



Alliance for Regulatory Coordination

Testimony in Opposition to 2019 Senate Bill 820

To the Senate Committee on Economic Development, Commerce and Trade

February 19, 2020

Hello; thank you for the opportunity to provide testimony today. I am Bob DuPont, founder of the Alliance for Regulatory Coordination. The ARC is a consortium of 21 business, professional, and trade organizations involved in building design, construction and regulatory services.

The Alliance for Regulatory Coordination is opposed to Senate Bill 820. We believe this bill will place Wisconsin citizens and visitors at greater risk to their health and safety by negatively affecting building occupants, the waters of the state, and municipal sewer and water utilities in Wisconsin. Because we share concerns about the timeliness of state level plan review services, we respectfully recommend the bill be amended to better serve Wisconsin citizens and visitors.

Our recommended amendment to 2019 Senate Bill 820 accompanies this testimony.

Regarding commercial buildings, under this bill, state level plan review would not be required for single story buildings containing less than 200,000 cubic feet of volume that fall entirely in the following occupancy groups:

- Business Group B;
- Factory Industrial Group F;
- Mercantile Group M;
- Storage Group S; and
- Utility and Miscellaneous Group U.



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Municipalities would maintain their current authority to require local plan review, permits and inspections of any sized commercial building. However, the bill removes a significant safety net from the state's building safety program and shifts the burden of plan review to communities throughout the state. Many communities lack the financial and staff resources to pick up the workload to be abandoned by the state under the bill.

A 200,000 cubic foot mercantile establishment with a 20-foot ceiling would have a footprint of 10,000 square feet. That equates to a strip mall 200 feet in width by 50 in depth; a significant building, with an allowable occupancy load of over 300 men, women and children.

The ARC recommends amending the bill by changing the plan review prohibition from 200,000 cubic feet, down to 50,000 cubic feet. Such a change would closely align this bill with the Wisconsin Commercial Building Code that was in effect from July 2002, to September 1, 2011. During that time period, buildings falling into the occupancy groups listed above were exempted from state level plan review if they contained less than 50,000 cubic feet in volume, and were designed, and construction supervised, by a Wisconsin registered architect, engineer or designer. Those code provisions were built around the provisions of section 443.15, Wisconsin Statutes, which allows buildings of less than 50,000 cubic feet of volume to be designed, and construction supervised, by persons, firms, or corporations not registered under Chapter 443, Wisconsin Statutes.

We also recommend amending the bill by including a provision that would allow the continued state level review of plans for fire detection, prevention and suppression systems in buildings smaller than 50,000 cubic feet of volume. Properly installed fire detection systems continually monitor the building environment and notify building occupants, and the fire department, of problems due to fire. Properly installed fire suppression systems save lives and protect property by initiating fire suppression well before fire fighters can arrive on the scene.



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Regarding plumbing systems, under this bill, state level plan review would not be required for plumbing installations, additions or alterations involving fewer than 25 plumbing fixtures within any sized building that falls entirely in the above listed occupancy groups. Municipalities would maintain their current authority to require local plan review, permits and inspections of any sized plumbing project. However, the bill also removes many important plumbing components from state level plan review. These plumbing components protect municipal water supply systems, sewerage systems, wastewater treatment plants, and the waters of the state, in addition to protecting building occupants from harm.

Following is a table showing plumbing components that would no longer require state level plan review under the bill. For each plumbing component listed, the table shows the purpose of the component as well as other elements and systems impacted by the plumbing component. These primary and secondary impacts are at the heart of systems designed to protect the health, safety and welfare of building occupants and entire communities.

Avoiding overloads on municipal wastewater treatment plants is an important aspect of DSPS plumbing plan review. Before the DSPS approves a plan for a new private interceptor main sewer, which is to discharge to a municipal treatment facility, the designated planning or management agency must indicate conformance with the locally developed areawide water quality management plan meant to protect the waters of the State. Such efforts to avoid wastewater treatment plant overloads would be ended under the bill.

The state plan review program for individual plumbing components began forty-five years ago. In 1975, the impact of plumbing systems, not only on building occupants, but on entire communities, was recognized by public health and safety officials, as well as the State Legislature. Those impacts are just as important today as they were forty-five years ago.



