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Tony Evers, Governor
Dawn Crim, Secretary

NOTICE OF VIOLATIONS AND ORDERS

February 19, 2019

CUST ID No.: 1435326 TRANSACTION No.: 3188459
Phone: (920)918-7187

JOSH HERR
20 N 10TH ST
OOSTBURG, WI 53070

Site ID No.: 844881 Osius Street Apartments
SITE ADDRESS: 202 Osius St
Sheboygan County, Village of Adell
Site Contact: Josh Herr
Contact Phone: (920)918-7187

20620005575

Regulated Objects:

Nature of Complaint Summary: Building is in disrepair, owner modified electrical and plumbing.
Object Type: Complaint Regulated Object ID No.: 1737265 (16 COM 248)
Last Inspection Date: October 4, 2018

INVESTIGATION NOTES:

This DEPARTMENT ORDER is issued as a result of an inspection on the above referenced site. The Department previously entered an Order on December 13, 2017. To date that Order has not been fully complied with. The property owner has made some repairs on the premises, however he completed these himself and he is neither a licensed electrician nor licensed plumber. While doing so, additional violations were found. A new Order is necessary to accurately reflect the outstanding code violations.

The following violations were revealed:

Plumbing:

1. Violation: 12" round hole with steel plate covering may not be code compliant.

Wis. Admin. Code § SPS 382.30(10)(a)4. Sanitary drain systems. (10) SUMPS, EJECTORS AND PUMPS. (a) Sumps. 4. 'Materials.' All sumps shall be constructed in a watertight manner of approved materials in accordance with ch. SPS 384.

Suggested Action: A 12" round hole with steel plate covering hole needs to be investigated to verify code compliant installation to whichever drain system it is attached to with proper venting.

2. Violation: Multiple water heaters with relief discharge piping greater than 6 inches from the floor.

Wis. Admin. Code § SPS 382.40(2) Water supply systems. (2) MATERIALS. All water supply systems shall be constructed of approved materials in accordance with ch. SPS 384.

Suggested Action: The hot water heater needs to have code compliant water pipe materials on relief valve discharge pipe.

3. Violation: The laundry tub fixture is improperly vented. An AAV was added but the piping is leaking.

Wis. Admin. Code § SPS 382.31(9)(a) Vents and venting systems. (9) FIXTURE VENTS. (a) Developed length between vent and trap. Each fixture trap shall be protected with a vent located in accordance with the provisions of subds. 1. and 2. 1. Each fixture trap which is not an integral part of the fixture shall be protected with a vent so located that the developed length of the fixture drain piping from the trap weir to the vent connection is within the limits set forth in Table 382.31-1. 2. Each fixture trap which is an integral part of the fixture shall be protected with a vent so located that the developed length of the fixture drain piping from fixture outlet to the vent connection is within the limits set forth in Table 382.31-1. For a floor outlet water closet or similar fixture, the point where the fixture drain piping turns horizontal shall be considered as the fixture outlet.

Suggested Action: Properly vent laundry tub.

4. Violation: Connection to top of sump cover with a branch drain.

Wis. Admin. Code § SPS 382.30(10)(a)5. 'Removable covers.' Penetrations through the top of removable sump covers shall be limited to those for the electrical supply, the vent piping and the discharge piping for the pump or pumps.

Suggested Action: Removal cover needs to be installed.

5. Violation: 1-1/2" drain piping installed serve an automatic washer where 2" minimum drain is required.

Wis. Admin. Code § SPS 382.30(3)(a). LOAD ON DRAIN PIPING. (a) Intermittent flow. 1. 'Fixture.' The load factor on drain piping shall be computed in terms of drainage fixture unit values specified in Table 382.30-1 for the corresponding listed fixture.

6. Violation: Basement sink & automatic washer incorrectly vented.

Wis. Admin. § SPS 382.31(3)(a). GENERAL. (a) Vents. Every trap and trapped plumbing fixture shall be provided with an individual vent, except as otherwise permitted in this chapter. Vents and venting systems shall be designed and installed so that the water seal of a trap shall be subject to a maximum pneumatic pressure differential equal to one inch of water column.

