

**DEPARTMENT OF COMMERCE
SUMMARY OF PUBLIC HEARING COMMENTS AND AGENCY RESPONSE**

Clearinghouse Rule Number: 00-179		Hearing Location: Mailed in	
Rule Number: Comm 4, 14, 15, 16, 46, 50 to 64, 65, 66, 69, and 73			
Relating to: Construction and Fire Prevention for Public Buildings and Places of Employment			
Comments: Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
52	Louis Willie Mark Young Daniel Curran Maurice Sharrow City of Superior, Building Inspection Division Superior, Wisconsin	purchased. Supports the proposal to adopt the ICC codes as a base for Wisconsin's commercial building and fire codes. Using a single suite of codes together eliminates incomplete regulation resulting in inadequate safety. Consistency also reduces delays and speeds up the building permit approval process. All of these factors lead to decreased costs for Wisconsin's citizens.	Support is noted.
53	Daniel Hawkin City of Superior, Building Inspection Division Superior, Wisconsin	The need to adopt a uniform model code cannot be emphasized enough. Efforts to teach the "Wisconsin Codes" to builders and contractors from Minnesota, and Wisconsin builders attempting to compete for Minnesota construction dollars, are indomitable tasks. The ICC family code package seems ideal. Minimum modifications of the ICC codes may be justified, but the concept is sound.	Support is noted.
54	John Andrews Village of West Milwaukee West Milwaukee, Wisconsin	Supports the proposal to adopt the ICC code as a base for Wisconsin's commercial building and fire codes. Consistent building codes will benefit all of us and provide a uniform understanding of health and safety regulations.	Support is noted.
55	John S. Pinto Madison, Wisconsin	Adopt the IBC Codes as the Department is considering.	Support is noted.
56	Teresa Black Northwest Chapter Wisconsin Building Inspectors Association	States the Department has proposed adoption of the ICC codes after an in-depth comparison of the ICC codes and the current Wisconsin code over the past three years. By unanimous consensus, the members of the Northwest Chapter of the Building Inspectors Association of Wisconsin voted for adoption of the ICC code suite. The Association endorses immediate adoption without delay.	Support is noted.
57	Ross Menard Menard Brokerage and Development	Concerned with the NFPA concept of retroactively applying codes to existing buildings. Would be wiped out if he had to retrofit all of his buildings, not to mention the interruption to his tenants' businesses. Has no	See response to Exhibit 1 for an explanation that the NFPA design and construction requirements are not included in the proposed rules.

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58	Madison, Wisconsin Michael L. Green Bruce Rosenau R.G. "Cecil" Segelken William Nemitz Chuck Marohl Dick Rodell Inspection and Zoning Services Eau Claire, Wisconsin	problem with tougher codes, but is vehemently against any retroactive aspects of code changes. Supports the proposal to adopt the ICC codes as a base for Wisconsin's commercial building and fire codes. Using a single suite of codes together eliminates incomplete regulation resulting in inadequate safety. Consistency also reduces delays and speeds up the building permit approval process, which also results in decreased costs for our citizens. Bringing Wisconsin's building regulations in line with those used throughout the country can only benefit the building professionals and code-regulation authorities in Wisconsin.	Support is noted.
59	Michael L. Green Bruce Rosenau R.G. "Cecil" Segelken Inspection and Zoning Services Eau Claire, Wisconsin	The proposed rules look very good, except for Comm 62.1805 - Alternate setback and clearance. The IBC code should be left as it exists in section 1805.3.5. The building official should not be given the responsibility of allowing alternate setbacks and clearances and not be able to require an investigation and recommendation of a registered design professional.	Disagree that the modification requires the building official to allow alternative setbacks without all the necessary information nor that it will not permit them to call for an investigation and recommendation by a registered professional.
60	Richard H. Walter, Wisconsin Concrete Masonry Association	States while he generally favors adoption of a model code, adoption of the IBC before problems are ironed out is a mistake. Indicates he is involved with a broad-based national organization for masonry, the Masonry Alliance for Codes and Standards (MACS). MACS is concerned with the reduction of fire safety requirements in the IBC and the increased costs of buildings designed under the IBC structural requirements. MACS is funding a study to perform trial structural designs to determine the cost impact of adopting the IBC. Early adoption by Wisconsin would mean the cost-impact study would be meaningless. Assumes his comments will not be persuasive in stopping the early adoption, so provides notes on specific areas where problems exist.	The department will evaluate and study the development with national model code staff.
		Objects to modifications to Table 62.1610. Objects to changing soil under active conditions from 45 pcf to 60 pcf. States if the column on the at-rest condition is added, then Tables in 1805.5 on concrete and masonry	Agree in part. The Wisconsin amendment to the Table will be removed (i.e., the IBC value of 45 pcf will be left unchanged). IBC Table 1610.1 already has footnotes c.

