

The New Comm 14
Fire Prevention
Code
Effective
March 01, 2008

Comm 14 History

Fire Marshal Department

1907; 1907; 1915; 1917

Industrial Commission

General Orders on Fire Prevention

February 1918; February 1919;
June 1931; December 1943;
1950

Chapter Ind. 65 Fire Prevention

January 1956; May 1962;
December 1963; April 1967;
September 1970; June 1978

Department of Industry, Labor and Human Relations

ILHR 14 Fire Prevention

April 1989; May 1990; March 1992;
August 1993; March 1996

Department of Commerce

Comm 14 Fire Prevention

December 1996; October 1999;
December 2001; June 2002;
December 2004; **February 2008**

Explanation of Commerce Authority

- Commerce updates requirements as necessary to be consistent with nationally recognized standards that are incorporated by reference into the Wisconsin Commercial Building Code (WCBC) and the Wisconsin Fire Prevention Code.
- Goal: 3 year code cycle

Comm 14 Code Advisory Council Meetings & Goals

- Met between April 2004 to March 2006
- Keep model fire code as intact as possible without **Wisconsin modifications (33)**
- If we could find it in NFPA 1 or the other referenced NFPA codes eliminate the Wisconsinism
- Eliminate Adm. Codes wherever possible
- **State statute** directives maintained as Wisconsinism's
- Several current Wisconsinism's created into **informational or global notes**

Proposed Rules Creation

- Repeal Comm. 9 Fireworks Mfg.
- Repeal and Recreate Com. 7 & 14
- Create Comm. 14 Appendix

Comm 14.001 (1)

Adoption of Model Fire code

NFPA 1, Uniform Fire Code™ – 2006, subject to the modifications specified in this chapter, is hereby incorporated by reference into this chapter.

Remember

Comm 14 & the adopted 2006 NFPA 1 UFC together make up the Wisconsin Fire Prevention Code

Comm. 14.001 (1) (b)

Application of Model Fire code

The use, operation and maintenance of public buildings and places of employment shall comply with par. (a), except as provided in this chapter.

Remember

Comm 14 Scope & Application
Limitations

Comm. 14.001 (2) Alternate Fire Code

- IFC must be adopted by local ordinance***
- All current Commerce IFC Special Orders expire March 01, 2008
- Commerce does not provide direct IFC training & support

Comm. 14.01 (1) (a)

Scope

- (a) Except as provided in pars. (b) to (f), this chapter applies to all public buildings and places of employment.
- (b) Statutory Buildings or Situations
- (c) Buildings, structures or situations
- (d) Home occupation
- (e) Fire responses
- (f) Flammable, combustible or hazardous liquids storage, transfer or dispensing

Comm 14.01 (1) (e)1.

Fire Responses

- The requirements in sub. (9) apply to **all fire responses**, rather than only to fire responses for public buildings and places of employment.
- The requirements in sub. (11) (d) 2. apply to **fire responses to first alarms for all buildings**, rather than only for public buildings.

Comm 14.01 (1) (f) Flammable, Combustible or Hazardous Liquids

- Except for facilities as exempted from this code under par. (c) 1. to 3. – and notwithstanding pars. (b), (c) 4. to 7. and (d) – this code applies to **all facilities and structures which exist on or after March 01, 2008** and which involve flammable-, combustible- or hazardous-liquid storage, transfer or dispensing.

Comm 14.01 (1) (f)

Global Note 1

- Chapter Comm 5 - licenses, certifications or registrations under chapters 101, 145 or 167 of the statutes.
- Chapter Comm 5 - certified tank system inspector.
- Chapters Comm 5 and 10 **do not preclude a fire inspector from conducting fire safety inspections** involving flammable, combustible or hazardous liquids under chapter Comm 10; **or from enforcing fire safety requirements** under chapter Comm 14 or sections 101.14 (1) (a) or (b) or (2) of the statutes.

Comm 14.01 (1) (f)

Global Note 2

- Comm 48 - **quality and retail sales** of petroleum products.
- Regulates containers which have a capacity of under 275 gallons and which are used for storing gasoline or any other petroleum product that has a flash point of less than 100°F.
- **Containers to be colored red and appropriately labeled**, and prohibits using red containers for storing petroleum products that have a flash point of 100°F or more.

Comm 14.01 (1) (f)

Global Note 3

- The scope of NFPA 1, *Uniform Fire Code* is broader than the scope of this chapter.
- Any requirements which are beyond the scope of this chapter **cannot be enforced under this chapter, but may be adopted by local ordinances.**

Comm. 14.01 (2) (a) 3. Referenced Standards

- The codes and standards that are referenced in this chapter, and any additional codes and standards which are subsequently referenced in those codes and standards, shall apply to the prescribed extent of each such reference, except as modified by this chapter.

