Marking
NFPA 329	Flammable and Combustible Liquids, Handling Releases of
NFPA 385	Flammable and Combustible Liquids, Tank Vehicles for
NFPA 386	Flammable and Combustible Liquids, Portable Shipping Tanks
NFPA 430	Liquid and Solid Oxidizers
NFPA 654	Prevention of Fire and Dust Explosions from Manufacturing Combustible Particulate Solids
NFPA 1123	Fireworks Display
NFPA 1124	Fireworks and Pyrotechnic Articles
NFPA 1142	Water Supplies for Suburban and Rural Fire Fighting
NFPA 1961	Fire Hose
NFPA 1962	Fire Hose, Care, Use and Service Testing
NFPA 1963	Fire Hose Connections, Storage of

- B. Effective December 2011, any referenced standard found in Chapter 32 and Appendix S of NFPA 1, Fire Code® - 2009, as adopted by § SPS 314.001, Wis. Adm. Code, that are not already adopted by this chapter are adopted by reference.
- C. Any issue not addressed by this chapter or included standards will be addressed on the basis of current accepted NFPA standards or other nationally accepted standards.
- D. The most recent update to NFPA standards will automatically be adopted by this chapter.

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

█ [REDACTED]

§ 124-10. Modifications.

[REDACTED]

- B. The particulars of such modifications when granted or allowed and the decision of the Assistant Chief in charge of the Fire Prevention and Inspection Bureau thereon shall be entered upon the records of the Department, and a signed copy shall be furnished to the applicant.
- C. The Fire Chief may require tests as proof of compliance with the intent of this chapter, such tests to be made by an approved agency at the expense of the person requesting approval of the alternate material or method of construction.
- D. If technical expertise is unavailable within the City of New Berlin Fire Department because of new technology, process, products, facilities, materials and uses attending the design, operation or use of a building or premises subject to the inspection of the City of New Berlin Fire Department, the Fire Chief may require the owner or the person in possession or control of the building or premises to provide without charge to the City of New Berlin Fire Department a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or firesafety organization acceptable to the Fire Chief and the owner and shall analyze the firesafety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon and prescribe the necessary recommended changes.

### § 124-11. Automatic sprinkler protection.

The intent of this section is designed to require the installation of automatic sprinkler systems for the better fire protection of life and property within the City.

- A. Installation required. Approved automatic fire sprinkler equipment shall be installed and maintained as follows:

- [REDACTED]

- [REDACTED]

- [REDACTED]

- (2) Basements. All basements: required throughout.

- [REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

- (5) Theaters and assembly halls: required throughout all buildings.
  - (6) Hotels and motels: required throughout all buildings.
  - (7) Hospitals, housing for the elderly and other institutional buildings: required throughout all buildings.
  - (8) Nursing, convalescent, old age and institutional buildings: required throughout all buildings.
  - (9) Schools, colleges, universities: required throughout all buildings.
  - (10) Dormitories, fraternity houses and sorority houses: required throughout all buildings.
  - (11) Day-care centers serving nine or more children. All new construction and existing buildings being converted to day-care centers, regardless of gross square footage, shall be completely sprinklered in accordance with NFPA 13 or other applicable NFPA Code.
  - (12) Community-based residential facilities (CBRFs). All new construction and existing buildings being

converted to CBRFs, regardless of gross square footage, shall be completely sprinklered in accordance with NFPA 13 or other applicable NFPA Code.

- (13) Parking ramps: required throughout all closed and open parking ramps or structures which are used for the parking of passenger vehicles. Facilities for repairing or fueling vehicles within the structure are prohibited.
- (14) High-hazard occupancies: required throughout every building which, by reason of its construction or highly combustible occupancy, involves a severe life hazard to its occupants or constitutes a fire menace. The following list, as examples of high-hazard occupancies, is not to be considered all-inclusive:
  - (a) Aluminum powder factories.
  - (b) Cellulose nitrate plastic factories.
  - (c) Cereal mills.
  - (d) Distilleries.
  - (e) Floor and feed mills.
  - (f) Grain elevators.
  - (g) Aircraft hangars.
  - (h) Chemical works.
  - (i) Explosive or pyrotechnic manufacturing.
  - (j) Linseed oil mills.
  - (k) Linoleum and oil cloth manufacturing.
  - (l) Oil refineries and gasoline bulk tanks.
  - (m) Pyroxylin plastic manufacturing or processing.
  - (n) Shade cloth manufacturing.
  - (o) Solvent extracting.
  - (p) Varnish or paint manufacturing.
  - (q) Paint stripping establishments.
  - (r) Any occupancy involving processing, mixing, storage or dispensing of volatile liquids.
  - (s) Waste paper plants.
  - (t) Vehicle storage.
  - (u) Smokehouses.
  - (v) Storage of explosive gases under pressure (15 pounds per square inch and over 5,400 cubic feet), such as acetylene, hydrogen and natural gases.
  - (w) Storage of materials with a flash point under 200° F., such as, but not limited to, celluloid products, kerosene, etc.
  - (x) Woodworking and other such establishments with combustible dusts.
  - (y) Body shops.

