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**VIRTUAL/TELECONFERENCE**  
**UNIFORM DWELLING CODE COUNCIL**  
**Virtual, 4822 Madison Yards Way, Madison**  
**Contact: Christine Poleski (608) 266-2112**  
**April 27, 2021**

*The following agenda describes the issues that the Committee 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 Committee.*

**AGENDA**

**9:00 A.M.**

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

**A. Adoption of Agenda (1-2)**

**B. Approval of Minutes of December 20, 2019 (3-4)**

**C. Administrative Matters**

- 1) Introductions
- 2) Department, Staff and Council Updates
- 3) Election of Officers **(5)**

**D. APPEARANCE: Timothy Schmitz, International Code Council**

**E. Legislative and Policy Matters – Discussion and Consideration**

**F. Administrative Rules Matters – Discussion and Consideration (6)**

- 1) Discuss and Consult with the Uniform Dwelling Code Council on Preliminary Rule Draft for SPS 320-326, Relating to Legislative Updates to the Uniform Dwelling (One- and Two-Family Dwelling) Code and Manufactured Home Communities
- 2) Pending or Possible Rulemaking Projects

**G. Public Agenda Request – Discussion and Consideration (7-11)**

- 1) Adoption of the International Residential Code as Basis for the Wisconsin Uniform Dwelling Code

**H. Public Comments**

**ADJOURNMENT**

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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.

**TELECONFERENCE/VIRTUAL  
UNIFORM DWELLING CODE COUNCIL  
MEETING MINUTES  
DECEMBER 20, 2019**

**PRESENT:** Abe Degman, Mark Etrheim, Steven Gryboski, Jesse Jerabek, Mike Martheler, W. Scott Satula, Daniel Wald, Brian Wert

**EXCUSED:** Michael Coello, Mary Schroeder, Timothy Wiberg

**STAFF:** Dale Kleven, Administrative Rules Coordinator; Michael McNally, Integrated Services Section Chief; Jennifer Zettler, Building Systems Consultant; Megan Glaeser, Bureau Assistant; and other Department staff

**CALL TO ORDER**

Michael McNally, Section Chief, called the meeting to order at 10:30 a.m. A majority of nine (9) members was present.

**ADOPTION OF AGENDA**

**MOTION:** Brian Wert moved, seconded by Daniel Wald, to adopt the agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF DECEMBER 10, 2018**

**MOTION:** Brian Wert moved, seconded by Scott Satula, to adopt the minutes of December 10, 2018 as published. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

**Election of Officers**

*Chairperson*

**NOMINATION:** Abe Degnan nominated Michael Coello for the Office of Chairperson.

Dale Kleven, Administrative Rule Coordinator, called for nominations three (3) times.

Michael Coello was elected as Chairperson by unanimous voice vote.

*Vice Chairperson*

**NOMINATION:** Abe Degnan nominated Mary Schroeder for the Office of Vice Chairperson.

Dale Kleven, Administrative Rule Coordinator, called for nominations three (3) times.

Mary Schroeder was elected as Vice Chairperson by unanimous voice vote.

<b>ELECTION RESULTS</b>	
<b>Chairperson</b>	Michael Coello
<b>Vice Chairperson</b>	Mary Schroeder

**ADJOURNMENT**


**MOTION:** Brian Wert moved, seconded by Scott Satula, to adjourn the meeting.  
Motion carried unanimously.

The meeting adjourned at 10:48 a.m.

DRAFT

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

**AGENDA REQUEST FORM**

<b>1) Name and Title of Person Submitting the Request:</b> Megan Glaeser, Bureau Assistant		<b>2) Date When Request Submitted:</b> 16 April 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> Uniform Dwelling Code Council			
<b>4) Meeting Date:</b> 27 April 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> Administrative Matters 1) Election of Officers	
<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> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b> N/A	
<b>10) Describe the issue and action that should be addressed:</b> 1) The Council should conduct Election of Officers: Chairperson & Vice Chairperson			
<b>11) Authorization</b>			
 Signature of person making this request		16 April 2021 Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date			
<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.			

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

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Jon Derenne, Attorney		<b>2) Date when request submitted:</b> April 15, 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> Uniform Dwelling Code Council			
<b>4) Meeting Date:</b> April 27, 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> Discuss and consult with the council on the preliminary rule draft for SPS 320-326 relating to legislative updates to the Uniform Dwelling (One-and 2-family dwellings) Code and Manufactured Home Communities.	
<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>			
<b>11) Authorization</b>			
<i>Jon Derenne</i>		April 15, 2021	
<b>Signature of person making this request</b>		<b>Date</b>	
<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.			



## PUBLIC AGENDA REQUEST FORM

### Instructions:

1. Fill out this form, and then save to your device.
2. Return to the “[Suggest an Agenda Item](#)” page and select the appropriate Board or Council from the Board/Council list.
3. Attach your completed “Public Agenda Request” form and send.