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		<p>foundations have to be changed to reflect the at-rest condition. States this change will create havoc and result in higher, unwarranted construction costs. Submits the following lateral soil load problem to explain the objection.</p> <p style="text-align: center;">Lateral Soil Problem</p> <p>Assumes published average values for compacted soils of the Unified Soil Groups. For Group SM (from Naval Facilities Engineering Command) backfill, a moist unit weight of $\gamma = 122$ pcf and a $\phi = 30^\circ$ was selected. Assumes active earth pressure, K_a, will be developed, not the at-rest pressure K_0. The reasoning for this assumption is that K_0 pressures will be developed for absolute rigid walls only. Even the slightest movement, on the order of 0.1% as indicated by Terzaghi, will allow the development of K_a pressures, or for a 9-foot wall, a movement of under an inch at the top. It is assumed that the typical connection in construction of the first floor diaphragm will allow such movement, and the foundation walls, although constructed of concrete or masonry, will rotate slightly about the base. Therefore, the K_a as defined by Rankine will be used:</p> <p style="text-align: center;">$K_a = \tan^2(45^\circ - \phi/2)$</p> <p>Or for $\phi=30^\circ$, $K_a = 0.33$.</p> <p>Thus, with an equivalent fluid weight (EFW) = $K_a \gamma = 40.3$ pcf, or if 42 pcf is selected, or, to ease the selection of the wall sections, EFW = 45 p/sf per vertical foot or pcf is used. With an assumed slight rotation to the top for the active earth pressure development, the EFW envelope to represent the actual irregularly shaped pressure diagram of the lateral earth pressure shall be TRIANGULAR.</p>	<p>and d. that specify an increase in design lateral soil load for relatively rigid walls. The added column just reflects, in a numerical fashion, those increased loads. As the loads were already specified in the Table's footnotes and not reflected in subsequent Table 1805.5, it is also the Department's position that the at-rest condition not be reflected in Table 1805.5.</p> <p>It is understood that the application of the active condition column will apply in most cases, as is the case in the example problem. The Department feels it is important that, for those cases where the at-rest condition applies, clear values be provided.</p>
		<p>Agrees that the majority of IBC chapter 17 should not be adopted.</p>	Noted.

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		Indicates walls of solid units cannot be grouted, and Table 62.2109-1, under 'Type of Masonry should read "Single wythe walls of solid units or grouted walls of hollow units."	Disagree. Table 62.2109-1 was originally taken from the Canadian Building Code, approved for the August, 1985 WI Code issue, and was reprinted verbatim. The intent of the "Openings" Table is to allow slightly higher values for single wythe walls of solid units or grouted walls of solid units (collar joints grouted in multi wythe walls). <u>All other masonry</u> , the category that single-wythe grouted hollow units fall under, requires use of slightly lower values relative to lateral support.
		States to keep designers from thinking the joint spacing in Table 62.2109-2 is a desired spacing, and to include expansion joints for clay masonry, change Comm 62.2109 (3) (b) to state "Vertical control or expansion joints shall be provided in masonry walls at the spacings listed in Table 62.2109-2 or at <u>closer intervals</u> ." Indicates that the spacings are maximum spacings and will not prevent minor cracking.	Agree in part. The term control joints will be replaced with the industry recognized term movement joints, in lieu of the suggested control and expansion joints. The language under Comm 62.2109 (3) (b) does not have to be expanded to say <u>or at closer intervals</u> as the Table is already clearly labeled "maximum spacing." The existing footnotes already suggest even more movement joints, depending upon specific job circumstances.
		Recommends removing all reference to earthquakes and seismic conditions in Comm 62.1614, because wind load will govern in all cases. States the expense to run two separate designs, for earthquake and wind, is an unwarranted expense, based on Wisconsin's history. Including earthquake design will impact affordable buildings.	Disagree. It has been shown by calculation that wind loads will not govern in all cases in Wisconsin, therefore the seismic design requirements have been retained.
		States the air-barrier exception should apply to a masonry wall as a concrete wall in Comm 62.1403.	Disagree. It is inappropriate to waive the requirements for an air retarder in a conventional, concrete masonry wall, in that no data has been presented to justify such an exception.
		Questions that the Department does not want unqualified people to test	Agree. The Wisconsin amendment to the section will be

