

December 15, 2006

Mr. Wayne St. John
Acting Building Commissioner
City of Oak Creek
Inspection Department
8640 South Howell Avenue
Oak Creek, Wisconsin 53154

Milwaukee County

Dear Mr. St. John,

In a letter dated February 22, 2001 the City of Oak Creek, following a request by Commissioner Art Biesek, was delegated appointed agent status in accordance with the Wisconsin Administrative Code, s. Comm 50.22 for commercial building code enforcement. Following the 2006 audit of your plan examination process your agent delegation is being updated based on the current administrative code.

Under administrative rule s. Comm 61.61, a city may examine building plans and inspect buildings as an appointed agent for the department relative to statutes, s. 101.02 (5) (b). Based on the previous delegation, the City of Oak Creek will maintain appointed agent status for review of building and HVAC plans for all commercial building projects as prescribed below. Submitters of commercial projects that meet the criteria described below will have the choice of submitting to the City of Oak Creek or the State of Wisconsin Department of Commerce Safety and Building Division.

The City of Oak Creek shall be delegated the right to examine building plans and inspect buildings as an appointed agent for the department relative to statute, s. 101.02 (5) (b). The City of Oak Creek shall be delegated plan review authority to conduct plan examination of buildings that meet and do not exceed the following criteria:

- a) New construction or addition to buildings reviewed by the City of Oak Creek shall not exceed two (2) stories.
- b) Buildings reviewed by the City of Oak Creek shall be of either construction type IIB, IIIB, VA or VB.
- c) Buildings reviewed by the City of Oak Creek shall only involve simple span structures or pre-engineered framing members.
- d) The City of Oak Creek shall be delegated the right to review alterations, including alterations involving simple structural modifications to existing commercial structures.

The City of Oak Creek shall remain authorized per state statute 101.12(3)(g) to provide inspections in lieu of the state for all commercial building projects, regardless of size, in your municipality. However, plan review for projects beyond the appointed agent size and construction class limits will still be done by our agency.

An exception to the aforementioned delegation is that our agency retains jurisdiction for plan review and inspection authority for all state-owned buildings.

While acting as an appointed agent municipality, the City of Oak Creek shall be subject to the rules of s. Comm 61.60 (5) (d) to (h) addressing plan submittal and review, and s. Comm 61.60 (6) regarding inspection and reporting.

An agent municipality may waive its jurisdiction for the plan review of a specific project or types of projects, or components thereof, in which case plans and specifications shall be submitted to the department for review and approval.

The City of Oak Creek may set by ordinance the fees for plan examination and building inspection services. Fees to be forwarded to the department for reviews performed by appointed agents will be based on table 2.31-3.

The City of Oak Creek shall provide reports to the department of all projects completed under this delegation in an electronic-based format prescribed by the department.

The City of Oak Creek shall notify the department, in writing, at least 30 days prior to the date upon which the municipality intends to relinquish the responsibilities assumed under this delegation.

Your municipality shall follow the plan examination and inspection procedures under Comm 61 subchapter III and s. Comm 61.41. Municipalities may refer more complex projects to our agency as needed. We will periodically monitor your municipality or request activity reports to ensure that our delegated responsibilities are being properly fulfilled by the City of Oak Creek.

I understand that Mr. Dan Nowak and Mr. Ed Ciechanowski will be responsible for plan review and inspections and have the proper certifications to do so. We do require that inspectors attend agency-approved continuing education to maintain their certification.

All questions and concerns regarding your delegation or administration of the Wisconsin Commercial Building Code shall be directed to Henry Kosarzycki at 608-212-0138.

The Division of Safety and Buildings looks forward to its continued relationship with the City of Oak Creek.

Sincerely,



Gregory C. Jones
Division Administrator

cc:

Henry Kosarzycki, Auditor and Agent Program Manager
Robert DuPont, Director, Bureau of Program Development
Randy Baldwin, Director, Bureau of Integrated Services