



COMMERCIAL BUILDING CODE COUNCIL
Room N206, 4822 Madison Yards Way, Madison
Contact: Jon Derenne (608) 266-2112
March 11, 2020

The following agenda describes the issues that the Council 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 Council.

AGENDA

9:00 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1)**
- B. Approval of Minutes from January 29, 2020 (2-4)**
- C. Administrative Matters--Department Updates**
- D. Legislative and Administrative Rules Matters – Discussion and Consideration**
 - 1) Plan Review Process and Related Standards for Submissions
 - 2) 2019 Wisconsin Senate Bill 820 **(5-9)**
 - 3) Letter from Randy Baldwin to the Commercial Building Code Council **(10-17)**
 - 4) Bob DuPont, Alliance for Regulatory Reform – Fees Charged to Second Class Cities and Appointed Agents Under Sections SPS 302.31(1)(g) and (h) **(18-20)**
 - 5) Pending or Possible Rulemaking Projects
- E. Public Comments**

ADJOURNMENT

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 council'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. Interpreters for the hearing impaired provided upon request by contacting the Affirmative Action Officer, 608-266-2112.

**COMMERCIAL BUILDING CODE COUNCIL
MEETING MINUTES
JANUARY 29, 2020**

PRESENT: Jennifer Emberson Acker, Michael Adamavich, William Hebert, Steven Harms (*via Skype*), Steven Howard, Richard Paur, Irina Ragozin (*arrived at 10:08 a.m., via Skype*), Brian Rinke

EXCUSED: Kevin Bierce, Matthew Marciniak

STAFF: Jon Derenne, Administrative Rules Coordinator; Daniel Hereth, Assistant Deputy Secretary; Jason Hansen, Consultant Building Systems-Advanced; Erik Hansen, Consultant Building Systems-Senior; Garry Krause, Bureau Director; David Pedersen, Building Inspector-Objective; Kimberly Wood, Program Assistant Supervisor-Adv.; and other Department Staff

CALL TO ORDER

Richard Paur, Chairperson, called the meeting to order at 9:21 a.m. A quorum was confirmed with seven (7) members present.

ADOPTION OF AGENDA

MOTION: Brian Rinke moved, seconded by Steven Howard, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES FOR DECEMBER 18, 2019

MOTION: William Hebert moved, seconded by Michael Adamavich, to approve the Minutes of December 19, 2019 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Election of Officers

NOMINATION: Steven Howard nominated the 2019 Officers to continue in 2020.

Jon Derenne, Administrative Rule Coordinator, called for nominations three (3) times.

The 2019 Officers were elected to continue in 2020 by unanimous voice vote.

ELECTION RESULTS	
Chairperson	Richard Paur
Vice Chairperson	Brian Rinke

LEGISLATIVE AND ADMINISTRATIVE RULE MATTERS

SPS 314 and 361 Relating to the Inspection and Testing of Fire and Smoke Dampers

MOTION: Steven Howard moved, seconded by Brian Rinke, to recommend that the Department approve the rule draft for CR 19-154 relating to the inspection and testing of fire and smoke dampers, as revised following the public hearing on CR 19-154 held on January 8, 2020, for submission to the Governor's Office and Legislature. Motion carried unanimously.

(Irina Ragozin joined the meeting at 10:08 a.m.)

Senate Bill 400/Assembly Bill 445, Relating to an Exception to the Commercial Building Code Requirements for the Installation or Operation of a Stairway Chair Lift in a Church Constructed Before 1919

MOTION: Brian Rinke moved, seconded by Steven Howard, to request that Department staff draft a letter on behalf of the Council to the Secretary of the Department, opposing SB 400/AB 445 relating to an exception to the commercial building requirements for the installation or operation of a stairway chair lift in a church constructed before 1919. The Council opposes SB 400/AB 445 because the Council believes that the current process for requesting a variance is adequate, and individual exception should not be made in statute. Motion carried unanimously.

MOTION: William Hebert moved, seconded by Jennifer Emberson Acker, to authorize the Chairperson to approve the letter for submission to the Secretary of the Department, and to authorize the Department to forward the approved letter to the appropriate legislative and/or gubernatorial officials at its discretion. Motion carried unanimously.

