

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name* as it appears on the order.
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."

The status of an appeal may be found on court access websites at:

<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscca>

- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

DIVISION OF INDUSTRY SERVICES

4822 MADISON YARDS WAY

MADISON WI 53705

Contact Through Relay

<http://dsps.wi.gov/programs/industry-services>

www.wisconsin.gov



Tony Evers, Governor

Dawn B. Crim, Secretary

NOTICE OF VIOLATIONS AND ORDERS

October 5, 2021

LAWRENCE S TRAN

1108 BIRCH LN

DRESSER WI 54009

SITE:

LA JEWELRY LA DY

135 S WASHINGTON ST

SAINT CROIX FALLS 54024

ORDER 0007612

Regulated Objects:

Nature of Complaint Summary: Failure to submit building plans for construction project.

Object Type: Complaint (20 COM 111)

INVESTIGATION NOTES: An investigation found that construction was done on this site without proper plan submittal. The easiest way to resolve these violations is to draft and submit building plans to the Department.

Wis. Admin. Code § SPS 361.03(7) New buildings and structures. All buildings, structures and additions to buildings, structures, and components, to be constructed or erected shall be designed, constructed, and maintained in accordance with the rules of chs. SPS 361 to 366 as the rules exist on one of the following:

(a) Pursuant to s. SPS 361.30, the date plans for the building, structure or addition are approved by the department or authorized representative.

(b) The date the local building permit is issued, if plan submission and approval is not required under s. SPS 361.30.

(c) The date construction is initiated, where pars. (a) and (b) do not apply.

NOTE: Due to the uncertainty caused by COVID-19 the Department will extend compliance dates so long as work is being made on gaining compliance with orders or if the site is not being used due to restrictions.

The following violations were revealed at the site:

1. **Building Plans – §SPS 361.30(1).** (1) TYPES OF BUILDINGS. (a) Except as provided in par. (b), Table 361.30–1, and sub. (4), the construction of, the alteration of, or the addition to a public building or a place of employment may not commence unless plans for the project have been submitted to and approved by the department or its authorized representative in accordance with s. SPS 361.31.
 2. **HVAC Plans – §SPS 361.30(3).** Failure to submit and obtain HVAC plan review approval from the department prior to commencing alterations to the HVAC system.
 3. **Water Closet Clearance Width – 2009 ICC A117.1 §604.4.3.1.** Failure to maintain 60 inches minimum clearance in width around a water closet measured perpendicular from the sidewall.
 4. **Water Closet Grab Bars – 2009 ICC A117.1 §604.5.** Failure to provide grab bars for the water closet in accordance with Sections 604.5.1 and 604.5.2.
 5. **Lavatory Knee & Toe Clearance – 2009 ICC A117.1 §606.2.** Failure to provide the toilet room lavatory with knee and toe clearance complying with Section 306.
 6. **Emergency Illumination – 2015 IBC §1008.3.2 item 5.** Failure to provide emergency egress illumination at exterior landing serving the south facing exit door.
 7. **Exterior Landing – 2015 IBC §1010.1.5.** Failure to provide an exterior landing at the south exit door that is at the same elevation as the floor on the inside of the door [exterior landings are permitted to have a 2-percent slope].
 8. **Door Hardware – 2015 §IBC §1010.1.9.1.** Failure to provide door hardware operable parts on doors required to be accessible that does not require the tight grasping, tight pinching or twisting of the wrist to operate. [i.e., Lever handles but no twist only buttons]
 9. **Tactile Exit Signage – 2015 IBC §1013.4.** Failure to provide a sign stating EXIT in visual characters, raised characters and braille and complying with ICC A117.1 adjacent to each exterior exit door.
 10. **Mirror – 2009 ICC A117.1 §603.3.** Failure to mount the above lavatory mirror with its bottom reflective edge a maximum of 40 inches above the floor.
 11. **Wall Base (Toilet room) – 2015 IBC §1210.2.1.** Failure to intersection of the floor with the walls in the toilet room with a smooth, hard, nonabsorbent vertical base that extends upward onto the wall not less than 4 inches.
 12. **Walls (Toilet room) – 2015 IBC §1210.2.2.** Failure to provide walls within 2 feet of a water closet with a smooth, hard, nonabsorbent surface to a height of not less than 4 feet above the floor.
 13. **Combustible Material – 2015 IBC §603.1.** Failure in a building of Type I construction to construct demising walls between tenant spaces of non-combustible materials.
-

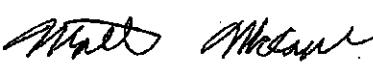
Required Action: Submit four sets of building plans (or one plan set and three additional index sheets), with one set of calculations and specifications, a completed SBD-118 form, a copy of orders as issued by a Dept. representative from the field to this Department for review and approval. If the building is over 50,000 cubic feet in total volume, all plans, calculations and specifications shall be properly stamped, signed and dated by a WI-registered architect or engineer.

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 contact commercial building inspector for the area Joe Merchak.

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: 1/2021
PHONE/WORK HOURS: (608) 266-9814		
E-MAIL: matthew.mccasland@wisconsin.gov		INVESTIGATION TYPE: Requested
SIGNATURE:	DATE:	INVESTIGATION SOURCE: Other
	10/5/2021	COMPLIANCE DATE: 12/18/2021

cc: Joe Merchak

Lucas Dederich