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		concrete in the field and laboratory in Comm 62.1905. Believes the Department does not want this to happen.	removed.
		States that IBC section 705 reduces the current rating of firewalls from 4 hours to 2 hours in group F-2, S-2, R-3, and R-4 occupancies. This leaves no safety factor and ignores the increased fuel from wood frame buildings, thus firewalls need a fire resistance of at least 3 hours. Also, IBC section 705.3 permits firewalls of combustible construction in type V.A and VB constructed buildings. Firewalls are the last line of defense in preventing fire-spread from one building to another. It makes no sense to allow barriers that burn, thus delete the exception to IBC 705.3 Materials. Questions Footnote a in Table 705.4, which requires 3-hour firewalls, but allows firewalls to be 2 hours in Type II and V buildings. Questions the logic of requiring 3-hour firewalls in Type I, but not in Type V (wood frame buildings), thus delete Footnote a and combine all occupancies in the first two rows of the Table with a required 3-hour rating.	Disagree that the Wisconsin rules should retain the 4HR fire resistive rating for all fire division walls. Wisconsin rules currently permit the use of 2HR firewalls in some occupancies (hospitals and nursing homes of any construction class and some hotels, motels, rooming houses and dormitories). The performance requirements for the functioning of firewalls that are called for in the IBC are far more restrictive than our current code. Also the additional Safety requirements found throughout the IBC offset the need to keep our historic fire division wall requirements.
		Notes that IBC section 705.6 requires firewalls to extend 30 inches above the adjacent roof, but allows numerous exceptions to the vertical continuity, in contrast to Comm 51.02, which requires extensions to 36 inches without exception. Delete exceptions 1, 2, 4, 5, and 6 under 705.6	Disagree. Wisconsin does not currently require the 36' extension "in all cases" as implied by the presenter. Some of the exceptions included within the IBC are similar to the current Wisconsin Commercial Building Code.
		Recommends referencing ASHRAE Standard 90.1-99 instead of 90.1-89 in Comm 63.0900 because of the legislative edict to meet or exceed the latest ASHRAE requirements.	Disagree. Where newer editions are not already adopted under our current Wisconsin code, the proposed code should use the same editions of the standards that are referenced in the 2000 IMC to be consistent with model code timeframes. The Department of Energy (DOE) has not yet issued its

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61	Robert Ritger City of Onalaska Fire Department Onalaska, Wisconsin	<p>Indicates when the Department set out to explore the adoption of a new building and fire code, the fire service was informed that the Department would be open-minded and work with the different groups. States the Department informed them a comparison would be done of several different codes. States his displeasure that the Department has decided to drop the comparison and decided to take the IRC/IFC to hearings for adoption.</p> <p>States this move concerns him, along with hacking up the IFC code the Department planned to adopt. Feels the hacking up of codes has gotten Wisconsin into trouble in the past and has created confusing codes. Indicates that the Department claims the comparison was dropped because NFPA codes are not ready for a comparison. Indicates the Department should wait, do the comparison, and do the job right. Indicated he has not formed an opinion on which code is better for Wisconsin, but firmly believes the</p>	<p>acceptance of the 1999 ASHRAE 90.1 Standard as the energy efficiency code for commercial buildings under the Energy Policy Act (EPACT) law. (The DOE's web site indicates that the determination will be made sometime this winter.) After publication of the determination in the Federal Register, states will have two years to adopt the standard as part of their commercial building code.</p> <p>Under s. 101.27(3)(b) 1., the Department must review ch. Comm 63 and submit changes for legislative review within 18 months of publication of a new ASHRAE 90.1 Standard. The Department is not required to adopt the ASHRAE standard or any other standard. In accordance with the current project timeline, submittal of the final draft of the new ch. Comm 63 is planned for May 2001, fulfilling this requirement.</p> <p>See response to Exhibit 1 for a description of the planned code comparison, and a description of how NFPA 1 and 101 will apply instead of the IFC.</p>