Plan Review Process and Related Standards for Submission

MOTION: Brian Rinke moved, seconded by Irina Ragozin, to recommend that the Department support prepayment of review fees and penalties for late withdrawal of review dates. The Council is opposed to a blanket increase in the cubic footage threshold to 250,000 cubic feet without additional considerations to the use and occupancy classification, type of construction, and occupant load, but the Council may support increased thresholds with consideration given to the aforementioned factors. The Council suggests and is supportive of the Department doing the following:

1. Gather additional information on how other states facilitate plan review
2. Consider data that may have a noticeable impact on the number of plan reviews and generally pursue process efficiencies
3. Consider possibly having an outside entity review plans as an alternative to Department plan review

4. Consider the impact on plan review process of changing thresholds as it relates to certain use and occupancy classifications, type of construction, and occupant load

Motion carried unanimously.

ADJOURNMENT

MOTION: Brian Rinke moved, seconded by William Hebert, to adjourn the meeting.
Motion carried unanimously.

The meeting adjourned at 12:01 p.m.

DRAFT



2019 SENATE BILL 820

February 14, 2020 - Introduced by Senators ROTH, STROEBEL, FEYEN, NASS and TIFFANY, cosponsored by Representatives RODRIGUEZ, DITTRICH, BALLWEG, FELZKOWSKI, GUNDRUM, KULP, MAGNAFICI and SORTWELL. Referred to Committee on Economic Development, Commerce and Trade.

1 **AN ACT to amend** 101.12 (1) (intro.), 101.12 (2) and 101.19 (1g) (a); and **to create**
2 101.12 (2m) and 145.02 (5) (c) of the statutes; **relating to:** examination of
3 building plans for public buildings, public structures, and places of
4 employment; examination of plumbings plans; and requiring the exercise of
5 rule-making authority.

Analysis by the Legislative Reference Bureau

This bill creates an exemption from the examination requirement for certain building plans and plumbing plans and modifies other aspects of the building plan review process.

Under current law, essential drawings, calculations, and specifications (building plans) for public buildings, public structures, and places of employment (commercial buildings) and plumbing plans and specifications (plumbing plans) for plumbing installations, additions, or alterations (plumbing systems) must be examined for compliance with the rules promulgated by the Department of Safety and Professional Services.

The bill creates an exception from building plan examination requirements. Under the bill, DSPS may not require the submission or examination of building plans for a commercial building that 1) is a single story containing less than 200,000 cubic feet of volume; 2) is not classified by DSPS as intended for certain occupancies and uses, including high hazard uses and educational uses; and 3) a registered architect, registered professional engineer, or designer permit holder prepares and signs, dates, and seals or stamps the building plans.

SENATE BILL 820

The bill also creates a similar exception for plumbing plan examination requirements. Under the bill, DSPS may not require the examination of plumbing plans for a plumbing system that 1) involves no more than 25 plumbing fixtures; 2) is in connection with a building or structure that is not classified by DSPS as intended for certain occupancies and uses, including high hazard uses and educational uses; and 3) a registered architect, registered professional engineer, or designer permit holder prepares and signs, dates, and seals or stamps, or a licensed master plumber, licensed master plumber (restricted), or utility contractor signs and dates, the plumbing plans.

Under current law, DSPS must fix and collect fees that, as closely as possible, equal the cost of examining building plans. The bill provides that 50 percent of building plan examination fees must be submitted as a nonrefundable deposit at the time an appointment for examination of building plans is scheduled.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 101.12 (1) (intro.) of the statutes is amended to read:

2 101.12 (1) (intro.) Except for plans that are reviewed by the department of
3 health services under ss. s. 50.02 (2) (b), 50.025, 50.36 (2), or 50.92 (3m) and except
4 as provided under sub. (2m), the department shall require the submission of
5 essential drawings, calculations, and specifications for public buildings, public
6 structures, and places of employment including the following components:

7 **SECTION 2.** 101.12 (2) of the statutes is amended to read:

8 101.12 (2) ~~Plans of said~~ Except as provided under sub. (2m), essential
9 drawings, calculations, and specifications for public buildings, public structures, and
10 components described under sub. (1) shall be examined for compliance with the rules
11 of the department and a statement of the examination returned to the designer and
12 owner before construction is started. Nothing in this section shall ~~relieve~~ relieves
13 the designer of the responsibility for designing a safe building, structure, or
14 component.

