

SECTION 108. Comm 60.001 (1) (a) is amended to read:

Comm 60.001 (1) (a) The requirements of this chapter shall apply to all buildings or parts of buildings which accommodate public or private day care centers for 9 or more children.

SECTION 109. Comm 60.36 (1) (a) is amended to read:

Comm 60.36 (1) (a) *Where required.* Except as specified in par. (b), in every building or portion of a building accommodating a day care center serving 9 up to 20 children, stand-alone, battery-operated smoke detectors shall be installed in front of doors to the stairways and in the corridors of all floors occupied by the day care center. Smoke detectors shall also be installed in lounges, recreation areas and sleeping rooms in the day care center. The smoke detector alarm shall be audible throughout the day care center.

SECTION 110. Comm 60.40 (3) is amended to read:

Comm 60.40 (3) OPENINGS IN BARRIERS. Openings in smoke barriers shall be protected as specified in ss. Comm 51.048 and 51.049. Door openings in smoke barriers shall be protected with fire doors with a rating of not less than 20 minutes.

SECTION 111. Comm 62.34 (2) is amended to read:

Comm 62.34 (2) TOILET FACILITIES. Toilet facilities provided for the employees, as specified in s. Comm 62.31 (2), shall comply with the requirements of s. Comm 52.04 (4) (c) ch. Comm 69.

SECTION 112. Comm 62.40 is amended to read:

Comm 62.40 Antenna system support. Poles or other structures used for electric power or for communication lines may not be used for supporting or for guying any antenna system, unless calculations are prepared, signed, and sealed or stamped by a Wisconsin registered architect or engineer that show the support system will support all live, dead, and special loads imposed upon it.

SECTION 113. Comm 62.50 and 62.51 are renumbered Comm 62.493 and 62.496.

SECTION 114. Comm 62 Subchapters IV to IX are renumbered Comm 62 Subchapters V to X.

SECTION 115. Comm 62 Subchapter IV is created to read:

Comm 62 SUBCHAPTER IV – MEMBRANE STRUCTURES

Comm 62.50 Scope. (1) GENERAL. The provisions of this subchapter apply to air-inflated, air-supported, membrane-covered cable, and membrane-covered frame structures, as defined in s. Comm 62.051, that are erected for a period of 180 days or longer, except as provided in sub. (2).

(2) UNOCCUPIED. A membrane structure that is not used for human occupancy, such as covering a water storage facility, water clarifier, water or sewage treatment plant, or greenhouse which is not used for retail or educational purposes, is only required to conform to s. Comm 62.503 and 62.508.

Comm 62.501 Definitions. In this subchapter:

(1) "Air-inflated structure" means a structure having a shape that is maintained by air pressurization of cells or tubes to form a barrel vault over the usable area. Occupants of such a structure do not occupy the pressurized area used to support the structure.

(2) "Air-supported structure" means a structure having a shape that is attained by elevated air pressure, and occupants of the structure are within the elevated pressure area.

(3) "Membrane" means a thin, flexible, impervious material capable of being supported by air pressure or structural frames or cables.

(4) "Membrane-covered structure" means a nonpressurized structure having a cable or rigid frame structural system that supports a membrane weather barrier.

Comm 62.502 Construction requirements. (1) (a) A membrane structure shall be classified as Type 8 wood frame unprotected construction, except as specified in par. (b).

(b) A membrane structure may be classified as Type 6 metal frame unprotected construction if the structure and membrane are noncombustible materials as defined in s. Comm 51.01 (86).

(2) A membrane structure, regardless of occupancy, shall comply with the allowable floor area requirements in s. Comm 54.01.

(3) No membrane structure may exceed one story in height.

(4) Except as required by s. Comm 55.02 (2m), a membrane structure shall be at least 10 feet from a property line or another building, unless separated therefrom with a 4-hour fire division wall as specified in s. Comm 51.02 (13).

(5) A membrane structure may be used as specified in this subchapter as a portion of a building of another type of construction, provided the following requirements are met:

(a) Height and area limits shall be as specified for the type of construction and occupancy of the building.

(b) A membrane structure used as a roof or skylight shall be at least 20 feet above any floor, balcony or gallery.

(c) A flame-resistant membrane may not be used as a roof or skylight in Types 1 to 7 construction.

Comm 62.503 Membrane requirements. (1) GENERAL. A membrane shall be either of the following, except as provided in sub. (2):

(a) Noncombustible as defined in s. Comm 51.01 (86).

(b) Flame-resistant as determined in accordance with both the small-scale and large-scale tests in NFPA 701, and with the manufacturer's test protocol.

(2) UNOCCUPIED GREENHOUSE. A membrane which has a thickness of less than 20 mils or which is less than 20 feet above the floor is not required to be flame resistant if used for an unoccupied greenhouse.

Comm 62.504 Exit requirements. (1) GENERAL. All exits from a membrane structure shall comply with the requirements of s. Comm 51.15 to 51.20, except as provided in sub. (2) and s. Comm 62.509.

(2) REVOLVING DOORS. A membrane structure requiring the use of revolving doors for maintaining pressurization of the structure may utilize revolving doors for up to 50% of the required exit width if all of the following requirements are met:

(a) The leaves of a revolving door shall be capable of collapsing into a book-fold position.

