



P.O. Box 8953, State Capitol  
Madison, Wisconsin 53708-8953  
(608) 267-7990 • Toll-Free (800) 362-9472

144 County Road C  
Oshkosh, Wisconsin 54904  
(414) 589-4262

# CAROL OWENS

WISCONSIN STATE REPRESENTATIVE

**TO:** Assembly Committee on Housing Members  
**FROM:** Representative Carol Owens, Chairperson  
**DATE:** September 11, 1997  
**RE:** **CLEARINGHOUSE RULE 97-080**

Today, the following rule was referred to the Assembly Committee on Housing:

**Clearinghouse Rule 97-080**, relating to piers for new manufactured homes.

Please contact my office (267-7990) if you would like a copy of this rule. The deadline for committee action on this rule is **October 10, 1997**. If you are interested in requesting a hearing or submitting comments on this rule, please do so prior to the deadline date.

## COPIES TO:

- 1) Vrakas on 9/11/97
- 2) Kedzie on 9/25/97



123 West Washington Avenue  
P.O. Box 7970  
Madison, Wisconsin 53707  
(608) 266-1018

Tommy G. Thompson, Governor  
William J. McCoshen, Secretary

August 29, 1997

Senate Chief Clerk  
Room 402  
1 East Main Street  
Madison, Wisconsin 53703

Assembly Chief Clerk  
Room 402  
1 East Main Street  
Madison, Wisconsin 53703

Dear Chief Clerks:

**TRANSMITTAL IN FINAL DRAFT FORM OF ADMINISTRATIVE  
RULES AND REPORT**

CLEARINGHOUSE RULE NO.: 97-080


RULE NO.: Chapter Comm 27

RELATING TO: Piers for New Manufactured Homes

Pursuant to section 227.19, Stats., agencies are required to submit, in triplicate, copies of the proposed administrative rules in final draft form together with a rule report and an analysis. The recommendations received from the Legislative Council are also to be submitted.

At this time, this material, together with cover letters to the President of the Senate and the Speaker of the Assembly, is being transmitted for referral to the standing committees for legislative review.

Respectfully submitted,

  
for William J. McCoshen  
Secretary

August 29, 1997

Senator Fred Risser  
President of the Senate  
119 Martin L. King Blvd, Rm 102  
Madison, Wisconsin 53702

Representative Ben Brancel  
Speaker of the Assembly  
211 West, State Capitol  
Madison, Wisconsin 53702

Dear Senator Risser and Representative Brancel:

### NOTICE OF ADMINISTRATIVE RULES IN FINAL DRAFT FORM

CLEARINGHOUSE RULE NO.: 97-080

RULE NO.: Chapter Comm 27

RELATING TO: Piers for New Manufactured Homes

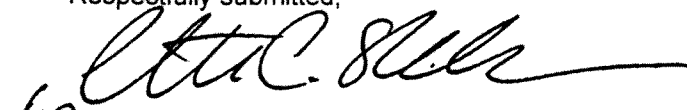
Section 227.19, Stats., requires agencies to submit proposed rules in final draft form to the presiding officer of each house for referral to the appropriate legislative standing committees.

The following information, as required by law, is being submitted to you.

1. Rules in final draft form (in triplicate).
2. Report consisting of:
  - a) Rule Report.
  - b) Public Hearing Attendance Record.
  - c) Public Hearing Comment and Agency Response Form.
  - d) Legislative Council Rules Clearinghouse Report.
  - e) Response to Legislative Council Rules Clearinghouse Report.
  - f) Fiscal Estimate.
  - g) Final Regulatory Flexibility Analysis.

If you have any questions regarding this matter, please do not hesitate to contact us.

