Chapter SPS 333

PASSERGER ROPEWAYS

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Note: Chapter IND 45 as it existed on June 30, 1994 was repealed and a new chapter ILHR 33 was created effective July 1, 1994; Chapter ILHR 33 as it existed on April 30, 1994 was repealed and a new chapter ILHR 33 was created effective May 1, 1994; Chapter ILHR 33 was renumbered chapter Comm 33 under s. 13.92 (2m) (b) 1., Stats., Register, May, 1998, No. 509; Chapter Comm 33 was repealed and reenacted, Register August 2001 No. 548. Chapter Comm 33 was renumbered chapter SPS 233 under s. 13.92 (4) (b) 1., Stats., Register December 2011 No. 672.

SPS 333.06 Fees. Fees for the plan examination, permit to operate, load test and inspection of passenger ropeways shall be submitted to the department as specified in ch. SPS 302.

SPS 333.07 Penalties. Penalties for violations of this chapter shall be assessed in accordance with s. 101.02 (12) and (13) (a), Stats.

SPS 333.08 Appeals. (1) APPEAL OF DEPARTMENT ORDER. Pursuant to s. 101.02 (6) (a), Stats., any person who owns or occupies a property that is affected by an order of the department may petition the department for a hearing on the reasonableness of the order.

(2) APPEAL OF LOCAL ORDER. Pursuant to s. 101.02 (7) (b), Stats., any person affected by a local order that is in conflict with an order of the department may petition the department for a hearing on the local order.

(3) PETITION OF ADMINISTRATIVE RULE. Pursuant to s. 227.12, Stats., any municipality, corporation or any 3 or more persons having an interest in an administrative rule may petition the department requesting the adoption, amendment or repeal of the rule.

Subchapter II — General Requirements

SPS 333.10 Department review. (1) PLANS AND SPECIFICATIONS. (a) Before commencing the construction, installation or relocation of or addition to a passenger ropeway, plans and specifications for the proposed passenger ropeway shall be submitted to the department for review and approval.

(b) At least 3 clear, legible and permanent copies of the plans and one copy of the specifications shall be submitted to the department.

Note: Original drawings are not considered a substitute for permanent copies.
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(c) Plans shall include all of the following applicable information:
1. Name of the owner and the location of the passenger ropeway.
2. Name and address of the passenger ropeway's designer.
3. Site plan and profile map showing location of towers, power units, counterweights and pits.
4. Clearances of towers, path and counterweights.
5. Details of tower construction mountings, foundations and supports, sheave assemblies and carriages.

(d) The specifications shall be coordinated with the plans and describe the quality of the materials.

(e) All plans submitted for review shall be accompanied by sufficient data and information for the department to determine if the design of the passenger ropeway, the capacity of the equipment, and the performance of the passenger ropeway will conform to the requirements of this chapter.

(2) PLAN APPROVAL. (a) If the department determines that the plans and the specifications for the proposed passenger ropeway substantially conform to the requirements of this chapter, a written conditional approval shall be granted. All conditions not in compliance with this chapter, which are identified in the conditional approval, shall be corrected before or during construction or installation. A conditional approval issued under this subsection shall not impose any responsibility or liability upon the department for the design or construction of the passenger ropeway.

(b) If the department determines that the plans or the specifications for the proposed passenger ropeway do not substantially conform to the requirements of this chapter, the application for conditional approval shall be denied in writing.

(3) EVIDENCE OF PLAN APPROVAL. At least one set of plans bearing the department's stamp of conditional approval and a copy of the specifications for the passenger ropeway shall be kept at the passenger ropeway site. The plans and specifications shall be open to inspection by the department or a third party independent inspector.

(4) REVOCATION OF APPROVAL. The department may revoke any approval, issued under this chapter, for any false statements or misrepresentation of facts on which the approval was based.

(5) PLAN REVIEW PROCESSING TIME. Pursuant to s. 302.07 (3), the department shall review and make a determination on an application for plan review within 15 business days.

History: CR 00-112; cr. Register August 2001 No. 548, eff. 9-9-01; CR 06-119: am. (3) Register July 2007 No. 417, eff. 8-1-07; correction in (5) made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672.

SPS 333.11 Ropeway alterations. Complete information regarding an alteration which affects the design, structural strength or operation of a passenger ropeway or which replaces any piece of major equipment of a passenger ropeway shall be kept at the passenger ropeway site. The information shall be open to inspection by the department or a third party independent inspector.

Note: Examples of alterations include the ropeway modifications listed in ANSI B77.1 section 1.2.4.4.

History: CR 00-112; cr. Register August 2001 No. 548, eff. 9-9-01.

SPS 333.12 Inspections and tests. (1) ACCEPTANCE INSPECTIONS. (a) The acceptance inspections specified in the ANSI B77.1 standard adopted in s. SPS 333.17 shall be performed by the department.

(b) Notice shall be given to the department at least 5 business days prior to the time the passenger ropeway will be ready for inspection.

(c) If the inspection is not completed within 10 business days after the passenger ropeway is ready for inspection, the department shall issue a temporary permit to operate until an inspection is completed and the passenger ropeway is approved or disapproved.

