

## Plan Review May be Part of your Building Permit Process

Wisconsin law generally requires that commercial or multi-family buildings being built, added to or altered receive state plan review approval under the state Commercial Building Code (Chs. Comm 61-64) prior to construction or any local permit issuance. Additionally, state statutes require any building that uses a private sewage system to have a sanitary permit for such a system before any local permit is issued. Failure to comply may cause hazardous conditions, additional correction costs, legal action against the owner, delays, increased plan review fees, insurance or mortgage difficulties, etc.

A commercial building is one that the public or employees uses or that has three or more residential units. For such buildings, a state plan review approval letter, permission to start letter or project registration letter from the state Department of Commerce Safety and Buildings Division is needed before a local permit can be issued. (Alternatively, the state has delegated limited plan approval authority to certain municipalities.)

The following are exempt from the state Commercial Building Code and would not require state plan approval (see ss. Comm 61.02 and 61.03):

1. One- and two-family dwellings: If a municipality does not inspect them, owners to the county or state for information on plan review and inspection.
2. Home-based occupations located in one- and two-family dwellings, limited to 25percent of the habitable floor area, one non-family employee, and no vehicle repair or fireworks.
3. The following uses serving eight or fewer clients in a one- or two-family dwelling: community-based residential facilities (CBRF), daycares, foster homes, group homes.
4. Temporary buildings used only for construction purposes and not used as living quarters.
5. Farming operations, including sales of farm products raised there (Public horse boarding stables and riding arenas are **not** exempt.)
6. Federally-owned buildings
7. Buildings on Indian reservations
8. Bed and breakfast inns: If built prior to 1990, is the owner's residence, and has eight or fewer rental rooms

The following are exceptions to this plan approval requirement, but still require an owner to comply with the state Commercial Building Code (see ss. Comm 61.03 and 61.30):

1. Commercial buildings of less than 25,000 total cubic feet volume (volume includes basements, crawl spaces and attics) that are used for: Restaurants, Taverns, Office Buildings, Stores, Storage Buildings, Repair and Storage Garages, Non-hazardous Factories and Storage Buildings.
2. Freestanding antennas, tents, outdoor theater screens, exterior bleachers of five rows or less, water tanks/towers, display signs, observation towers, docks, piers, wharves and other similar structures.
3. Temporary uses that have been approved by the local fire or building code official.
4. Repairs or replacements

For further information, visit the Safety and Buildings Division website, <http://commerce.wi.gov/SB/SB-DivPlanReview.html>. Select "Commercial Buildings". A map of state commercial building inspectors that can assist you is at <http://commerce.wi.gov/SB/SB-CommercialBuildingsInspectorsDistrictsMap.html>. You may e-mail questions to [bldgtech@commerce.state.wi.us](mailto:bldgtech@commerce.state.wi.us).