Respectfully submitted,

  
for William J. McCoshen  
Secretary

**PUBLIC HEARING COMMENT AND AGENCY RESPONSE  
DEPARTMENT OF COMMERCE**

**DIVISION OF SAFETY AND BUILDINGS**

Hearing Location: Madison

Hearing Date: July 7, 1997

Rule Number: Chapter Comm 27  
Relating To: Piers for Manufactured Homes

Commenting		Exh. No.	Presenter, Group Represented, City, State	Comments/Recommendations	Agency Response
In Sup.	For Opp. Info.				
X		1	Ross Kinzler Wisconsin Manufactured Housing Association Madison, WI	<p>1. Comm 27.18 (1) Delete the second sentence; it was intended to give notice that while the state code is a health and safety measure, there are still obligations for the installer to follow manufacturer's instructions. However, this sentence is confusing. Without manufacturer's booklet for each installation, inspectors would have a difficult time inspecting. The rules should establish a minimum level that is inspectable.</p> <p>2. Comm 27.18 (5)(a) Modify the end of the sentence to be more specific in what is meant; that is, that spacing may be different than 7 feet because it is a function of footing size and soil conditions. Delete the end phrase and add "The 7-foot spacing requirement may be varied as permitted by footing, spacing and soil capacity tables provided by the home manufacturer."</p> <p>3. Comm 27.18 (5)(b) Modify to clarify that it is intended to cover clear-span openings "of 4 feet or more," and not openings such as closet doors.</p> <p>4. Comm 27.18 (6) Modify the second sentence to read "...same width and length as the top of the pier." Also, clarify that a 2 piece cap is permitted as long as the aggregate length and width is the same as the top of the pier. This is important for double stacked piers.</p> <p>5. Comm 27.18 (6) The shims should be hardwood.</p> <p>6. The rule should not be implemented until a dip in the construction season, such as midwinter.</p>	<p>1. Agree.</p> <p>2. Agree.</p> <p>3. Agree.</p> <p>4. Agree; the second sentence has been modified and a rule has been added regarding a 2 piece cap.</p> <p>5. See comments and response for Exhibit No. 2. 6. Agree; the rule is projected to take effect in January or February.</p>

**PUBLIC HEARING COMMENT AND AGENCY RESPONSE  
DEPARTMENT OF COMMERCE  
DIVISION OF SAFETY AND BUILDINGS**

Rule Number: Chapter Comm 27  
Relating To: Piers for Manufactured Homes

Hearing Location: Wausau  
Hearing Date: July 8, 1997

Commenting		Exh. No.	Presenter, Group Represented, City, State	Comments/Recommendations	Agency Response
In Sup.	For Info.				
X			Bruce McMiller City of Wisc. Rapids Wisconsin Rapids, WI	The rules are a good idea. The department should look into mandatory requirements for tiedowns. Most insurance companies require tiedowns.	Comment noted. The advisory committee discussed tiedowns and recommended not including tiedown requirements.
X			Charles Giesler City of Wisc. Rapids Wisconsin Rapids, WI	Mobil home parks should have adequate storm shelters for people to go into.	Comment noted. Storm shelters are not within the scope of the statutory authority for the rules.
X			James Garski Quality Mobile Home Sales Schofield, WI	1. Comm 27.18 (1) Delete second sentence; it is not needed. These rules should set the minimum standards. 2. Comm 27.18 (5)(a) Delete "or as specified by the home manufacturer."	1. Agree. 2. Agree.
X			Gerald R. Meuret Housing Mart of Wausau Schofield, WI	1. In favor, except for same comments as Mr. Garski. 2. Not in favor of tiedowns and storm shelters; is unenforceable under practical and economic terms.	Comments noted.
X			Gerald "Mike" Zenner Wick Building Systems Mosinee, WI	1. Comm 27.18 (2)(b) Concerned with use of pocket penetrometer in winter months when soil is frozen. Frozen soil set conditions need to be investigated. 2. Comm 27.18 (6) No. 2 grade is visual and doesn't define any species; No. 2 grade can be soft or hard. Rule should use hardwood; hardwoods are defined as leaf-bearing trees, they are not cone-bearing conifers. Hardwoods are readily available in the state. At a minimum, rule should require all woods on an installation to be the same, with no mixing of woods.	1. Agree. Rule allows other means of soil analysis to determine bearing capacity. 2. Agree. See comments and response for Exhibit No. 2. Also, a rule has been added to require all caps and all shims to be the same species of wood.