First Name: Robert

Last Name: DuPont

Association/Organization: Alliance for Regulatory Coordination, 418 Blue Moon Drive, Verona, WI 53593 [robertgdupont@gmail.com](mailto:robertgdupont@gmail.com) 608-712-2398

Subject: Adoption of the International Residential Code as the basis for the Wisconsin UDC

Issue to Address:

The Alliance for Regulatory Coordination is advocating for adoption of the International Residential Code (IRC) as the basis for the Wisconsin Uniform Dwelling Code (UDC). We believe there are many compelling reasons for adoption, including direction found in State Statutes. Included below are three ARC white papers that explain and support adoption of the IRC in Wisconsin.

Since 2001, the Wisconsin Commercial Building Code has been based on the International Building Code (IBC), a companion to the IRC. ARC members believe that IRC adoption will afford Wisconsin the same benefits achieved from adopting the IBC; namely – safer buildings achieved at less cost to the DPS and ultimately to the citizens of Wisconsin.

We recognize that consideration of the IRC will involve fire safety aspects of construction as well as coordination between the UDC and other DPS codes. As a result, we have reached consensus on the following recommendations pertaining to those matters.

The ARC recommends that any review or consideration pertaining to Wisconsin adopting the IRC as the basis of the UDC include efforts to advance fire safety for home occupants, visitors and emergency first responders. Those efforts should include the following.

1. Take into account that, under Wisconsin Statutes, the legislative Joint Committee for Review of Administrative Rules has grounds to object to any UDC code change proposal that would increase the cost of a new or remodeled home by more than \$1000.

2. Ensure that, at a minimum, the IRC requirements for sprinklers and fire protection for light frame wood floor assemblies are clearly codified within the UDC as design options, with building design trade-offs, or use limitations, put into place for new or remodeled homes not provided with sprinklers or fire protection for light frame wood floor assemblies.
3. Ensure that allowances in the IRC – that are premised on the installation of sprinklers, or the installation of fire protection for light frame wood floor assemblies – are not included in the UDC for new or remodeled homes built without sprinklers or fire protection for light frame wood floor assemblies.

The ARC recommends that any review or consideration pertaining to Wisconsin adopting the IRC as the basis of the UDC include efforts to coordinate the UDC with the Wisconsin Plumbing Code and Electrical Code. Those efforts should include the following:

- listing both the Wisconsin Plumbing Code and Electrical Code in the project Scope Statement;
- involving both the Plumbing Code Committee and the Electrical Code Committee in the IRC review and consideration process;
- coordinating the requirements of the IRC/UDC with the plumbing and electrical codes; and
- placing code requirements pertaining to plumbing and electrical systems into those respective Wisconsin codes.

We welcome any opportunity to discuss this idea with Department staff and the UDC Council.

## **Wisconsin Should Adopt the International Residential Code**

### **The Most Feasible Option**

March 16, 2021

In 1976, the Wisconsin State Legislature, and Governor Patrick J. Lucey, enacted Chapter 404, Laws of 1975, which directed creation of the Wisconsin One- and Two-Family Dwelling Code and Wisconsin Modular Home Code.

The stated purpose of those actions was to establish statewide construction standards and inspection procedures for one- and 2-family dwellings, and for the manufacture and installation of modular homes, and to promote interstate uniformity in construction standards.

Chapter 404, Laws of 1975, provides direction to the Department of Safety and Professional Services to utilize model codes, such as the IRC, where feasible. That direction is found in Sections 101.63 and 101.73, Wisconsin Statutes, concerning the dwelling code and modular home code, respectively. Both of those sections read in part: “Where feasible, the standards used shall be those nationally recognized...” [Emphasis added.]

The Alliance for Regulatory Coordination (ARC) believes that adoption of the International Residential Code (IRC) as the foundation for the Wisconsin Uniform Dwelling Code is feasible. In fact, the ARC believes the IRC is the most feasible option available to Wisconsin.



The Wisconsin Uniform Dwelling Code (UDC) has historically been a “home grown” code written by state employees with input from the Uniform Dwelling Code Council, a statutorily created 11-member council generally made up of persons involved in dwelling design, construction and regulatory services.

Updating a home-grown code is resource intensive for the DSPS and the UDC Council. The last comprehensive update of the UDC, effective January 1, 2016, took 20 months, and an estimated 800 hours of staff time to develop.

The IRC is a nationally recognized model code developed by the International Code Council. It is updated every three years with the input of national experts in building design, materials, and regulatory services from across the nation.

Within the United States, the IRC is in use or adopted in 49 states, the District of Columbia, Guam, Puerto Rico and the U.S. Virgin Islands. The IRC is adopted for statewide application by the states of Michigan and Minnesota. Iowa has adopted the IRC for state owned and rented residential buildings, and 62 Iowa communities, including the City of Dubuque, have adopted the IRC. In Illinois, 355 communities, including the City of Rockford, have adopted the IRC.

Wisconsin stands alone as the only U.S. state in which the IRC is not in use or adopted. This is in stark contrast to the stated purpose of Chapter 404, Laws of 1975 – to promote interstate uniformity in construction standards for homes.

