

## WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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Scott Walker, Governor  
Laura Gutiérrez, Secretary

## NOTICE OF VIOLATIONS AND ORDERS

November 2, 2018

CUST ID No.: 1464358 TRANSACTION No.: 3172196  
Phone: (608)290-1514

JD'S COUNTRYSIDE AUTOBODY  
5042 E COUNTY ROAD A  
JANESVILLE, WI 53546

Site ID No.: 854610 JD's Countryside Auto Body  
SITE ADDRESS: 5042 E County Road A  
Rock County, Town of Harmony  
Site Contact: James Discher  
Contact Phone: (608) 290-1514

0005241

### Regulated Objects:

Nature of Complaint Summary: Building has electrical and building code violations  
Object Type: Complaint Regulated Object ID No.: 1800665 (18 COM 46)  
Last Inspection Date: May 1, 2018

### INVESTIGATION NOTES:

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

The following violations were revealed:

#### Building Code Violations:

1. Violation: No plans submitted for HVAC installation

Wis. Admin. Code § SPS 361.30(3) – Except as provided in sub. (4), building component or system plans shall be submitted to and approved by the department or authorized representative prior to installation of the component or system, for each of the following type components or systems: 2. Heating, ventilating and air conditioning systems.

**Suggested Action:** Submit four (4) sets of heating, ventilating and air conditioning plans, with one (1) set of calculations all of which are to be properly stamped, signed and dated, a completed SBD-118 form and fees to this Department for review and approval. **The plans shall address ventilation and for the entire building.**

2. Violation: Building lacks proper ventilation.

Wis. Admin. Code § Ind. 59.52(1) (Feb. 1974) – Ventilation shall be provided for all repair garages, service stations, body shops, repair service shops and live storage garages where vehicles or equipment having internal combustion engines are operated for repair or other purposes. (2) Ventilation required. The supply and exhaust ventilation shall be provided for areas of this class, whenever open to the public or to employees.

Wis. Admin. Code § Ind. 64.62 (2) & Ind 64.05(2) (1979) Vehicle service buildings – The air movement, supply and distribution shall be provided in accordance with the requirements of section Ind 64.05, Table 1. The exhaust air shall be drawn from not more than 18 inches above the floor.

Wis. Admin. Code § Ind. 64.18 (1979)– Contamination of air. (1) Air contaminated from odors, fumes, noxious gases, smoke, steam, dust, spray, or other contamination shall be diluted with uncontaminated air or exhausted to prevent the contaminated air from spreading to other parts of the building occupied by people.

**Suggested Action:** Install proper ventilation.

**3. Violation:** The furnace and wood stove are not separated from the paint storage area by the proper 2-hour rated fire resistive wall.

**Wis. Admin. Code §§ Ind. 54.50, 54.21 (1979)** – Boilers, furnaces, and all open flame equipment within garages and service stations shall be effectively separated from other areas by not less than 2-hour fire-resistive walls, floors and ceilings as specific in Ind 51.04.

**Wis. Admin. Code § Ind. 54.14 (1979)** – All heating boilers and furnaces, power boilers, fuel rooms, storage vaults for paints, oils, and similar combustibles and other similar hazards in a building shall be isolated from the rest of the building by at least a 2-hour fire-resistive enclosure as specified in 51.04.

**Suggested Action:** The paint storage area shall be separated by 2-hour rated construction.

#### **Electrical Violations:**

**Pursuant to Wis. Admin. Code § SPS 316.014 Wisconsin's electrical code incorporates by reference, subject to modification specified in Wis. Admin. Code SPS Chapter 316, the National Fire Protection Association (NFPA) and the National Electrical Code (NEC).**

**Wis. Admin. Code § SPS 316.003(3) Existing Installations:** Existing electrical installations shall conform to the electrical code that applied when the installations were installed. An existing electrical installation may be required to be brought into compliance with the current code's requirements by the department and within the time period determined by the department when a hazard to life, health or property exists or is created by the installation.

**4. Violation:** Hazardous areas lack proper documentation.

**2011 NEC § 500.4(A) General Documentation:** All areas designated as hazardous (classified) locations shall be properly documented. This documentation shall be available to those authorized to design, install, inspect, maintain, or operate electrical equipment at the location.

**Suggested Action:** Provide documentation of all hazardous locations to the department and any electrical contractors working at the location.

**5. Violation:** A spray room has been constructed without following any of the requirements in NEC Article 516 of the 2011 NEC.

**2011 NEC Article 516, Spray Application, Dipping & Coating Processes.** All equipment and electrical wiring in the documented classified locations inside & outside the spray area must comply with the requirements of 2011 NEC Article 501, 505, & 516 depending on the classification system used.

**Suggested action:** Rework all electrical wiring and equipment in accordance with the classification of hazard determined per NEC Article 516, 501 & 505.

**6. Violation:** A paint mixing machine is installed in a hazardous location adjacent to the spray room. The paint mixing machine is not grounded and not wired in accordance to the classified location.