**PUBLIC HEARING COMMENT AND AGENCY RESPONSE  
DEPARTMENT OF COMMERCE**

**DIVISION OF SAFETY AND BUILDINGS**

Rule Number: Chapter Comm 27  
 Relating To: Piers for Manufactured Homes

Hearing Location: Mailed in  
 Hearing Date: July 1997

Commenting		Exh. No.	Presenter, Group Represented, City, State	Comments/Recommendations	Agency Response
In Sup.	For Opp. Info.				
X		2	Leroy Stubiaski One- and 2-Family Dwelling Program Safety and Buildings Division Madison, WI	Comm 27.18 (6) The code should be more specific than specifying No. 2 grade or better. The type of wood, such as Douglas fir or spruce-pine fir, and a minimum fiber bending stress should be specified. Spruce-pine-fir is a common framing material with a minimum fiber bending stress rating of 1200 psi. The rule should be changed to read "Pier caps and shims shall be equal to No. 2 spruce-pine-fir having a minimum fiber bending stress rating of 1200 psi."	Agree in part. The recommended wording has been added and revised to read "...shall be at least equal to No. 2..."

RA:h:\heargcom\com27.doc

# RULE REPORT

## Department of Commerce

Rule No.: Chapter Comm 27

Relating to: Piers for New Manufactured Homes

*Agency contact person for substantive questions:*

Name Ronald Acker

Title Code Consultant

Telephone Number 608/267-7907

*Agency contact person for internal processing:*

Name Ronald Acker

Title Code Consultant

Telephone Number 608/267-7907

1. Agency statutory authority under which the agency intends to promulgate the rule(s).

Section 101.92 (1m), Stats., as created by 1995 Wisconsin Act 362

2. Citation of federal regulations which require adoption or which are relevant to the proposed rule(s).

The design and construction of manufactured homes is regulated by the federal Department of Housing and Urban Development under Title 24 CFR Parts 3280 to 3283.

3. Citation of court decisions which are applicable to the proposed rule(s).

None known.

# RESPONSE TO LEGISLATIVE COUNCIL CLEARINGHOUSE REPORT

## Department of Commerce

CLEARINGHOUSE RULE NO.: 97-080

RULE NO.: Chapter Comm 27

RELATING TO: Piers for New Manufactured Homes

Agency contact person for substantive questions.

Name: Ronald Acker

Title: Code Consultant

Telephone No. 267-7907

Legislative Council report recommendations accepted in whole.

Yes

No

1. Review of statutory authority (s.227.15(2)(a))

- a.  Accepted
- b.  Accepted in part
- c.  Rejected
- d.  Comments attached

2. Review of rules for form, style and placement in administrative code (s.227.15(2)(c))

- a.  Accepted
- b.  Accepted in part
- c.  Rejected
- d.  Comments attached

*(Continued on reverse side)*



# FINAL REGULATORY FLEXIBILITY ANALYSIS

## Department of Commerce

CLEARINGHOUSE RULE NO.: 97-080

RULE NO.: Chapter Comm 27

RELATING TO: Piers for New Manufactured Homes

Final regulatory flexibility analysis not required. (Statement of determination required.)

Section 101.92 (1m), Stats., as created by 1995 Wisconsin Act 362, directs the Department to promulgate rules prescribing minimum installation standards for pier installation of new manufactured homes. The proposed rules of Clearinghouse Rule No. 97-080 are minimum requirements to meet the directive of the Statutes, and any exceptions from compliance for small businesses would be contrary to the Statutory objectives which are the basis for the rules.