(b) The two parallel egress paths formed in a revolving door when the leaves are in the book-fold position shall each have a width of at least 18 inches.

(c) A revolving door shall not be within 10 feet of the top or foot of stairs or escalators. Under all conditions, there shall be a dispersal area between the stairs or escalators and the revolving door.

(d) The revolutions per minute (RPM) of a revolving door shall not exceed the values specified in Table 62.504.

TABLE 62.504

Inside Diameter, feet	Power-Driven Type Speed Control, RPM	Manual-Type Speed Control, RPM
6.5	11	12
7	10	11
7.5	9	11
8	9	10
8.5	8	9
9	8	9
9.5	7	8
10	7	8

(e) Each wall containing a revolving door shall have a side-hinged swinging door that complies with this code, within 10 feet of the revolving door.

Comm 62.505 Equipment requirements. (1) The inflation system shall consist of one or more blowers and shall include provisions for automatic control to maintain the required inflation pressures. The system shall be designed to prevent over-pressurization.

(2) (a) In addition to the primary inflation system, in buildings exceeding 1,500 square feet in area, an auxiliary inflation system shall be provided that has sufficient capacity to maintain the inflation of the structure in case of primary system failure. The auxiliary inflation system shall operate automatically if there is a loss of internal pressure or if the primary blower system becomes inoperative.

(b) Blower equipment shall meet the following requirements:

1. Blowers shall be powered by continuous-rated motors at the maximum power required for any flow condition as required by the structural design.

2. Blowers shall be provided with inlet screens, belt guards, and other protective devices to provide protection from injury.

3. Blowers shall be housed within a weather-protecting structure.

4. Blowers shall be equipped with back-draft check dampers to minimize air loss when inoperative.

5. Blower inlets shall be located to provide protection from air contamination. The location of inlets shall be approved.

Comm 62.506 Support provisions. A system capable of supporting the membrane in the event of deflation shall be provided for an air-inflated or air-supported structure having an occupant load of more than 50, or where covering a swimming pool regardless of occupant load. For a membrane structure used as a roof for a place of assembly of more than 100 persons, the support system shall be capable of maintaining the membrane at least 20 feet above the floor,

seating area, or surface of the water. For all other membrane structures, the support system shall be capable of maintaining the membrane at least 7 feet above the floor, seating area, or surface of the water.

Comm 62.507 Standby power. Whenever an auxiliary inflation system is required, an approved standby power-generating system shall be provided. The system shall be equipped with a suitable means for automatically starting the generator set upon failure of the normal electrical service and for automatic transfer and operation of all of the required electrical functions at full power within 60 seconds of such service failure. Standby power shall be capable of operating independently for a minimum of 4 hours.

Comm 62.508 Engineering design. A membrane structure shall be structurally designed and constructed to sustain dead loads, loads due to tension or inflation, and live loads including wind and snow, and in accordance with ch. Comm 53.

Comm 62.509 Occupancy requirements. A membrane structure shall comply with all other applicable provisions of the appropriate occupancy chapter.

SECTION 116. Comm 64.21 is repealed and recreated to read:

Comm 64.21 Location of equipment. (1) GENERAL. Heating equipment shall be installed in accordance with the limitations specified in Table 64.21.

Note: The footnotes after the table designate special requirements for the listed equipment.

Note: The department will accept net ratings as listed by the Mechanical Contractors Association of America, Inc., or the Institute of Boiler and Radiator Manufacturers.

(2) CENTRAL FURNACES. For the purpose of this section, a central furnace shall be considered as a direct vent sealed combustion chamber appliance if the furnace conforms to the requirements of ANSI standard Z21.47 for direct vent central furnaces.

(3) BOILERS AND WATER HEATERS. For the purpose of this section, a low-pressure boiler or a water heater shall be considered as a direct vent sealed combustion chamber appliance if the boiler or water heater conforms to those parts of ANSI standard Z21.13, Z21.10.1, or Z21.10.3, whichever is applicable, relating to direct vent appliances.

SECTION 117. Comm 64.22 (3) (e) 1. is amended to read:

Comm 64.22 (3) (e) 1. The appliance ~~has been issued a material approval under s. Comm 50.19 recognizing conformance to~~ complies with the requirements for separated combustion appliances as specified in ANSI Z83.8 or Z83.9, whichever is applicable, and conformance of all parts of the direct vent system for the duct furnace or unit heaters to s. 1.1.7 of ANSI Z21.64; and

SECTION 118. Comm 50 to 64 Appendix Section A-50.21 is repealed and recreated to read:

A-50.21 CERTIFIED MUNICIPALITIES AND APPOINTED AGENTS. The following municipalities have been certified to review plans for new buildings containing less than 50,000 cubic feet, total volume; additions to existing buildings where the total volume after construction of the addition is less than 50,000 cubic feet; and alterations to existing buildings where the volume of altered space is less than 100,000 cubic feet. For a project which is located within the limits of a listed municipality and which meets the size criteria, contact the municipality involved. Municipalities marked with an asterisk (*) have been authorized to review plans without limit on size of project or building. Municipalities in [brackets] have been authorized to do inspections only, therefore submit plans to the department, using the reduced certified municipality fee schedule. For information regarding the current status of a municipality, call 608-267-7586.

