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**VIRTUAL/TELECONFERENCE  
COMMERCIAL BUILDING CODE COUNCIL  
4822 Madison Yards Way, Virtual, Madison  
Contact: Christine Poleski (608) 266-2112  
May 10, 2021**

*The following agenda describes the issues that the Council plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Council.*

**AGENDA**

**10:00 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1)**
- B. Approval of Minutes from April 12, 2021 (2-3)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns**
- D. Administrative Matters – Discussion and Consideration**
  - 1) Department, Staff and Committee Updates
- E. Administrative Rules Matters – Discussion and Consideration (4)**
  - 1) SPS Suggested Code Changes
    - a. SPS 365 – Fuel Gas Appliances (5)
    - b. SPS 366 – Existing Buildings (6-7)
- F. Public Comments**

**ADJOURNMENT**

**NEXT MEETING: JUNE 14, 2021**

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MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held at 4822 Madison Yards Way, Madison, Wisconsin, unless otherwise noted. In order to confirm a meeting or to request a complete copy of the board's agenda, please call the listed contact person. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the deaf or hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer, 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE  
COMMERCIAL BUILDING CODE COUNCIL  
MEETING MINUTES  
APRIL 12, 2021**

**PRESENT:** Jennifer Emberson Acker (*arrived at 10:17 a.m.*), Michael Adamavich, Kevin Bierce (*excused at 12:01 p.m.*), Steven Harms (*arrived at 10:12 a.m.*), William Hebert, Steven Howard, Richard Paur, Irina Ragozin (*arrived at 10:04 p.m.*), Brian Rinke

**EXCUSED:** Matthew Marciniak

**STAFF:** Christine Poleski, Executive Director; Jameson Whitney, Legal Counsel; Eric Hansen, Consultant, Building Systems-Senior; Thomas Westlund, Consultant, Building Systems-Senior; Justin Gavin, Integrated Services Section Chief; Kimberly Wood, Program Assistant-Adv.; Megan Glaeser, Bureau Assistant; and other Department Staff

**CALL TO ORDER**

Richard Paur, Chairperson, called the meeting to order at 10:00 a.m. A quorum was confirmed with six (6) members present.

*(Irina Ragozin arrived at 10:04 p.m.)*

**ADOPTION OF AGENDA**

**MOTION:** Irina Ragozin moved, seconded by Kevin Bierce, to adopt the Agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES FROM MARCH 8, 2021**

**Amendments to the Minutes**

- *Staff present:*
  - *Remove*
    - *Jon Derenne, Legal Counsel*
    - *Randy Dahmen, Engineering Consultant*
  - *Add*
    - *Jameson Whitney, Legal Counsel*
    - *Justin Gavin, Integrated Services Section Chief*
    - *Eric Hansen, Consultant, Building Systems-Senior*
    - *Thomas Westlund, Consultant, Building Systems-Senior*

**MOTION:** Steven Howard moved, seconded by Michael Adamavich, to approve the Minutes of March 8, 2021 as amended. Motion carried unanimously.

*(Steven Harms arrived at 10:12 a.m.)*

(Jennifer Emberson Acker arrived at 10:17 a.m.)

## ADMINISTRATIVE RULE MATTERS

### SPS Suggested Code Changes

#### *SPS 366 – Existing Buildings*

**MOTION:** William Hebert moved, seconded by Irina Ragozin, to recommend accepting IEBC chapter 2 as written, and to recommend no change to SPS section 366.0001, 366.0100, 366.0101, and 366.0202. Motion carried unanimously.

**MOTION:** Steven Howard moved, seconded by Kevin Bierce, to recommend adoption of changes to SPS 366.0202(2)4, accept changes to ICC Chapter 3, and Chapter 4, and to recommend no changes to section 366.0400. Motion carried unanimously.

**MOTION:** Steven Harms moved, seconded by Steven Howard, to recommend no change to SPS section 366.0704, 366.0804, 366.809, 366.0810, and 366.0903, to recommend accepting changes to ICC chapters 8 and 9 as written, and to recommend accepting changes to SPS 366.0902(2) regarding improper reference to IEBC 902.2.1. Motion carried unanimously.

**MOTION:** Steven Harms moved, seconded by Steven Howard, to recommend accepting changes to SPS 366.09 regarding improper reference to SPS 366.0803, to recommend no change to SPS section 366.0904, 366.0909. Motion carried unanimously.