SENATE BILL 820

1 **SECTION 3.** 101.12 (2m) of the statutes is created to read:

2 101.12 **(2m)** The department may not require the submission or examination
3 of essential drawings, calculations, and specifications for a public building, public
4 structure, or place of employment to which all of the following apply:

5 (a) The public building, structure, or place of employment is a single-story
6 building or structure containing less than 200,000 cubic feet of volume.

7 (b) No portion of the public building, structure, or place of employment is
8 classified by the department, under rules promulgated by the department, into any
9 of the following occupancy groups:

- 10 1. Assembly Group A.
- 11 2. Educational Group E.
- 12 3. High hazard Group H.
- 13 4. Institutional Group I.
- 14 5. Residential Group R.

15 (c) The essential drawings, calculations, and specifications are prepared by a
16 person who is registered as an architect or professional engineer under ch. 443 or who
17 holds a designer permit under s. 443.07, and that person signs, dates, and seals or
18 stamps the essential drawings, calculations, and specifications.

19 **SECTION 4.** 101.19 (1g) (a) of the statutes is amended to read:

20 101.19 **(1g)** (a) The examination of plans for public buildings, public structures,
21 places of employment, and the components thereof. The department shall require
22 that 50 percent of plan examination fees be submitted as a nonrefundable deposit at
23 the time an appointment for examination of plans is scheduled.

24 **SECTION 5.** 145.02 (5) (c) of the statutes is created to read:

SENATE BILL 820

1 145.02 (5) (c) The department may not require examination of plumbing plans
2 and specifications for a plumbing installation, addition, or alteration to which all of
3 the following apply:

4 1. The plumbing installation, addition, or alteration involves no more than 25
5 plumbing fixtures.

6 2. No portion of the building or structure with which the plumbing installation,
7 addition, or alteration is connected is classified by the department, under rules
8 promulgated by the department, into any of the following occupancy groups:

9 a. Assembly Group A.

10 b. Educational Group E.

11 c. High hazard Group H.

12 d. Institutional Group I.

13 e. Residential Group R.

14 3. The plumbing plans and specifications are prepared by any of the following:

15 a. A person who is registered as an architect or professional engineer under ch.
16 443 and who signs, dates, and seals or stamps the plumbing plans and specifications.

17 b. A person who holds a designer permit under s. 443.07 in the field of plumbing
18 systems and who signs, dates, and seals or stamps the plumbing plans and
19 specifications.

20 c. A licensed master plumber, licensed master plumber (restricted), or utility
21 contractor who signs and dates the plumbing plans and specifications.

22 **SECTION 6. Initial applicability.**

23 (1) The treatment of s. 101.12 (1) (intro.), (2), and (2m) first applies to essential
24 drawings, calculations, and specifications submitted for examination under s. 101.12
25 on the effective date of this subsection.

February 14, 2020

To Whom it may concern

From: Randy Baldwin, Integrated Services Bureau Director 1995-2010
1328 Drake Street, Madison Wi 53715

RE: Opposition to LRB-5307/P2, a preliminary bill draft

The next available plan review appointment is within 5-8 days, thus allowing virtually a 1-2 day time between completion of the drawings and the plan review. That had been the norm for commercial buildings, plumbing, and POWTS plan review for many years prior to when I retired as Integrated Services Bureau director on March 10, 2011.

It can easily be achieved again **without passage of LRB-5307/P2** which would eliminate approximately $\frac{3}{4}$ of the commercial building plans currently being reviewed.