COUNTIES

Eau Claire

CITIES & VILLAGES

Altoona	Fond du Lac	Milwaukee*	Stevens Point
Antigo	Fontana	Monroe	Sturgeon Bay
Appleton	Fort Atkinson	Muskego	[Sturtevant]
Augusta	Franklin	New Berlin	Sun Prairie
[Belgium]	Fredonia	New Richmond	Superior
Beloit	Glendale	Oak Creek	Sussex
Berlin	Grafton	Oconomowoc	[Thiensville]
Big Bend	Green Bay	Omro	Twin Lakes
Black River Falls	Greenfield	[Oregon]	Walworth
Brookfield	Hartland	Osceola	Waterford
Brownsville	Hortonville	Oshkosh	Waukesha
Burlington	Howard	Osseo	Waubesa
[Cambridge]	Janesville*	Paddock Lake	Waunakee
Cedarburg	Jackson	Poynette	Waupun
Cudahy	Johnson Creek	Plover	Wausau
Delafield	Kaukauna	Port Edwards	Wauwatosa
Dousman	Kenosha	Racine	West Allis
Dresser	La Crosse	Rhineland	West Bend
Eau Claire	Lake Geneva	Ripon	West Milwaukee
Elkhorn	Lannon	[Rochester]	Weyauwega
Elm Grove	Madison*	Seymour	Whitefish Bay
Fall Creek	Marshfield	Sheboygan	Wis. Rapids
Fitchburg	Mequon	Silver Lake	
	Middleton	[South Milwaukee]	

TOWNS (County Location)

Berry (Dane)	[Cedarburg (Ozaukee)]	Farmington (Polk)	Grand Chute	Hull (Portage)
Bloomfield (Walworth)	Cottage Grove (Dane)	Geneva (Walworth)	(Outagamie)	LaGrange (Walworth)
Bristol (Kenosha)	Delavan (Walworth)		Grand Rapids (Wood)	Linn (Walworth)

[Lyons (Walworth)]	[Oakland (Jefferson)]	Raymond (Racine)	Sugar Creek (Walworth)	Wheatland (Kenosha)
[Madison (Dane)]	Ottawa (Waukesha)	[Rochester (Racine)]	[Summit (Waukesha)]	Windsor (Dane)
Mukwonago	[Pleasant Springs	Seymour (Eau Claire)	Theresa (Dodge)	
(Waukesha)	(Dane)]	Somers (Kenosha)	Waterford (Racine)	
Norway (Racine)	Plover (Portage)	Springdale (Dane)	Waukesha (Waukesha)	

APPOINTED AGENTS

Madison

[Note to Revisor: Please delete the department forms and Table A51.044 from the Comm 50 to 64 Appendix.]

SECTION 119. Comm 66.02 (1) (a) to (d) are amended to read:

Comm 66.02 (1) (a) Every multifamily dwelling as defined in s. Comm 66.03 which is constructed after April 1, the implementation of this chapter in 1995 and which was not approved under ch. Comm 57 prior to that implementation.

(b) ~~Every addition~~ Any additions to an existing a multifamily dwelling which is was constructed after April 1, the implementation of this chapter in 1995 and which was not approved under ch. Comm 57.

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(c) Any building or portion of a building which is converted to a multifamily dwelling after April 1, the implementation of this chapter in 1995 and which was not approved under ch. Comm 57 prior to that implementation, except as provided in s. Comm 66.025.

(d) All remodeling or alteration ~~which that~~ affects the structural strength, fire hazard, exits, or required natural lighting, or the replacement of major equipment, for a multifamily dwelling which was constructed after April 1, the implementation of this chapter in 1995 and which was not approved under ch. Comm 57. These requirements do not apply to minor repairs necessary for the maintenance of any building.

SECTION 120. Comm 66.03 (1m) is created to read:

Comm 66.03 (1m) "Authorized representative" means any certified municipality or appointed agent, as specified in s. Comm 66.24.

SECTION 121. Comm 66.09 (3) and (4) are amended to read:

Comm 66.09 (3) NAME OF SUPERVISING ARCHITECT, ENGINEER, OR DESIGNER. Prior to the start of construction, the owner of the building, whose name ~~must~~ shall be a part of or accompany all plans submitted for approval, or an authorized agent, shall designate

in writing to the ~~department or its authorized representative~~ authority that issues plan approval the name and Wisconsin registration number of the architect, engineer, or designer retained to supervise construction of the building or structure.

(4) COMPLIANCE STATEMENT. Prior to initial occupancy of a new building or addition, and prior to final occupancy of an alteration of an existing building, the supervising architect, engineer, or designer shall file a written statement with the ~~department~~ authority that issued plan approval certifying that, to the best of his or her knowledge and belief, construction of the portion to be occupied has been performed in substantial compliance with the approved plans and specifications. This statement shall be on a form prescribed by the department. ~~In a municipality administering this chapter, a copy of this statement shall be filed with the municipality.~~

[NOTE TO REVISOR: Please change the applicable Notes after ss. Comm 66.09, 66.12 (1), 66.15, 66.17 (1) (a), 66.18 (1), 66.24, and 66.26 (2) and (4) to all read as follows: "Note: The department forms required in this chapter are available from the Safety and Buildings Division at P.O. Box 7162, Madison, WI 53707, or at telephone 608/266-1818. Some of the department forms are also available from the Division's web site at www.commerce.state.wi.us/SB-Forms.html."]]

