

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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Tony Evers, Governor
Dawn B. Crim, Secretary

NOTICE OF VIOLATIONS AND ORDERS

August 15, 2019

CUST ID No.: 1143309 TRANSACTION No.: 3271282
Phone: (715)985-3963

STEVEN SCHOTT
N39486 WITT HILL ROAD
WHITEHALL WI 54773

Site ID No.: 859663 Gathering Gardens
SITE ADDRESS: N39486 Witt Hill Road
Trempealeau County, Town of Hale
Site Contact: Steven Schott
Contact Phone: (715)985-3963

ORDER 0006344

Regulated Objects:

Nature of Complaint Summary: COMMERCIAL BUILDING CODE VIOLATIONS
Object Type: Complaint Regulated Object ID No.: 1834085 (18 COM 77)
Last Inspection Date: July 25, 2018

INVESTIGATION NOTES:

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

The following violations were revealed:

Wis. Admin. Code § SPS 361.05(1) Adoption of the International Codes. Ibc. The International Building Code® – 2015, subject to the modifications specified in this chapter and ch. SPS 362 is incorporated by reference into chs. SPS 361 to 366.

1. Violation: No accessible route from accessible parking space to site.

IBC § 1104.1 Site Arrival Points. At least one accessible route within the site shall be provided from public transportation stops, accessible parking, accessible passenger loading zones, and public streets or sidewalks to the accessible building entrance served.

Suggested Action: Provide accessible route from accessible parking space to site.

2. Violation: No ramp provided for ADA compliant access to building exit.

IBC § 1103.1: Sites, buildings, structures, facilities, elements of spaces, temporary or permanent, shall be accessible to individuals with disabilities.

IBC § 1105.1 Public Entrances In addition to accessible entrances required by Sections 1105.1.1 through 1105.1.7, at least 60 percent of all public entrances shall be accessible.

Suggested Action: provide a ramp that is compliant with IBC § 1012 and §1014:

§ 1012.2 Slope Ramps used as part of a means of egress shall have a running slope not steeper than one unit vertical in 12 units horizontal (8-percent slope). The slope of other pedestrian ramps shall not be steeper than one unit vertical in eight units horizontal (12.5-percent slope).

§ 1012.3 Cross Slope The slope measured perpendicular to the direction of travel of a ramp shall not be steeper than one unit vertical in 48 units horizontal (2-percent slope).

§ 1012.4 Vertical Rise The rise for any ramp run shall be 30 inches (762 mm) maximum.

§ 1012.5 Minimum Dimensions The minimum dimensions of means of egress ramps shall comply with Sections 1012.5.1 through 1012.5.3.

§ 1012.5.1 Width and Capacity The minimum width and required capacity of a means of egress ramp shall be not less than that required for corridors by Section 1020.2. The clear width of a ramp between handrails, if provided, or other permissible projections shall be 36 inches (914 mm) minimum.

§ 1012.5.2 Headroom The minimum headroom in all parts of the means of egress ramp shall be not less than 80 inches (2032 mm).

§ 1012.5.3 Restrictions Means of egress ramps shall not reduce in width in the direction of egress travel. Projections into the required ramp and landing width are prohibited. Doors opening onto a landing shall not reduce the clear width to less than 42 inches (1067 mm).

§ 1012.6 Landings Ramps shall have landings at the bottom and top of each ramp, points of turning, entrance, exits and at doors. Landings shall comply with Sections 1012.6.1 through 1012.6.5.

§ 1012.6.1 Slope Landings shall have a slope not steeper than one unit vertical in 48 units horizontal (2-percent slope) in any direction. Changes in level are not permitted.

§ 1012.6.2 Width The landing width shall be not less than the width of the widest ramp run adjoining the landing.

§ 1012.6.3 Length The landing length shall be 60 inches (1525 mm) minimum.

§ 1014.1 Where Required Handrails serving stairways, ramps, stepped aisles and ramped aisles shall be adequate in strength and attachment in accordance with Section 1607.8. Handrails required for stairways by Section 1011.11 shall comply with Sections 1014.2 through 1014.9. Handrails required for ramps by Section 1012.8 shall comply with Sections 1014.2 through 1014.8. Handrails for stepped aisles and ramped aisles required by Section 1029.15 shall comply with Sections 1014.2 through 1014.8.

§ 1014.2 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). Handrail height of alternating tread devices and ships ladders, measured above tread nosings, shall be uniform, not less than 30 inches (762 mm) and not more than 34 inches (864 mm).

3. Violation: The buildings entrances are not accessible for individuals with disabilities.

IBC § 1105.1 Public Entrances In addition to accessible entrances required by Sections 1105.1.1 through 1105.1.7, at least 60 percent of all public entrances shall be accessible.

Suggested action: Make building entrances accessible for individuals with disabilities.

4. Violation: Site lacks proper signage.

Wis. Admin. Code § SPS 362.1111(1)(a) Signage Accessible parking spaces required in IBC section 1106 for the general public shall be identified with a sign complying with the accessible parking sign requirements specified in s. Trans 200.07.

Wis. Admin. Code § Trans 200.07 Handicapped Parking Signs.

(2)(a) The sign shall consist of a white rectangle with longer dimension vertical, having green message, a green arrow, if required under this section, and a blue and white international symbol for the barrier-free environments. The sign may be reflective or non-reflective.

(2)(b) The sign shall include the words "reserved parking" and the words "vehicles with VET or DIS plates or state disabled card" or other words with a similar meaning.

(2)(c) The size of the sign shall be not less than 12 inches by 18 inches. When used on a highway with a speed limit of more than 35 miles per hour, it shall be not less than 18 inches by 24 inches.

(2)(d) A right arrow, left arrow or the words "This Stall" or similar wording shall be included near the bottom of the sign.

(3) Sign placement. Each sign shall be erected on an adequate support. On highways, the vertical distance from roadway to the bottom of a sign shall be not less than 7 feet, except when overhead obstructions necessitate a lower height. In off-highway parking lots, the

vertical distance from the parking lot surface, or top of curb if any, to the bottom of a sign shall be not less than 4 feet. A single sign with the message "This Space" or similar wording shall be used to designate a single reserved space. At least 2 signs are required for multiple reserved spaces. When 2 signs are used they shall be located at the outermost limits of the spaces reserved and, by arrow, designate the location of the reserved spaces.

(a) A sign shall be located at the end of an angled or right-angled space and shall be set to face a motorist entering the space.

(b) When the reserved space is parallel to the edge of a roadway, a sign shall be set at an angle of approximately 30° with the line of traffic.


Suggested action: Install proper signage.

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 or Bret Radke at the numbers 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.

ATTORNEY NAME: Matthew McCasland		INVESTIGATION DATE: 07/25/2018
PHONE (608)266-9814		
E-MAIL: matthew.mccasland@wisconsin.gov		INVESTIGATION TYPE: Requested
SIGNATURE:	DATE:	INVESTIGATION SOURCE: Other
	8/15/19	COMPLIANCE DATE: 10/25/19

cc: Bret J Radke, State Building Inspector, (608) 386-1301