Wisconsin Department of Safety and Professional Services
Division of Industry Services
PO Box 7302
Madison WI 53707-7302

Phone: 608-266-2112
Web: http://dsps.wi.gov
Email: dsps@wisconsin.gov

**Tony Evers, Governor**
**Dawn Crim, Secretary**

August 27, 2020

***VIA EMAIL***

Tracy LaBlanc, Clerk
Town of Clayton, Polk County (49016)
462 105th Ave
Clayton, WI 54004
tclayton@amerytel.net

Re: Town of Clayton, Polk County (49016) Jurisdiction Request for Plan Review of Small Commercial Buildings and Inspections of All Size Buildings

Dear Tracy LaBlanc,

I am pleased to inform you that your municipality has been delegated commercial building code enforcement authority per your request. Per Wis. Admin. Code § SPS 361.60(5)(c), I delegate your municipality the primary responsibility to do building plan review and inspections of small 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 limits of your municipality. This delegation does not include fire sprinkler or fire alarm plan review delegation, which you may request as a separate delegation. Building plans for such buildings may be submitted by the owner to your municipality or our agency.

Per Wis. Stat. § 101.12(3)(g), I also delegate your municipality the primary responsibility to do inspections of all size buildings in lieu of the Department.

An exception to this inspection authority delegation is that our agency retains jurisdiction for plan review and inspection for all state-owned buildings, as well as projects for which the owner chooses to submit plans to our agency.

As a condition of the delegation, you are required to comply with the following:

- Submit to the department the fees specified in Wis. Admin. Code § SPS 302.31(1)(h) for all projects.
- Provide the Department with a copy of any revisions to the ordinance adopting this code.
- Apply the corresponding requirements in Wis. Admin. Code §§ SPS 361.60 (5)(d) through (h), and (6).
- Notify the department, in writing, immediately of any personnel changes to plan review or inspection staff.
- Notify the Department, in writing, at least 30 days prior to the date upon which the appointed agent intends to relinquish the responsibilities assumed under this section.

The Department will periodically monitor municipalities and request activity reports to ensure that the delegated responsibilities are being properly fulfilled by the municipality. We do require that delegated municipal code officials hold the Wisconsin Commercial Building Inspector certification and attend agency-approved continuing education to maintain their certification.

In accordance with 2017 Wisconsin Act 198, the Department will be implementing a five-year electronic renewal process. Please continue to monitor department correspondence as further details regarding this process are communicated.

If your municipality decides to relinquish jurisdiction, please follow the provisions of Wis. Admin. Code § SPS 361.60(2)(b)4 by providing the Department with a 30-day notice prior to the day upon which your municipality intends to relinquish jurisdiction.

I understand that the primary enforcement contact for your municipality is James Price and has the proper certification to do so.

For your convenience, I am providing a link to the Department's Delegated Agent Welcome Packet. This packet contains links to the Wisconsin Administrative Code, plan review application, submission and inspection checklists, sample letters, petition for variance application, and a list of FAQs that may be helpful in your new delegated agent role. https://dsps.wi.gov/Documents/Programs/CommercialBuildings/WelcomePacket2020.pdf

Our commercial building inspector for your area, Joe Merchak, at (715) 821-1928, will be contacting your primary code official in the near future to discuss transitional and coordination items.

The Division of Industry Services looks forward to working with you.

Sincerely,

Dennis Beggs
Section Chief, Field Operations

Justin Gavin
Section Chief, Commercial Plan Review

cc: Garry Krause, Bureau Director, Technical Services Bureau
Joe Merchak, Commercial Building Inspector, Technical Services Bureau