1. Reason for including or failing to include the following methods for reducing impact of the rule on small businesses: Less stringent compliance or reporting requirements; less stringent schedules or deadlines for compliance or reporting requirements; simplification of compliance or reporting requirements; establishment of performance standards to replace design or operational standards; exemption from any or all requirements.
2. Issues raised by small businesses during hearings, changes in proposed rules as a result of comments by small businesses and reasons for rejecting any alternatives suggested by small businesses.
3. Nature and estimated cost of preparation of any reports by small businesses.
4. Nature and estimated cost of other measures and investments required of small businesses.
5. Additional cost to agency of administering or enforcing a rule which includes any of the methods in 1. for reducing impact on small businesses.
6. Impact on public health, safety and welfare caused by including any of the methods in 1. for reducing impact on small businesses.

DEPARTMENT OF COMMERCE  
PUBLIC HEARING ATTENDANCE RECORD

RULE NO: Chapter Comm 27      DATE: Monday, July 7, 1997  
 RELATING TO: Piers for new manufactured homes      TIME: 1:00 p.m.  
 LOCATION: Room 103, GEF-1      CITY: Madison

Name	Representation (Business, Assoc., Group, Self, etc.)	City and State	Appearing in Support	Appearing in Opposition	Appearing for Information
<u>Cheryl Gawn</u>	<u>WI Dept. of Commerce</u>	<u>Madison</u>			<input checked="" type="checkbox"/>
<u>Denise Hilgenberf</u>	<u>Affordable Homes of Tomah</u>	<u>Tomah, WI</u>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
<u>Scott Hilgenberf</u>	<u>Camp Douglas Concrete</u>	<u>Camp Douglas, WI.</u>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
<u>Davis Feiwam</u>	<u>CAF Services Inc</u>	<u>Stevens Point</u>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>
<u>Ross Kuzler</u>	<u>WI Man. Housing Ass'n</u>	<u>MADISON</u>	<input checked="" type="checkbox"/>		

DEPARTMENT OF COMMERCE  
PUBLIC HEARING ATTENDANCE RECORD

RULE NO.: Chapter Comm 27  
 RELATING TO: Piers for new manufactured homes  
 LOCATION: Room E101, Northcentral Tech. College  
 DATE: Tuesday, July 8, 1997  
 TIME: 11:00 a.m.  
 CITY: Wausau

Name	Representation (Business, Assoc., Group, Self, etc.)	City and State	Appearing in Support	Appearing in Opposition	Appearing for Information
Bruce Mc Miller	City of W.I. Rapids	WI Rapids WI	X		
CHARLES GIESLER	" " "	" " "	X		
Ardal Mammal	Housing Mart	Wausau Wis	X		
JAMES GABSKI	QUALITY M.H. SALES	SCHAFFIELD WI	X		
MIKE ZENNER	WICK BUILDING SYSTEMS	MARSHFIELD, WI	X		

FISCAL ESTIMATE  
DOA-2048 (R02/97)

ORIGINAL  
 CORRECTED

UPDATED  
 SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.  
Ch. Comm 27  
Amendment No. if Applicable

Subject  
Piers for New Manufactured Homes

Fiscal Effect

State:  No State Fiscal Effect

Check columns below only if bill makes a direct appropriation or affects a sum sufficient appropriation

Increase Existing Appropriation  
 Decrease Existing Appropriation  
 Create New Appropriation  
 Increase Existing Revenues  
 Decrease Existing Revenues

Increase Costs - May be Possible to Absorb Within Agency's Budget  Yes  No  
 Decrease Costs

Local:  No local government costs

1.  Increase Costs  
 Permissive  Mandatory  
2.  Decrease Costs  
 Permissive  Mandatory

3.  Increase Revenues  
 Permissive  Mandatory  
4.  Decrease Revenues  
 Permissive  Mandatory

5. Types of Local Governmental Units Affected:  
 Towns  Villages  Cities  
 Counties  Others \_\_\_\_\_  
 School Districts  WTCS Districts

Fund Sources Affected

GPR  FED  PRO  PRS  SEG  SEG-S

Affected Ch. 20 Appropriations  
None

Assumptions Used in Arriving at Fiscal Estimate

The Safety and Buildings Division is responsible for administering and enforcing chapter Comm 27. The proposed rules do not contain any changes in the Division's fees charged for administering and enforcing chapter Comm 27. Any additional workload costs created by the new pier installation rules will be offset by the respective fees. Therefore, the proposed rules will not have any fiscal effect on the Division.