Suggested Action: Properly vent.

7. Violation: Air admittance valve incorrectly installed with automatic washer – not permitted without 3" stack downstream which is not available.

Wis. Admin. Code § SPS 382.20(12)(a). Air admittance valves shall be installed per specific conditions imposed during the alternate approval process.

Suggested Action: Install correct air admittance valve.

8. Violation: Cleanout undersized and missing at end of drain branch.

Wis. Admin. Code § SPS 382.35(3)(g). Branches. 1. Except as provided in subd. 2., cleanouts shall be provided in connection with batteries of fixtures at such points that all parts of the branch drain may be accessible for cleaning or removal of stoppages. For the purposes of this requirement, removable fixture traps may serve as cleanout openings.

Suggested Action: Install proper cleanout.

9. Violation: One running trap serving both the automatic washer and sink.

Wis. Admin. Code § SPS 382.32(3). GENERAL. Each plumbing fixture, each compartment of a plumbing fixture and each floor drain shall be separately trapped by a water seal trap, except as provided in par. (a) or as otherwise permitted by this chapter.

Suggested Action: Do not have one running trap serving both washer and sink.

10. Violation: No hot water provided for automatic washer nor sink.

Wis. Admin. Code § SPS 382.40(3)(b). Hot water required. Except as provided in subds. 1. And 2., hot water shall be provided to all plumbing fixtures, appliances and equipment used for personal washing, culinary purposes or laundering.

Suggested Action: Provide hot water for washer and sink.

11. Violation: Open hot water connection on back of connection of automatic washer which may cause flooding if mixed water is selected on washer controls setting.

Wis. Admin. Code § SPS 382.015 Purpose. Pursuant to s. 145.02, Stats., the purpose of this chapter is to provide that all plumbing in connection with buildings and facilities in the state, including buildings owned by the state or any political subdivision thereof, shall be safe, sanitary and such as to safeguard the public health and the waters of the state.

Suggested Action: Make connection to automatic washer code compliant.

Commercial Buildings:

12. Violation: Building lacks proper exterior handrails.

IND 51.16(3)(b) Stairways and elevated platforms. (3) HANDRAILS. All stairways and steps of more than 3 risers shall have at least one handrail. Stairways and steps 5 feet or more in width, or open on both sides, shall be a handrail on each side. Stairways and steps which are less than 5 feet in width shall have a handrail on the left hand side as one mounts the stairs and on the open side, if any. (b) Stairways on the outside of buildings and an integral part thereof, having more than 3 risers, shall have a handrail at each side, and if the stairway is more than 50 feet wide, one or more intermediate handrails shall be provided.

Suggested Action: Handrails are required to be installed on the exterior below ground stairway. While there is no evidence of any handrail ever being installed on these stairs, both current code and the code in effect at that time would require handrails on the stairway.

13. Violation: Boilers are not registered with the Department.

Wis. Admin. Code § SPS 341.24(1) Permit to operate. (1) RESPONSIBILITY. (a) *Owner or use.* 1. Except as specified in subd. 2., the owner or user of the boiler or pressure vessel shall be responsible for obtaining and maintaining a valid permit to operate. 2. An owner or user of a boiler or pressure vessel installed at a one- or 2-family dwelling is not required to apply for a permit to operate as specified in this section. (b) *Posting.* The permit to operate shall be posted near the boiler or pressure vessel by the owner or user of the boiler or pressure vessel.

Suggested Action: Register boiler and obtain permit to operate.

Electrical: The 2011 National Electrical Code is incorporated per Wis. Admin. Code § SPS 316.007

14. Violation: The grounding electrode conductor is not connected to the metal underground water pipe. The clamp is corroded and broken.

2011 NEC § 250.50 Grounding Electrode System. All grounding electrodes as described in 250.52(A)(1) through (A)(7) that are present at each building or structure served shall be bonded together to form the grounding electrode system. Where none of these grounding electrodes exist, one or more of the grounding electrodes specified in 250.52(A)(4) through (A)(8) shall be installed and used.

