

CR 85-143

RULES CERTIFICATE

STATE OF WISCONSIN)
) SS
DEPT. OF INDUSTRY,)
LABOR & HUMAN RELATIONS)

RECEIVED

NOV 21 1985
3:20 pm
Revisor of Statutes
Bureau

TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:

I, Howard S. Bellman, Secretary of the Department of Industry, Labor and Human Relations, and custodian of the official records of said department, do hereby certify that the annexed rule(s) relating to chs. ILHR 50, 63 and Ind. 69 were duly approved and adopted by this department on 11/20/85.

(Subject)

(Date)

I further certify that said copy has been compared by me with the original on file in this department and that the same is a true copy thereof, and of the whole of such original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the department at 2:00 pm in the city of Madison, this 20 day of November A.D. 1985.

Adelene Nelson, Deputy Sec
Secretary

ORDER OF ADOPTION

Pursuant to authority vested in the Department of Industry, Labor and Human Relations by section(s) 101.02 (1), 101.02 (15) (h) to (j) and 101.19 (1) (a), Stats., the Department of Industry, Labor and Human Relations hereby creates; amends; repeals and recreates; and repeals and adopts rules of Wisconsin Admin-

istrative Code chapter(s):

ILHR 50 & 63

Ind. 69

(Number)

Illumination Plan Submittal, Petition for
Variance and Fees

(Title)

The attached rules shall take effect on January 1, 1986

_____, pursuant to section
227.026, Stats.

Adopted at Madison, Wisconsin, this 20

day of November, A.D., 1985.

DEPARTMENT OF INDUSTRY, LABOR AND HUMAN RELATIONS

Aileen Nelson, Deputy for
Secretary



RULES in FINAL DRAFT FORM

Rule: Chapters ILHR 50, 63 and Ind 69

Relating to: Illumination Plan Submittal, Petition for
Variance and Associated Fees

Clearinghouse Rule No.: 85-143

AN ORDER to repeal ss. ILHR 50.12 (2) (k), 63.01 (2), A63.41; to renumber s. ILHR 63.01 (1); to amend ss. ILHR 50.07 (2) (c), Table 69.09-1, IND 69.09 (1) (a) l. c., 69.09 (1) (d); to create s. IND 69.15 (3) (c), relating to Illumination Plan Submittal, Petitions for Variance and Associated Fees for Services Provided as specified in the Building and Heating, Ventilating and Air Conditioning Code and the Fee Schedule.

ANALYSIS OF RULES

The Bureau of Buildings and Structures in the Division of Safety and Buildings is responsible for reviewing plans for public buildings and places of employment to determine compliance with the Wisconsin Building and Heating, Ventilating and Air Conditioning Code. Illumination plan review is currently included as part of a comprehensive energy conservation program. The division has been reviewing illumination plans since 1979.

The proposed rules eliminate the need to submit illumination plans or illumination budget calculation forms. In addition, the fee that is associated with the submittal of illumination plans or calculation forms is also deleted.

Although the rules for illumination plan submittal are being deleted, the rules for energy conserving illumination systems are retained. Designers of illumination systems are required to conform with the energy conservation rules of s. ILHR 63.41. The primary enforcement emphasis will be shifted from plan review to on-site inspections. State or certified municipal inspectors will inspect the illumination system as part of the periodic inspections made during and at the completion of construction.

The rules also propose to establish a fee for department reconsideration of revised petition for variance. Currently, the department is assessing a fee for this service based upon a formal interpretation of section IND 69.09 (1) (d). The proposed change codifies this official department interpretation and establishes a lesser fee for revised petitions for variance than that charged for original petitions.

Pursuant to the authority vested in the Department of Industry, Labor and Human Relations by section 101.02 (1), 101.02 (15) (h) to (j) and 101.19 (1) (a) Stats., the department hereby repeals, renumbers, amends and creates rules interpreting sections 101.02 (15) (h) to (j) and 101.29 (1) (a), Stats. as follows:

SECTION 1. ILHR 50.07 (2) (c) is amended to read:

ILHR 50.07 (2) (c) Energy conservation design. The plans and specifications for energy conservation design, ~~including illumination~~, shall be prepared, signed and sealed by a Wisconsin registered architect, engineer or designer.

Note 1: See s. ILHR 51.01 (139a) for definition of total volume.