Local municipalities may voluntarily enforce chapter Comm 27, and they have the authority to offset any costs by charging appropriate fees.

Long-Range Fiscal Implications  
None known

Agency/Prepared by: (Name & Phone No.)  
Comm/Ronald Acker 267-7907

Authorized Signature/Telephone No.

*Thomas H. Taylor*  
*Deputy Secretary*

Date

*5/19/97*

**FISCAL ESTIMATE WORKSHEET**  
Detailed Estimate of Annual Fiscal Effect  
DOA-2047(R02/97)

ORIGINAL  
 CORRECTED

UPDATED  
 SUPPLEMENTAL

LRB or Bill No./Adm. Rule No.  
Ch. Comm 27

Amendment No.

**Subject**  
Piers for New Manufactured Homes

**I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):**  
None known

II. Annualized Costs:	Annualized Fiscal impact on State funds from:	
	Increased Costs	Decreased Costs
<b>A. State Costs By Category</b>	\$	\$ -
State Operations - Salaries and Fringes		
(FTE Position Changes)	( 0 FTE)	( - 0 FTE)
State Operations - Other Costs		-
Local Assistance		-
Aids to Individuals or Organizations		-
<b>TOTAL State Costs By Category</b>	\$ 0	\$ - 0
<b>B. State Costs By Source of Funds</b>	\$	\$ -
GPR		-
FED		-
PRO/PRS	0	- 0
SEG/SEG-S		-
<b>III. State Revenues- Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, etc.)</b>	\$	\$ -
GPR Taxes		-
GPR Earned		-
FED		-
PRO/PRS		-
SEG/SEG-S		-
<b>TOTAL State Revenues</b>	\$ 0	\$ - 0

**NET ANNUALIZED FISCAL IMPACT**

	STATE	LOCAL
NET CHANGE IN COSTS	\$ 0	\$ 0
NET CHANGE IN REVENUES	\$ 0	\$ 0

Agency/Prepared by: (Name & Phone No.)  
Comm/Ronald Acker 267-7907

Authorized Signature/Telephone No.

*Thomas H. Taylor*  
Deputy Secretary

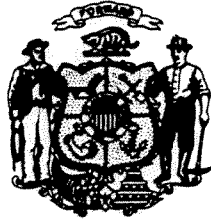
Date

5/19/97

***RULES CLEARINGHOUSE***

**Ronald Sklansky**  
Director  
(608) 266-1946

**Richard Sweet**  
Assistant Director  
(608) 266-2982



**David J. Stute, Director**  
Legislative Council Staff  
(608) 266-1304

One E. Main St., Ste. 401  
P.O. Box 2536  
Madison, WI 53701-2536  
FAX: (608) 266-3830

---

**CLEARINGHOUSE REPORT TO AGENCY**

---

[THIS REPORT HAS BEEN PREPARED PURSUANT TO S. 227.15, STATS. THIS IS A REPORT ON A RULE AS ORIGINALLY PROPOSED BY THE AGENCY; THE REPORT MAY NOT REFLECT THE FINAL CONTENT OF THE RULE IN FINAL DRAFT FORM AS IT WILL BE SUBMITTED TO THE LEGISLATURE. THIS REPORT CONSTITUTES A REVIEW OF, BUT NOT APPROVAL OR DISAPPROVAL OF, THE SUBSTANTIVE CONTENT AND TECHNICAL ACCURACY OF THE RULE.]

