

## Chapter Comm 66

### EXISTING BUILDINGS

**Subchapter I — Purpose, Scope and Application**

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**Subchapter I — Purpose, Scope and Application**

**Comm 66.0001 Purpose and scope. (1) PURPOSE.**

The purpose of ch. Comm 66 is to establish minimum requirements to safeguard public health, safety and welfare insofar as existing public buildings and place of employment are affected by the repair, alteration, change of occupancy, addition or relocation.

**(2) SCOPE.** The scope of ch. Comm 66 is as specified in s. Comm 61.02.

**(3) INTENT.** The intent of this chapter is to provide flexibility to permit the use of alternative approaches to achieve compliance with minimum requirements to safeguard the public health, safety, and welfare insofar as they are affected by the repair, alteration, change of occupancy, addition, and relocation of existing buildings.

**History:** CR 06–120: cr. Register February 2008 No. 626, eff. 3–1–08.

**Comm 66.0100 Changes, additions or omissions to IEBC.** Changes, additions or omissions to the IEBC are specified in this subchapter and are rules of the department and are not requirements of the IEBC.

**Note:** The requirements of s. 101.132, Stats., may be more restrictive than the administrative rules when a project involves the remodeling of housing. The term “remodeled” has the meaning given in s. 101.132 (1) (h), Stats., and the term “housing” has the meaning given in s. 106.50 (1) (L), Stats. Section 101.132 (2) (b), Stats., regarding remodeling percentages, reads:

1. If more than 50 percent of the interior square footage of any housing with 3 or more dwelling units is to be remodeled, the entire housing shall conform to the standards in par. (a), regardless of when the housing was first intended for occupancy.

2. If 25 percent to 50 percent of the interior square footage of any housing with three or more dwelling units is to be remodeled, that part of the housing that is to be remodeled shall conform to the standards in par. (a), regardless of when the housing was first intended for occupancy.

3. If less than 25 percent of the interior square footage of any housing with three or more dwelling units is to be remodeled, the remodeling is not subject to the standards in par. (a) unless the alteration involves work on doors, entrances, exits or toilet rooms, in which case the doors, entrances, exits or toilet rooms shall conform to the standards in par. (a) regardless of when the housing was first intended for occupancy.

**History:** CR 06–120: cr. Register February 2008 No. 626, eff. 3–1–08.

**Comm 66.0101 Administration.** Except for IEBC section 102.4, substitute the following wording for the requirements in IEBC chapter 1:

**(1) APPLICATION.** The provisions of the IEBC shall apply to the repair, alteration, change of occupancy, addition, and relocation of existing buildings. Repairs, alterations, change of occupancy, existing buildings to which additions are made, historic buildings, and relocated buildings complying with the provisions of the IBC, IMC, IPC, and IRC as applicable shall be considered in compliance with the provisions of this code.

**(2) CHANGE OF OCCUPANCY TO A PUBLIC BUILDING OCCUPANCY.** Where a building or portion of a building that has not been previously occupied or used as a public building or place of employment is to be changed to an occupancy or use that constitutes a

public building or place of employment, the building or portion of a building shall comply with the IBC for new construction, except for IBC rules relating to the properties of building materials.

**(3) TEMPORARY USE.** A municipal fire or building code official may allow an existing building or a portion of an existing building to be used temporarily in a manner that differs from the approved use for the building or space subject to all of the following provisions:

(a) The official shall determine the time frame within which the temporary use is permitted, based on the extent hazards are created by the temporary use. This time frame may not exceed 180 days, except the official may grant extensions for demonstrated cause.

(b) Except as provided in par. (c), buildings or spaces considered for temporary use shall conform to the requirements of this code as necessary to ensure the public safety, health and general welfare.

(c) The official may require additional safety requirements for a temporary use as a trade-off for any safety provisions that may be lacking.

(d) The official may terminate the approval for a temporary use at any time and order immediate discontinuance of the use or complete evacuation of the building or space.

**(4) COMPLIANCE METHOD.** (a) The repair, alteration, change of occupancy, addition, or relocation of all existing buildings shall comply with one of the methods listed in par. (b) or (c) as selected by the applicant. Application of a method shall be the sole basis for assessing the compliance of work by the code official. Paragraphs (b) and (c) shall not be applied in combination with each other.

(b) Repairs, alterations, additions, changes in occupancy, and relocated buildings complying with the applicable requirements of IEBC chapters 4 through 12 shall be considered in compliance with the provisions of this code.

(c) Repairs, alterations, additions, changes in occupancy, and relocated buildings complying with IEBC chapter 13 shall be considered in compliance with the provisions of this code.

