

Application for Commercial Building Delegated Municipality Authority

Complete this application to request agent municipality delegation authority for commercial buildings from the State of Wisconsin Department of Commerce, Division of Safety & Buildings based on the request described below. See the attached list of delegated municipality general obligations. Please request our separate applications for fire protection or plumbing delegations.

You are requesting delegation (check one):

- 1. (Base Delegation) As a municipality (city, village, town or county) per s. Comm 61.60(5)(c) to do **plan review and inspections of small** commercial building projects (new buildings and their additions totaling not more than 50,000 cubic feet and alterations affecting not more than 100,000 cubic feet) to be constructed within the municipality.

- 2. As a municipality (city, village, town or county) per s. Comm 61.60(5)(c) to do **plan review of small** commercial building projects (new buildings and their additions totaling not more than 50,000 cubic feet and alterations affecting not more than 100,000 cubic feet) to be constructed within the municipality. **and** authorization per s. 101.12(3)(g), Wis Stats., to do **inspections of all size** buildings in lieu of the department.

- 3. Per s. 101.12(3)(g), Wis Stats., to do **inspections only of all size** buildings within the municipality in lieu of the department.

- 4. As a **second class city** per s. Comm 61.60(5)(b) to do **plan review and inspections** for all the types of buildings and structures specified in s. Comm 61.30, except state-owned buildings and structures, to be constructed within the municipality. **(Note that fees per s. Comm 2.31(1)(g) must be remitted to our agency for projects beyond the base delegation size limits.)**

- 5. As an **appointed agent** per s. Comm 61.61 whereby a municipality (city, village, town or county) may request desired administrative responsibilities (i.e., fire protection plan review only, or other expanded plan review beyond the limits outlined in options #1 & #2) and if approved by the department, receive in writing the prescribed responsibilities that are to be assumed. **(Note that fees per s. Comm 2.31(1)(g) must be remitted to our agency for projects beyond the base delegation size limits.)**

If appointed agent status is requested, fill in the desired enforcement responsibilities:

Ordinance: Attach your proposed or current ordinance showing: 1) adoption of the Wisconsin State Building Code, chs. Comm 61-66, 2) authorization of municipal code official to enforce, 3) duty of owners to submit for permits, 4) fee schedule or reference to fees to be set by resolution and 5) fines and penalties. Contact us for a model ordinance if desired.

Projects: Estimate the number of expected delegated projects per year for plan review: _____
For inspections: _____

Primary Enforcement Contact: Your primary certified commercial building inspector (CBI) for such enforcement is _____, S&B Credential # _____ who can be reached at:

(address, if different than municipality address below)
(phone number) _____ (e-mail) _____

Your inspector has _____ hours of commercial building code enforcement experience in the past five years.

Additional Enforcement Staff: Please complete for all other certified commercial building inspectors (CBI) that will be involved.

Name	Credential#	Hours of Commercial Building Enforcement in Past 5 Years

Additional Information for delegation type 4, and type 5 if desiring plan review authority for all buildings. Who is your Wisconsin-registered architect or engineer with the commercial building inspector credential that will oversee commercial building enforcement?

_____ Architect or Engineer Reg.# _____

S&B CBI Credential# _____ Date of Passage of S&B or ICC CBI Exam _____

Comments: _____

I understand the attached applicable responsibilities and expectations for the type of delegation we are requesting and that they are municipal responsibilities, regardless of how we provide staffing for our enforcement program.

 Signature of Elected or Administrative Official Title Date

 Name (printed)

 Municipality

 Address

 City, Zip Code

Return to:
 Safety and Buildings Division
 Division Administrator
 PO Box 2689
 Madison, WI 53701-2689

Summary of ss. Comm 61.60 & 61.61 and Other Code & Statutory Requirements for Delegated Municipalities

All Delegations (per s. Comm 61.60, unless noted):

1. Adopt an acceptable ordinance to enforce the Commercial Building Code per the desired delegation.
2. Retain certified commercial building inspector(s).
3. Code officials shall comply with s. Comm 5.10 conflict of interest prohibitions.
4. Provide requested information to our agency, including:
 1. Changes in personnel
 2. Annual project activity
 3. Annual staff activity
 4. Cooperation with departmental monitoring efforts.
5. Provide a building permit application to project applicants.
6. Set fees by ordinance.
7. Do not issue local permits before any required state plan approval of projects per Comm 61.29(1).
8. Conduct plan review of delegated projects for “substantial compliance” in a manner acceptable to the department.
9. After plans are reviewed, stamp them “conditionally approved” or “not approved” as appropriate.
10. Retain one set of reviewed plans, calculations and correspondence for four years, subject to the open records law of ch, 19, WI statutes.
11. Provide written notice of review action to the submitter and owner.
12. Require submittal of components not part of original submittal.
13. Conduct inspections in a manner acceptable to the department.
14. Create written inspection reports with copies to the file, owner and submitter.
15. Issue orders to correct if items are not corrected after inspection.
16. Comply with open records requirements for enforcement program documents.

Second Class City Delegations (additional requirements):

1. Retain a registered architect or professional engineer who is also a certified commercial building inspector and that supervises the plan examination function.
2. Provide a plan approval application form for projects exceeding base plan review limits.
3. Provide a monthly or quarterly report of projects delegated under this option.
4. Forward fees to the Department of Commerce for projects exceeding base plan review limits.

Appointed Agents (additional requirements):

1. Provide a plan approval application form for projects exceeding base plan review limits.
2. Forward fees to the Department of Commerce s per Comm 2.31(1)(h) for specified projects.

Additional Typical Expectations in Order to Meet Statutory Requirement of s. 101.12 for Enforcement in a Manner or Per Standards Approved by the Department

General:

1. Staff to attend occasional meetings or teleconferences for delegated municipalities.
2. Provide current adopted codebooks and critical references to staff.
3. Check for proper credentials of contractors and tradespeople.
4. Investigate complaints filed regarding commercial buildings in your jurisdiction.
5. Legal counsel provides reasonable follow-up of expired correction orders.

Plan Review:

1. Verify proper designer and supervising professional credentials for projects in buildings of greater than 50,000 cubic feet.
2. Provide timely plan review turnaround.
3. Conduct reviews of all components - other than structural components, which are at the option of the municipality.

Inspections:

1. Inspect construction in a manner and frequency at least similar to the department's.
2. Require compliance statements for buildings over 50,000 cubic feet prior to occupancy.