SECTION 122. Comm 66.11 and Note (1) are renumbered Comm 66.11 (1) and (2).

SECTION 123. Comm 66.12 (2) is amended to read:

Comm 66.12 (2) FILING OF A WISCONSIN UNIFORM MULTIFAMILY BUILDING PERMIT APPLICATION. A Wisconsin uniform multifamily building permit application shall be filed with the municipality administering and enforcing this chapter or ~~its~~ with a representative that the municipality has authorized to receive the application representative.

SECTION 124. Comm 66.14 (1) (intro.) and (b) are amended to read:

Comm 66.14 (1) (intro.) TYPES OF PLAN APPROVAL. ~~The~~ Except as provided in sub. (2) (f), the following types of plans shall be submitted to the department or its authorized representative for examination and ~~approval~~ be approved before construction for a multifamily dwelling is commenced:

(b) Structural plans and structural component plans.

SECTION 125. Comm 66.14 (1) (d) is repealed.

SECTION 126. Comm 66.14 (1) (e) to (g) are renumbered Comm 66.14 (1) (d) to (f).

SECTION 127. Comm 66.14 (1) (d) Note and (1t) are created to read:

Comm 66.14 (1) (d) Note: Replacing a major piece of heating, ventilating, or air conditioning equipment with an identical or closely similar piece of equipment is not considered to be an alteration.

(1t) EXEMPTION THROUGH DESIGN AND SUPERVISION BY REGISTERED PROFESSIONALS. (a) Department plan examination and approval is waived for a building that contains less than 25,000 cubic feet total volume if the plans and specifications are designed by a registered individual in accordance with s. Comm 66.06 (3) or 66.07, and if the construction or installation is supervised by a registered individual in accordance with s. Comm 66.09.

(b) 1. Where the exemption in par. (a) is elected, a notice shall be filed with the department or its authorized representative, that identifies the building location, the name and address of the building owner, and the name and Wisconsin registration number for the designer and supervising professional.

2. A notice filed with the department under subd. 1 shall include the fee specified in s. Comm 2.31 (1) (g).

SECTION 128. Comm 66.14 (2) (a) 1. is amended to read:

Comm 66.14 (2) (a) 1. ~~At~~ Except as provided in par. (f), at least 4 complete, bound sets of plans, which are clear, legible, and permanent copies, and one copy of specifications shall be submitted to the department. The plans shall be bound in a manner that enables them to be reviewed without removing the binding.

SECTION 129. Comm 66.14 (2) (f) is created to read:

Comm 66.14 (2) (f) *Structural component plans.* 1. One set of plans for structural components, as specified in sub. (3) (b), shall be submitted for examination before commencing construction, and one set shall be kept at the building site during construction.

2. Structural component plans for buildings containing more than 50,000 cubic feet total volume, or for additions in which the volume of the addition results in the entire building containing more than 50,000 cubic feet total volume, shall comply with all of the following:

a. Each set of plans shall be signed and sealed in accordance with s. Comm 66.06 (3).

b. Plans that are signed and sealed by someone other than the building designer of record shall include a signed or initialed indication from the building designer that the component plans are compatible with the building plans.

SECTION 130. Comm 66.15 is amended to read:

Comm 66.15 Application for approval. A plans plan approval application form prescribed by the department and the fee specified in ch. Comm 2 shall be included with the plans submitted to the department. The department shall review and make a determination on an application for plan review within 15 business days of receipt of the application and all forms, fees, plans, and documents required to complete the review.

SECTION 131. Comm 66.165 (1) is amended to read:

Comm 66.165 (1) All revisions and modifications which involve provisions of this chapter and which are made to plans or specifications that have previously been granted approval by the department or municipality shall be submitted to the department or municipality for review to the office that granted the approval. Revisions or modifications to approved plans may be shown on 8 1/2- by 11-inch addendums to bound plans.

SECTION 132. Comm 66.17 (1) (a) is amended to read:

Comm 66.17 (1) (a) The plans plan approval application form specified in s. Comm 66.15 or 66.24 (5) (d) 3. b., whichever is applicable.

SECTION 133. Comm 66.18 (1) (a) is amended to read:

Comm 66.18 (1) (a) The plans plan approval application form specified in s. Comm 66.15 or 66.24 (5) (d) 3. b., whichever is applicable.

SECTION 134. Comm 66.19 is amended to read:

Comm 66.19 Evidence of plan approval. The architect, engineer, designer, builder, manufacturer, or building owner shall keep at the building site one set of plans bearing the stamp of conditional approval and a copy of the specifications. The plans shall be open to inspection by an the department, its authorized representative, of the department or the municipality.

SECTION 135. Comm 66.22 (and title) are amended to read:

Comm 66.22 (title) Department and construction limitation. A conditional approval of a plan by the department or municipality may not be construed as an assumption of any responsibility for the design responsibility or construction of the building.

