



VIRTUAL/TELECONFERENCE
UNIFORM DWELLING CODE COUNCIL
Virtual, 4822 Madison Yards Way, Madison
Contact: Brad Wojciechowski (608) 266-2112
March 21, 2025

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

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of September 26, 2024 (4-6)**
- C. Reminders: Conflicts of Interest, Scheduling Concerns**
- D. Introductions, Announcements and Recognition**
 - 1) Introductions
 - a. Meghan Hawkins – Architect Member (Succeeds: Weaver)
 - b. Christi Weber – Architect Member (Succeeds: Temme)
- E. Administrative Matters – Discussion and Consideration (7-10)**
 - 1) Department, Staff and Council Updates
 - 2) **2025 Meeting Dates (7)**
 - 3) **Annual Policy Review (8-9)**
 - 4) **Election of Officers (10)**
 - 5) Council Members
 - a. Brunner, Donald
 - b. Degnan, Abe
 - c. Etrheim, Mark A.
 - d. Hawkins, Meghan M.
 - e. Juarez, Brian
 - f. Kobb, Scott
 - g. McIntosh, Dawn
 - h. Ruetten, Kirk
 - i. Satula, W. Scott
 - j. Wald, Daniel
 - k. Weber, Christina L.
 - l. Wert, Brian E.
 - 6) Advisory Council Role and Overview

- F. **9:00 A.M. Preliminary Public Hearing on Scope Statement SS 011-25 on SPS 302, 305, and 320 to 325 Relating to Update the Uniform Dwelling Code (11-15)**
- G. **Administrative Rules Matters – Discussion and Consideration (16-19)**
 - 1) Discussion of Proposed New Scope Statement and Public Hearing Comments
 - 2) Pending or Possible Rulemaking Projects
- H. **Legislative and Policy Matters – Discussion and Consideration**
- I. **Discussion and Consideration of Items Added After Preparation of Agenda:**
 - 1) Introductions, Announcements and Recognition
 - 2) Administrative Matters
 - 3) Election of Officers
 - 4) Appointment of Liaisons and Alternates
 - 5) Delegation of Authorities
 - 6) Education and Examination Matters
 - 7) Credentialing Matters
 - 8) Legislative and Policy Matters
 - 9) Administrative Rule Matters
 - 10) Council Liaison Training and Appointment of Mentors
 - 11) Informational Items
 - 12) Division of Legal Services and Compliance (DLSC) Matters
 - 13) Motions
 - 14) Petitions
 - 15) Appearances from Requests Received or Renewed

J. Public Comments

CONVENE TO CLOSED SESSION to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider individual histories or disciplinary data (s. 19.85(1)(f), Stats.); and to confer with legal counsel (s. 19.85(1)(g), Stats.).

- K. **Deliberation of Items Added After Preparation of the Agenda**
 - 1) Education and Examination Matters
 - 2) Credentialing Matters
 - 3) DLSC Matters
 - 4) Council Liaison Training
 - 5) Motions
 - 6) Appearances from Requests Received or Renewed

L. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

M. Vote on Items Considered or Deliberated Upon in Closed Session if Voting is Appropriate

N. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: APRIL 25, 2025

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 virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of any agenda item may be changed by the board for the convenience of the parties. The person credentialed by the board has the right to demand that meeting at which final action may be taken against the credential be held in open session. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer or reach the Meeting Staff by calling 608-267-7213.

**VIRTUAL/TELECONFERENCE
UNIFORM DWELLING CODE COUNCIL
MEETING MINUTES
SEPTEMBER 26, 2024**

PRESENT: Donald Brunner, Abe Degnan, Mark Etrheim, Brian Juarez, Scott Kobb, Dawn McIntosh, W. Scott Satula (*arrived at 9:14 a.m.*), Daniel Wald, Brian Wert (*In-Person*)

STAFF: Brad Wojciechowski, Executive Director; Joseph Ricker, Legal Counsel; Jake Pelegrin, Administrative Rules Coordinator; Ashley Sarnosky, Board Administration Specialist; and other Department Staff

CALL TO ORDER

Brian Wert, Chairperson, called the meeting to order at 9:07 a.m. A quorum was confirmed with eight (8) members present.

ADOPTION OF AGENDA

Adoption of the Agenda:

MOTION: Brian Juarez moved, seconded by Mark Etrheim, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF AUGUST 25, 2022

Amendments to the Minutes:

- *REMOVE for the office of Chairperson at the end of the Nomination*

MOTION: Abe Degnan moved, seconded by Brian Juarez, to adopt the Minutes of August 25, 2022, as amended. Motion carried unanimously.

INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION

MOTION: Abe Degnan moved, seconded by Brian Wert, to recognize and thank Joseph Lotegeluaki for their years of dedicated service to the Council and State of Wisconsin. Motion carried unanimously.

MOTION: Brian Wert moved, seconded by Dawn McIntosh, to recognize and thank Edmund Weaver for their years of dedicated service to the Council and State of Wisconsin. Motion carried unanimously.

Scott Satula arrived at 9:14 a.m.

MOTION: Daniel Wald moved, seconded by Dawn McIntosh, to recognize and thank Virge Temme for their years of dedicated service to the Council and State of Wisconsin. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

Chairperson

NOMINATION: Abe Degnan nominated Brian Wert for the Office of Chairperson. Brian Wert accepted the nomination.

Brad Wojciechowski, Executive Director, called for nominations three (3) times.

Brian Wert was elected as Chairperson by unanimous voice vote.

Vice Chairperson

NOMINATION: Abe Degnan nominated Mark Etrheim for the Office of Vice Chairperson. Mark Etrheim accepted the nomination.

Brad Wojciechowski, Executive Director, called for nominations three (3) times.

Mark Etrheim was elected as Vice Chairperson by unanimous voice vote.

ELECTION RESULTS	
Chairperson	Brian Wert
Vice Chairperson	Mark Etrheim
Secretary	Kirk Ruetten

ADMINISTRATIVE RULES MATTERS

Presentation and Discussion on International Codes – Tim Schmitz, International Code Council

MOTION: Brian Wert moved, seconded by Dawn McIntosh, to thank Tim Schmitz, International Code Council for his appearance at the Uniform Dwelling Code Council meeting. Motion carried unanimously.

Donld Brunner left at 9:42 a.m.

Donald Brunner returned at 9:44 a.m.

Discussion of Proposed New Scope Statement

MOTION: Brian Wert moved, seconded by Brian Juarez, to recommend that the scope statement as it relates to SPS 320-325, updates to the Uniform Dwelling Code be revised to include SPS 302 and 305. Motion carried.

MOTION: Abe Degnan moved, seconded by Daniel Wald, to request that the department amend the scope statement to reflect that there may be a moderate economic impact. Motion failed.

ADJOURNMENT

MOTION: Scott Satula moved, seconded by Mark Etrheim, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:32 a.m.

DRAFT

**UNIFORM DWELLING CODE COUNCIL
2025 MEETING DATES**

Meeting Date	Start time	Location	Agenda Item Deadline
Friday, January 24, 2025	9:00 AM	Virtual	1/14/25
Friday, February 21, 2025	9:00 AM	Virtual	2/11/25
Friday, March 21, 2025	9:00 AM	Virtual	3/11/25
Friday, April 25, 2025	9:00 AM	Virtual	4/15/25
Friday, May 23, 2025	9:00 AM	Virtual	5/13/25
Friday, June 27, 2025	9:00 AM	Virtual	6/17/25
Friday, July 25, 2025	9:00 AM	Virtual	7/15/25
Friday, August 29, 2025	9:00 AM	Virtual	8/19/25
Friday, September 26, 2025	9:00 AM	Virtual	9/16/25
Friday, October 24, 2025	9:00 AM	Virtual	10/14/25
Friday, November 14, 2025	9:00 AM	Virtual	11/4/25
Friday, December 19, 2025	9:00 AM	Virtual	12/9/25