**CLEARINGHOUSE RULE 97-080**

AN ORDER to amend Comm 27.001, 27.002 and 27.10 (2); and to create Comm 27.10 (2h) and (7) and 27.18, relating to piers for new manufactured homes.

Submitted by **DEPARTMENT OF COMMERCE**

05-23-97 RECEIVED BY LEGISLATIVE COUNCIL.

06-20-97 REPORT SENT TO AGENCY.

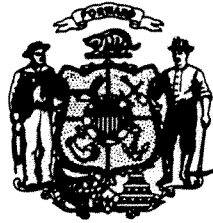
RNS:DLL:kjfjt

# WISCONSIN LEGISLATIVE COUNCIL STAFF

## RULES CLEARINGHOUSE

Ronald Sklansky  
Director  
(608) 266-1946

Richard Sweet  
Assistant Director  
(608) 266-2982



David J. Stute, Director  
Legislative Council Staff  
(608) 266-1304

One E. Main St., Ste. 401  
P.O. Box 2536  
Madison, WI 53701-2536  
FAX: (608) 266-3830

## CLEARINGHOUSE RULE 97-080

### Comments

**[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]**

#### 2. Form, Style and Placement in Administrative Code

a. The treatment of s. Comm 27.002 should be accomplished in three separate SECTIONS. The first would amend s. Comm 27.002 (1). (Note that this SECTION should replace the semicolon with a period, and should not insert the word "and.") The second SECTION would repeal s. Comm 27.002 (2). The third SECTION would renumber s. Comm 27.002 (3) to be s. Comm 27.002 (2). (Note that this renumbering is not necessary.) In addition, the department may wish to amend s. Comm 27.002 (intro.) to insert "all of the following" before the colon.

b. Section Comm 27.18 (3) (b) and (c) should be combined into a single paragraph with four subdivisions. The introduction should read: "Each footing shall consist of one of the following:". The first subdivision would describe the option presented in current par. (b); the second subdivision would describe the acrylonitrile-butadiene-styrene pad option; the third subdivision would describe the bored hole option; the fourth subdivision would read: "Any other materials and systems approved in advance by the department."

c. The provision in s. Comm 27.18 (8), allowing alternative materials approved by the department to be used for piers, should be placed in s. Comm 27.18 (4), creating the general pier construction standards. Subsection (4) could then be structured either as sub. (3) is currently structured or as the preceding comment suggested that sub. (3) be restructured.

#### 5. Clarity, Grammar, Punctuation and Use of Plain Language

a. In s. Comm 27.18 (2) (a), the first sentence prohibits placing footings on any of four types of material. The second sentence requires removal of one of those four types of materials

before placing a footing. Should this second sentence also require the removal of the other materials listed in the first sentence? Also, "topsoil" should replace "top soil."

b. The significance of the second sentence of s. Comm 27.18 (2) (b) is unclear. Is one not always required to follow the manufacturer's instructions? This appears to be attempting to create an implied prohibition on placing piers in locations with a soil-bearing capacity of less than 2,000 pounds per square foot, unless manufacturer's instructions are followed. Whatever the intent, the language should be clarified.

c. The second sentence of s. Comm 27.18 (3) (b) should begin with the phrase, "If a single block pier and two footing blocks are used, . . . ." The following sentence should be modified similarly.





State of Wisconsin \ Department of Commerce

# **RULES in FINAL DRAFT FORM**

**Rule No.:** Chapter Comm 27

**Relating to:** Piers for New Manufactured Homes

**Clearinghouse Rule No.:** 97-080

The Wisconsin Department of Commerce proposes an order to amend ss. Comm 27.001, Comm 27.002 and Comm 27.10 (2); and to create ss. Comm 27.10 (2h) and (7), and Comm 27.18, relating to piers for new manufactured homes.