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. Any equipment or electrical installation known to be defective so as to endanger life or property shall be promptly repaired, permanently disconnected, or isolated until repairs can be made. Construction, repairs, additions, and changes to electrical equipment and conductors shall be made by qualified persons only.

Suggested Action: Respondent attempted to fix this on his own per October 4, 2018, inspection. A licensed electrician is required to fix these violations.

15. Violation: Numerous openings need to be closed.

2011 NEC § 110.12(A) Mechanical Execution of Work. Electrical equipment shall be installed in a neat and workmanlike manner. (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. Where metallic plugs or plates are used with nonmetallic enclosures, they shall be recessed at least 6 mm (1/4 in.) from the outer surface of the enclosure.

Suggested Action: Unused openings on electrical boxes should be closed.

16. Violation: The three tap connections that are located in the main electrical room for the clothes dryers are not installed in a raceway or protected from physical damage.

2011 NEC § 240.21(B)(1)&(2) Location in Circuit. Over current protection shall be provided in each ungrounded circuit conductor and shall be located at the point where the conductors receive their supply except as specified in 240.21(A) through (H). Conductors supplied under the provisions of 240.21(A) through (H) shall not supply another conductor except through an overcurrent protective

device meeting the requirements of 240.4. (B) Feeder Taps. Conductors shall be permitted to be tapped, without overcurrent protection at the tap, to a feeder as specified in 240.21(B)(1) through (B)(5). The provisions of 240.4(B) shall not be permitted for tap conductors.

(1) Taps Not over 3 m (10 ft) Long. If the length of the tap conductors does not exceed 3 m (10 ft) and the tap conductors comply with all of the following:

(1) The ampacity of the tap conductors is a. Not less than the combined calculated loads on the circuits supplied by the tap conductors, and b. Not less than the rating of the device supplied by the tap conductors or not less than the rating of the over current protective device at the termination of the tap conductors.

(2) The tap conductors do not extend beyond the switch-board, panel board, disconnecting means, or control devices they supply.

(3) Except at the point of connection to the feeder, the tap conductors are enclosed in a raceway, which shall extend from the tap to the enclosure of an enclosed switchboard, panelboard, or control devices, or to the back of an open switchboard.

(4) For field installations, if the tap conductors leave the enclosure or vault in which the tap is made, the ampacity of the tap conductors is not less than one-tenth of the rating of the overcurrent devices protecting the feeder conductors.

(2) Taps Not over 7.5 m (25 ft) Long. Where the length of the tap conductors does not exceed 7.5 m (25 ft) and the tap conductors comply with all the following:

(1) The ampacity of the tap conductors is not less than one-third of the rating of the overcurrent device protecting the feeder conductors.

(2) The tap conductors terminate in a single circuit breaker or a single set of fuses that limit the load to the ampacity of the tap conductors. This device shall be permitted to supply any number of additional overcurrent devices on its load side.

(3) The tap conductors are protected from physical damage by being enclosed in an approved raceway or by other approved means.

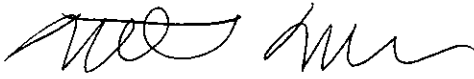
Suggested Action: Install tap connections to code.

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) 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 requests must be received within 30 days of the date of this Order and 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: 10/4/2018
PHONE/WORK HOURS: (608)266-9814		
E-MAIL: matthew.mccasland@wisconsin.gov		INVESTIGATION TYPE: Requested
SIGNATURE:	DATE:	INVESTIGATION SOURCE: Other
	2/19/19	COMPLIANCE DATE: 04/30/19
		Fee Required: (Invoice will be send Separately)
		PTO Expires:

cc: Brian Noe , Wis Dept of Safety & Professional Services, Building Inspector, (920) 420-4796
 Robert A Franke
 Craig Mulder, Electrical Engineer, (608) 444-5701