**2011 NEC § 516.16 Grounding.** All metal raceways, the metal armors or metallic sheath on cables, and all non-current-carrying metal parts of fixed or portable electrical equipment, regardless of voltage, shall be grounded and bonded. Grounding and bonding shall comply with 501.30, 502.30, or 505.25, as applicable.

**Suggested action:** Properly wire and ground the paint mixing machine in accordance with documented hazardous location.

**7. Violation:** All 15 & 20-ampere 120-volt receptacles in garages, service bays, and similar areas where electrical diagnostic equipment, electrical hand tools, or portable lighting equipment are not GFCI protected.

**2011 NEC § 210.8(B)(8) GFCI protection required.** Garages, service bays, and similar areas where electrical diagnostic equipment, electrical hand tools, or portable lighting equipment are to be used.

**Suggested action:** replace all non-GFCI protected receptacles in locations required to GFCI receptacles.

**8. Violation:** Unused openings are open.

**2011 NEC § 110.12(A) Unused openings.** Unused openings, other than those intended for the operation of equipment, those intended for mounting purposes, or those permitted as part of the design for listed equipment, shall be closed to afford protection substantially equivalent to the wall of the equipment.

**Suggested action:** Close all unused electrical openings.

**9. Violation:** Circuits lack proper identification.

**2011 NEC § 408.4 Circuit Directory or Circuit Identification.** Every circuit and circuit modification shall be legibly identified as to its clear, evident, and specific purpose or use. The identification shall include sufficient detail to allow each circuit to be distinguished from all others.

**Suggested action:** Label all branch circuits in a circuit directory at each panelboard and distribution.

**10. Violation:** UF Cable installed where it can be subject to physical damage.

**2011 NEC § 340.12(10) UF Cable, uses not permitted.** UF Cable shall not be installed where subject to physical damage.

**Suggested action:** Remove all UF Cable located at the exterior light post at the front entry and rewire with a recognized NEC chapter 3 wiring method permitted for the location.

**11. Violation:** EMT not properly secured and supported.

**2011 NEC § 358.30 EMT Securing and supporting.** EMT shall be securely fastened in place at least every 3 m (10 ft). In addition, each EMT run between termination points shall be securely fastened within 900 mm (3 ft) of each outlet box, junction box, device box, cabinet, conduit body, or other tubing termination.

**Suggested action:** Properly secure and support EMT conduits.

**12. Violation:** Damaged equipment.

**Wis. Admin. Code § SPS 316.010 Inspection and maintenance.** All electrical installations and equipment shall be cleaned and inspected at intervals as experience has shown to be necessary.

**Suggested Action:** Replace damaged exit lights not working and with exposed electrical wiring.

**13. Violation:** Furnace lacks a disconnecting means.

**2011 NEC § 422.30 disconnecting means and wiring.** The furnace shall have a disconnecting means located within site of the appliance.

**Suggested action:** Provide a disconnecting means for the furnace and properly wire the furnace with a recognized NEC chapter 3 wiring method.

**14. Violation:** Unsafe electrical wiring in shop area.

**Wis. Admin. Code § SPS 316.010 Inspection & maintenance.** All electrical installations and equipment shall be cleaned and inspected at intervals as experience has shown to be necessary

**Suggested action:** Rework all unsupported, exposed & unprotected NM, UF SE cables throughout the shop area. NM & UF cables shall not be permitted to be cord and plug connected. All ceiling fans and light fixtures shall be rewired and properly supported to code compliant electrical boxes.

**Wis. Admin. Code § SPS 316.010 Inspection & maintenance.** All electrical installations and equipment shall be cleaned and inspected at intervals as experience has shown to be necessary


**Suggested action:** Rework all unsupported, exposed & unprotected NM, UF SE cables throughout the shop area. NM & UF cables shall not be permitted to be cord and plug connected. All ceiling fans and light fixtures shall be rewired and properly supported to code compliant electrical boxes.

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 s. 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)-(f)** 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. All petitions must be received within 30 days of the date of this Order. Such petition for hearing shall set out specifically and in full detail the order upon which a hearing is desired and every reason why such order is unreasonable, and every issue to be considered by the department on the hearing. The petitioner shall be deemed to have finally waived all objections to any irregularities and illegalities in the order upon which a hearing is sought other than those set forth in the petition.

INSPECTOR NAME: Matthew McCasland		INVESTIGATION DATE: May 1, 2018
PHONE/WORK HOURS: (608)266-9814		
E-MAIL: matthew.mccasland@wisconsin.gov		INVESTIGATION TYPE: Requested
SIGNATURE:	DATE:	INVESTIGATION SOURCE: Other
	11/2/18	COMPLIANCE DATE: 01/15/19
		Fee Required: (Invoice will be send Separately)
		PTO Expires:

cc: Charlotte Martin, State Building Inspector, (608) 235-0579  
Anthony J Tadysak, State Electrical Inspector