\*\*\*\*\*

Analysis of Proposed Rules

Statutory Authority: Section 101.92 (1m), Stats., as created by 1995 Wisconsin Act 362  
Statutes Interpreted: Section 101.92 (1m), Stats., as created by 1995 Wisconsin Act 362

The Division of Safety and Buildings within the Department of Commerce is responsible for administering rules for the safe and sanitary design and construction of manufactured homes. Chapter Comm 27 contains safety and health standards for manufactured homes that are constructed, distributed, sold or offered for sale in the state of Wisconsin.

The proposed rules consist of revisions to chapter Comm 27 relating to the installation of piers for new manufactured homes. The proposed rules include requirements for site preparation, footings, pier construction, pier location, pier caps and shims, and clearances. The proposed rules require footings under every pier and the removal of all top soil from the area beneath any footing. The piers may be constructed of concrete blocks, manufactured steel stands or manufactured concrete stands. The piers must be placed at specified intervals under the main frame of the home, no more than 3 feet from the end of the home, and under center mating walls. The proposed rules also include minimum clearance requirements beneath the main frame.

The proposed rules are consistent with the pier installation standards established by the American National Standards Institute in standard A225.1. Also, the proposed rules have been developed with the assistance of the following 11-member advisory committee.

<u>Name</u>	<u>Representing</u>
Clifford Bader, Jr.	Pier Installers
William M. Baudhuin	Public Interest
Dale Dolata	Pier Installers
David R. Friday	Public Interest
James E. Garski	Manufactured Home Industry
Terry Halverson	Department of Commerce
Dave Perret	Park Licensees
Scott E. Slattery	Manufactured Home Industry
Char Thompson	Public Interest
Nader Tomasbi	Manufacturers
Gerald "Mike" Zenner	Manufacturers

Because the rules for licensing of manufactured home manufacturers were previously moved to chapter Comm 5, the proposed rules also include the removal of the references to licensing in the Purpose and Scope of chapter Comm 27.

\*\*\*\*\*

SECTION 1. Comm 27.001 is amended to read:

Comm 27.001 PURPOSE. The purpose of this chapter is to promote the health, safety and welfare of the public by the adoption of uniform construction standards, inspection procedures, ~~licensing of manufacturers~~ and warranty requirements for manufactured homes.

Note: Manufactured homes and manufactured dwellings are different types of buildings. Manufactured dwellings are not built on a permanent chassis and are not covered under this chapter. Manufactured dwellings are defined in and subject to the provisions of the uniform dwelling code, chs. ILHR 20 to 25.

Note: See ch. Comm 5 for licensing of manufactured home manufacturers.

SECTION 2. Comm 27.002 is amended to read:

Comm 27.002 SCOPE. This chapter applies to all of the following:

- (1) Manufactured homes that are constructed, distributed, sold or offered for sale in the state of Wisconsin, including materials, methods and equipment used in the construction thereof; .
- ~~(2) Licensing of manufactured home manufacturers; and~~
- ~~(3)~~ (2) Warranty of manufactured homes.

SECTION 3. Comm 27.10 (2) is amended to read:

Comm 27.10 (2) "Department" means the department of ~~industry, labor and human relations~~ commerce.

SECTION 4. Comm 27.10 (2h) and (7) are created to read:

Comm 27.10 (2h) "Footing" means that part of the support system that sits directly on the ground at, below or partly below grade to support the piers.

(7) "Pier" means that portion of the support system between the footing and the manufactured home, exclusive of caps and shims.

SECTION 5. Comm 27.18 is created to read:

Comm 27.18 PIER INSTALLATION. (1) GENERAL. Pier installation of new manufactured homes shall conform to the minimum requirements of this section.

(2) SITE PREPARATION. (a) No footing may be placed upon unprepared fill material, topsoil, alluvial soil or mud. All organic matter shall be removed from the area that will be beneath any footing.

(b) The soil bearing capacity shall be determined through test by a pocket penetrometer or other means of analysis. If the soil bearing capacity under each intended pier location is less than 2000 pounds per square foot, piers shall be located in accordance with the manufacturer's instructions.

