

VILLAGE OF RIB MOUNTAIN, MARATHON COUNTY, WISCONSIN

ORDINANCE NO. 2023-06

**AN ORDINANCE TO AMEND SECTION 5.04 FIRE PREVENTION AND PROTECTION CODE
AND SECTION 14.02 BUILDING CODE.**

WHEREAS, The Village of Rib Mountain is authorized to prepare, amend and adopt a building code ordinance under Wis. Stats. §§62.17, 101.65, 101.76 and 101.86; and

WHEREAS, the Village of Rib Mountain adopted Chapter 5 to serve as the Village's fire protection ordinance; and

WHEREAS, the Village of Rib Mountain adopted Chapter 14 to serve as the Village's building code ordinance; and

WHEREAS, the Village Trustees of the Village of Rib Mountain finds the proposed amendment contained herein is reasonable, consistent with the public interests.

NOW, THEREFORE, the Village Trustees of the Village of Rib Mountain, Marathon County, Wisconsin does ordain as follows:

Section 1: Chapter 5 FIRE PROTECTION, SECTION 5.04 ENTITLE "FIRE PREVENTION AND PROTECTION CODE" of the Code of the Village of Rib Mountain is hereby amended with new language underlined and deleted language ~~stricken~~ to provide as follows:

5.04.203. Adoption of Wisconsin Administrative Code and NFPA codes.

- (B) Adoption of National Fire Protection Association codes. The Town hereby adopts the following codes of the National Fire Protection Association or NFPA. These regulations are hereby adopted by reference and incorporated into the Town Fire Prevention Code with the same force and effect as if fully set forth herein. Any future amendments, modifications, revisions, renumbering, recodification, additions or deletions of the codes so adopted shall be incorporated herein and made a part of this Article. This adoption also includes any other laws referenced within the adopted codes to the extent necessary that this code adoption by reference is given its full force and effect:

NFPA 1 Fire Code

NFPA 54 National Fuel Gas Code

NFPA 58 Liquefied Petroleum Gas Code

~~NFPA 101 Life Safety Code~~

5.04.206. Definitions.

- (a) Definitions. Unless otherwise expressly stated, the following terms shall, for the purposes of this Code, have the following meanings:
- (27) Factory Industrial Group F. Group F occupancy includes, among others, the use of a building or structure, or a portion thereof, for assembly, disassembly, fabricating, finishing, manufacturing, packaging, repair or processing operations that are not classified as Group H occupancy as adopted and amended under SPS 361-366.

- a. F-1 Moderate-Hazard occupancy.
 - b. F-2 Low-Hazard occupancy.
- (43) Hazardous Group H. Group H occupancy includes, among others, the use of a building or structure, or a portion thereof, that involves the manufacturing, processing, generation or storage of materials that constitute a physical or health hazard in quantities in excess of those found in Tables 307.1(1) and 307.1(2) of the ICC International Building Code and as defined in the International Fire Code as adopted and amended under SPS 361-366.
- A. H-1 Buildings and structures which contain materials that pose a detonation hazard.
 - b. H-2 Buildings and structures which contain materials that pose a deflagration hazard or a hazard from accelerated burning.
 - c. H-3 Buildings and structures which contain materials that readily support combustion or pose a physical hazard.
 - d. H-4 Buildings and structures which contain materials that are health hazards.
 - e. H-5 Semiconductor fabrication facilities and comparable research and development areas in which hazardous production materials are used and the aggregate quantity of materials is in excess of those listed in Tables 307.1(1) and 307.1(2) of the ICC International Building Code.
- (44) Institutional Group I. Group I occupancy includes, among others, the use of a building or structure, or a portion thereof, in which people having physical limitations because of health or age are harbored for medical treatment or other care or treatment, or in which people are detained for penal or correctional purposes or in which the liberty of the occupants is restricted. Institutional occupancies are classified as I-1, I-2, I-3 or I-4, as described in the ICC International Building Code as adopted and amended under SPS 361-366.

5.04.213. Places of assembly.

- (a) Inspection of exits. Not more than ninety minutes prior to the scheduled commencement of any non-continuous activity, event, performance, show, meeting, function, or other occasion for which persons will gather at a ~~Class A or B commercial~~ place of assembly (as defined in the International Building Code and International Fire Code NFPA-101, Life Safety Code), the owner (or designee pursuant to written authority, instructions, or procedures) shall inspect every required exit, ways of approach thereto, and way of departure therefrom. If such inspection reveals that any required means of egress is obstructed, inaccessible, locked, fastened, or otherwise unsuited for immediate use, the scheduled program shall not begin, nor shall admittance to the place of assembly be permitted until necessary corrective action has been completed.

