

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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DIVISION OF INDUSTRY SERVICES

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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:

SAINT CROIX FALLS EYE ASSOCIATES

135 S WASHINGTON ST

SAINT CROIX FALLS 54024

ORDER 0007613

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. **Exposed Pipes – 2009 ICC A117.1 §606.6.** Failure to insulate or otherwise configure the water supply and drainpipes under the lavatory to protect against contact.
6. **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.
7. **Towel Dispenser – 2009 ICC A117.1.** Failure to mount the operable parts on the towel dispenser serving the accessible lavatory in compliance with the maximum reach height and depths set forth in Table 603.6.
8. **Designation Signage – 2015 IBC §E107.2.** Failure of the “Bathroom” and “Staff Only” signage to comply with the requirement that interior signs identifying permanent rooms and spaces shall be visual characters, raised characters and braille complying with ICC A117.1.
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. **Exit Sign Graphics – 2015 §IBC §1013.6.1.** Failure to provide that the chevron directional indicators are not used on the exit signs located immediately above the exit doors leading to the outdoors.
11. **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.
12. **Unlatching (storeroom) – 2015 §IBC 1010.1.9.5.** Failure to comply with the requirement that the unlatching of any door or leaf shall not require more than one operation.
13. **Switch Faceplate (storeroom) – 2017 NEC §404.9(A).** Failure to provide a faceplate for a snap switch mounted in an electrical box.
14. **Coat Hooks (reception/waiting) – 2015 IBC §1109.9 / 2009 ICC A117.1 §308.** Failure to provide, where fixed coat hooks are provided, at least 5 percent but not less than one accessible coat hook within the reach ranges of ICC A117.1 Section 308.
15. **Maneuvering Clearance (north end of hallway) – 2009 ICC A117.1 §404.2.3.2.** Failure to provide at a swinging door, maneuvering clearances complying with Table 404.2.3.2.

16. **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.

17. **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.

18. **FLEXIBLE DUCT (Toilet room) – 2015 IMC §304.1 / ADC Flexible Duct Performance and Installation Standards, 5th Edition §4.3.** Failure to [properly] support terminal device independently of the flexible duct.

Required Action: Submit four sets of building plans (or one planset 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.

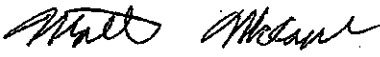
You are hereby ordered to have the installation corrected to conform to the indicated provisions of the Wisconsin Administrative Code and/or Wisconsin Statutes. This installation shall be corrected by the compliance date noted, and upon correction of violations I must be notified. If you fail to comply, 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