The ARC believes current widespread use of the IRC throughout the country proves its feasibility and its utility in promoting interstate uniformity in construction standards. Adoption of the IRC is the most feasible option available to promote safety of Wisconsin residents while saving time and money associated with code development.

## **The International Residential Code**

### **The preferred model code for new homes in the United States**

March 16, 2021

#### **Use and Development**

The International Residential Code (IRC) is in use or adopted in 49 states, the District of Columbia, Guam, Puerto Rico and the U.S. Virgin Islands. Developed and maintained by the International Code Council (ICC), with input from experts in safety, building design, construction, materials, and regulatory services, the IRC promotes building safety without stifling economic development or the use of innovative products.

The IRC code development process is open and transparent, assuring that all impacted stakeholders can participate. Anyone can propose a change to the IRC. Those changes are considered during a three-year update cycle that relies on expertise from the building industry. Changes are initially reviewed in a public forum with stakeholder debate by code development committees. The IRC provisions are heard by one of three committees made up of homebuilders, designers, manufacturers, code officials, public safety advocates, and other stakeholders. Recommendations from the committees are then presented to ICC governmental members (again in a public forum with opportunities for stakeholder debate) for their vote on the final content of the next edition of the IRC. Governmental member votes are captured both in person and online through cdpACCESS allowing the participation of public safety officials from across the country. Through this open consensus process, the IRC provides a cost effective and efficient approach to achieving building safety.

#### **History and Legacy**

The ICC was formed in 1994, and officially incorporated in 2003, by three legacy organizations; the Building Officials and Code Administrators International, Inc., (BOCA), the International Conference of Building Officials (ICBO), and the Southern Building Code Congress International, Inc. (SBCCI).

Formation of the ICC was not the first time these organizations collaborated to address matters of common concern. In 1972, they formed the Council of American Building Officials (CABO). One of the first joint code-writing efforts resulted in the CABO One-and Two-Family Dwelling Code. By the mid-1990s that CABO code was the most widely used model dwelling code in the United States.

But the legacy of the IRC goes back many years before the first CABO code. Long before 1972, each ICC legacy organization had established standards and traditions of excellence – which today are continued by the ICC.

Founded in 1915, BOCA International, was the first model building code association in the United States. ICBO was formed in 1922, and 1941 saw the formation of the SBCCI.

The Alliance for Regulatory Coordination believes that Wisconsin should adopt the IRC to benefit from its ongoing tradition of excellence – a tradition that began over 100 years ago.

## **Model Code Adoption in Wisconsin**

### **The History and Process**

March 16, 2021

The Alliance for Regulatory Coordination supports adoption of the International Residential Code (IRC) as the foundation of the Wisconsin Uniform Dwelling Code. We believe IRC adoption will promote the safety of Wisconsin residents while saving time and money associated with code development.

#### **Wisconsin's History of Model Code Adoption**

On July 1, 2002, the Wisconsin Commercial Building Code first adopted by reference, four companion codes to the IRC – the International Building Code, the International Energy Conservation Code, the International Fuel Gas Code and the International Mechanical Code. All developed by the International Code Council.

Prior to adoption of the ICC model codes, Wisconsin had written its own Commercial Building Code from the ground up; a practice started in 1913 – before model codes existed.

Although switching from a Wisconsin - grown Commercial Building Code, to adoption of ICC codes was a significant change for Wisconsin, it was not the first time Wisconsin utilized the expertise and national consensus reflected in national model codes and standards.

Wisconsin has a long history of adopting model codes as the foundation of state building safety codes; adopting various types and editions of model codes for more than 60 years.

Since 1957, the National Boiler Code, developed by the American Society of Mechanical Engineers (ASME), has been the foundation of the Wisconsin Boiler and Pressure Vessel Code.

Since 1972, the National Electrical Code, developed by the National Fire Protection Association (NFPA), has been the foundation of the Wisconsin Electrical Code. And since 1983, the ASME National Elevator Code has been the foundation of the Wisconsin Elevator Code.

#### **Model Code Adoption Process**

For over 60 years, these model code adoptions have been guided by input from Wisconsin subject matter experts on dozens of advisory code committees, councils and work groups. Model codes are just what the name implies – they are models to be used by state and local governments as the starting point in code development efforts.

Wisconsin has a long history of amending model code language as the result of citizen concerns or applicable state law. In those instances, the amended language is applied in Wisconsin – not the unamended model code language.

Due to the high quality of national model codes, Wisconsin amendments have been relatively few. For the most part, advisory committee, council, and work group members, have found model codes to be well organized and written, with sound basis and reasonable requirements.

The ARC believes that will also be the case with the IRC. We encourage Wisconsin to maintain its more than 60-year tradition of model code adoption by next adopting the International Residential Code as the foundation of the Wisconsin Uniform Dwelling Code.

*The Alliance for Regulatory Coordination is a consortium of 23 organizations involved in building design, construction and regulatory services. Alliance membership consists of business, labor, advocacy, professional and governmental groups; numbering thousands of members, all committed to promoting more coordinated and efficient regulatory services for citizens and businesses of Wisconsin. Learn more about the Alliance at [www.4ARC.org](http://www.4ARC.org).*