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## NO CONSENSUS: Industry disagrees on best remedy for plan-review delays

By: Nate Beck, [nbeck@dailyreporter.com](mailto:nbeck@dailyreporter.com) February 19, 2020 3:38 pm

A bill meant to reduce a backlog of commercial-plan reviews drew a mixed response from construction officials at a public hearing in the state Capitol on Wednesday.

The proposal, labeled Senate Bill 820, would exempt many small and medium-sized projects from having to be approved by the Wisconsin Department of Safety and Professional Services. Introduced earlier this month, it comes largely in response to contractors who complained they were having a hard time getting their plans approved during last year's building season. Lawmakers are now moving quickly to pass the bill before time runs out in what's expected to be a short legislative session.

Even as a number of industry officials — including some from the Wisconsin Builders Association and the Associated Builders and Contractors of Wisconsin — say the changes proposed by the bill are needed to stave off another plan-review slowdown, other groups and the DSPS itself are calling for caution. Bob DuPont, of the Alliance for Regulatory Coordination, argued rash changes could endanger the public.

"The concern is that this is being done in a manner that maybe is causing some unintended consequences," he said.

Mike Tierney, legislative liaison for the DSPS, said the department itself would prefer to see any proposed changes come from the state's Commercial Building Code Council and the Plumbers Code Advisory Committee. He said the code council plans to discuss the situation during a meeting in March.

At the same time, Tierney acknowledged being “astounded” by the agency’s system for scheduling plan reviews. He said DSPS officials have tapped a section chief to do a “deep dive” into how the agency can improve its plan-review process.

“There was really a great deal of dysfunction in the system,” he said.

Jeff Beiriger, executive director of the Plumbing, Heating and Cooling Contractors of Wisconsin, said one big advantage to passing legislation now is that doing so would bring about change much faster than if lawmakers have to first wait for recommendations from the Commercial Building Code Council and Plumbers Code Advisory Committee. He said contractors will soon find themselves immersed in yet another busy season and most likely won’t be comforted by the prospect of a remedy that could still be years in the future.

“What we have right now is an existing season with a couple ideas from DSPS and then nothing else. We have no other card to play. What this does is lets us put another card on the table,” Beiriger said. “It’s hard for me to look my members in the eye and say we don’t support something that would reduce plan reviews. It’s an urgent need.”

DSPS Secretary-designee Dawn Crim, in a statement released ahead of the committee meeting, said she and her colleagues have already reduced the wait time for plumbing plan reviews to about five weeks. She attributed that decrease to various internal policy changes the DSPS put in place last month. Among other things, the department is now requiring contractors to pay review fees up-front and to submit only complete building plans for review. It is also prohibiting builders from making duplicate appointments with staff employees.

“We expected improvement once we implemented our plan, and I am pleased to see such significant gains in such a short amount of time,” Crim said in the statement.

The bill, by Sen. Roger Roth, R-Appleton, would exempt many single-story buildings with fewer than 200,000 square feet of space from needing the DSPS’s approval. Buildings with 25 or fewer plumbing fixtures also wouldn’t need to be reviewed, a standard up from 15 fixtures. Contractors, meanwhile, would be required to pay half of their plan review fees upfront as non-refundable deposits.

Contractors are meanwhile staring down what’s expected to be another busy year. Andy Wagner, commercial construction director for the plumbing company Dave Jones, said his company is already seeing strong demand for its services. He said the bill’s proposed change would maintain safety precautions for high-risk projects and give his company a break on less-complicated jobs.

“All we are asking to do is change the number of plumbing fixtures,” he said.

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