SECTION 136. Comm 66.24 (title) and (2) (b) are amended to read:

Comm 66.24 (title) Certified municipalities and appointed agents.

(2) (b) Notify the department in writing at least 30 days prior to the date upon which the municipality ~~or county~~ intends to assume the plan examination and building inspection responsibilities.

SECTION 137. Comm 66.24 (2) (k) to (m) and Note are created to read:

Comm 66.24 (2) (k) Second class cities intending to perform the expanded plan examinations and inspections specified in sub. (5) (b) shall comply with pars. (b) to (j), sub. (7) (b), and all of the following:

1. Employ at least one person who complies with all of the following:

- a. Is registered under ch. 443, Stats., as an architect or professional engineer.
- b. Is a certified commercial building inspector.
- c. Performs or directly supervises the plan examinations specified in sub. (5) (b).

2. Provide a monthly report to the department of all projects completed under this subsection, in an electronic-based format prescribed by the department.

(l) 1. To assume the building inspection responsibility but not the plan examination responsibility for the buildings and structures specified in sub. (5) (c), a municipality shall comply with pars. (b) through (j), except the plan examination requirements do not apply, and the department may delegate the inspection authority in a written manner other than a certification.

2. To assume the building inspection responsibility but not the plan examination responsibility for the buildings and structures that exceed the limits specified in sub. (5) (c), a municipality shall comply with subd. 1. and all of the following:

- a. Obtain authorization for these inspections from the department.
- b. Use an inspection process that is based on the inspection process used by the department.
- c. Retain inspection records in a manner that is accessible to the department.

d. Forward to the department any information requested by the department relative to the inspection of buildings.

3. A municipality may waive its jurisdiction for the inspection of a specific project, in which case the department shall conduct the inspection.

(m) The department may revoke the certification or delegation of authority for any municipality where the plan examiners or inspectors do not meet the standards specified by the department, or where other requirements of this section are not met.

Note: For any certified municipality, the department may review the competency of plan examiners on a regular basis, and review the correspondence and inspection reports, to determine if uniformity in code application decisions is being maintained, and to determine if the standards specified by the department are being met. Regular meetings and correspondence may be maintained between a certified municipality and the department in order to discuss and resolve any problems.

SECTION 138. Comm 66.24 (5) (b) to (g) are renumbered Comm 66.24 (5) (c) to (h).

SECTION 139. Comm 66.24 (5) (b) is created to read:

Comm 66.24 (5) (b) *Second class cities performing expanded plan examination.* Drawings, specifications, and calculations for all multifamily dwellings except state-owned buildings, to be constructed within the limits of a second class city shall be submitted to either the department or to that city, if that city has assumed the responsibilities of examining those plans and inspecting those buildings in accordance with sub. (2) (k). Second class cities performing these examinations are not subject to the plan examination limits specified in par. (c).

SECTION 140. Comm 66.24 (5) (c) and Note are repealed and recreated to read:

Comm 66.24 (5) (c) *Other municipalities.* 1. Drawings, specifications, and calculations for all multifamily dwellings except state-owned buildings, to be constructed within the limits of a municipality that is not included in pars. (a) and (b), shall be submitted to either the department or to that municipality if that municipality has assumed the responsibilities of plan examination and building inspection and if the plans are for any of the construction specified in this paragraph.

2. A new building containing less than 50,000 cubic feet of total volume.

3. a. An addition to a building where the area of the addition results in the entire building or structure containing less than 50,000 cubic feet of total volume.

b. An addition containing no more than 2,500 square feet of total floor area and no more than one floor level, provided the largest roof span does not exceed 18 feet and the exterior wall height does not exceed 12 feet.

4. An alteration of a space involving less than 100,000 cubic feet of total volume.

Note: The department will allow use of 5,000 and 10,000 square feet of total floor area in lieu of the thresholds of 50,000 and 100,000 cubic feet of total volume, respectively.

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5. Plans that are submitted to a municipality under this paragraph, based on the volumes specified in subds. 2. to 4. rather than floor areas, shall include calculations showing the total volume.

SECTION 141. Comm 66.24 (5) (d) is renumbered Comm 66.24 (5) (d) 1.

SECTION 142. Comm 66.24 (5) (d) 2. is created to read:

Comm 66.24 (5) (d) 2. The department may waive its jurisdiction for the plan review of a specific project, where agreed to by a certified municipality, in which case plans and specifications shall be submitted to the certified municipality for review and approval.

SECTION 143. Comm 66.24 (5) (e) 3. b. and Note are amended to read:

Comm 66.24 (5) (e) 3. b. The department's ~~plans~~ plan approval application form specified in s. Comm 66.15, unless a municipally supplied form is submitted that includes the building owner's, designer's, and supervising professional's statements and signatures which are required on the department's form. Any municipally supplied plan approval application form for a multifamily dwelling in a city, village, or town that does not administer and enforce this chapter shall also include the multifamily dwelling data prescribed by the department.

Note: ~~See Appendix A for an example of the~~ The department's plan approval application form (SBD-118), ~~which~~ includes prescription of the data pertinent to multifamily dwellings.