Section 2: Chapter 14 BUILDING CODE, SECTION 14.02 ENTITLED "BUILDING CODE" of the Code of the Village of Rib Mountain is hereby amended with new language underlined and deleted language stricken to provide as follows:

14.02 BUILDING CODE.

- (1) PERMIT.

- (c) Plans. With each application there shall be submitted two complete sets of plans and specifications, including a plot plan showing the location of the proposed building with respect to adjoining streets, alleys, lot lines and buildings.
1. Plans for commercial buildings: ~~required to comply with the State Building Code shall bear a stamp of approval from DILHR. Such plans and specifications shall be submitted in duplicate; one set shall be returned after approval as provided below; the other set shall remain on file in the office of the Town Clerk. All plans and specifications shall be signed by the designer.~~ **Delegated Appointed Agent Municipality.** The municipality has adopted the Appointed Agent Municipality Status as described in SPS 361.60 and SPS 382 of the Wisconsin Administrative Code.
 - a) Responsibilities. The Village shall assume the following responsibilities for the Department of Safety and Professional Services (Department):
 1. Provide inspection of commercial buildings with certified commercial building inspectors.
 2. Provide plan examination of commercial buildings with certified commercial building inspectors.
 - b) Plan Examination. Drawings, specifications and calculations for all the types of buildings and structures, except state-owned buildings and structures and other structures exempted in SPS 361.03(3) & SPS 382, to be constructed within the limits of the municipality shall be submitted, if the plans are for any of the following:
 1. A new building or structure.
 2. An addition to a building, structure, or building system such as fire alarm, sprinkler, plumbing, or HVAC system.
 3. An alteration of a building space, element, or structure. Including alteration of an existing fire alarm system, fire sprinkler system, plumbing system, HVAC system or replacement of equipment or fixtures within those systems.
 4. A certified or delegated municipality may waive its jurisdiction for the plan review of a specific project or types of projects, or components thereof, in which case plans and specifications shall be submitted to the Department for review and approval.
 5. The department may waive its jurisdiction for the plan review of a specific project, where agreed to by a certified municipality, in which case plans and specifications shall be submitted to the certified municipality for review and approval.
 - c) Plan Submission Procedures. All commercial buildings, structures and alterations, including new buildings and additions require plan submission as follows:
 1. Building permit application
 2. Application for review – State of Wisconsin forms as applicable based on trade submitted or Municipal Equivalent.
 - a. Fees per municipal fee schedule
 - b. Fees apply to all commercial projects

AND one of the following options

3. 4 sets of plans

- a. Signed and sealed per SPS 361.31 or SPS 382 as appropriate
- b. (1) set of specifications
- c. Component and system plans
- d. Calculations showing code compliance

OR

4. 1 sets of plans with 3 Project cover sheets

- a. Signed and sealed per SPS 361.31 or SPS 382 as appropriate
- b. (1) set of specifications
- c. Component and system plans
- d. Calculations showing code compliance

Note: Nothing in this code or chs. SPS 361 to 366 and SPS 380-387 is intended to prohibit the submission and acceptance of plans and construction documents in an electronic or digital media. However, if plans are approved electronically, 2 sets of hard copies bearing the approval stamp of the reviewer is still required to be submitted prior to permit issuance.

(c) Duties of Building Inspector .

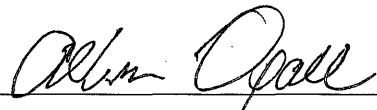
- 1. The Building Inspector shall be responsible for plan approval and inspections under this subsection only where the State has not preempted jurisdiction.
- 2. The Building Inspector, as certified by the Department of Safety and Professional Services ~~Department of Industry, Labor and Human Relations~~, is hereby authorized and directed to administer and enforce all of the provisions of the Wisconsin Uniform Dwelling Code.

Section 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

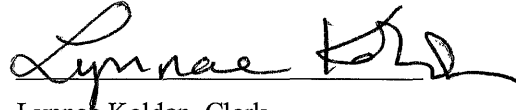
Section 4: Should any portion of this ordinance be declared invalid, or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of the remaining portions of said ordinance which can be given effect without the invalid or unconstitutional provision.

Section 5: This ordinance shall be in full force and effect from and after its date of passage and notice to the public as required by law.

Adopted this 21 day of Nov., 2023.


Allen Opall, Village President

ATTEST:


Lynnae Kolden, Clerk