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Brenda Taylor, Board Services Supervisor		2) Date when request submitted: 12/1/2024	
3) Name of Board, Committee, Council, Sections: All Boards			
4) Meeting Date: First Meeting of 2025	5) Attachments: <input checked="" type="checkbox"/> Yes	6) How should the item be titled on the agenda page? Administrative Matters: Annual Policy Review	
7) Place Item in: <input checked="" type="checkbox"/> Open Session	8) Is an appearance before the Board being scheduled? <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if applicable: N/A	
10) Describe the issue and action that should be addressed: <p>Please be advised of the following Policy Items:</p> <ol style="list-style-type: none"> 1. In-Person and Virtual Meetings: Depending on the frequency of scheduled meetings, discussion topics, and member availability, DSPS may host one or more in-person meetings. Virtual connection options are available for all board meetings. 2. Attendance/Quorum: Thank you for your service and commitment to meeting attendance. If you cannot attend a meeting or have scheduling conflicts impacting your attendance, please let us know as soon as possible. A quorum is required for Boards, Sections, and Councils to meet pursuant to Open Meetings Law. Connect to / arrive at meetings 10 minutes before posted start time to allow for audio/connection testing, and timely Call to Order and Roll Call. Virtual meetings include viewable onscreen materials and A/V (speaker/microphone/video) connections. 3. Walking Quorum: Board/Section/Council members must not collectively discuss the body's business outside a properly noticed meeting. If several members of a body do so, they could be violating the open meetings law. 4. Mandatory Training: All Board Members must complete Public Records and Ethics Training, annually. Register to set up an account in the Cornerstone LearnCenter online portal or Log in to an existing account. 5. Agenda Deadlines: Please communicate agenda topics to your Executive Director before the agenda submission deadline at 12:00 p.m., eight business days before a meeting. (Attachment: Timeline of a Meeting) 6. Travel Voucher Submissions: Please submit all Mileage Reimbursement claims for in-person meetings to DSPS within 30 days of the close of each month in which expenses are incurred. 7. Lodging Accommodations/Hotel Cancellation Policy: Lodging accommodations are available to eligible members for in-person meetings. Standard eligibility: the member must leave home before 6:00 a.m. to attend an in-person meeting by the scheduled start time. <ol style="list-style-type: none"> a. If a member cannot attend a meeting, they must cancel their reservation with the hotel within the applicable cancellation timeframe. b. If a meeting is changed to occur remotely, is canceled, or rescheduled, DSPS staff will cancel or modify reservations as appropriate. 8. Inclement Weather Policy: In inclement weather, the DSPS may change a meeting from an in-person venue to a virtual/teleconference only. 			
11) Authorization		12/02/2024	
<p>Directions for including supporting documents:</p> <ol style="list-style-type: none"> 1. This form should be saved with any other documents submitted to the Agenda Items folders. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director 			

Timeline of a Meeting

8 business days prior to the meeting: All agenda materials are due to the Department by 12:00 pm, 8 business days prior to the meeting date.

7 business days prior to the meeting: The draft agenda page is due to the Executive Director. The Executive Director transmits to the Chair for review and approval.

5 business days prior to the meeting: The approved agenda is returned to the Board Administration Specialist for agenda packet production and compilation.

4 business days prior to the meeting: Agenda packets are posted on the DSPS Board SharePoint site and on the Department website.

Agenda Item Examples:

- Approval of the Agenda and previous meeting Minutes
- Open Session Items
 - Public Hearings (relating to Administrative Rules)
 - Administrative Matters
 - Legislation and Policy Matters
 - Administrative Rules Matters
 - Credentialing Matters
 - Education and Exam Issues
 - Public Agenda Requests
 - Current Issues Affecting the Profession
 - Public Comments
- Closed Session items
 - Deliberations on Proposed Disciplinary Actions
 - Stipulations
 - Administrative Warnings
 - Case Closings
 - Monitoring Matters
 - Professional Assistance Procedure (PAP) Issues
 - Proposed Final Decisions and Orders
 - Orders Fixing Costs/Matters Relating to Costs
 - Credentialing Matters
 - Education and Exam Issues

Thursday of the Week Prior to the Meeting: Agendas are published for public notice on the Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

1 business day after the Meeting: "Action" lists are distributed by staff detailing board actions on closed session business.

5 business days after the Meeting: "To Do" lists are distributed to staff to ensure that board decisions are acted on and/or implemented within the appropriate divisions in the Department. Minutes approved by the board are published on the the Public Notices and Meeting Minutes website: publicmeetings.wi.gov.

**UNIFORM DWELLING CODE COUNCIL
2024 DELEGATIONS
SEPTEMBER 26, 2024**

ELECTION RESULTS	
Chairperson	Brian Wert
Vice Chairperson	Mark Etrheim
Secretary	Kirk Ruetten

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

AGENDA REQUEST FORM

1) Name and title of person submitting the request: Jake Pelegrin Administrative Rules Coordinator		2) Date when request submitted: 3/11/25 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
3) Name of Board, Committee, Council, Sections: Uniform Dwelling Code Advisory Council			
4) Meeting Date: 3/21/25	5) Attachments: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	6) How should the item be titled on the agenda page? 9:00 AM Preliminary Public Hearing on Scope Statement SS 011-25 on SPS 302, 305, and 320 to 325 relating to Update to the Uniform Dwelling Code	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	8) Is an appearance before the Board being scheduled? <i>(If yes, please complete Appearance Request for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: N/A	
10) Describe the issue and action that should be addressed: Attachments: -Notice of preliminary public hearing and proposed new scope statement			
11) <i>Jake Pelegrin</i>		Authorization 3/11/25	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
Directions for including supporting documents: 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.			