Comm. 14.01 (2) (a) 4. Fire Department Access & Water Supply

- The design and construction requirements in NFPA 1 chapter 18 for fire department access and water supply are included as part of this chapter.
- The requirements in NFPA 1 sections 18.2.3 and 18.3 **do not apply to buildings constructed prior to the effective date of this subdivision.**

Comm.14.01 (2) (b)

Conflicts

1. Where any rule written by the department differs from a requirement within a document referenced in this chapter, the rule written by the department shall govern.

Note: If the most restrictive of two or more conflicting requirements is not readily apparent, a determination of which is more restrictive can be obtained from the department.

4. Where differences occur between the requirements of this chapter and ch. Comm 10, the requirements of ch. Comm 10 shall govern.

Comm.14.01 (2) (c) Department Authority

- Any **departmental interpretation** of the requirements in this chapter or in the codes and standards that are adopted in this chapter **shall supersede any differing interpretation** by either a lower level jurisdiction or an issuer of the adopted code or standard.

Comm. 14.01 (4) (a) 1.

Exclusions

- The requirements in the following NFPA 1 sections are not included as part of this chapter:
 - 1.7.10.2 - Evidence
 - 1.7.10.4 – Trade Secret
 - 1.9.1 – **Personal Liability**
 - 1.9.2 – Jurisdictional Liability
 - 1.10. – Board of Appeals

Comm. 14.01 (6) Note Owners Responsibility

See Appendix for statutory penalties relating to **interfering** with fire fighting, and to false alarms.

Comm. 14.01 (9)

Fire Incident Reports

- (a) The reports shall contain the **fire response information** specified in NFPA 1 section 1.11.3.1.
- (b) Electronic-based fire incident reports that are **submitted directly to and in compliance with the National Fire Incident Reporting System** are not required to be submitted to the department.

Comm. 14.01 (11) (b) 5.

Inspection Frequency Exceptions

- Shall be inspected at least once per calendar year, provided the interval between those inspections does not exceed 15 months.
- m. Unoccupied buildings added.
- s. Seasonal or periodic occupancies added.

Comm. 14.01 (11) (b) 6. Local Ordinances For Reducing The Frequency Of Inspections

- a. Where **authorized by a local ordinance**, a city, village or town may reduce the inspections required under subd. 3. to at least once per calendar year, **provided the interval between those inspections does not exceed 15 months**.
- b. Any local ordinance adopted under subd. 6. a. shall be made available to the department during an audit conducted under sub. (12) (d).
- c. Any **special order** granted by the department prior to March 01, 2008, that authorized a city, village or town to reduce the number of required inspections **shall remain in effect until the expiration date specified** in that order.

Comm. 14.01 (11) (b) 7. Inspection Reports

For **at least 5 years**, the reports shall be maintained in written form **or in another form capable of conversion into written form within a reasonable amount of time.**

Comm. 14.01 (11) (b) 8. Inspectors

Fire safety inspections shall be conducted by the department or deputy or an **authorized representative of the deputy.**

Comm. 14.01 (11) (b) 9.

Statutory Inspection Authority

- The rules of this chapter do not limit or deny the ability of department deputies to conduct the activities under s. 101.14 (1) (a) and (b), Stats., for the purpose of ascertaining and causing to be corrected any condition liable to cause fire, or any violation of any law or order relating to fire hazards or to the prevention of fire.
- Note: Under s. 101.14 (2) (a), Stats., and as referenced in s. Comm 14.01 (10) (a), "The chief of the fire department in every city, village or town, except cities of the 1st class, is constituted a deputy of the department."

Comm. 14.01 (11) (b) 10. Fire Inspector Training

All fire department personnel directly involved in conducting fire inspections are authorized by the department and by the fire chief to conduct the inspections upon **completion of training approved by the fire chief.**

Comm. 14.01 (11) (c)

Public fire Education Services

“or may be **other activities** acceptable
to the department”

Comm. 14.01 (11) (d) 2. Record Keeping

Fire Response. For any of these responses that are in combination with another fire department under a **mutual aid agreement**, the record under this paragraph shall include the **name of that department and the number of firefighters, excluding the chief, responding from that department.**

Comm. 14.01 (11) (d) 2. Record Keeping

3. Fire department meetings. If the fire department is a **volunteer** fire department. For the purposes of this requirement, a **volunteer fire department does not have any member who is paid for 36 hours or more of work, on a weekly basis.**
5. Public fire education related activities.
Attendance of **fire department members**

Comm. 14.01 (11) (e) Availability of Records

For **at least 5 years**, the records specified in par. (d) shall be maintained in written form **or in another form capable of conversion into written form within a reasonable amount of time.**

Comm. 14.01 (12) (c) & (d) Self-Certification & Audit

- Dropped the word audit from self-certification
- Dropped the word on-site from audit

Comm. 14.01 (12) (d)

Audit

2. Fire department dues entitlement records, including the records required in sub. (11) (b) 7. and (d), and in NFPA 1 section 1.11.2

Note: Under those sections, the fire incident reports that are addressed in sub. (9), and any records of fire prevention inspections beyond public buildings and places of employment, are not fire dues entitlement records.