Below, please find

- 1. The very negative effects of such a bill;**
- 2. How the 5-8 day next available appointment was achieved**
- 3. Possible alternatives to the proposed bill**
- 4. The root cause of the current situation**

- 1. Negative effects:** Very clearly the proposed bill will create many more costly non-value-added effects and workload than any problem it is intended to solve.
 - A 200,000 cubic foot building is large enough to contain **complex** designs for structural, fire protection, mixed use separations and differing occupancy code requirements, exiting issues, and other life safety issues which often involve construction trade-offs. Errors in these designs **are better corrected on paper than after- construction expensive demolition and rebuild.** The concept of an engineer or architect "registering in lieu of plan review" was tried for much smaller buildings, that did not require an engineer or architect stamp, for several years in the early 2000's and resulted in enough very difficult/ costly to correct code violations that the "registration" concept was removed from the code.
 - **Wisconsin laws do not have licensing by specific engineering type. Thus, a submitter of commercial building plans, instead of being a civil or structural engineer, could be a sanitary engineer, a landscape engineer, a nuclear engineer, an urban planning engineer**

etc, who have no experience or training in the commercial building code. Signing and sealing by an engineer or architect facilitates probable compliance but a pair of trained eyes that work extensively with the code everyday greatly enhances code compliance and life safety.

- From what I remember, data from 1995-2010 typically showed that there were **about 80 frequent plan submitters**(20-200+ plans/year) and **600-1000 submitters of 1-2 plans per year**. The larger firms with experienced designers typically submitted the plans for buildings that the proposed bill would require be reviewed, and the vast majority of plans proposed to be exempted from review were submitted by people not proficient in the code requirements, thus relying on the plan review process to catch any mistakes. I wonder how many of these engineers would even be able to submit plans in the future after a failure and, if so, how **high their liability/ errors and omission insurance** would be?
- **Danger—Beware of plan stampers** (designers who stamp other people's drawings without actually designing or doing a thorough review of the plans) The proposal to expand the threshold for plans not to be reviewed will really open up the market for this at great detriment to Wisconsin safety. I remember the **two most blatant plan stampers**—one who would stamp anything for \$100, without even a cursory overlook, submit it to the state to identify corrections needed---two, an engineer who would stamp blank sheets of paper so when he was on extended vacations, his staff could use the stamped sheets as copy machine paper to print plan index sheets on, thus creating signed and sealed title pages for plan submittal.
- The "good old fashion" extra safety features, formerly a feature of construction materials, are gone. To save money, material products are engineered right down to the required minimum safety factors, leaving no room for error in structural design.
- The proposed 200,000 cubic footage **would eliminate approximately ¾ of the buildings currently reviewed by the state** and under a uniform code, probably **more than ¾ of what the local delegated agents could review**. With reduced revenue, comes reduced staff. **The state inspectors are funded entirely by plan review fees**. Fewer state inspectors pushes the burden to local inspectors who will have to **drastically increase local permit fees** to be able to cover the workload ensuring that the citizens of Wisconsin have safe buildings that they have come to expect.
- Do legislators really want to put their **constituents more at risk** when they could just as **easily support the agency and give them time to recover** from the root cause of the issue. See below.
- **Without plan review, private litigation and municipal litigation** to achieve code compliance **will increase** considerably and **contract violation lawsuits will grow with leaps and bounds**.
- **Long range, on-going additional cost to building owners**. ISO insurance ratings are dependent of municipal and state plan review and inspection. Dropping plan review of

the buildings proposed in this bill will increase the insurance rate for all buildings in Wisconsin.

