

2003 DRAFTING REQUEST

Bill

Received: 03/01/2004

Received By: gmalaise

Wanted: 03/02/2004

Identical to LRB:

For: **Ronald Brown (608) 266-8546**

By/Representing: **Katie Mnuk**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Buildings/Safety - bldg codes**

Extra Copies:

Submit via email: **YES**

Requester's email: **Sen.Brown@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Enforcement of one- and 2-family dwelling code in small communities; delay effect of Act 90

Instructions:

Provide that municipality that has exempted itself from enforcement of dwelling code under prior s. 101.651 (2m) (b) before effective date of Act 90 remains exempt until January 1, 2005.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 03/01/2004	jdye 03/01/2004		_____			S&L
/1			pgreensl 03/01/2004	_____	Inorthro 03/01/2004		S&L

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	gmalaise 03/02/2004	jdye 03/02/2004	rschluet 03/02/2004	_____	lemery 03/02/2004	lemery 03/02/2004	

FE Sent For:

AA
intro.

<END>

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/?	gmalaise	1/3 jld	3/1 ps	3/1 gelle			

FE Sent For:

<END>



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-4399(?)

GMM:.....

Two 3/2
9:00 AM

Handwritten signature/initials

1

Gen

AN ACT ...; relating to: enforcement on the one- and two-family dwelling code

family

2

in certain cities, villages, and towns.

Analysis by the Legislative Reference Bureau

family

Under current law, with certain limited exceptions, any city, village, town, or county (municipality) may provide for the enforcement of the one- 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, and that the department shall continue to provide inspection services and to enforce the dwelling code throughout such a municipality until January 1, 2005.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. Nonstatutory provisions.

FAMILY ← ⊖

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(1) ENFORCEMENT OF ONE- AND 2-FAMILY DWELLING CODE. Notwithstanding 2003 Wisconsin Act 90, a municipality, as defined in section 101.651 (1) of the statutes, that has adopted a resolution under section 101.651 (2m) (b), 2001 stats., before December 18, 2003, exempting itself from the requirement under section 101.651 (2m) (intro.) of the statutes that a municipality exercise jurisdiction over the construction and inspection of new one- and 2-family dwellings remains exempt from that requirement until January 1, 2005, and the department of commerce shall continue to provide inspection services and to enforce subchapter II of chapter 101 of the statutes or an ordinance enacted under section 101.65 (1) (a) of the statutes throughout that municipality until January 1, 2005.

(END)

3/2/04

12

Katie Mauk

① P 2, § 6 delete description of requirement under

§ 101.65(2m) (intro.)

② P 2, § 8 remove language saying that Commerce

shall continue to enforce dwelling code in exempt municipalities



State of Wisconsin
2003 - 2004 LEGISLATURE

Today !!! 3/2

LRB-4399/A
GMM:jld:pg

②
RMR

2003 BILL

Regen

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

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.

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↑
Plain
Period

BILL

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SECTION 1. Nonstatutory provisions.

(1) ENFORCEMENT OF ONE-FAMILY AND 2-FAMILY DWELLING CODE. Notwithstanding 2003 Wisconsin Act 90, a municipality, as defined in section 101.651 (1) of the statutes, that has adopted a resolution under section 101.651 (2m) (b), 2001 stats., before December 18, 2003, exempting itself from the requirement under section 101.651 (2m) (intro.) of the statutes ~~that a municipality exercise jurisdiction over the construction and inspection of new one-family and 2-family dwellings~~ remains exempt from that requirement until January 1, 2005, and the department of commerce shall continue to provide inspection services and to enforce subchapter II of chapter 101 of the statutes or an ordinance enacted under section 101.65 (1) (a) of the statutes throughout that municipality until January 1, 2005.

(END)

Emery, Lynn

From: Mnuk, Katie
Sent: Tuesday, March 02, 2004 2:30 PM
To: LRB.Legal
Subject: Draft review: LRB 03-4399/2 Topic: Enforcement of one- and 2-family dwelling code in small communities; delay effect of Act 90

It has been requested by <Mnuk, Katie> that the following draft be jacketed for the SENATE:

Draft review: LRB 03-4399/2 Topic: Enforcement of one- and 2-family dwelling code in small communities; delay effect of Act 90