

# STATEMENT OF SCOPE

## Department of Commerce

Rule No. : Chapters Comm 20–25

Relating to Uniform Dwelling (One- and 2-Family) Code  
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### 1. Description of the objective of the rule.

The objective of the potential rulemaking project is to clarify and update Chapters Comm 20–25, relating to the Uniform Dwelling Code that establishes statewide construction and inspection rules for one- and two-family dwellings, including manufactured and modular homes. This update may be incorporated into more than one rule package and may include revisions to other chapters affected by the proposal.

The objective of the rule is to have a clearly understood, uniform code that reflects the application of current construction and remodeling practices, products, standards, model codes and materials. To ensure the health, safety and welfare of Wisconsin citizens using and residing in one- and 2-family dwellings and manufactured and modular homes, it is important that the code and adopted standards are viable and current.

### 2. Description of existing policies relevant to the rule and of new policies proposed to be included in the rule and an analysis of policy alternatives.

Chapters Comm 20–25 establish statewide, uniform construction, energy efficiency, and inspection rules for one- and 2-family dwellings and include references to many national standards and reflect national building and energy efficiency trends. The last update of chapters Comm 20–25 began in 2005 and became effective April 1, 2009. Statutes require the department to review the Uniform Dwelling Code every 2 years, and to revise the rules after consulting with the Uniform Dwelling Code Council, which is appointed by the Governor.

Working with the UDC Code Council, the department will adopt current standards, correct code clarity problems, incorporate code interpretations that have developed since the last code change, incorporate new construction practices, products, standards or materials, and incorporate new code requirements into one or more rule packages. The target effective date for many of these code clarifications and updates is expected to be before or by summer 2011.

The alternative of not updating the rule would result in chapters Comm 20–25 not being current with nationally recognized construction and energy efficiency standards. Continuing to use the code as it stands now would create confusion among designers, builders and local inspectors about how newer materials and standards should be regulated and applied. Not updating the rules would conflict with s. 101.63(5), Stats., and could jeopardize the health, safety and welfare of those citizens using and living in one- and 2-family dwellings.

### 3. Statutory authority for the rule.

The statutory authority for chapters Comm 20–25 is contained in chapter 101, Stats.

**4. Estimate of the amount of time that state employees will spend to develop the rule and of other resources necessary to develop the rule.**

The staff time needed to develop the rule is expected to be about 1,000 hours, depending upon the associated complexity. This time includes reviewing the current codes and related national standards, conducting other research as needed, drafting the rules, consulting and meeting with the UDC Code Council and processing the rules through public hearings, legislative review and adoption. There are no other resources necessary to develop the rules.

**5. Description of all of the entities that will be affected by the rule.**

The rulemaking project will affect any entity that is involved in the construction, remodeling and inspection of one- and 2-family dwellings, including manufactured and modular homes.

**6. Summary and preliminary comparison of any existing or proposed federal regulation that is intended to address the activities to be regulated by the rule.**

An Internet-based search of the *Code of Federal Regulations* (CFR) and the *Federal Register* did not find any federal regulations relating to the activities to be regulated for one- and 2-family dwellings. However, CFR Title 24 – Housing and Urban Development, contains regulations in Chapter XX relating to the construction and installation of manufactured homes.

Approved for publication in the *Wisconsin Administrative Register* at Madison, Wisconsin, this date: \_\_\_\_\_

DEPARTMENT OF COMMERCE

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Aaron Olver, Secretary

Approved for implementation at Madison, Wisconsin, this date: \_\_\_\_\_

DEPARTMENT OF COMMERCE

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Aaron Olver, Secretary