• **Questions on the devil in the detail part of the proposed bill:**

- a. If there is no plan review or at least a registration process, how will state inspectors know that there are projects for them to inspect in much of the state where there are no local permits and inspectors or will the rural area be deprived of the building safety afforded to larger municipalities?
- b. Who keeps the signed and sealed plans? And for how long?
- c. Does the state or local inspector have the authority to require a copy of the signed and sealed plans and by what mechanism?
- d. At the local permitting time, may the locality require a copy of the signed and sealed plans as part of the permitting process? If the local authority looks at the plans and asks for corrections at the time of permit issuing, is that an exempted/ prohibited "review", thus nothing can be required until after the building is constructed?
- e. If construction violations are found, may the state or local inspectors request a copy of the signed and sealed plans?
- f. At the plan review stage, the designer is responsible for correcting the plans. At the inspection stage, the owner is ultimately responsible for the code compliance. If plan review is dropped, is there any penalty for the violating designer, or is it all just through lawsuits? In the past with plan review there were very few PE license censures for repeated non-complying work because the plan review prevented any real harm from being done. **Under the proposed change there is a much greater chance for injuries and deaths due to a non-code complying constructed situation.**
- g. Tied to e. above, if an inspector finds a potential safety violation, they would **red-tag it, thus delaying opening of businesses or prohibiting occupancy of a constructed building until the violation is corrected. Anticipate more lost revenue and complaints without plan review and more litigation to recover that lost revenue.**
- h. Tied to g above, without plan review and related more non-code complying construction, will the **inspector and municipality be subject to more litigation if there are injuries or death?**
- i. Possible issue for the local permitting agencies. **Logic says that if a municipality issues a permit, the design is code complying.** But if the state legislature prohibits plan submittal/plan review via the uniform code, where does the litigation go? I've been on the Madison variance board for years and many times the first owner argument is to blame the already constructed violation on the plan reviewer or inspector for not stopping it sooner. By state law, variances can only be approved if equivalency to the intent of the code is proven.
- j. How will the requirement for the onsite visits by the supervising professional and submittal of compliance statements be handled/ coordinated if there is not plan review?

It is obvious that the proposed bill will create a more dangerous situation and actually increase the workload with a shift to more expensive after the fact corrections and litigation involving all parties.

2. How was the previous 5-8 day to next available appointment achieved?

This is mainly for the benefit of the current DSPS managers, but useful for all to see.

The secret was to automate, eliminate all non-value-added work, and involve all managers in constant oversight. Flow Chart Everything. The main ingredients were stability, strategic planning, and teamwork which included external teams.

Web-scheduling incorporated:

- a. **Customer entry** of all necessary data that plan entry could move to the database with few key strokes
- b. An **automatic fee calculator**—data showed considerable work in requesting additional fees or processing refunds because the submitter miscalculated the fees
- c. **Coordination of future submittals**—HVAC, trusses, etc—where the customer did not have to re-enter everything and submittals were linked to other submittals for that project.
- d. An **automatic estimated review time calculator**—developed by the reviewers based on data and known problem areas—that gave an excellent indication of plan review workload needed to manage

The Billing Option that greatly reduced workload for staff and submitters. Instead of the submitter sending in numerous checks for a project fee and the huge workload of plan entry processing fee receipts, tracking of checks send from outer offices, etc, the reviewers billed as needed throughout the reviews, Fiscal sent out monthly invoices, fees were sent directly to a bank lockbox and reports of deposit came back to Fiscal to reconcile. Under the billing process the designer was responsible for paying for the bill. If the designer was greater than 60 days in arrears, we would send out a warning letter that we would not be accepting any more plans from them until the invoice had been paid. We had very few, if any issues with this. From what I hear, the coordination with Fiscal was broken and a large collection problem exists. **See the root cause below and fix that and you'll be OK. If you drop billing you better plan for a really large increase in plan entry time and fiscal tracking issues.**

Double Fee Priority review was discontinued except in emergency cases approved by the supervisors. The double fee priority system basically pushes other plans back so that there is no certainty of the review date of all normally submitted plans. The extra money collected generally is not part of the budget so can not be spent on the program to increase staff etc so **has little real worth to the submitters or agency in the long term.**

Plan entry pre-review of plans was discontinued.

This was found to not only non-value-added, but increased confusion and workload. With today's complex code and numerous trade-off options, plan entry cannot be expected to be knowledgeable enough to do even a mediocre review. Data showed that plan entry pre-review more than often asked for additional information that wasn't actually needed, or not the complete information needed by reviewer determination so that the submitter became frustrated the requests and more time was spent explaining/ arguing. **Completely useless.**

Cross training of pertinent staff to address seasonal workload was done.