Comm. 14.01 (12) (d)

Appeals of Audit Determinations

1. General
2. Filing an appeal
3. Timing of an appeal
4. Processing an appeal
5. Appeals board
6. Support staff and resources
7. New information
8. Hearing
9. Determinations of the board
10. Decision by the secretary
11. Completion of the appeal process
12. Appeal of the secretary's decision

Comm. 14.01 (12) (f)
Fire Department Update Form
2. ... to the department by February 1

Comm 14.10 (1)

NFPA 101 Life Safety Code

This is a department informational note to be used under NFPA 1 section 10.1.2:

Note: As established in s. Comm 14.01 (2) (a) 2., the design and construction requirements that are included in NFPA 1, *Uniform Fire Code*, either directly, or indirectly through cross-references to other standards and codes such as NFPA 101, **are not included as part of this chapter.**

Comm 14.10 (2) Outside Storage

This is a department informational note to be used under NFPA 1 section 10.16:

Note: See Appendix for related explanatory material.

Comm 14.11

Portable Unvented Heaters

.... provided **adequate ventilation** is supplied.

Comm 14.13 (2) Credentials For Testers Of fire Sprinkler Systems

This is a department informational note to be used under NFPA 1 section 13.3.3:

Note: Chapter Comm 5 contains credential requirements for testers of fire sprinkler systems.....

Comm 14.13 (3) Maintenance OF Smoke Detectors In Residential Buildings

This is a department informational
note to be used under NFPA 1
section 13.7.4.6:

Comm 14.16

Manual Wet Sprinkler Systems

This is a department informational note in addition to the requirements in NFPA 1 section 13.8: Inspection, testing and maintenance of manual wet sprinkler systems shall comply with all of the requirements of NFPA 25, for an automatic fire sprinkler system, except that the main drain test specified in NFPA 25 is not required.

Note: Wisconsin has unique design and construction requirements for these manual wet systems, as established in chs. Comm 60 to 66.

Comm 14.13 (4) Hose Threads During Construction

These are department informational notes to be used under NFPA 1 section 16.4.3.3.2.6:

Comm 14.20

Open Flame Devices & Pyrotechnics

Substitute the following wording for the introductory paragraph in NFPA 1 section 20.1.4.3: No open flame devices or pyrotechnic devices may be used in any occupancy, unless otherwise permitted by the following:

Comm 14.27

Manufactured Home & Recreational Vehicle Sites

Note: Comm 26 added

Comm 14.65 (1)

Enforcement

This is a department informational note to be used under NFPA 495 section 1.6, as referenced in NFPA 1 section 65.9.1:

Note: Any inspections by fire inspectors **do not substitute for the department's licensing and permitting** of the facilities that are regulated under this section and ch. Comm 7.

Comm 14.65 (2)

Mixing Plant Operations

These are department rules in addition to the requirements in NFPA 495 section 5.2.8 as referenced in NFPA 1 section 65.9.1:

- (a) *Personnel limitations*. Only persons essential to the mixing and packaging operations shall be allowed in the mixing and packaging area at any one time.
- (b) *Production limitations*. No more than one day's production of blasting agent shall be permitted in the mixing and packaging area at any one time.
- (c) *Labeling*. All cartridges, bags or other containers of blasting agents shall be labeled to indicate their contents. Ammonium nitrate bags may not be re-used as containers for blasting agents unless they are clearly relabeled so that no mistake can be made regarding their contents.

Comm 14.65 (3)

Magazine Inspection

Substitute the following wording for the requirements in NFPA 495 section 8.7.2 as referenced in NFPA 1 section 65.9.1: All magazines containing explosive materials shall be opened and inspected at maximum intervals of 7 days to determine whether there has been unauthorized or attempted entry into the magazines or whether there has been unauthorized removal of the magazines or their contents.

