

CITY OF WAUPACA MUNICIPAL CODE

14.10 FIRE LIMITS; BUILDING REQUIREMENTS.

- (1) FIRE LIMIT BOUNDARIES. Blocks lettered G, H, K, L, O, P, Q, F, I, J, M, R, W and the south 1/2 and the northeast 1/4 of D; Blocks numbered 2, 3 and the east 1/2 of 1; and Outlot Blocks numbered 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 37, 39 and all that part of 17 and 18 lying east of a southerly extension line from Holbeck Street and the east bank of the river, the south line of Elm Street, the west line of Division Street and the north line of Water Street; all in the original plat of the Village (now City) of Waupaca, according to the recorded plat thereof; and Outlots numbered 94, 103, 104, 105, 106, 107 and 108 of the President and Trustees Plat of the City of Waupaca, according to the recorded plat thereof; and that part of the City bounded by a line commencing at a point where the south line of the Wisconsin Central Railroad right of way intersects the east side of Holbeck Street, thence southeasterly along the south line of said railroad right of way to its intersection with Oak Street, thence north along Oak Street to Redfield Street, thence easterly along Redfield Street and Townsend Street to a line running in a north-south direction lying approximately 100 feet east of the east side of Oborn Street at its intersection with Ware Street, it being the east line of the railroad track where it crosses Ware Street, thence south to a point approximately 100 feet east of the east line of Oborn Street where it intersects Ware Street at a point on the east side of the railroad right of way, thence easterly along Ware Street 400 feet, thence south to the Waupaca River, thence westerly and northerly along the center of the river to a point approximately 300 feet south of Shearer Street on the south line of Fullerton Lumber Company (parcel #34 29 24 5) property, thence westerly along the south line of Fullerton Lumber Company (parcel #34 29 24 5) property to its west line, thence north to Shearer Street, thence easterly to the center of the Waupaca River, thence northerly along the easterly and northerly bank of the Waupaca River and Pond to a point 132 feet west of the west line of Oborn Street, thence north on a line lying 132 feet west of the west line of Oborn Street to Ware Street, thence west to Balch Street, thence north along Balch Street to a point 150 feet south of the south side of Hibbard Street, thence west to Oak Street, thence north to a point 100 feet south of the railroad right of way, thence westerly on a line running parallel with the south line of the railroad right of way to the first spur track of said railway, thence westerly and southerly on the south line of the spur track to its intersection with Block W in the original plat of the City, thence north to the north line of said Block W, thence west to the intersection of North Division Street, thence north to the intersection of Elm Street, thence northwesterly along Elm Street to its intersection with Holbeck Street, thence north along Holbeck Street to the place of beginning.
- (2) ESTABLISHMENT OF AREA.

For the purpose of this code, the fire district shall include that territory or area as described in Sections 14.10 (2)a through 14.10 (2)c.

 - (a) Adjoining blocks. Two or more adjoining blocks, exclusive of intervening streets, where at least 50 percent of the ground area is built upon and more than 50 percent of the built-on area is devoted to hotels and motels of Group R-1; Group B occupancies; theaters, nightclubs, restaurants of Group A-1 and A-2 occupancies; garages, express

and freight depots, warehouses and storage buildings used for the storage of finished products (not located with and forming a part of a manufactured or industrial plant); or Group S occupancy. Where the average height of a building is two and one-half stories or more, a block should be considered if the ground area built upon is at least 40 percent.

- (b) Buffer zone. Where four contiguous blocks or more comprise a fire district, there shall be a buffer zone of 200 feet around the perimeter of such district. Streets, rights-of-way and other open spaces not subject to building construction can be included in the 200-foot buffer zone.
 - (c) Developed blocks. Where blocks adjacent to the fire district have developed to the extent that at least 25 percent of the ground area is built upon and 40 percent or more of the built-on area is devoted to the occupancies specified in Section 14.10 (2)a, they can be considered for inclusion in the fire district, and can form all or a portion of the 200-foot buffer zone required in Section 14.10 (2)b
- (3) TYPES OF CONSTRUCTION PERMITTED.
Within the fire district every building hereafter erected shall be either Type I, II, III or IV, except as permitted in Section 14.10 (8).
- (4) OTHER SPECIFIC REQUIREMENTS.
- (a) Exterior walls. Exterior walls of buildings located in the fire district shall comply with the requirements in Table 601 except as required in Section D102.2.6.
 - (b) Group H prohibited. Group H occupancies shall be prohibited from location within the fire district.
 - (c) Construction type. Every building shall be constructed as required based on the type of construction indicated in Chapter 6.
 - (d) Roof covering. Roof covering in the fire district shall conform to the requirements of Class A or B roof coverings as defined in Section 1505.
 - (e) Structural fire rating. Walls, floors, roofs and their supporting structural members shall be a minimum of 1-hour fire-resistance-rated construction.
Exceptions:
 - 1. Buildings of Type IV construction.
- (5) EXISTING BUILDINGS WITHIN THE FIRE DISTRICT.
An existing building shall not hereafter be increased in height or area unless it is of a type of construction permitted for new buildings within the fire district or is altered to comply with the requirements for such type of construction. Nor shall any existing building be hereafter extended on any side, nor square footage or floors added within the existing building unless such modifications are of a type of construction permitted for new buildings within the fire district.
- (6) OTHER ALTERATIONS.
Nothing in Section 14.10 (5) shall prohibit other alterations within the fire district provided there is no change of occupancy that is otherwise prohibited and the fire hazard is not increased by such alteration.