SECTION 144. Comm 66.24 (5) (e) 4. to 7. are created to read:

Comm 66.24 (5) (e) 4. After plans and specifications for a project have been submitted to a municipality under this section, or to a department office, any subsequent submittal for the purpose of complying with this chapter shall be submitted to that same office, except as provided in subds. 6. and 7.

5. Except as provided in subds. 6. and 7., plans and specification for all components of a project, including but not limited to trusses, precast concrete, laminated wood, or heating, ventilating and air conditioning, shall be submitted to the same office.

6. The submitter may choose whether the municipality or any of the department's offices is to review plans and specifications for an individual building in a multiple-building complex, even if a previous building in the complex had been reviewed by another office. A subsequent reviewing office may request of the other office complete copies of all pertinent data, including but not limited to petitions, application forms, preliminaries, staff notes, and comments. The applicant may be charged a fee to offset the costs of providing these copies. If plans for some of the buildings are submitted to the department and some are submitted to the municipality, and then plans for the building components are submitted for all the buildings, the component submitter shall split the submission and submit the plans to the applicable offices.

7. Decisions as to whether plans and specifications for building additions may be submitted to offices other than where the previous approvals occurred shall be handled between the municipality, department, and submitter on a case-by-case basis. These submittals shall comply with s. Comm 66.14 (3) (f).

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SECTION 145. Comm 66.24 (7) is renumbered Comm 66.24 (7) (a) and amended to read:

Comm 66.24 (7) (a) Municipalities ~~and counties~~ having jurisdiction for plan examination and building inspection may set by ordinance the fees for plan examination and building inspection services.

SECTION 146. Comm 66.24 (7) (b) and (8) are created to read:

Comm 66.24 (7) (b) A second class city that is certified to perform the expanded plan examinations specified in sub. (5) (b) shall submit to the department the fees specified in s. Comm 2.31 (1) (e).

(8) APPOINTED AGENTS (a) *Conditions of participation.* Before assuming any of the department's plan examination or building inspection responsibilities that are not listed in sub. (5), a municipality shall comply with pars. (b) through (e). While appointed, a municipality shall comply with pars. (f) to (i).

(b) Submit a written request to the department, at least 30 days prior to the date upon which the municipality desires to assume agent responsibilities for plan examination or building inspection.

(c) Include in the request a description of the desired responsibilities, such as plan examination for buildings that are not within the municipality, or plan examination for building additions or alterations that are beyond the limits specified in sub. (5) (c).

(d) Include in the request a description of the qualifications the municipality has for assuming the desired responsibilities.

(e) Receive from the department a written statement prescribing the responsibilities that are to be assumed.

(f) Apply the corresponding requirements in subs. (5) (d) to (h) and (6).

(g) Collect the plan examination fees that the department would otherwise collect, as specified in s. Comm 2.31, and submit to the department the fees specified in s. Comm 2.31 (1) (f) or (g).

(h) Provide a monthly report to the department of all projects completed under this subsection, in an electronic-based format prescribed by the department.

(i) Notify the department in writing at least 30 days prior to the date upon which the municipality intends to relinquish the responsibilities assumed under this subsection.

SECTION 147. Comm 66.25 is repealed and recreated to read:

Comm 66.25 Building product approvals. (1) **VOLUNTARY APPROVAL.** (a) Materials, equipment and products regulated by this chapter may receive a written approval from the department indicating code compliance.

(b) 1. Approval of materials, equipment, and products shall be based on sufficient data, tests and other evidence that prove the material, equipment or product is in compliance with the standards specified in this chapter.

2. Tests, compilation of data, and calculations shall be conducted by a qualified independent third party.

(2) **ALTERNATE APPROVAL.** (a) Materials, equipment, and products that meet the intent of this chapter and which are not approved under sub. (1) shall be permitted if approved in writing by the department.

(b) 1. Approval of materials, equipment, and products shall be based on sufficient data, tests and other evidence that prove the material, equipment or product meets the intent of the standards specified in this chapter.

2. Tests, compilation of data, and calculations shall be conducted by a qualified independent third party.

(3) **EXPERIMENTAL APPROVAL.** (a) The department may allow use of an experimental material, equipment or product for the purpose of proving compliance with the intent of this chapter.

(b) The department may require the submission of any information deemed necessary for review.

(c) The department may limit the number of applications it will accept for approval of experimental materials, equipment or products.

(d) Installations of a material, equipment or product under an experimental approval shall comply with all of the following:

1. Plans detailing the installation for each project where the experimental material, equipment or product is to be used shall be submitted to the department in accordance with s. Comm 66.14.

2. A copy of the experimental approval shall be attached to the submitted plans and approved plans.

3. a. A letter of consent from the owner of the installation shall be attached to the submitted plans and approved plans.

b. The letter shall acknowledge that the owner has received and read a copy of the experimental approval and is in compliance with all conditions of the approval.

4. If a supervising professional is not required for the project by s. Comm 66.09, a person responsible for construction of the project shall be designated in writing by the owner.

5. The supervising professional or person designated as responsible for the construction of the project shall, upon completion of construction, certify in writing to the department that the installation is in compliance with the experimental approval, approved plans, specifications and data.

