

**2007 DRAFTING REQUEST**

**Assembly Amendment (AA-AB521)**

Received: 11/02/2007

Received By: rkite

Wanted: As time permits

Identical to LRB:

For: Terry Moulton (608) 266-9172

By/Representing: Matt Seaholm

This file may be shown to any legislator: NO

Drafter: rkite

May Contact:

Addl. Drafters:

Subject: Buildings/Safety - misc.

Extra Copies:

Submit via email: YES

Requester's email: Rep.Moulton@legis.wisconsin.gov

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Grandfather pre-existing sprinkler ordinances

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**Instructions:**

See Attached

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**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>
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FE Sent For:

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/?	rkite	1 bjk 11/13	1/13 p8	1/13 p8			

FE Sent For:

<END>

**Kite, Robin**

**From:** Seaholm, Matthew  
**Sent:** Thursday, November 01, 2007 11:03 AM  
**To:** Kite, Robin  
**Subject:** Amendment to AB 521

Hi Robin,

Below is a suggested amendment to Assembly Bill 521 re: uniform commercial building code. If you could take a look and see if it makes sense and if it does draft up the amendment. Please contact me if you have any questions.

Thanks,

**Matt**

Matt Seaholm  
 Office of Rep. Terry Moulton  
 Wisconsin's 68th Assembly District  
 (608) 266-9172

O.K. to talk to Bob DuPont  
 @ Commerce  
 266-8984

Our intention would be to narrowly "grandfather" those communities that had a pre-existing (1/1/92) sprinkler ordinance related to Multi-family dwellings only. I think this is the section of the current statutes that "grandfathers" those communities under the multifamily code. We may wish to do the same thing as an amendment to the uniform code bill. You may want to talk to Bob DuPont if there are any questions.

### **101.975 Local government authority.**

#### 101.975(1)

(1) A political subdivision may regulate the construction and installation of windows and doors in multifamily dwellings if the regulation is related to preventing illegal entry.

#### 101.975(2)

(2) A political subdivision shall use the standard building permit format prescribed and furnished by the department under s. 101.973 (4) and file a copy of each permit issued with the department.

#### 101.975(3)

##### 101.975(3)(a)

(a) In this subsection, "preexisting stricter sprinkler ordinance" means an ordinance that fulfills all of the following requirements:

##### 101.975(3)(a)1.

1. The ordinance requires an automatic sprinkler system in multifamily dwellings containing 20 or less attached dwelling units.

101.975(3)(a)2.

2. The ordinance was in effect on January 1, 1992, and remains in effect on May 1, 1992.

101.975(3)(a)3.

3. The ordinance does not conform to this subchapter and s. 101.02 (7m) or is contrary to an order of the department under subch. I.

101.975(3)(a)4.

4. The ordinance is more stringent than the corresponding provision of this subchapter or s. 101.02 or the contrary provision of an order of the department under subch. I.

101.975(3)(b)

(b) If a political subdivision has a preexisting stricter sprinkler ordinance, that ordinance remains in effect, except that the political subdivision may amend the ordinance to conform to this subchapter and s. 101.02 (7m) and to be not contrary to an order of the department under subch. I.

*Per Matt -*

*Will have Jon Mielke of builders assn. call me for further explanation*

*244-5883*

Re: AB 521

Per Jon Milke - Builders association  
244-5883

problem is that currently, although locals may not have codes that are less strict than state law, they can be more strict -

builders want locals to have to strictly conform to the state commercial code

Also - re: sprinkler exception in (7m)

keep that exception exactly as is (that is, apply only to multi family dwellings) but make sure the bill doesn't wipe out this exception



→ (soon)  
State of Wisconsin  
2007 - 2008 LEGISLATURE

RM run  
LRBa0843

RNK:.....  
ljk

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO 2007 ASSEMBLY BILL 521

bh ✓

1 At the locations indicated, amend the bill as follows:

2 1. Page 1, line 4: delete that line and substitute:

3 "101.02 (7r) (a) Notwithstanding sub. (7) (a), and except as provided in par. (b),  
4 no city, village, or town may enact or".

5 2. Page 2, line 3: after that line insert:

6 "(b) If a city, village, or town has a preexisting stricter sprinkler ordinance, as  
7 defined in s. 101.975 (3) (a), that ordinance remains in effect, except that the city,  
8 village, or town may take any action with regard to that ordinance that a political  
9 subdivision may take under s. 101.975 (3) (b).".

10 (END)