Comm 14.65 (4)

Use of Explosive Materials

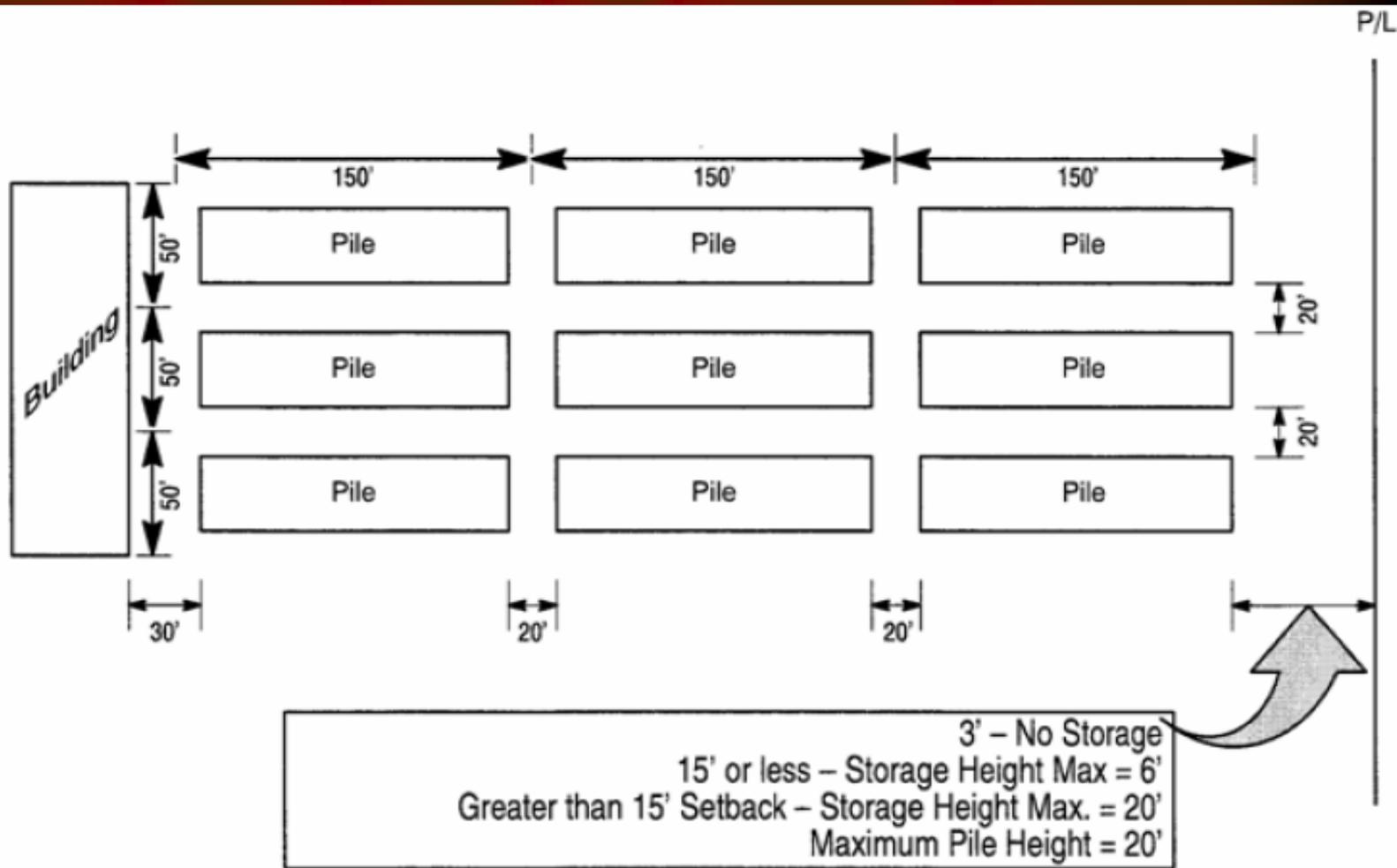
The requirements in NFPA 495 chapters 10 and 11 as referenced in NFPA 1 section 65.9.1 are not included as part of this chapter.

Note: See ch. **Comm 7** for requirements relating to the use of explosive materials.

Comm 14 Appendix

The material contained in this appendix is for clarification purposes only and is numbered to correspond to the number of the rule as the rule appears in the text of this chapter.

Comm A14.10 (2) Outside Storage Schematic



A photograph of a massive, billowing fireball from a BLEVE explosion. The fireball is bright yellow and orange, with a dark, smoky base. In the background, there are silhouettes of buildings and trees. The text "We're Done!" is overlaid in large, bold, red letters.

We're Done!

BLEVE-Boiling Liquid Expanding Vapor Explosion

Railroad Tank Cars

Crescent City, IL

June 21, 1970