(e) 1. Any onsite inspections shall be performed by the department, or other person approved by the department, at time intervals as specified by the department, but not less than once a year. An inspection report shall be written.

2. The department may assess a fee for each inspection.

(f) Five years and 6 months after the date of the completed installation, the department shall order the removal of the experimental material, equipment or product, or issue an approval for the material, equipment or product.

(g) If this chapter is revised to include or to enable an experimental system to conform to the intent of this code, the department shall waive the requirements as specified in pars. (e) and (f).

(4) REVIEW, APPROVAL AND REVOCATION PROCESSES. (a) 1. Upon receipt of a fee and a written request, the department may issue an approval for a material, equipment or product.

2. The department shall review and make a determination on an application for approval after receipt of all forms, fees, plans and information required to complete the review.

3. For voluntary and alternate approvals, a determination shall be made within 40 business days of receipt of all required materials.

4. For an experimental approval, the determination shall be made within 6 months of receipt of all required materials.

(b) 1. The department may include specific conditions in issuing an approval, including an expiration date for the approval.

2. Violations of the conditions under which an approval is issued shall constitute a violation of this chapter.

(c) If the department determines that the material, equipment or product does not comply with this code or the intent of this chapter, or that an experimental approval will not be issued, the request for approval shall be denied in writing.

(d) If an approved material, equipment or product is modified, the approval shall be considered null and void, unless the material, equipment or product is resubmitted to the department for review and approval is granted.

(e) 1. The department may revoke or deny an approval for any false statements or misrepresentations of relevant facts or data, unacceptability of a third party providing information, or as a result of material, equipment or product failure.

2. The department may re-examine an approved material, equipment or product and issue a revised approval at any time.

(f) The department may revoke an approval if the department determines that the material, equipment or product does not comply with this chapter or the intent of this chapter due to a change in the chapter or department interpretation of the chapter.

(g) An approval issued by the department may not be construed as an assumption of any responsibility for defects in design, construction or performance of the approved material, equipment or product nor for any damages that may result.

(h) Fees for the review of a material, equipment or product under this section and any onsite inspections shall be submitted in accordance with ch. Comm 2.

(5) **UNGRADED OR USED MATERIALS.** (a) Ungraded or used building materials may be used or reused as long as the materials possess the essential properties necessary to achieve the level of performance required by this chapter for the intended use.

(b) The department or the municipality enforcing this chapter may require tests in accordance with subs. (1) or (2). Approval for use of ungraded or used materials may be issued under this section or may be issued for a specific project under s. ILHR 66.14.

SECTION 148. Comm 66.345 (3) (a) is amended to read:

Comm 66.345 (3) (a) Except as provided in par. (e), sub. (2), and s. Comm 66.39 (3) (e), at least 2 means of egress shall be provided from each habitable floor above the main floor of a multilevel dwelling unit. As used in this subsection, the main floor of a multilevel dwelling unit means the floor level that contains the main entrance to the unit.

SECTION 149. Comm 66.41 (4) (d) is created to read:

- Comm 66.41 (4) (d) 1. Atriums may be constructed in accordance with s. Comm 52.07.
2. In applying s. Comm 52.07, a multifamily dwelling shall be treated as a ch. Comm 57 occupancy.

SECTION 150. Comm 66.45 (2) (b) 2. is amended to read:

Comm 66.45 (2) (b) 2. Swimming pool facilities shall be provided with sanitary fixtures, including showers and drinking fountains, in accordance with ss ch. Comm 90.16 and 54.05 90; and either ch. Comm 54 or 55, whichever is applicable.

SECTION 151. Comm 66 Appendix Section A-66.24 is repealed and recreated to read:

A-66.24 Certified municipalities and appointed agents. The following municipalities have been certified to review plans for new buildings containing less than 50,000 cubic feet, total volume; additions to existing buildings where the total volume after construction of the addition is less than 50,000 cubic feet; and alterations to existing buildings where the volume of altered space is less than 100,000 cubic feet. For a project which is located within the limits of a listed municipality and which meets the size criteria, contact the municipality involved. Municipalities marked with an asterisk (*) have been authorized to review plans without limit on size of project or building. Municipalities in [brackets] have been authorized to do inspections only, therefore submit plans to the department, using the reduced certified municipality fee schedule. For information regarding the current status of a municipality, call 608-267-7586.

COUNTIES

Eau Claire

CITIES & VILLAGES

Altoona	Fond du Lac	Milwaukee*	Stevens Point
Antigo	Fontana	Monroe	Sturgeon Bay
Appleton	Fort Atkinson	Muskego	[Sturtevant]
Augusta	Franklin	New Berlin	Sun Prairie
[Belgium]	Fredonia	New Richmond	Superior
Beloit	Glendale	Oak Creek	Sussex
Berlin	Grafton	Oconomowoc	[Thiensville]
Big Bend	Green Bay	Omro	Twin Lakes
Black River Falls	Greenfield	[Oregon]	Walworth
Brookfield	Hartland	Osceola	Waterford
Brownsville	Hortonville	Oshkosh	Waukesha
Burlington	Howard	Osseo	Waunakee
[Cambridge]	Janesville*	Paddock Lake	Waupun
Cedarburg	Jackson	Poynette	Wausau
Cudahy	Johnson Creek	Plover	Wauwatosa
Delafield	Kaukauna	Port Edwards	West Allis
Dousman	Kenosha	Racine	West Bend
Dresser	La Crosse	Rhineland	West Milwaukee
Eau Claire	Lake Geneva	Ripon	Weyauwega
Elkhorn	Lannon	[Rochester]	Whitefish Bay
Elm Grove	Madison*	Seymour	Wis. Rapids
Fall Creek	Marshfield	Sheboygan	
Fitchburg	Mequon	Silver Lake	
	Middleton	[South Milwaukee]	