Notice of Preliminary Public Hearing

The Department of Safety and Professional Services announces that it will hold a preliminary public hearing on the proposed Scope Statement SS 011-25. This proposed scope statement addresses rules SPS 302, 305, and 320 to 325 relating to Update to the Uniform Dwelling Code. The hearing will be at the time and place shown below.

Hearing Information

Date: March 21, 2025

Time: 9:00 A.M.

Location: Information concerning the location of the hearing will be available at:

<https://dsps.wi.gov/Pages/BoardsCouncils/UniformDwelling/Meetings.aspx>

Appearances at the Hearing and Submittal of Written Comments

The scope may be reviewed and comments submitted at:

[Scope Statements with Public Hearings Pending](#)

Comments may also be submitted to Jake Pelegrin, Administrative Rules Coordinator, Department of Safety and Professional Services, Division of Policy Development, P.O. Box 8366, Madison, WI 53708-8366, email to DSPSAdminRules@wisconsin.gov.

Comments must be received at or before the public hearing to be included in the record of rulemaking proceedings.


Initial Regulatory Flexibility Analysis

The proposed rule will not have an effect on small businesses, as defined under s. 227.114 (1).

Agency Small Business Regulatory Coordinator

The Department's Regulatory Review Coordinator may be contacted by calling (608) 266-2112.

This Notice of Preliminary Hearing on Statement of Scope is approved by:


Secretary

3/6/2025
Date

STATEMENT OF SCOPE

DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Rule No.: SPS 302, 305, and 320 to 325

Relating to: Update to the Uniform Dwelling Code

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The objective of this rulemaking is to update and clarify Wisconsin's Uniform Dwelling Code (UDC), as contained in chs. SPS 320 to 325. The UDC establishes statewide construction and inspection standards for one- and two-family dwellings, including modular homes. This update and clarification should make the UDC consistent with contemporary construction practices, products, and materials; model standards and codes; and regulatory practices, in order to protect the health, safety, and welfare of the occupants and owners of these dwellings. Rule revisions throughout the UDC may also require changes to chs. SPS 302 and 305, as those chapters set requirements for certain subject matters contained in chs. SPS 320 to 325. These rule changes may be incorporated into more than one rule package and may include revisions to other chapters affected by the proposal.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The UDC establishes statewide, uniform construction and inspection standards; includes references to many national standards and codes; and reflects national building and energy-efficiency trends. The most recent comprehensive update of the UDC began in 2015 and became effective on January 1, 2016, under Clearinghouse Rule 15-041. The Wisconsin Statutes require the Department to review the UDC every three years and authorize the Department to revise the rules after consulting with the Governor-appointed UDC Council.

Working with the UDC Council, the Department plans to correct code-clarity problems; incorporate code interpretations that have been developed since the last code-change cycle; update currently adopted standards; incorporate new construction practices, products, standards, or materials; and incorporate any needed new requirements.

The alternative of not updating the UDC would result in it not being current with nationally recognized construction and inspection practices and standards. Continuing to use the UDC as it exists now may create confusion among designers, builders, and local inspectors about how newer materials and standards should be used, regulated, or applied. Not updating the UDC could also jeopardize the health, safety, or welfare of the occupants and owners of one-and two-family dwellings.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 227.11 (2) (a), Stats., authorizes the Department to "...promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute..."

Section 101.63 (1), Stats., requires the Department to establish standards for the construction and inspection of one- and two-family dwellings and components thereof. Where feasible, the standards used must be nationally recognized. No set of rules may be adopted that has not taken into account the conservation of energy in construction and maintenance of dwellings and the costs of specific code provisions to home buyers in relationship to the benefits derived from the provisions.

Section 101.63 (2), Stats., requires the Department to adopt rules for the certification, including provisions for suspension and revocation thereof, of inspectors for the purpose of inspecting building construction, electrical wiring, heating, ventilating, air conditioning and other systems, including plumbing, as defined in s. [145.01 \(10\)](#), Stats., of one- and 2-family dwellings. Persons certified as inspectors may be employees of the department, a city, village, town, county, or an independent inspection agency. The department may not adopt any rule that prohibits any city, village, town, or county from licensing persons for performing work on a dwelling in which the licensed person has no legal or equitable interest.