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Plumbing Component	Purpose of Component	Other Elements & Systems Impacted
Cross connection control devices in dental and outpatient health clinics	Protect drinking water for building occupants and the entire community.	Protects groundwater, water wells, and the water quality in municipal waterworks systems.
Private interceptor main sewers	Safely convey domestic wastewater, from multiple buildings, to the municipal sewerage system; installed on private property.	Current approval coordination between the DSPS and local officials prevents overloading of municipal sewerage systems and municipal wastewater treatment plants.
Grease/oil interceptors, garage catch basins, car wash interceptors	Remove materials that clog sewers and negatively affect wastewater treatment.	Protects groundwater, municipal sewerage systems and municipal wastewater treatment plants.
Chemical waste drainage and treatment systems	Convey and treat caustic waste from laboratories, and neutralize such waste before discharge to municipal sewerage system.	Protects groundwater, municipal sewerage systems and municipal wastewater treatment plants.
Mixed wastewater holding devices	Holds wastewater from industrial processes for removal and transport to specialized treatment facilities.	Protects groundwater, municipal sewerage systems and municipal wastewater treatment plants.
Stormwater systems	Convey stormwater from buildings and grounds to safe place of disposal.	Protects waters of the state and municipal stormwater systems.
Stormwater/clearwater infiltration systems	Disperse stormwater and clearwater to surface or subsurface soils.	Protects waters of the state and municipal stormwater systems; and recharges groundwater.
Water treatment systems other than privately owned wastewater treatment systems, POWTS	Treat wastewater for reuse within buildings or on the property; for toilet flush water, turf irrigation, etc.	Protects groundwater and reduces loads on municipal waterworks, municipal sewerage systems, and wastewater treatment plants.
Alternate and experimental plumbing systems	Facilitate the use of new or innovative materials, products and methods within plumbing systems.	May reduce loads on municipal waterworks, sewerage systems, and wastewater treatment plants.



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The ARC recommends amending the bill so that it would directly revise the Wisconsin Plumbing Code, Table SPS 382.20-1, lines 2. and 3., and Table SPS 382.20-2, line 1., by changing the number “16” within each of those lines, to “25”. By changing the code in this manner, the state level plan review trigger would go up to 25 plumbing fixtures for commercial buildings in all occupancy groups, other than hospitals, nursing homes and ambulatory surgery centers. At the same time, our recommended amendment would allow continued state level plan review for the plumbing components listed in the table above, which protect municipal water supply systems, sewerage systems, and wastewater treatment plants, as well as the waters of the state; and of course, the men, women and children in the buildings themselves.

The ARC believes the proposed trigger of 25 plumbing fixtures is appropriate for commercial buildings of all occupancy groups. That is how the current 16-fixture trigger is applied. The trigger was set at 16 fixtures in the year 2000, after the Department of Commerce benchmarked off the number of fixtures in a typical two-family dwelling of that time. (Under the Uniform Dwelling Code, state level plan review is not required for two-family dwellings.) Where two-family dwellings contain two full bathrooms in each dwelling, something quite common today, the total plumbing fixture count is 24. The trigger for state level review of general plumbing plans has trended up over the years as a result of increased confidence in the knowledges and skills of the state-licensed plumbing trade. In 1975 the trigger was set at 6 plumbing fixtures. It was changed to 11 fixtures in 1997, and to 16 fixtures in the year 2000.

Lastly, we recommend amending the bill to not address who may prepare plumbing plans because current statutes and administrative rules already require all plumbing plans to be prepared by either: a Wisconsin registered architect or professional engineer; a Wisconsin permitted plumbing designer; or the master who will be in charge of the plumbing installation.

Thank you for this opportunity to offer testimony on this Bill. ARC members are listed below.



Alliance for Regulatory Coordination

Classic Members

International Association of Electrical Inspectors, Wisconsin Chapter
International Brotherhood of Electrical Workers, Wis. State Conf.
National Electrical Contractors Association, Wisconsin Chapter
Northwest Wisconsin Building Inspectors Association
Plumbers Union Local 75
Plumbing-Heating-Cooling Contractors, Wisconsin Association
Plumbing Mechanical Sheet Metal Contractors Alliance
Sheet Metal Air Rail Transportation Local 18
Water Quality Association of Wisconsin
Wisconsin Code Officials Alliance
Wisconsin Electrical Trades Council
Wisconsin Fire Protection Coalition
Wisconsin State Fire Chief's Association
Wisconsin State Fire Inspectors Association

Associate Members

National Association of the Remodeling Industry, Milw. Chapter
Professional Fire Fighters of Wisconsin
Southwestern Wisconsin Building Inspectors Association
Wisconsin Electric Cooperative Association
Wisconsin Propane Gas Association
Wisconsin State Firefighters Association

Supporting Members

International Code Council