**History:** CR 06–120: cr. Register February 2008 No. 626, eff. 3–1–08.

**Comm 66.0202 General definitions. (1) ADDITIONS.**

This is a department definition for this chapter in addition to the definitions in IEBC section 202: “Exhibit building” means a qualified historic building that is open to the general public only for display or tours.

**(2) SUBSTITUTIONS.** Substitute the following definition for the corresponding definition in IEBC section 202: “Historic building” means a “qualified historic building” as defined under s. Comm 62.0202 (2) (c).

**History:** CR 06–120: cr. Register February 2008 No. 626, eff. 3–1–08; correction in (2) made under s. 13.92 (4) (b) 7., Stats., Register February 2008 No. 626.

**Comm 66.0300 Prescriptive compliance method.**

The requirements in IEBC chapter 3 are not included as part of this code.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08.

**Comm 66.0506 Structural evaluation.**

The requirements in IEBC sections 506.2 to 506.2.5 are not included as part of this code.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08.

**Comm 66.0509 Plumbing.**

The requirements in IEBC section 509 are not included as part of this code.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08.

**Comm 66.0602 Building elements and materials.**

**(1) MATERIALS AND METHODS.** Substitute the following wording for the requirements in IEBC section 602.3: All new work shall comply with materials and methods requirements in the ICC EC, IBC, IECC, IFGC, IMC, and IPC, as applicable, that specify material standards, detail of installation and connection, joints, penetrations, and continuity of any element, component, or system in the building.

**(2) INTERNATIONAL FUEL GAS CODE.** The requirements in IEBC section 603.3.1 are not included as part of this code.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08.

**Comm 66.0607 Energy conservation requirements.**

Substitute the following wording for the requirements in IEBC section 607.1:

**(1) ADDITIONS, ALTERATIONS, RENOVATIONS OR REPAIRS.** Except as specified in sub. (2), additions, alterations, renovations or repairs to an existing building, building system or portion thereof shall conform to the provisions of IECC as they relate to new construction without requiring the unaltered portions of the existing building or building system to comply with the IECC. Additions, alterations, renovations, or repairs shall not create an unsafe or hazardous condition or overload existing building systems.

**(2) EXCEPTIONS.** All of the following need not comply provided the energy use of the building is not increased:

- (a) Storm windows installed over existing fenestration.
- (b) Glass only replacements in an existing sash and frame.
- (c) Existing ceiling, wall or floor cavities exposed during construction provided that these cavities are filled with insulation.
- (d) Construction where the existing roof, wall or floor cavity is not exposed.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08.

**Comm 66.0701 Compliance.**

This is a department exception to the requirement in IEBC section 701.3: The installation or extension of an automatic sprinkler system may exclude the protection of combustible concealed spaces that are not accessible in existing buildings.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08.

**Comm 66.0709 Altered existing mechanical systems.**

The exception to the requirements in IEBC section 709.1 and the requirements in IEBC section 709.2 are not included as part of this code.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08.

**Comm 66.0710 Minimum plumbing fixtures.**

Substitute the following wording for the requirements in IEBC section 710.1: Where the occupant load of a story is increased by more than 20 percent, plumbing fixtures for the story shall be provided in quantities specified in the IBC based on the increased occupant load.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08.

**Comm 66.0711 Minimum energy conservation requirements.**

Substitute the following wording for the

requirements in IEBC section 711: Level 2 alterations to existing buildings or structures shall comply with s. Comm 66.0607.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08; correction made under s. 13.92 (4) (b) 7., Stats., Register February 2008 No. 626.

**Comm 66.0802 Emergency Controls.**

The requirements in IEBC section 802.2.1 are not included as part of this code.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08.

**Comm 66.0808 Minimum energy conservation requirements.**

Substitute the following wording for the requirements in IEBC section 808.1: Level 3 alterations to existing buildings or structures shall comply with s. Comm 66.0607.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08; correction made under s. 13.92 (4) (b) 7., Stats., Register February 2008 No. 626.

**Comm 66.0809 Plumbing.**

These are department rules in addition to the requirements in IEBC chapter 8:

**(1)** Pursuant to s. 101.128, Stats., level 3 alterations within an existing facility where the public congregates shall necessitate that plumbing fixtures serving the work area be provided in a ratio of at least 2 water closets for females as to each water closet and urinal for the males.

**(2) (a)** Under this section "facility where the public congregates" has the meaning has given in s. 101.128 (1) (b), Stats.

**Note:** Section 101.128 (1) (b), Stats., reads: "Facility where the public congregates" means any of the following that has a general capacity or a seating capacity of 500 or more persons:

1. An amusement facility.
2. A convention or trade hall or center.
3. A specialty event center.
4. A sports or entertainment arena, center or building.
5. A stadium.
6. An airport, bus terminal, train station or other transportation center.

