

**CHAPTER 228
SAFETY IN CONSTRUCTION**

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228-1. Scope. 1. This chapter governs the safety and welfare of the public during the construction, alteration or demolition of buildings and structures on public and private property.

2. The regulations of this chapter and OSHA Safety and Health Standards (29 CFR 1926/1910) apply to all buildings and structures under construction, alteration or demolition.

3. Nothing in this chapter shall be construed to nullify any existing laws, rules, orders, ordinances, regulations or statutes governing the protection of the public from health, fire or other hazards. The regulations of this chapter shall be construed as supplemental to the requirements of federal laws, Wisconsin statutes, or orders issued by the Wisconsin department of safety and professional services, commissioners of health and public works, and the chiefs of the police and fire departments of the city.

228-2. General Regulations. 1. **WALKWAYS AND SIDEWALKS.** Except as otherwise required or approved by the commissioner of public works, safeguards for the protection of the general public shall be provided as herein regulated.

a. Walkways or temporary sidewalks at least 4 feet wide shall be maintained for pedestrians, except that in congested districts the commissioner of public works may require additional width. Such walkways or sidewalks shall be a part of the permanent sidewalk or public thoroughfare and shall be located and constructed as authorized in the temporary occupancy permit issued by the commissioner of public works, and may be crossed by a driveway to give access to the building site. At such driveway when intermittent hazardous operations are conducted across the walkway or sidewalk, the street permit holder shall assign a flagman to such locations to warn the general public.

b. Walkways of wood or other approved materials may be placed at the established grade or at any elevation not exceeding 4 feet above such grade, in which case there shall be provided approaches thereto by means of ramps having a pitch of not more than 1 to 8, all designed for a uniform live load of 150 pounds per square foot.

2. **ROOFS OVER WALKWAYS AND SIDEWALKS.** a. During the construction or demolition of any building or structure, the commissioner of neighborhood services may require, and in the case of construction or demolition of any building or structure on property in a C9 downtown zoning district where the work is occurring more than 10 feet above grade, shall require, that there shall be erected and maintained a protective canopy roof over walkways or sidewalks of a length and width as required by the commissioner of public works. Such canopy roof shall be erected as soon as the building or structure reaches a height of 10 feet above established adjacent grade and shall be maintained until the entire work on the side abutting or near the public sidewalk is completed. The canopy roof shall be tightly boarded and have a clear height of 10 feet above the walkway or sidewalk. The entire structure shall be designed to carry loads to be imposed on it, provided the minimum live load to be used in design shall not be less than 30 pounds per square foot, uniformly loaded.

b. The commissioner of neighborhood services may require that the canopy roof be designed by a registered architect or engineer. The drawings shall be approved by the commissioner and a separate permit issued for the construction of the canopy roof.

c. If materials are stored or work is done on such canopy roof, the entire structure shall be designed as a scaffold, and the sides and ends shall be protected by a tight curb board not less than 18 inches high, and a railing not less than 36 nor more than 42 inches high.

d. The space under such canopy roof over the walkway or sidewalk and the approaches thereto shall be kept lighted, in an approved manner, with artificial lighting continuously during darkness and between sunset and sunrise.

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e. The commissioner of neighborhood services may approve thrust-out platforms or other substitute protections in lieu of walkway or sidewalk canopy roofs when deemed adequate to insure the public safety. No such platforms shall be used for the storage of materials.

3. FENCES. Every construction operation, including excavations, when located 10 feet or less from the street line shall be enclosed with close board or other approved fences not less than 4 feet high, and when located more than 10 feet from the street line, a fence shall be erected when required by the commissioner of neighborhood services.

228-3. Temporary Occupancy of Public Thoroughfares. Permits for the temporary occupancy of public thoroughfares for the storage of materials, erection of outhouses over sanitary or combined sewer system manholes, construction of sheds, roofs, fences, underpinning, temporary guards, devices and construction equipment used during or in connection with such construction operations shall be obtained from the commissioner of public works under the terms and conditions regulated in this chapter and in chs. 115 and 245.

228-4. Storage of Materials. 1. All materials and equipment required in construction operations shall be stored and placed with a minimum hazard to the public and adjoining property.

2. Materials or equipment stored within the building or structure, or on canopy roofs over walkways, sidewalks or scaffolds shall be placed so as not to overload any part of the construction beyond its design capacity, nor interfere with the safe prosecution of the work.

3. Materials stored on the canopy roofs over walkways or sidewalks and on scaffolds shall not exceed one day's supply. All materials shall be piled in an orderly manner and height, so that individual pieces may be removed without endangering the stability of the pile.

4. No person shall store or place any material or equipment on a public thoroughfare without first obtaining a permit from the commissioner of public works to do so, in conformance with the requirements of the commissioner of public works.

5. Waste, debris or other similar loose materials being removed from a building or structure shall not be dropped by gravity or thrown outside the exterior walls but shall be removed by means of wood or metal chutes, or by other approved equipment.

6. All such materials which during removal cause excessive dust shall be wet down to prevent the creation of a nuisance.

228-5. Fire Hazards. Storage of flammable or combustible materials, use of temporary heating equipment and enclosures, flame cutting and welding, removal and disposition of combustible rubbish, and other fire hazards incident to or present during building operations, and the providing of approved fire extinguishing equipment shall be as regulated in ch. 236.

LEGISLATIVE HISTORY
CHAPTER 228

Abbreviations:

am = amended
cr = created

ra = renumbered and amended
rc = repealed and recreated

rn = renumbered
rp = repealed

<u>Section</u>	<u>Action</u>	<u>File</u>	<u>Passed</u>	<u>Effective</u>
ch. 228	cr	85-1396	12/20/85	1/1/86
228-1-3	am	961523	2/11/97	2/28/97
228-1-3	am	111233	1/18/2012	2/4/2012
228-2-1-a	am	921114	11/20/92	12/11/92
228-2-2-a	am	921187	11/20/92	12/11/92
228-2-2-a	am	980963	12/18/98	1/1/99
228-2-2-a	am	171535	2/6/2018	2/23/2018
228-2-2-b	rn to 228-2-2-c	921187	11/20/92	12/11/92
228-2-2-b	cr	921187	11/20/92	12/11/92
228-2-2-b	am	980963	12/18/98	1/1/99
228-2-2-b	am	171535	2/6/2018	2/23/2018
228-2-2-c	rn to 228-2-2-d	921187	11/20/92	12/11/92
228-2-2-d	rn to 228-2-2-e	921187	11/20/92	12/11/92
228-2-2-e	am	980963	12/18/98	1/1/99
228-2-2-e	am	171535	2/6/2018	2/23/2018
228-2-3	am	980963	12/18/98	1/1/99
228-3	am	881465	11/18/88	12/9/88
228-5	am	86-979	10/4/86	10/31/86

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