

To be inserted between pages x and 1.

## **Chapter Comm 66 Existing Buildings**

### **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.

**Note: The requirements of Section 101.132 Wisconsin 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.. The following is a reprint of Section 101.132 (2) (b), Wisconsin Stats., regarding remodeling percentages:**

- 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.**

**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.

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IEBC CHAPTER 1

**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.