**(b)** Under this section "alterations" has the meaning has given in s. 101.128 (1) (d), Stats., for "renovation".

**Note:** Section 101.128 (1) (d), Stats., reads: "Renovation" means any structural remodeling, improvement or alteration of an existing facility where the public congregates. "Renovation" does not include any of the following:

1. Reroofing.
2. Cosmetic remodeling, including painting or the installation of wall covering, of paneling, of floor covering or of suspended ceilings.
3. An alteration to an electrical or mechanical system.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08.

**Comm 66.0901 Change of occupancy. (1) CHANGE IN OCCUPANCY WITH NO OCCUPANCY CLASSIFICATION.**

Substitute the following wording for the requirements in IEBC section 901.2: A change in occupancy, as defined in IEBC section 202, with no change of occupancy classification shall not be made to any structure which will subject the structure to any special provisions of the applicable international codes, including the provisions of IEBC sections 902 through 911, without the approval of the code official.

**(2) CHANGE OF OCCUPANCY CLASSIFICATION.** This is a department rule in addition to the requirements in IEBC section 901.3: Buildings undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with IECC.

**(3) CERTIFICATION OF OCCUPANCY REQUIRED.** The requirements in IEBC section 901.4 are not included as part of this code.

**(4) STANDPIPE SYSTEMS.** This is a department rule in addition to the requirements in IEBC section 912.2: Standpipe systems shall be provided in existing buildings and structures or portions of existing buildings and structures in accordance with chapter 9 of the IBC when existing buildings or structures that are greater than 60 feet in height are changed to include a Group R-1 or R-2 occupancy.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08.

**Comm 66.0910 Plumbing.**

Substitute the following wording for the requirements in IEBC section 910: Where the occupant load of a story is increased by more than 20 percent,

plumbing fixtures for the story shall be provided in quantities specified in the IBC based on the increased occupant load.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08.

**Comm 66.0911 Other requirements. (1) ELEVATOR RECALL.** This is a department rule in addition to the requirements in IEBC section 911: At least one existing elevator shall be provided with emergency recall operation and emergency in-car operation complying with ch. Comm 18 when an existing building or structure that is greater than 60 feet in height is changed to include a Group R-1 or R-2 occupancy.

**(2) CARBON MONOXIDE ALARMS.** This is a department rule in addition to the requirements in IEBC section 911: A building or a portion of a building changed to be or include a residential building as defined under s. 101.149 (1) (b), Stats., shall be provided with carbon monoxide alarms or detectors in accordance with s. Comm 62.1200.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08; CR 08-085: renum. to be (1), cr. (1) (title) and (2) Register May 2009 No. 641, eff. 6-1-09.

**Comm 66.1101 Historic buildings. (1) GENERAL.** The requirements in IEBC section 1101.2 are not included as part of this code.

**(2) EXHIBIT BUILDINGS.** These are department rules in addition to the requirements in IEBC section 1105: Historic buildings to be used as exhibit buildings shall comply with all of the following requirements:

(a) The building shall be open to the public only under the supervision of a tour guide.

(b) The building may not be lived in, slept in or worked in, except for the purpose of demonstrating to the public how people lived in a particular era.

(c) Smoking is prohibited in the building.

(d) Open flame equipment may not be used in the building, except for fire places and other mechanical equipment original to the building.

(e) Fire extinguishers shall be installed in exhibit buildings and may be located in a nonconspicuous location but accessible to the occupants.

(f) 1. At least one smoke detector shall be provided for each 1,200 square feet of floor area with a minimum of one smoke detector per floor level.

2. a. Except as specified in subd. 2. b., where electricity is provided in the exhibit building, the smoke detectors shall be connected to the electrical power.

b. Where no electrical power is provided to an exhibit building, the smoke detectors shall be of a battery type.

c. Smoke detectors shall be tested weekly.

(g) Exhibit buildings provided with only one means of egress shall be restricted to a total capacity of 12 people, and not more than 6 people may be located above or below the first floor at any one time.

(h) Stairways without 6-foot, 4-inch vertical headroom clearance shall have signs posted warning occupants of the headroom clearance available.

(i) Exit signs shall be provided in accordance with the prevailing code in exhibit buildings occupied prior to ½-hour before sunrise and ½-hour after sunset and in all areas not provided with natural lighting.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08.

**Comm 66.1301 Compliance with other codes.**

**(1)** Substitute the following wording for the requirements in IEBC section 1301.2: The provisions of sections 1301.2.1 through 1301.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R and S. These provisions shall not apply to buildings with occupancies in Group H or Group I.

**(2)** The requirements in IEBC section 1301.3.2 are not included as part of this code.

**History:** CR 06-120: cr. Register February 2008 No. 626, eff. 3-1-08.