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62	Senator Alberta Darling Madison, Wisconsin	<p>Department has not done their homework.</p> <p>Asks that the process be stopped, do a proper comparison, and don't repeat the mistakes.</p> <p>Requests that the Department delay the adoption of any code so a complete review and comparison of both the IFC/IBC and NFPA's <i>Fire Prevention Code</i> and <i>Life Safety Code</i> can be made. Believes it is prudent for the Department to exhaust every option available so a compromise could be reached that would mutually benefit all parties, while ensuring the safety of the citizens of Wisconsin.</p>	<p>See response to Exhibit 1 for a description of the planned code comparison, and a description of how the proposed rules have been revised to achieve a compromise.</p>
63 (Also See Exhibit #8)	Jerry Deschane Wisconsin Builders Association Madison, Wisconsin	<p>Requests that the Department replace IBC chapter 34 with language that better facilitates the re-use of existing structures. States the Association will forward a draft rule under consideration in Michigan that accomplishes that objective.</p>	<p>Request noted. This will be considered as a future research and code development project.</p>
64	Eugene R. Reece Jr. Wisconsin Fire Inspectors Association (WFIA)	<p>Indicates WFIA opposes adoption of the IBC/IFC, along with the associated codes developed by the ICC, and that the adoption of these codes should be put on hold until a comparison can be done with the NFPA suite of codes.</p> <p>States WFIA supports adoption of a set of model codes, but the adoption cannot take place until a comparison is done. Indicates placing the adoption on hold will not stop construction in the state. Indicates WFIA disagrees with statements made that a model code must be adopted immediately because we have not been updating the current rules.</p>	<p>See response to Exhibit 1 for a description of the planned code comparison, and a description of how NFPA 1 and 101 will apply instead of the IFC.</p>
		<p>Indicates the proposed rules create confusion, inconsistencies, and questionable exceptions, and in addition to opposing the adoption, he has the following questions:</p> <p>1. To address existing buildings, Comm 50-66 will need to be utilized until that time that existing buildings are changed or demolished. The proposed rules will create confusion with existing requirements, as we now will have two chapter 60, 61, 62, 63, 64, and 66. How will this be managed?</p>	<p>1. Existing buildings will be regulated by the state codes in the same manner as they have been in the past. To reduce the potential for confusion, the proposed Fire Prevention Code has been renumbered to retain its</p>

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		<p>2. Proposed Comm 61.02 (3) exempts portions of buildings leased to the federal government from the requirements of the building code. Under what code or standard do these portions of buildings get constructed? If the space is converted to a non-exempt use, how does the building owner reconstruct the building under the requirements of the code? Since proposed Comm 66.02 (3) does not exempt buildings leased to the federal government, is there a conflict between the building code and fire code?</p> <p>3. Why do the proposed rules remove IFC section 111 – Stop Work Order – from the rules? This is a vital component of a fire code, to be able to stop work that is deemed to be an immediate life hazard. This section should be included in the exceptions found in Comm 66.0004 (3).</p> <p>4. In proposed Comm 66.0901 (3), why is a modification proposed to remove IFC section 901.4.3 from the model code, if we are looking for an adoption of a model code? This section provides a local official the ability to address additional fire protection system requirements based on specific circumstances for a project in their jurisdiction. Proposed Comm 66.0007 allows for an appeal of a local order if the builder does not agree with the local order.</p>	<p>current Comm 14 number, instead of Comm 66, which is the current number for the Uniform Multifamily Dwelling Code. The proposed Comm 61 and Comm 14 also specify how the Commercial Building and Fire Prevention codes are applied to existing buildings, based upon particular situations or circumstances.</p> <p>2. Buildings owned or leased by the Federal government will be regulated in the same manner as they have been in the past. The proposed Fire Prevention Code has been revised to not conflict with the Commercial Building code.</p> <p>3. Section IFC 111 "Stop Work Order", is not included for adoption in the proposal because the requirement was not in Wisconsin's Commercial Building Code or Fire Prevention Code in the past. Historically, the Department has considered a stop work rule as a local issue, to be addressed by the municipality through their regulations or by ordinance.</p> <p>4. Section IFC 901.4.3 is not included for adoption in the proposal because the state commercial building code and fire prevention code are minimum codes. Local municipalities have the option of requiring additional provisions, as they deem necessary.</p>