Section 101.63 (2m), Stats., requires the Department to adopt rules for certifying the financial responsibility of contractors under s. [101.654](#), Stats. These rules must include rules providing for the assessment of fees upon applicants for certification of financial responsibility under s. [101.654](#) and for the suspension and revocation of that certification.

Section 101.63 (5), Stats., requires the Department to "Review the rules adopted under this subchapter once every 3 years."

Section 101.63 (9), Stats., requires the Department to "establish by rule a schedule of fees sufficient to defray the costs incurred under this subchapter."

Section 101.64 (1) (c), Stats., authorizes the Department to revise these rules after consultation with the Uniform Dwelling Code Council.

Section 101.64 (1) (f), Stats., authorizes the Department to adopt rules prescribing procedures for approving new building materials, methods, and equipment.

Section 101.653 (2), Stats., requires the Department to promulgate rules that establish standards for practices to prevent soil erosion related to the construction of one- and two-family dwellings.

Section 101.653 (2m), Stats., requires the Department to promulgate rules for the administration of erosion control, by counties, cities, villages, and towns, including provisions regarding the issuance of building permits and the collection and distribution of fees.

Section 101.73 (1), Stats., requires the Department to adopt rules that establish standards for the use of building materials, methods, and equipment in the manufacture and installation of modular homes for use as dwellings.

Section 101.74 (3), Stats., authorizes the Department to revise the rules authorized by s. 101.73 (1), Stats., after consultation with the Uniform Dwelling Code Council.

Section 101.74 (6), Stats., requires the Department to adopt rules prescribing procedures for approving new building materials, devices, and methods for the manufacture or installation of modular homes as dwellings.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

450 hours.

6. List with description of all entities that may be affected by the proposed rule:

Any entity that is involved in the construction, remodeling, or inspection of one- and two-family dwellings, including modular homes.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:


Title 16, Part 1201 of the *Code of Federal Regulations* contains safety requirements for glazing materials in storm doors or combination doors, doors, bathtub doors and enclosures, shower doors and enclosures, and sliding-glass doors. Any rule changes that are advanced under this scope statement are not expected to infringe on these federal requirements. No other current or proposed federal regulations were found relating to this rulemaking.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The proposed rule is not likely to have a significant economic impact on small businesses and the state's economy as a whole.

Contact Person: Jake Pelegrin, Administrative Rules Coordinator, DSAdminRules@wisconsin.gov, (608) 267-0989.

Approved for publication:



Authorized Signature

01/13/2025

Date Approved

Approved for implementation:

Authorized Signature

Date Approved

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

AGENDA REQUEST FORM

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10) Describe the issue and action that should be addressed: Attachments: -New scope statement																			
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%; border-bottom: 1px solid black;">11)</td> <td style="width: 60%; border-bottom: 1px solid black;"><i>Jake Pelegrin</i></td> <td style="width: 20%; border-bottom: 1px solid black; text-align: center;">Authorization</td> <td style="width: 10%; border-bottom: 1px solid black; text-align: right;">3/11/25</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Signature of person making this request</td> <td colspan="2" style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td style="border-bottom: 1px solid black;">Supervisor (if required)</td> <td colspan="2" style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> <tr> <td colspan="3" style="border-bottom: 1px solid black;">Executive Director signature (indicates approval to add post agenda deadline item to agenda)</td> <td style="border-bottom: 1px solid black; text-align: right;">Date</td> </tr> </table>				11)	<i>Jake Pelegrin</i>	Authorization	3/11/25	Signature of person making this request			Date	Supervisor (if required)			Date	Executive Director signature (indicates approval to add post agenda deadline item to agenda)			Date
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STATEMENT OF SCOPE

DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES

Rule No.: SPS 302, 305, and 320 to 325

Relating to: Update to the Uniform Dwelling Code

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The objective of this rulemaking is to update and clarify Wisconsin's Uniform Dwelling Code (UDC), as contained in chs. SPS 320 to 325. The UDC establishes statewide construction and inspection standards for one- and two-family dwellings, including modular homes. This update and clarification should make the UDC consistent with contemporary construction practices, products, and materials; model standards and codes; and regulatory practices, in order to protect the health, safety, and welfare of the occupants and owners of these dwellings. Rule revisions throughout the UDC may also require changes to chs. SPS 302 and 305, as those chapters set requirements for certain subject matters contained in chs. SPS 320 to 325. These rule changes may be incorporated into more than one rule package and may include revisions to other chapters affected by the proposal.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

The UDC establishes statewide, uniform construction and inspection standards; includes references to many national standards and codes; and reflects national building and energy-efficiency trends. The most recent comprehensive update of the UDC began in 2015 and became effective on January 1, 2016, under Clearinghouse Rule 15-041. The Wisconsin Statutes require the Department to review the UDC every three years and authorize the Department to revise the rules after consulting with the Governor-appointed UDC Council.

