

Chapter ILHR 20

ADMINISTRATION AND ENFORCEMENT

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Subchapter I — Purpose and Scope

ILHR 20.01 Purpose. The purpose of this code is to establish uniform statewide construction standards and inspection procedures for one- and 2-family dwellings and manufactured buildings for dwellings in accordance with the requirements of ss. 101.60 and 101.70, Stats.

History: Cr. Register, November, 1979, No. 287, eff. 6-1-80.

ILHR 20.02 Scope. The provisions of chs. ILHR 20 to 25 shall apply to the construction and inspection procedures used for all new one- and 2-family dwellings, manufactured buildings for dwellings and newly constructed community-based residential facilities providing care, treatment and services for 3 to 8 unrelated adults.

(1) **MUNICIPAL ORDINANCES.** (a) No municipality shall adopt an ordinance on any subject falling within the scope of this code including, but not limited to, establishing restrictions on the occupancy of dwellings for any reason other than noncompliance with the provisions of this code as set forth in s. ILHR 20.10 (3). This code does not apply to occupancy requirements occurring after the first occupancy for residential purposes following the final inspection referred to in s. ILHR 20.10 (1) (b) 3.

(b) This code shall not be construed to affect local requirements relating to land use, zoning, fire districts, side, front and rear setback requirements, property line requirements or other similar requirements. This code shall not affect the right of municipalities to establish safety regulations for the protection of the public from hazards at the job site.

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(c) Any municipality may, by ordinance, require permits and fees for any construction, additions, alterations or repairs not within the scope of this code.

(d) Any municipality may, by ordinance, adopt the provisions of chs. ILHR 20 to 25 to apply to any additions or alterations to existing dwellings.

(2) **LEGAL RESPONSIBILITY.** The department or the municipality having jurisdiction shall not assume legal responsibility for the design or construction of dwellings.

(3) **RETROACTIVITY.** The provisions of this code are not retroactive, except as specified in s. ILHR 21.09.

(4) **INNOVATIVE DWELLINGS.** No part of this code is intended to prohibit or discourage the construction of innovative dwellings such as a dwelling built below ground, a geodesic dome, a concrete house, a fiber-glass house or any other nonconventional structure.

(5) **LANDSCAPING.** The scope of this code does not extend to driveways, sidewalks, landscaping and other similar features not having an impact on the dwelling structure.

History: Cr. Register, November, 1979, No. 287, eff. 6-1-80; am. (1) (intro.), cr. (1) (d), r. and recr. (6), Register, February, 1985, No. 360, eff. 3-1-85; r. (6), Register, January, 1989, No. 397, eff. 2-1-89; am. (3), Register, April, 1990, No. 412, eff. 5-1-90.

ILHR 20.03 Effective date. The effective date of ch. ILHR 22 is December 1, 1978. The effective date of chs. ILHR 20, 21, 23, 24 and 25 is June 1, 1980.

History: Cr. Register, November, 1979, No. 287, eff. 6-1-80; am. Register, January, 1989, No. 397, eff. 2-1-89; correction made under s. 13.93 (2m) (b) 4, Stats., Register, January, 1989, No. 397.

ILHR 20.04 Applications. (1) **NEW DWELLINGS.** The provisions of this code shall apply to all dwellings and dwelling units, the initial construction of which was commenced on or after the effective date of this code. Additions and alterations to dwellings covered by this code shall comply with the provisions of this code at the time the permit for the addition or alteration is issued.

(2) **RECREATIONAL DWELLINGS.** Recreational dwellings, the initial construction of which was commenced on or after the effective date of this code, shall comply with all structural requirements of this code. The installation of any permanent heating, air conditioning, electrical or plumbing systems shall not be required; however, if such systems are installed, those systems shall comply with the provisions of this code. Any addition or alteration to such recreational dwelling or system therein shall comply with the provisions of the code at the time the permit for the addition or alteration is issued.

(3) **HISTORIC BUILDINGS.** The owner of a historic building which is subject to the provisions of this chapter, may elect to be subject to either ch. ILHR 70, Historic Building Code or to chs. ILHR 20 to 25, Uniform Dwelling Code. The elected code shall be used in its entirety.

History: Cr. Register, November, 1979, No. 287, eff. 6-1-80; cr. (3), Register, January, 1989, No. 397, eff. 2-1-89.

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ILHR 20.05 Exemptions. (1) EXISTING DWELLINGS. The provisions of this code shall not apply to dwellings and dwelling units, the construc-

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