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		<p>5. Proposed Comm 66.0909 (3) creates modifications to remove one word, "special." Why do we need to alter a model code to change one word that does not change the intent of the language?</p> <p>6. Proposed Comm 66.0909 (5) should not be removed from the model code. It is vital that a local fire department be instructed on the proper operation of the system, which is a component of IFC section 909.19.</p> <p>7. In proposed Comm 66.1003, why is a modification proposed to remove "assigned by the code official" under IFC section 1003.2.2.10? If the code official does not determine the appropriate load, who does - building owner, manager, architect?</p> <p>8. If we are looking for a model code, why are we excluding eight chapters from the adoption process? It has been explained that we will have to have other code councils evaluate these chapters. Why hasn't this been done so</p>	<p>5. The words "Special Inspection" are defined in the IBC. The term is associated with an enforcement scheme, which is not being proposed for adoption at this time. The word "special" is not included for adoption in the proposal, as Wisconsin has not had special inspectors, or special inspections in the past.</p> <p>6. Section IFC 909.19 is not included for adoption in this proposal because the state commercial building code and fire prevention code do not require a certificate of occupancy. Acceptance testing of the smoke control system is required in section IFC 909.18; as with other fire safety features, the building official and the fire department can be instructed on the proper operation of the system as part of the acceptance testing.</p> <p>7. Section IFC 1003.2.2.10, is modified for adoption in this proposal to not place a new administrative burden on the local building and fire officials. The building owner is responsible for code compliance; this includes the rules for the means of egress system. The owner may have an architect or engineer make a determination of the occupant load on the owners' behalf. The code official may request documentation to verify code compliance, but they are not required to determine the occupant load for the owner.</p> <p>8. See response to Exhibit 1 for a description of the planned code comparison, and for a description of how NFPA 1 and 101 and the current corresponding Comm</p>

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65	Joseph J. Messersmith, Jr. Portland Cement Association Rockville, Virginia	<p>when a model code is adopted, it is adopted in full with no exclusions that could create confusion? Restates the WFIA position that adoption should be placed on hold pending a comparison of the ICC codes with NFPA codes.</p> <p>Voices objection to replacing the provisions of Comm 51.02 (13) for fire division walls with the firewall provisions of IBC section 705. Notes that firewalls are the last line of defense to prevent fire-spread from one building to another, and it does not make sense to construct barriers of less than 4-hour ratings, with materials which can burn, thus delete the exception 705.3. Indicates the current code requires 4-hour fire division walls and that IBC Table 705.4 permits firewalls of 2 hours for Groups F-2, S-2, R-3, and R-4, which should have a fire resistance rating of 3 hours.</p> <p>Indicates the occupancies in the first row of Table 705.4 require firewalls of 3 hours, but Footnote a allows the walls to be reduced to 2 hours. Delete the footnote and combine the first two rows with a fire resistance rating of at least 3 hours.</p>	<p>codes will apply instead of the IFC. The current corresponding Comm codes, such as Comm 10 for flammable liquids, will be reviewed and may be updated to reflect the model fire code requirements.</p> <p>Agree that firewalls are one of the last lines of defense, but disagree that only 4HR fire resistive walls can satisfy or provide for this intent. Wisconsin currently permits the use of 2HR fire division walls in hospitals and nursing homes as well as some hotels, motels, dormitories, CBRF's and rooming houses.</p>
66	Wisconsin State Fire Chiefs Association (WSFCA) Madison, Wisconsin	<p>States WSFCA and the Wisconsin Fire and EMS Coalition support delaying adoption of any building or fire code until a comparison of the ICC and NFPA codes can be done. Indicates Wisconsin has had its own codes for 85 years that can be utilized until a comparison can be completed. Submits an attached petition with 1729 signatures (see attached Appendix C) supporting the delay until the comparison is completed.</p> <p>States if a careful analysis is not completed prior to adoption, Wisconsin will miss an opportunity to adopt the most comprehensive suite of codes. Indicates each day, disasters kill or injure citizens and firefighters, and many times, investigations show that inadequate codes contributed to or caused the injuries or loss of life.</p> <p>Urges that during the comparison, the codes should be updated to meet the</p>	<p>See response to Exhibit 1 for a description of the planned code comparison, and a description of how NFPA 1 and 101 will apply instead of the IFC.</p>