Note 2: The above terms "registered architect, engineer or designer" mean registered architect, registered professional engineer or registered designer as defined by laws regulating the practice of engineering and architecture found in ch. 443, Stats. Registered designers are limited to the specific designations outlined in s. A-E 1.20. See s. A-E 1.04 for rules pertaining to signing, sealing and dating of plans prepared by registered architect, engineer or designer.

Note 3: According to s. 87.30, Stats., the construction or placement of every building, structure, fill or development placed or maintained within any flood plain is required to satisfy local or state regulations.

SECTION 2. ILHR 50.12 (2) (k) is repealed.

SECTION 3. ILHR 63.01 (1) is renumbered ILHR 63.01.

SECTION 4. ILHR 63.01 (2) is repealed.

SECTION 5. A63.41 is repealed.

SECTION 6. Table 69.09-1 is amended to read:

Table 69.09-1

Total Volume	Building Plans	Heat & Vent Plans	Illumination Plans
0-1,000,000 cubic feet	\$1.00 per 1000 cubic feet Minimum fee--\$60.00 per plan	\$0.75 per 1000 cubic feet Minimum fee--\$60.00 per plan	\$6.00 when submitted with building or heating and ventilating plans
Over 1,000,000 cubic feet	\$1,000 plus \$.81 per 1000 cubic feet in excess of 1,000,000 cubic feet	\$750.00 plus \$.49 per 1000 cubic feet in excess of 1,000,000 cubic feet	\$30.00 when submitted separately.

SECTION 7. Ind 69.09 (1) (a) 1. c. is amended to read:

Ind 69.09 (1) (a) 1. c. Examination fees for multiple identical buildings at the same site. The fees outlined in this subparagraph may be applied to a project which contains multiple identical buildings. In order to qualify for this fee, the plans for all buildings shall be submitted at the same time and construction of all buildings shall commence within 12 months from the date of approval issued by the department. Approval shall expire for all buildings not started within 12 months of approval. The plans shall be submitted in one of the following ways: building, and heating, ventilating and air conditioning ~~and illumination~~; or building; or heating, ventilating and air conditioning. ~~Illumination plans shall be submitted with either the building or heating, ventilating and air conditioning plans.~~ The fees for the examination of building and heating and ventilating plans for the first building shall be computed from the fees set forth in Table 69.09-1 on the basis of the total volume of one building. The fees for the examination of the remaining buildings shall be computed on the basis of \$60.00 for each identical building for building plans and \$60.00 for each identical building for heating and ventilating plans. ~~The examination fee for illumination plans shall be computed on the basis of \$10.00 for 2 identical buildings and \$15.00 for 3 or more identical buildings.~~

SECTION 8. Ind 69.09 (1) (d) is amended to read:

Ind 69.09 (1) (d) Revisions. The fee for revisions to previously examined plans and previously reviewed petitions for variance is \$60.00 per plan or petition. This paragraph applies when plans are revised for reasons other than those that were requested by the department.

SECTION 9. Ind 69.15 (3) (c) is created to read:

Ind 69.15 (3) (c) Revisions. The fee for revisions to previously reviewed petitions for variance is \$60.00 per petition.

* * * * *

EFFECTIVE DATE

Pursuant to section 227.026 (1) (b), Stats., these rules shall take effect on January 1, 1986.

* * * * *

The Wisconsin Department of Industry, Labor and Human Relations

November 20, 1985

Office of the Secretary
201 E. Washington Avenue
P.O. Box 7946
Madison, Wisconsin 53707
Telephone 608/266-7552

Gary Poulson
Assistant Revisor of Statutes
for Administrative Rules
411 West, State Capitol
Madison, Wisconsin

Douglas LaFollette
Secretary of State
Room 271, GEF-1
201 East Washington Avenue
Madison, Wisconsin

Dear Messrs. Poulson and LaFollette:

TRANSMITTAL OF RULE ADOPTION

CLEARINGHOUSE RULE NO. 85-143

RULE NO. Chs. ILHR 50, 63 and Ind 69

RELATING TO: Illumination Plan Submittal, Petition for Variance & Associated Fees

Pursuant to section 227.023, Stats., agencies are required to file a certified copy of every rule adopted by the agency in the offices of the Secretary of State and the Revisor of Statutes.

At this time, the following material is being submitted to you.

1. Order of Adoption.
2. Rules Certificate Form.
3. Rules in Final Draft Form.

Pursuant to section 227.016 (6), Stats., a summary of the final regulatory flexibility analysis is also included.

Respectfully submitted,



Howard S. Bellman
Secretary

cc: Agency Contact Person