Management Oversight was probably the main overall factor: Integrated Services Section Chiefs and Bureau Director had a **set weekly 1 hour teleconference** which was frequently attended by the Division Administrator. All pertinent issues for all programs could be put on the agenda for discussions and recommendations, but the main topics typically were addressing the workload, staff allocation, overtime need versus budget, coordination for the implementation planning for code changes or process improvement, staff training, etc

Pre-planned Overtime was based on previous year's data and watching the trends closely. When I was there the workload was still seasonal. It was wise to over hire but keep some funds available for overtime and seasonal LTE's. This money was pre-planned AND pre-authorized so that once workload trigger points were hit, supervisors could initiate the overtime.

Few if any duplicate appointments requested

With the time to the next available review appointment within a week or two, there will be no need for submitters doing duplicate appointment requests. When we first started plan review by appointment we found some POWTS submitters requesting more appointments than they needed and then sold their appointments to other submitters. Similarly in commercial buildings, when the next available date was far out, submitters would make appointments for potential future projects just so they could "market" their clients and then cancel when the contract was not signed or project discontinued in the design stage. Once you get caught up to a reasonable time to next available appointment, this part of the problem goes away.

Improving the quality of the plan submittals, thus shortening review time and held plan/re-reviews. The bureau organized such things as:

- **frequent submitter meetings** (4 areas of the state, 2-3 times a year) to build open relationships, identify process and code issues causing problems, train in new processes and web-based features, clear up any misunderstandings etc
- **plan submittal improvement teams** (usually members from engineer/architect/contractor/inspector associations and state plan review and inspection staff) to create better understanding of issues and brainstorm ways to improve the process
- **an individualized yearly report to frequent submitters** indicating the top citations from their reviews. The plan review database captures each standard paragraph based on a code section/violation that reviewers use in writing the plan review letters. With this data the design can easily see what areas to focus on for a better chance of approval on the first submittal.

And of course, the obvious, adequate staffing. The staff level in 2010 was approximately what was needed. The plan review data base yields 2 decades of data on the number of plans submitted and how long it took to review them as well as the monthly or even weekly trends. Make use of it to determine the needed staff numbers and justification to obtain the best corresponding staff level to achieve an adequate plan entry and review staff level.

Possible Alternatives to Consider in Lieu of the Proposed Bill

- A. Temporarily just to get caught up, do only a half hour or so cursory review of the smaller, unoccupied or low occupancy buildings. Let the submitter know that only height, area, class of construction, and basic structural review occurred
- B. Pull in other available staff within the agency or maybe even outside the agency like the DOA state building approval staff, UW systems facilities staff, etc to help out. Maybe hire more LTE's from previous retired staff and municipal review/inspection staff or even contract/ partner with municipalities to have their current reviewers pick up a few state plans.
- C. A little bit longer range, create a "Plan reviewer" credential incorporating elements of the building inspector exam with more complex structural, HVAC, fire sprinkler questions. This credential could provide a pool of already knowledgeable seasonal interns, retired staff from engineering/ architectural firms, UW Extension building code teachers or municipalities or even private company employees able to contract with the state for overflow workload.
- D. Give submitters the option of submitting plans to the ICC plan review agency and then register those approvals with the state for appropriate inspection.

- E. I am sure there are many more potential options that would not be as drastic as the no review-uncoordinated inspection features of the proposed bill.

Address the Root Cause, Not the Symptoms of the Current Plan Review Backlog Problem

The cause is very obvious. Management consistency or lack thereof.

In 2010 I had been the career-exec, PE, the Integrated Services Bureau Director for 15 years serving under only 4 different Administrators and had management responsibility for all facets of all the processes for credentialing, plan review, inspection, product review, and agent training all under one bureau. (except for Fiscal)

As soon as I retired, the bureau director position was **converted to an appointed position**. In the past 10 years there has been **dozens of appointed bureau directors** and a **revolving door of administrators**.

Also, the functions that had previously been incorporated into one bureau were **spread across several different new bureaus/Divisions**. I would guess several reviewer and support staff positions were used to create and fund the new manager positions and other reviewer positions were later were left vacant until cut. **Too many high- level managers create obstruction as they vie for power and justification of their existence** and produce no workload products.

