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## **Fire Rated Enclosures for Furnace Rooms and Water Heaters**

### **Does my furnace require a fire rated enclosure?**

That depends on several factors, but in most instances, yes. The state Fire codes in effect from October of 1959 until July of 2002 required "Hazard Isolation" for all public buildings that were not specifically exempt. Included in this requirement was a provision (COMM 51.08 (2)(b)) that all fuel fired heating equipment shall have one (gas or oil fired) or two (solid fuel fired) hour rated enclosures that comply with COMM 51.04-51.049 construction standards. This was later revised to allow an exemption for sealed combustion furnaces in most instances.

### **My Apartments aren't "Public", so it doesn't apply to my Apartment building.**

Yes, if it has three tenants or more, it does. See the side bar listing state statute section 101.01 (12)

### **So if my building was built prior to 1959 or after 2002 I don't need it.**

Not necessarily. Codes apply to any new construction and remodeling. This means that if your furnace or water heaters were upgraded after 1959 these codes apply to your building. This should have been done at that time. However, it often was not. If your building was constructed or remodeled after the code change in 2002 then different provisions apply.

### **What if I upgrade my furnace now; Then will the new codes exempt me from putting in a fire rated room?**

Clever, but no. The new codes do not contain this provision on the basis that other provision make the building more safe in general. In order to be exempt from this provision on an existing building, the entire building would have to be brought up to meet the standards of the new codes. Further, the new code still requires fire rated rooms in many instances.

### **So why is this an issue now?**

Well, frankly, because the inspection program has improved over the years, and we are now in a position to identify cases that are not in compliance. Though these items should have been addressed when they first occurred, these installations were often performed without permits. Other times they may have been the result of oversights - especially in the case of multi-family dwellings which most people would consider residential.

#### **Wis State Statute:**

#### **101.01 (12)**

(12) "Public building" means any structure, including exterior parts of such building, such as a porch, exterior platform, or steps providing means of ingress or egress, used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or use by the public or by 3 or more tenants. ....

### **So how long do I have and what are my options?**

Obviously this situation did not occur overnight and we do not expect it can be corrected overnight. However, State Law requires that we take action to correct it. It cannot go unaddressed.

#### **Option 1.**

Building a fire rated room around the equipment. This will be the one most owners will consider. Keep in mind that this code applies to fuel fired water heaters as well as furnaces. The room must comply with fire rated construction standards as well as mechanical codes concerning ventilation for incoming and outgoing gases. It will have to have a properly rated door with a self closing system. This will be a labor intensive project. That means it will probably also be costly. We are sending this letter out in part so that you can begin budgeting for this.

#### **Option 2.**

Upgrading to a Sealed Combustion Heating system. Again, you must consider that this code applies to Furnaces and Water Heaters. If you are aware of one, please notify this office with manufacturer and model information. Electric Water heaters might be a reasonable option for some.

#### **Option 3.**

If you come up with an Option 3 we would be glad to hear about it. At any rate, you will be given time to bring your building into compliance on this issue after the first order for correction on the subject is given.

### **Well, what if I just sell my building and leave it to the next guy?**

Though this is an option, you will still have to disclose this information to the prospective buyers. Further, the new local building maintenance laws require all violations with outstanding orders for correction be brought into compliance, or the buyer file notice with the city that they are aware of the specific outstanding orders, prior to sale. They will be held responsible for corrections on the same time-line as set out in the original orders. Failure to inform them will leave you open to legal action.

**If you have any questions regarding Fire Rated Enclosures for Furnace Rooms and Water Heaters, Personnel from the Superior Fire Department are available to assist you.**