

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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Scott Walker, Governor
Laura Gutiérrez, Secretary

NOTICE OF VIOLATIONS AND ORDERS

October 16, 2018

CUST ID No.: 1459806
Phone: (715) 530-2806

TRANSACTION No.: 3149786

Site ID No.: 853136 Sunflower Cafe
SITE ADDRESS: 36375 Main St
Trempealeau County, City of Whitehall
Site Contact: Joel Sallander
Contact Phone: (715) 530-2806

JOEL T SALLANDER
W17341 Gusi Rd.
WHITEHALL, WI 54773

ORDER 0005886

Regulated Objects:

Nature of Complaint Summary: Staircase in violation of commercial code
Object Type: Complaint Regulated Object ID No.: 1793519
Last Inspection Date: November 28, 2017

INVESTIGATION NOTES:

This DEPARTMENT ORDER is issued as a result of an inspection on the above referenced site. (17COM152)

The following violations were revealed in the 2009 IBC stair code requirements as incorporated by Wis. Admin. Code § SPS 361.05(1):

§ 1009.4.5 Profile. The radius of curvature at the leading edge of the tread shall be not greater than 9/16 inch (14.3 mm). Beveling of *nosings* shall not exceed 9/16 inch (14.3 mm). Risers shall be solid and vertical or sloped under the tread above from the underside of the *nosing above* at an angle not more than 30 degrees (0.52 rad) from the vertical. The leading edge (*nosings*) of treads shall project not more than 11/4 inches (32 mm) beyond the tread below and all projections of the leading edges shall be of uniform size, including the leading edge of the floor at the top of a *flight*.

Exceptions:

1. Solid risers are not required for *stairways* that are not required to comply with Section 1007.3, provided that the opening between treads does not permit the passage of a sphere with a diameter of 4 inches (102 mm).

Required Action: Repair top landing structure to confirm how they are fastened to building.

§ 1009.12 Handrails. *Stairways* shall have *handrails* on each side and shall comply with Section 1012.

Required Action: Install graspable handrails at the appropriate height.

§ 1012.2 Height. *Handrail* height, measured above *stair* tread *nosings*, or finish surface of *ramp* slope, shall be uniform, not less than 34 inches (864 mm) and not more than 38 inches (965 mm).

Required Action: Install graspable handrails at the appropriate height.

§ 1012.3 Handrail graspability. All required *handrails* shall comply with Section 1012.3.1 or shall provide equivalent graspability.

Required Action: Install graspable handrails at the appropriate height.

§ 1012.6 Handrail extensions. *Handrails* shall return to a wall, *guard* or the walking surface or shall be continuous to the handrail of an adjacent *stair flight* or ramp run. Where *handrails* are not continuous between *flights*, the *handrails* shall extend horizontally at least 12 inches (305 mm) beyond the top riser and continue to slope for the depth of one tread beyond the bottom riser.

Required Action: Install graspable handrails at the appropriate height.

§ 1013.2 Guard Height. Required *guards* shall be not less than 42 inches (1067 mm) high, measured vertically above the adjacent walking surfaces, adjacent fixed seating or the line connecting the leading edges of the treads.

Required Action: Install stair guard at the appropriate height.

§ 1013.3 Guard Opening limitations. Required *guards* shall not have openings which allow passage of a sphere 4 inches (102 mm) in diameter from the walking surface to the required *guardheight*.

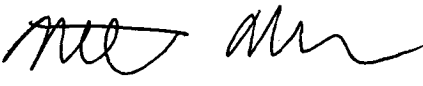
Required Action: Install stair guards so that a 4 inch diameter sphere cannot pass through.

You are hereby ordered to have the installation corrected to conform to the indicated provisions of the Wisconsin Administrative Code and/or Wisconsin Statutes. This installation shall be corrected by the compliance date noted, and upon correction of violations I must be notified. If you fail to comply, this order is enforceable in circuit court pursuant to Wis. Stat. § 101.02(13), Stats., with forfeitures ranging from \$10 to \$100 per day for each violation.

If you have any questions regarding this matter, please feel free to contact me at the number listed below.

Wis. Admin. Code § SPS 303.03 Permits any person affected by a rule of the department to petition for a variance of the rule. The petition needs to establish equivalency to the rule, be provided on the form from the department and be submitted with accompanying fee and municipal recommendation.

Wis. Stat. § 101.02(6)(e). Any employer or other person interested either because of ownership in or occupation of any property affected by any such order, or otherwise, may petition for a hearing on the reasonableness of any order of the department in the manner provided in this subchapter.

INSPECTOR NAME: Matthew McCasland		INVESTIGATION DATE: 11/28/2017
PHONE/WORK HOURS: (608)266-9814		
E-MAIL: matthew.mccasland@wisconsin.gov		INVESTIGATION TYPE: Requested
SIGNATURE:	DATE:	INVESTIGATION SOURCE: Other
	10/16/18	COMPLIANCE DATE: 12/15/18
		Fee Required: (Invoice will be send Separately)
		PTO Expires:

cc: Bret J Radke