With so many changes in management and the dilution of the closely related process coordination, so many very important things fell by the wayside mainly because lack of awareness, understanding, and time that inexperienced new managers were allowed to remain in that position to really understand/ manage/coordinate the workload and implement anything positive.

Go back to career exec bureau directors to provide knowledge and stability to the processes and consolidate the related plan entry, plan review, and inspection process for all programs using similar processes.

Feel free to share as you wish.

I sincerely hope this helps the agency to address the problem and results in non-passage or, if passed, a governor veto of the proposed bill shown below.

Wisconsin has a long history of safe buildings and citizen user safety. Don't blow that, to address a problem that can easily be fixed by other means.

Sincerely Randall V. Baldwin

LRB-5307/P2, a preliminary bill draft

101.12 (2m) The department may not require the submission or examination of essential drawings, calculations, and specifications for a public building, public structure, or place of employment to which all of the following apply:

- (a) The public building, structure, or place of employment is a single-story building or structure containing less than 200,000 cubic feet of volume.
- (b) No portion of the public building, structure, or place of employment is classified by the department, under rules promulgated by the department, into any of the following occupancy groups:
 1. Assembly Group A.
 2. Educational Group E.
 3. High hazard Group H.
 4. Institutional Group I.
 5. Residential Group R.



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: Bob

Last Name: DuPont

Association/Organization: Alliance for Regulatory Coordination

Address Line 1: 418 Blue Moon Drive

Address Line 2:

City: Verona

State: WI

Zip: 53593

Phone Number: (608) 712-2398

Email: robertgdupont@gmail.com

Subject: Fees charged to second class cities and appointed agents under Sections SPS 302.31(1) (g) and (h).

Issue to Address: Repeal of SPS Table 302.31-3; and instead of graduated fees based on the size of individual projects, implement an annual flat fee to be charged to second class cities and appointed agents.

The primary goal of this proposal is to eliminate duplication of plan review services by DSPS and municipalities, thereby saving plan submittal customers both time and money.

This proposal would simplify the fee collection process for municipalities and the DSPS, as well as simplify the budgeting processes at the municipal level; including the process of obtaining authorization to collect revenue and the process of obtaining authorization for expenditures.

I would like to present this proposal during the next Commercial Building Code Council meeting.

Reduce Construction Costs and Delays with More Local Partners

Simplify participation fees charged to municipalities by the DSPS

March 3, 2020

The Alliance for Regulatory Coordination recommends code changes to encourage and facilitate more municipal plan review partners. ARC members believe that plan review services could be provided at lower cost, in less time, and with less duplication of effort, if more municipalities conducted state-level plan review.

ARC members see the current fee structure as a deterrent to municipal involvement in state-level plan review. As a result, the ARC recommends changes to Chapter SPS 305, Wisconsin Administrative Code.

We recommend repealing SPS Table 302.31-3, Wisconsin Administrative Code, which requires municipal participation fees be paid to the DSPS based on the size of every commercial building for which the municipality conducts a state-level plan review.

In its place, we recommend an annual flat fee be charged to appointed agents and 2nd class cities that conduct state-level plan review.

The current fee structure is complex and results in highly variable participation fees assessed on appointed agents and 2nd class cities. That complexity and variability causes more work at both the municipal and state level; involving financial record keeping, monitoring and audits.

Annual flat fees would eliminate bureaucratic red tape and costly record keeping at the local level. It is easier to obtain necessary revenue collection and expenditure authorizations from local elected officials when such authorizations are for known dollar amounts. And with an annual flat fee there would be no plan-specific fee calculation needed to identify what is owed to the DSPS.

Annual flat fees would also save the DSPS from having to engage in costly financial monitoring and auditing of variable local plan review activities, and the varying size of required municipal payments to the DSPS.

We believe this simplification of participation fees will result in an increase in the number of municipal plan review partners and a reduction in duplication of effort among state and local building code officials. Currently, that duplication of effort costs builders and project owners both time and money.

Having more local plan review partners will also reduce the DSPS plan review and inspection workload; thereby reducing delays to Wisconsin's building construction industries and helping to boost Wisconsin's overall economy.

The Alliance for Regulatory Coordination is a consortium of 21 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.

See next page for a list of ARC members.

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