TOWNS (County Location)

Berry (Dane)	Grand Chute	Mukwonago	Raymond (Racine)	Waterford (Racine)
Bloomfield (Walworth)	(Outagamie)	(Waukesha)	[Rochester (Racine)]	Waukesha (Waukesha)
Bristol (Kenosha)	Grand Rapids (Wood)	Norway (Racine)	Seymour (Eau Claire)	Wheatland (Kenosha)
[Cedarburg (Ozaukee)]	Hull (Portage)	[Oakland (Jefferson)]	Somers (Kenosha)	Windsor (Dane)
Cottage Grove (Dane)	LaGrange (Walworth)	Ottawa (Waukesha)	Springdale (Dane)	
Delavan (Walworth)	Linn (Walworth)	[Pleasant Springs	Sugar Creek (Walworth)	
Farmington (Polk)	[Lyons (Walworth)]	(Dane)]	[Summit (Waukesha)]	
Geneva (Walworth)	[Madison (Dane)]	Plover (Portage)	Theresa (Dodge)	

APPOINTED AGENTS

Madison

[Note to Revisor: Please delete the department forms from the Appendix.]

SECTION 152. Comm 70.03 (1) (a) 3. is amended to read:

Comm 70.03 (1) (a) 3. Chapters Comm 75 to 79, existing building code, for buildings erected prior to October 199, 1914; or

SECTION 153. Comm 70.07 (1) (a) and (b) are amended to read:

Comm 70.07 (1) (a) *Altered or remodeled.* If a qualified historic building is remodeled or altered and that portion being remodeled or altered affects the structural strength, fire hazard, exits of the building, required natural lighting, or replacement of major equipment, plans and specifications shall be submitted to the department or its authorized representative as specified in s. Comm 50.21 and 50.22 for examination and ~~approval~~ be approved before commencing work.

(b) *Change in use.* If a qualified historic building is changed to a new use, or converted from a use as a nonpublic building to a public building, plans and specifications showing compliance with this chapter shall be submitted to the department or its authorized representative as specified in s. Comm 50.21 and 50.22 for examination and ~~approval~~ be approved before commencing work.

SECTION 154. Comm 70.14 is repealed and recreated to read:

Comm 70.14 Petition for variance. The department shall consider and may grant a variance to a provision of this chapter in accordance with ch. Comm 3. The petition for variance shall include a position statement from the fire department having jurisdiction.

Note: Chapter Comm 3 requires the submittal of a petition for variance form (SBD-9890) and a fee, and that an equivalency is established in the petition for variance that meets the intent of the rule being petitioned. Chapter Comm 3 also requires the department to process regular petitions within 30 business days and priority petitions within 10 business days.

Note: Form SBD-9890 is available at no charge from the department at the Safety and Buildings Division, P.O. Box 2509, Madison WI 53701, telephone 608/266-1818.

SECTION 155. Comm 70.17 (2) is amended to read:

Comm 70.17 (2) "Authorized representative" means any ~~first class city or~~ certified municipality or county as specified in s. Comm 50.21, and any appointed agent as specified in s. Comm 50.22.

SECTION 156. Comm 75.001 (1) (e) and Note are created to read:

Comm 75.001 (1) (e) Qualified historic buildings for which the owner has elected to use ch. Comm 70. Those buildings are not required to comply with any of the provisions of these orders that are addressed by ch. Comm 70.

Note: The owner of a qualified historic building may select which code will apply to the building. The options include (1) complying with ch. Comm 70 - Historic Buildings Code; (2) complying with chs. Comm 50 to 64 - Building and Heating, Ventilating and Air Conditioning Code; (3) complying with the Building and Heating, Ventilating and Air Conditioning Code that was in effect at the time of the last approved addition, alteration, or change in use, provided the building and use have remained unchanged since then; or (4) complying with these orders, provided the building was constructed prior to October 9, 1914, and continues to have the same use as on that date.

SECTION 157. Comm 90.16 (1) is amended to read:

Comm 90.16 (1) GENERAL REQUIREMENTS. All pools shall be provided with conveniently located dressing, shower and toilet facilities except as stated in sub. (2). All applicable building requirements of chs. ~~ILHR~~ Comm 50 to 54, 63 64, 66 and 64 69 apply to the construction of indoor pool housing and bathhouses.

(END)

EFFECTIVE DATE

Pursuant to s. 227.22 (2)(intro.), Stats., these rules shall take effect on the first day of the month following publication in the Wisconsin Administrative Register.

50-70 changes 4c
10/4/99