Working with the UDC Council, the Department plans to correct code-clarity problems; incorporate code interpretations that have been developed since the last code-change cycle; update currently adopted standards; incorporate new construction practices, products, standards, or materials; and incorporate any needed new requirements.

The alternative of not updating the UDC would result in it not being current with nationally recognized construction and inspection practices and standards. Continuing to use the UDC as it exists now may create confusion among designers, builders, and local inspectors about how newer materials and standards should be used, regulated, or applied. Not updating the UDC could also jeopardize the health, safety, or welfare of the occupants and owners of one-and two-family dwellings.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 227.11 (2) (a), Stats., authorizes the Department to "...promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute..."

Section 101.63 (1), Stats., requires the Department to establish standards for the construction and inspection of one- and two-family dwellings and components thereof. Where feasible, the standards used must be nationally recognized. No set of rules may be adopted that has not taken into account the conservation of energy in construction and maintenance of dwellings and the costs of specific code provisions to home buyers in relationship to the benefits derived from the provisions.

Section 101.63 (2), Stats., requires the Department to adopt rules for the certification, including provisions for suspension and revocation thereof, of inspectors for the purpose of inspecting building construction, electrical wiring, heating, ventilating, air conditioning and other systems, including plumbing, as defined in s. [145.01 \(10\)](#), Stats., of one- and 2-family dwellings. Persons certified as inspectors may be employees of the department, a city, village, town, county, or an independent inspection agency. The department may not adopt any rule that prohibits any city, village, town, or county from licensing persons for performing work on a dwelling in which the licensed person has no legal or equitable interest.

Section 101.63 (2m), Stats., requires the Department to adopt rules for certifying the financial responsibility of contractors under s. [101.654](#), Stats. These rules must include rules providing for the assessment of fees upon applicants for certification of financial responsibility under s. [101.654](#) and for the suspension and revocation of that certification.

Section 101.63 (5), Stats., requires the Department to "Review the rules adopted under this subchapter once every 3 years."

Section 101.63 (9), Stats., requires the Department to "establish by rule a schedule of fees sufficient to defray the costs incurred under this subchapter."

Section 101.64 (1) (c), Stats., authorizes the Department to revise these rules after consultation with the Uniform Dwelling Code Council.

Section 101.64 (1) (f), Stats., authorizes the Department to adopt rules prescribing procedures for approving new building materials, methods, and equipment.

Section 101.653 (2), Stats., requires the Department to promulgate rules that establish standards for practices to prevent soil erosion related to the construction of one- and two-family dwellings.

Section 101.653 (2m), Stats., requires the Department to promulgate rules for the administration of erosion control, by counties, cities, villages, and towns, including provisions regarding the issuance of building permits and the collection and distribution of fees.

Section 101.73 (1), Stats., requires the Department to adopt rules that establish standards for the use of building materials, methods, and equipment in the manufacture and installation of modular homes for use as dwellings.

Section 101.74 (3), Stats., authorizes the Department to revise the rules authorized by s. 101.73 (1), Stats., after consultation with the Uniform Dwelling Code Council.

Section 101.74 (6), Stats., requires the Department to adopt rules prescribing procedures for approving new building materials, devices, and methods for the manufacture or installation of modular homes as dwellings.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule:

450 hours.

6. List with description of all entities that may be affected by the proposed rule:

Any entity that is involved in the construction, remodeling, or inspection of one- and two-family dwellings, including modular homes.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule:

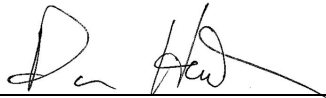
Title 16, Part 1201 of the *Code of Federal Regulations* contains safety requirements for glazing materials in storm doors or combination doors, doors, bathtub doors and enclosures, shower doors and enclosures, and sliding-glass doors. Any rule changes that are advanced under this scope statement are not expected to infringe on these federal requirements. No other current or proposed federal regulations were found relating to this rulemaking.

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

The proposed rule is not likely to have a significant economic impact on small businesses and the state's economy as a whole.

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Approved for publication:



Authorized Signature

01/13/2025

Date Approved

Approved for implementation:

Authorized Signature

Date Approved