- (z) Lube shops.
- (aa) Repair garages.
- (bb) Buildings for the storage of recreational vehicles, boats, snowmobiles, etc.
- (15) Other properties requiring protection.
  - (a) Bowling alleys: required throughout all buildings.
  - (b) Restaurants: required throughout all restaurants.
  - (c) Buildings two stories or higher: required throughout all buildings.
  - (d) Buildings involving a severe life hazard: required throughout every building which, by reason of its construction or highly combustible occupancy, involves a severe life hazard to its occupants or adjacent property or in the judgment of the Fire Prevention and Inspection Bureau constitutes a fire menace.

■ [Redacted]

■ [Redacted]

■ [Redacted]

■ [Redacted]

■ [Redacted]

C. How installed.

- (1) Approved automatic fire sprinkler equipment shall be installed in accordance with the current edition of NFPA 13, "Standard for the Installation of Sprinkler Systems," or other applicable standards of the NFPA and the City of New Berlin Fire Department.
- (2) Compressors for dry pipe systems are required to be wired directly to building power.
- (3) All compressors for dry pipe systems will have low limit air switches and alarms.
- (4) In areas where there is no City water:
  - (a) The sprinkler system is required to be connected to domestic water at the time of installation.
  - (b) When City water becomes available, the owner will have 90 days to hook up to the City main.
  - (c) The sprinkler system supply line is to be the same size as the lateral from the well in accordance with Chapter 193, Plumbing Standards, of this Code.

■ [Redacted]

■ [Redacted]

[REDACTED]

[REDACTED]

[REDACTED]

F. Application to existing buildings.

- (1) Where the Fire Prevention and Inspection Bureau finds that existing buildings are used in whole or in part in such a way as to constitute a severe fire hazard to their occupants or to adjoining property, the Fire Prevention and Inspection Bureau may require compliance with the provisions of this chapter as they relate to new construction.
- (2) All existing public buildings or places of employment and all additions shall conform to this section as follows:
  - (a) If more than 50% of the area or square footage of a building is remodeled, added to, or both, the entire building shall comply with the requirements of this chapter. When determining what constitutes 50% remodeled or added, you will add all previous additions or areas remodeled together to arrive at the total area that has been renovated. If this percentage is equal to or greater than 50% of the gross area of the original building as determined as of the effective date of this chapter, the entire building will be required to be brought up to code.
  - (b) Any building with an existing sprinkler system, when making an addition, regardless of size or occupancy, will sprinkler the addition in accordance with NFPA 13 or other applicable NFPA Code.
  - (c) If the use or occupancy of a building is changed and the hazard, life safety or both become more severe, the entire building shall be brought into compliance with the sprinkler code.

G. Fire Department hose connections. Every automatic sprinkler system installed in new or existing buildings shall be equipped with at least one Fire Department hose connection at a location approved by the Fire Prevention and Inspection Bureau. Audible alarm bells are required on the inside and outside of all buildings that have sprinkler systems.

H. Exemptions and substitution.

- (1) Safe deposit or other vaults.
- (2) Electrical service rooms. Smoke detectors, rate-of-heat-rise detectors or fixed-temperature detectors shall be required to monitor this space.

§ 124-12. Additional provisions.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



(5) All standpipes will be installed per NFPA 14 Codes.

█ [Redacted]

C. Automatic fire protection equipment. The intent of this subsection is to require automatic fire extinguishing systems in vent hoods and duct systems for all commercial-type kitchens to effectively extinguish fire at its source and reduce the property damage and loss caused by kitchen fires.

(1) Installation requirements.

█ [Redacted]

█ [Redacted]

(c) The system shall also be provided with an automatic fuel shutoff.

█ [Redacted]

D. Automatic closing devices.

(1) Where required:

(a) Except on single- and two-family dwellings, there shall be an automatic closing device on all fire and smoke doors, except doors leading directly outside in all buildings, regardless of size.

(b) On all fire shutters and vents.

(c) Wired into a fire alarm system where a fire alarm system is required.

(2) How installed: per National Fire Protection Association standards and the National Electrical Code.

E. Fire alarms in public buildings. In any public occupancy where the exit travel is more than two stories above or below the level of exit discharge and/or subject to 50 or more occupants above or below the level of exit discharge or subject to 150 or more total occupants, a manual fire alarm system shall be provided.

█ [Redacted]

█ [Redacted]

█ [Redacted]

█ [Redacted]

█ [Redacted]