

State of Wisconsin



1999 Assembly Bill 606

Date of enactment: **May 9, 2000**
Date of publication*: **May 23, 2000**

1999 WISCONSIN ACT 135

AN ACT to *renumber and amend* 101.63 (1) and 254.61 (1) (f); to *amend* 101.05 (2) and 101.63 (1m); and to *create* 101.63 (1) (a) and (b) and 254.61 (1) (f) 2. of the statutes; **relating to:** expanding the definition of "bed and breakfast establishment" and clarifying the application of the uniform dwelling code requirements to bed and breakfast establishments.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 101.05 (2) of the statutes is amended to read:

101.05 (2) A bed and breakfast establishment, as defined under s. 254.61 (1), is not subject to ~~rules on residential occupancy or to other building codes adopted by the department under this subchapter, except that the uniform dwelling code adopted in rules promulgated under s. 101.63 (1) applies to the 3rd floor level of a bed and breakfast establishment that uses, other than as storage, the 3rd floor level of the bed and breakfast establishment structure.~~

SECTION 2. 101.63 (1) of the statutes is renumbered 101.63 (1) (intro.) and amended to read:

101.63 (1) (intro.) Adopt rules which establish standards for the construction and inspection of one- and two-family dwellings and components thereof. Where feasible, the standards used shall be those nationally recognized and shall apply to the dwelling and to its electrical, heating, ventilating, air conditioning and other systems, including plumbing, as defined in s. 145.01 (10). No set of rules may be adopted which has not taken into account the conservation of energy in construction and maintenance

of dwellings and the costs of specific code provisions to home buyers in relationship to the benefits derived from the provisions. Rules promulgated under this subsection do not apply to a bed and breakfast establishment, as defined under s. 254.61 (1), except that the rules apply to all of the following:

SECTION 3. 101.63 (1) (a) and (b) of the statutes are created to read:

101.63 (1) (a) The 3rd floor level of a bed and breakfast establishment that uses that level other than as storage.

(b) A structural addition that is specified under s. 254.61 (1) (f) 2.

SECTION 4. 101.63 (1m) of the statutes is amended to read:

101.63 (1m) Adopt a rule which requires any one- and two-family dwelling which uses electricity for space heating to be superinsulated. A rule promulgated under this subsection does not apply to a bed and breakfast establishment, as defined under s. 254.61 (1), except as specified under sub. (1) (a) and (b).

SECTION 5. 254.61 (1) (f) of the statutes is renumbered 254.61 (1) (f) (intro.) and amended to read:

254.61 (1) (f) (intro.) Has had completed, before May 11, 1990, any structural additions to the dimensions

* Section 991.11, WISCONSIN STATUTES 1997-98: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].

of the original structure, including by renovation, except that a this limit does not apply to any of the following:

1. A structural addition, including a renovation, made to the a structure ~~may~~, after May 11, 1990, ~~be made~~ within the dimensions of the original structure.

SECTION 6. 254.61 (1) (f) 2. of the statutes is created to read:

254.61 (1) (f) 2. A structural addition, made to a structure that was originally constructed at least 50 years before an initial or renewal application for a permit under s. 254.64 (1) (b) is made and for which no use other than as a bed and breakfast establishment is proposed. The structural addition under this subdivision shall comply with the rules under s. 101.63 (1) and (1m).