**MOTION:** William Hebert moved, seconded by Irina Ragozin, to recommend no change to SPS section 366.1010, 366.1011, 366.1012, 366.1102 and 366.1201, to recommend accepting changes to ICC chapters 11 and 12 as written, and to recommend accepting changes to SPS 366.1201(2) regarding improper reference to IEBC 1202.2. Motion carried unanimously.

**MOTION:** Steven Harms moved, seconded by Steven Howard, to recommend no change to SPS section 366.1204, 366.1205, 366.1401, and 366.1500, and to recommend accepting changes to ICC chapters 13 and 14 as written. Motion carried unanimously.

## ADJOURNMENT

**MOTION:** Steven Howard moved, seconded by Brian Rinke, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 12:10 p.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Justin Gavin, Section Chief Commercial Buildings		<b>2) Date when request submitted:</b> 4/28/2021 <small>Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting</small>	
<b>3) Name of Board, Committee, Council, Sections:</b> Commercial Building Code Council			
<b>4) Meeting Date:</b> 5/10/2021	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> SPS Suggested Code Changes	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i>  <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b>	
<b>10) Describe the issue and action that should be addressed:</b> Please see the attached Spreadsheet We are submitting items from March meeting as long as Aprils that haven't been approved yet.			
<b>11) Authorization</b>			
<b>Signature of person making this request</b>		<b>Date</b>	
Justin Gavin		4/28/2021	
<b>Supervisor (if required)</b>		<b>Date</b>	
<b>Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date</b>			
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			

<u>Number</u>	<u>SPS/ICC</u>	<u>ICC Section</u>	<u>SPS Section</u>	<u>Problem</u>	<u>Recommendation</u>	<u>Positive Impact</u>	<u>Cost Impact</u>	<u>Parties Affected</u>	<u>Submitter</u>	<u>Resolution</u>
	SPS		362.3002(4)	Current language is not in the Plumbing Code	Shift language to SPS 832.36(14)	Allows plumbing inspectors to inspect	None	Commercial Building Inspectors/Plumbing inspectors	J Gavin	
	SPS		361.45-.485(2)	Current language only addresses manufactured modular multi-family construction	Add commercial buildings to the language to encompass all manufactured modular construction	Allows language to address modular commercial buildings	None	Inspectors, plan reviewers, contractors	J. Gavin	
	SPS		365.0001		No Change					
	SPS		365.0100		No Change					
	SPS		365.0101		No Change					
	SPS		365.0202		No Change					
	SPS		365.0300		No Change					
	SPS		365.0301		No Change					
	SPS		365.0303		No Change					
	SPS		365.0304		No Change					
	SPS		365.0400		No Change					
	SPS		365.0501		No Change					
	SPS		365.0502		No Change					
121	IFGC	502.1		NFPA 54-18 requires that UL 1738 be applicable for venting systems. At present Schedule 40 solid wall or foam core drain, waste and vent pipe and fittings are allowed if they are referenced as options in the appliance installation instructions. These products were never intended to be used in Fuel-Gas Venting (FGV) applications, but they have been chosen because they are often the least expensive materials available. Several manufacturers of these products have stated time and again that these products are not suitable for FGV. These products do not meet the key performance requirements nor most of the material requirements of UL 1738. Meeting UL 1738 ensures that the venting system is suitable and safe for FGV applications intended to vent categories II and IV gas-burning appliances. --Randy Dahmen, PE has article for reference	Create an amendment, " <u>Plastic venting systems associated with gas-fired appliances shall meet the requirements of UL 1738, inclusive of specific testing and marking requirements for pipe, fittings and cement.</u> "	Safety, Code consistency/clarity	HVAC Contractors will be required to install a venting material that is more expensive than what they are currently installing.		R. Dahmen	
	SPS		365.0621		No Change					
	SPS		365.0630		No Change					
	SPS		365.0631		No Change					
	SPS		365.0632		No Change					
	SPS		365.0800		No Change					
	SPS		365.0900		No Change					

