

## 2003 SENATE BILL 523

March 3, 2004 – Introduced by Senators BROWN and HARSDORF, cosponsored by Representatives J. WOOD and PETTIS. Referred to Committee on Homeland Security, Veterans and Military Affairs and Government Reform.

- 1 **AN ACT relating to:** enforcement on the one-family and 2-family dwelling code  
2 in certain cities, villages, and towns.

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### *Analysis by the Legislative Reference Bureau*

Under current law, with certain limited exceptions, any city, village, town, or county (municipality) may provide for the enforcement of the one-family and two-family dwelling code (dwelling code) by enacting an ordinance that meets the requirements of the dwelling code. With certain exceptions, current law requires any municipality that does not provide for that enforcement to contract with the Department of Commerce (department) for necessary building inspection services under the dwelling code. A city, village, or town with a population of 2,500 or less may, however, adopt a resolution requesting the county to enforce the dwelling code within the city, village, or town. Thus, under current law, the department is required to enforce the dwelling code within a city, village, or town with a population of 2,500 or less, unless the city, village, or town enforces the dwelling code itself or has requested the county to enforce the dwelling code.

Under prior law, a city, village, or town with a population of 2,500 or less was also authorized to adopt a resolution exempting itself from enforcement of the dwelling code. 2003 Wisconsin Act 90, however, eliminated that authority effective on December 18, 2003. This bill provides that a city, village, or town with a population of 2,500 or less that has adopted a resolution under prior law before December 18, 2003, exempting itself from enforcement of the dwelling code remains so exempt until January 1, 2005.