(2) PERIODIC INSPECTIONS. (a) All passenger ropeways, including existing passenger ropeways installed or constructed prior to September 1, 2001, shall be inspected at least once every 12 months by the department or a third party independent inspector. The inspections shall ascertain whether the passenger ropeway meets the requirements of this chapter and, for existing passenger ropeways, the appropriate requirements in effect prior to September 1, 2001.

Notes: Prior to July 1, 1984, administrative rules for aerial tramways, aerial lifts, surface lifts and rope tows were specified in ch. Ind 46. Since July 1, 1984, the rules have been specified in ch. ILHR 33, Comm 33, and this chapter.

(b) By October 1 of each year, the passenger ropeway owner shall notify the department in writing if the next required periodic inspection is to be performed by a third party independent inspector. If the notification is not made by October 1, the department may perform the next required periodic inspection and charge the owner the applicable fee specified in ch. SPS 302.

(c) Where the inspection required under par. (a) is performed by a third party independent inspector, the inspection report shall be filed with the department at least 10 business days prior to the expiration date on the permit to operate. If the report is not filed within the required time frame, the department may perform the next required periodic inspection and charge the owner the applicable fee specified in ch. SPS 302.

(3) LOAD TESTS. The acceptance tests specified in the ANSI B77.1 standard adopted in s. SPS 333.17 shall be witnessed by the department.

(4) ADDITIONAL DATA. When requested, additional data pertaining to the design, construction, materials or equipment of a passenger ropeway shall be submitted to the department for approval or to substantiate compliance with this chapter.

History: CR 00-112; cr. Register August 2001 No. 548, eff. 9-9-01; correction in (1) (a). (2) (b), (c) made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672.

SPS 333.13 Permit to operate. (1) RESPONSIBILITY. No passenger ropeway may be operated without a valid permit to operate. The owner of a passenger ropeway shall be responsible for obtaining and maintaining a valid permit to operate. The permit to operate shall be kept on the premises.

History: CR 00-112; cr. Register August 2001 No. 548, eff. 9-9-01.

SPS 333.14 Owner's responsibility. No owner may construct or alter any passenger ropeway or portion of a passenger ropeway, or permit any passenger ropeway to be constructed or altered except in compliance with this chapter. Compliance with this chapter does not relieve the owner from compliance with other administrative rules or statutes.

History: CR 00-112; cr. Register August 2001 No. 548, eff. 9-9-01.

SPS 333.15 Accident reporting. An accident resulting in bodily injury as a result of a passenger ropeway malfunction and that requires more than first aid treatment shall be reported to the department within 2 business days of the injury. Fatalities as a result of a passenger ropeway malfunction shall be reported within 24 hours of occurrence.

Note: Accidents are to be reported to the department at the Safety and Buildings Division, Field Operations Bureau, F.O. Box 2338, Madison, Wisconsin
SPS 333.16 Construction and operation. All passenger ropeways shall be designed, constructed, installed, maintained and operated in accordance with the ANSI B77.1 standard incorporated by reference in SPS 333.17, subject to those changes, additions and omissions specified in subch. III. History: CR 05–132: cr. Register August 2001 No. 548, eff. 9–1–01; correction made under s. 13.92 (4) (b) 7., Stats., Register December 2011 No. 672.


Note: Copies of standards incorporated by reference are on file in the office of the department and the legislative reference bureaus. History: CR 05–132: cr. Register August 2001 No. 548, eff. 9–1–01.

Subchapter III — Changes or Additions to or Omissions from Adopted Standards

SPS 333.20 Changes or additions to or omissions from ANSI B77.1. Changes or additions to or omissions from the ANSI B77.1 standard are specified in this subchapter and are rules of the department and are not requirements of the ANSI B77.1 standard. History: CR 05–132: cr. Register August 2001 No. 548, eff. 9–1–01.

SPS 333.21 Scope and purpose [B77.1 1.1, 1.2 and 1.3]. The requirements of B77.1 section 1.1 — Scope, section 1.2 — Purpose, and section 1.3 — Reference to Other Codes and Standards are not included as part of this chapter. History: CR 05–132: cr. Register August 2001 No. 548, eff. 9–1–01.

SPS 333.22 Definitions [B77.1 1.4]. (1) ADDITIONS. The following are department definitions in addition to the definitions in B77.1 section 1.4:

(a) "Department" means the department of safety and professional services.

(b) "Evacuation" means an emergency unloading procedure to remove passengers at other than designated unloading areas.

(c) "Path" means that area of a surface lift system or rope tow system traversed by a user which extends between the loading area and the point beyond the stop gate for the unloading area where a passenger would disembark if the stop gate was actuated.

(2) SUBSTITUTIONS. The following department definitions are substitutions for the respective definitions in B77.1 section 1.4:

(a) "Approved" means acceptable to the department.

(b) "Authority having jurisdiction" means the department. History: CR 05–132: cr. Register August 2001 No. 548, eff. 9–1–01; correction in (1) (a) made under s. 13.92 (4) (b) 6., Stats., Register December 2011 No. 672.