Number	SPS/ ICC	ICC Section	SPS Section	Summary of changes from 2015 to 2021	Recommendation	Impact	Cost Impact	Parties Affected	Submitter	Resolution	Comments	Action Items
	ICC	Chapter 1		Minor edits and errata, no significant impact	Accept as proposed	None	None	None			Added definitions, minor edits, corrected errors	
	ICC	Chapter 5		Change from Classification of Work to Prescriptive Comp.	Accept as proposed	None	None	None			Reassigned, minor additions and edits	
	ICC	Chapter 6		Change from Repairs to Classification of Work	Accept as proposed	None	None	None			Not included per SPS 366	
	SPS		366.0600	Move to 366.0400	Edit to new chapter	None	None	None			Reassigned, minor additions and edits	Verify amendment section reference, edit, check errata
	SPS		366.0603	Move to 366.0403	Edit to new chapter	None	None	None			Reassigned, minor additions and edits	Verify amendment section reference, edit, check errata
	SPS		366.0605	Move to 366.0405	Edit to new chapter	None	None	None			Reassigned, minor additions and edits	Verify amendment section reference, edit, check errata
	SPS		366.0606	Move to 366.0406	Edit to new chapter	None	None	None			Reassigned, minor additions and edits	Verify amendment section reference, edit, check errata
118	SPS		SPS 366.0606	The amendment references the wrong code section.	Change 606.2.5 to 606.2.4.	Code consistency/ clarity	None	Contractors, inspectors, designers, owners	R. Dahmen		Correction	Verify amendment section reference, edit, check errata
	SPS		366.0609	Move to 366.0409	Edit to new chapter	None	None	None			Reassigned, minor additions and edits	Verify amendment section reference, edit, check errata
	ICC	Chapter 7		Minor edits and errata, no significant impact	Accept as proposed	None	None	None			Window controls, security doors, aligns with IBC, minor edits, Health Care specifics added	
	SPS		366.0701	None	No change to current amendment necessary	None	None	None			Added definitions, minor edits, corrected errors	Verify amendment section reference, edit, check errata
114	SPS	701	SPS 366.0701	Conformance. An existing building or portion thereof may not be altered such that the building becomes less safe than <b>was required</b> in its existing condition.	Remove WI amendment 366.0701	Code consistency/ clarity	None	None	R. Dahmen		Removes retroactive issues and aligns with IEBC wording of this section	Verify amendment section reference, edit, check errata
	SPS		366.0702	None	No change to current amendment necessary	None	None	None			Added definitions, minor edits, corrected errors	Verify amendment section reference, edit, check errata
87	SPS		366.0702	The amendment references the wrong code section.	Change 702.4 to 702.6. Change 702.4.1 to 702.6.1.	Code consistency/ clarity	None	Contractors, inspectors, designers, owners	Noe		Correction	Verify amendment section reference, edit, check errata
	SPS		366.0803	Reference to 803.2.1 in SPS 366.0903 is confusing	Relocate SPS 366.0903 to SPS 366.0803 and include exceptions	Clarity	None	None	E. Hansen/T. Westlund/R. Dahman		Correction	Edit amendment
	ICC	Chapter 10		Minor edits and errata, no significant impact	Accept as proposed	None	None	None			Siesmic requirements, toilet fixture leniency, IRC related	
	SPS		366.1001	None	No change to current amendment necessary	None	None	None			None	Verify amendment section reference, edit, check errata

Number	SPS/ ICC	ICC Section	SPS Section	Summary of changes from 2015 to 2021	Recommendation	Impact	Cost Impact	Parties Affected	Submitter	Resolution	Comments	Action Items
100	SPS	IECC C503.2	366.1001	SPS 366.1001, "This is a department rule in addition to the requirements in IEBC section 1001.2.2: Buildings undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with the IECC. ". This requirement is more restrictive than that of IECC C503.2, and thus a separate Wi amendment should have been created .	Create SPS 363.0503 amendment with same language as that already incorporated in SPS 366.1001.	Code consistency/ clarity	None	Contractors, inspectors, designers, owners	R. Dahmen			Verify amendment section refernce, edit, check eratta
	SPS		366.1010	None	No change to current amendment necessary	None	None	None				Verify amendment section refernce, edit, check eratta
	SPS		366.1011	None	No change to current amendment necessary	None	None	None				Verify amendment section refernce, edit, check eratta
	SPS		366.1012	None	No change to current amendment necessary	None	None	None				Verify amendment section reference, edit, check eratta
	ICC	Chapter 11		Minor edits and errata, no significant impact	Accept as proposed	None	None	None			Aligns with changes in IBC	
	SPS		366.1102	None	No change to current amendment necessary	None	None	None				Verify amendment section refernce, edit, check eratta
	ICC	Chapter 12		See 366.0202	Accept as proposed with inclusion of 366.0202 ref.	None	None	None			Provide verbiage, create new form, reference	Verify amendment section refernce, edit, check eratta
	ICC	Chapter 15		Minor edits and errata, no significant impact	Not included in 361-366	None	None	None			None	Verify amendment section refernce, edit, check eratta
	ICC	Appendix D		Added	None	None	None	None			None	None