(c) The home site shall be graded to permit water to drain from under the home and away from the home for a minimum of 5 feet from the home.

(3) FOOTINGS. (a) Every pier shall be supported by a footing. Each footing shall be no less than a nominal 16 inches by 16 inches.

(b) Each footing shall consist of one of the following:

1. One nominal 4-inch by 16-inch by 16-inch solid concrete block or 2 nominal 4-inch by 8-inch by 16-inch solid concrete blocks. If a single block pier and 2 footing blocks are used, the 2 footing blocks shall be positioned with the joint parallel to the main frame. If a double block pier and 2 footing blocks are used, the 2 footing blocks shall be positioned with the joint either parallel or perpendicular to the main frame.

2. A 16-inch by 16-inch pad constructed of acrylonitrile-butadiene-styrene (ABS) having a rated load bearing capacity of not less than 6000 pounds.

3. An 18-inch diameter hole bored to below the frost line or to unfractured bedrock and filled with poured concrete.

4. Any other materials and systems approved in advance by the department.

(4) PIER CONSTRUCTION. (a) Piers shall be constructed of concrete blocks, manufactured steel stands or manufactured concrete stands. Manufactured stands shall be labeled for use as piers for manufactured homes.

(b) Piers constructed of single stacked concrete blocks shall be limited to a height of 36 inches. Piers constructed of concrete blocks and exceeding 36 inches but less than 80 inches shall be constructed using double stacked blocks with each layer opposing the direction of the layer underneath it. Piers constructed of concrete blocks and exceeding 80 inches shall be constructed using double blocks laid in concrete mortar with each layer opposing the direction of the layer underneath it and with each core filled with concrete and a 1/2-inch steel reinforcing rod.

(c) All concrete blocks shall be 2-core design, construction grade blocks having nominal dimensions of at least 8 inches by 8 inches by 16 inches. All concrete blocks shall be placed with the cores open vertically. The concrete block nearest the main frame of the manufactured home shall be perpendicular to the linear direction of the frame. No concrete block may contact the main frame of the home.

(d) Alternative materials may be used for pier installations provided they are approved in advance by the department.

(5) PIER LOCATION. (a) Piers shall be placed under the main frame of the chassis at intervals of not more than 7 feet on-center and no more than 3 feet from the exterior side of each end wall. The 7-foot spacing requirement may be varied as permitted by footing, spacing and soil capacity tables provided by the home manufacturer.

(b) Piers shall be placed under the bearing points of clear-span openings of 4 feet or more in center mating walls.

(c) Piers shall be plumb and centered under the contact area at the point of support.

(6) PIER CAPS AND SHIMS. (a) Each pier shall be capped with a solid concrete block or a solid wood block, having a nominal thickness of at least 2 inches. The cap shall be the same width and length as the top of the pier. The cap shall consist of no more than 2 pieces. Two-piece caps shall be positioned with the joint perpendicular to the main frame.

(b) Where shims are utilized, wood shims shall be installed between the pier cap and the frame. Shims shall be driven from opposing sides and shall be no less than 4 inches by 8 inches.

(c) Wood caps and shims shall be at least equal to No. 2 spruce-pine-fir having a minimum fiber bending stress rating of 1200 psi. All wood caps shall be the same species of wood, and all shims shall be the same species of wood.

(d) The combination of a nominal 2-inch solid concrete block or a nominal 2-inch wood cap plus shims shall not exceed 3-1/2 inches.

(7) CLEARANCES. A minimum clearance of 12 inches shall be maintained beneath the lowest point of the main frame in the area of any utility connection. A minimum clearance of 12 inches shall also be maintained under the home for at least 75% of the home. The remainder of the home may be less than 12 inches above the ground but may not touch the ground.

(END)

\*\*\*\*\*

EFFECTIVE DATE

Pursuant to s. 227.22 (2)(intro.), Stats., these rules shall take effect on the first day of the month following publication in the Wisconsin Administrative Register.

\*\*\*\*\*