(7) MOVING BUILDINGS.

- (a) Construction Type. Buildings shall not hereafter be moved into the fire district or to another lot in the fire district unless the building is of a type of construction permitted in the fire district.
- (b) Financial Responsibility. (Rep. & Recr. Ord. #6-00) Proof of financial responsibility in the form of a comprehensive liability insurance policy, covering the moving of buildings, may be accepted by the Building Inspector in lieu of the bond requirement. A certificate of insurance naming the City as an additional insured shall be presented to the Building Inspector.
- (c) Contents of Permit; Regulation. Every permit to move a building shall state all conditions to be complied with, designate the route to be taken, and limit of time for removal. The removal of a building shall be continuous during all hours of the day, and day by day, and at night if the Building Inspector shall so order, until completed, with the least possible obstructions to thoroughfares. Lighted lanterns shall be kept in conspicuous places at each end of the building during the night.
- (d) Inspection and Repair of Streets and Highways. Every person receiving a permit to move a building shall, within one day after reaching its destination, report that fact to the Building Inspector. The Building Inspector shall thereupon inspect the streets and highways over which said building has been moved and ascertain their condition. If the removal of said building has caused any damage to the streets or highways, the house mover shall forthwith place them in as good repair as they were before the permit was granted. Upon failure of the house mover to do so within 10 days thereafter to the satisfaction of the Building Inspector, the Council shall repair the damage done to such streets and highways and shall hold the sureties of the bond given by the house mover responsible for the payment of the same.
- (e) Permit Fees. (Am. Ord. #20-93; #21-03) Before the Building Inspector shall issue a permit to move a building, he/she shall collect a fee of \$100. This fee shall be in addition to all other fees provided for in this Code.

(8) BUILDINGS LOCATED PARTIALLY IN THE FIRE DISTRICT.

Any building located partially in the fire district shall be of a type of construction required for the fire district, unless the major portion of such building lies outside of the fire district and no part is more than 10 feet inside the boundaries of the fire district.

(9) EXCEPTIONS TO RESTRICTIONS IN FIRE DISTRICT.

The preceding provisions of this appendix shall not apply in the following instances:

- (a) Temporary buildings used in connection with duly authorized construction.
- (b) A private garage used exclusively as such, not more than one story in height, nor more than 650 square feet in area, located on the same lot with a dwelling.
- (c) Fences not over 8 feet high.
- (d) Coal tipples, material bins and trestles of Type IV construction.
- (e) Water tanks and cooling towers conforming to Sections 1509.3 and 1509.4.
- (f) Greenhouses less than 15 feet high.
- (g) Porches on dwellings not over one story in height, and not over 10 feet wide from the face of the building, provided such porch does not come within 5 feet of any property line.
- (h) Sheds open on a long side not over 15 feet high and 500 square feet in area.

- (i) One- and two-family dwellings where of a type of construction not permitted in the fire district can be extended 25 percent of the floor area existing at the time of inclusion in the fire district by any type of construction permitted by this code.
- (j) Wood decks less than 600 square feet where constructed of 2-inch nominal wood, pressure treated for exterior use.
- (k) Wood veneers on exterior walls conforming to Section 1405.5.
- (l) Exterior plastic veneer complying with Section 2605.2 where installed on exterior walls required to have a fire-resistance rating not less than 1 hour, provided the exterior plastic veneer does not exhibit sustained flaming as defined in NFPA 268.

(10) STATE BUILDING CODE APPLICABLE IN FIRE LIMITS. (Am. Ord. #6-00; #09-06)

All buildings hereafter erected shall be the type specified in Wisconsin Uniform Commercial Building Code, (the IBC as modified by Chapters SPS 362), IBC 602.3, Type III construction or better. If the structure is located in any industrial area and is located more than 20 feet from any lot line or structure on the same property, the building may be of Type IV as specified in IBC 602.4 or better construction. All buildings shall have roof assemblies and roof coverings as specified in IBC 1 505.1, Class B.

(11) CONDEMNATION OF BUILDINGS AS FIRE HAZARDS.

Whenever the Fire Chief shall condemn any frame building within the fire limits as a fire hazard because of its condition or location in reference to other buildings, the Building Inspector shall serve written notice upon the owner or owners to, within 10 days, start to remove or raze such building and to give a reasonable time within which to complete such removal or razing. Should the owner or owners refuse or neglect to remove or raze such building within the time specified, the Building Inspector shall have this work done and assess the cost thereof against the property of the same as taxes.

REFERENCED STANDARDS

ASTM E 84-04	Test Method for Surface Burning Characteristics of Building Materials
NFPA 268-01	Test Method for Determining Ignitability of Exterior Wall Assemblies Using a Radiant Heat Energy Source
NFPA 701-99	Methods of Fire Tests for Flame-Propagation of Textiles and Films
UL 723-03	Standard for Test for Surface Burning Characteristics of Building Materials, with Revisions through May 2005
Appendix D	International Building Code 2009 (Fire District Regulations)