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67	Neil Cameron City of Appleton Fire Department Appleton, Wisconsin	<p>needs of code enforcement and the safety of the residents of Wisconsin. Notes the Department proposes to adopt the 2000 edition of the IBC with some modifications to address current statutory requirements within Wisconsin. Notes that only portions of the companion IFC are to be adopted, which removes from incorporation key chapters of the document that address many of the highest hazard operations and occupancies. Examples of the deleted chapters include Fireworks and Explosives, Compressed Gases, Flammable and Combustible Liquids, Service Stations, and others. States these chapters are intertwined with those addressing exiting and other life safety features, and failure to adopt the whole code will lead to confusion, inconsistency, and compromised safety – the very things that are trying to be avoided.</p> <p>States that although the Department has noted it ‘plans’ to address these critical chapters, there is no evidence, via committee agenda or activity, of action in this direction to date, and there is nothing to review which would allow an assessment of the effectiveness and integration of these high-risk areas in light of the currently proposed fire and building codes. States that since the IBC and IFC are developed as companion documents, the active pursuit of adoption of only portions of the documents is not in the best interests of safety for the citizens and communities which will live with the decision.</p> <p>Request that the Department withhold action regarding adoption of the IFC until ready to address the complete document, which is consistent with the Department’s position in not reviewing and considering the pending alternative code documents, as has been requested by emergency-services organizations.</p> <p>Notes that if the IFC is to be adopted, the appendices of the code need to be included in the adoption. Unlike appendices found in other code documents,</p>	<p>See response to Exhibit 1 for a description of the planned code comparison, and for a description of how NFPA 1 and 101 and the current corresponding Comm codes will apply instead of the IFC. The current corresponding Comm codes, such as Comm 10 for flammable liquids, will be reviewed and may be updated to reflect the model fire code requirements.</p>

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		<p>such as those produced by the NFPA, where the appendix is used for explanatory and background information, the IFC appendices offer specific direction relative to their subject matter. This is most apparent in Appendices B, C, and D. Failure to adopt these portions of the document is sure to result in confusion, inconsistency, and frequent challenge to the code official and the Department.</p> <p>States that the Department was asked to conduct a comparison with the code documents. Specifically, there has been a request to compare the IFC with NFPA's <i>Fire Prevention Code</i> and <i>Life Safety Code</i> (NFPA 1/101) prior to recommending a new fire code for adoption. Subsequently, a request was made to consider the NFPA building code currently under development, but the Department has refused to pursue this review. There should be a thorough review of the available documents (NFPA 1/101) prior to further action on these rules. Such a review may, in fact, highlight areas which should be included as modifications to the ICC codes without a full adoption of NFPA 1/101, leading to a higher level of safety for those we serve.</p> <p>Indicates that the Department has pointed to consistency and ease of use for designers, developers, and building owners as justification for adoption of IBC and IFC over the current and forthcoming NFPA documents, but this does not accurately reflect the situation. The NFPA codes are still the controlling documents when considering health care, federal facilities, and others. Designers will still need to use, and be familiar with, two sets of codes. In addition, the ICC codes incorporate by reference many individual documents from NFPA that results in the same need to maintain a strong working understanding of multiple documents.</p> <p>States that the State of Wisconsin finds itself at a crossroads in the code process. This is the first time, since developing a State code, that movement has been undertaken toward use of a "model code." Notes this is a positive</p>	

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68	Kevin Timm City of Two Rivers Fire Department Two Rivers, Wisconsin	<p>step, but one which must be undertaken with consideration to all available information. There are alternatives, which have yet to be considered, and what is currently proposed is an incomplete solution. The Department should stop the adoption process, particularly of the IFC, until the complete document has been reviewed and proposed and/or a comparison is made to the NFPA documents.</p> <p>Opposes adoption of the IBC and the IFC, along with the associated codes developed by the ICC, at this time. Believes the adoption process must be placed on hold until a comparison is completed between the ICC suite of codes and the NFPA suite of codes.</p> <p>Concerned that all of a sudden we are on a "fast track" with the adoption process of a model code. Understands there are benefits to adopting model codes, but at what expense do we adopt them. Needs assurance that we are adopting what is best for the people of Wisconsin, and not necessarily the State of Wisconsin. Believes the only equitable way that can be accomplished is to complete a comparison of our current codes to the ICC codes and also to the NFPA codes, and then make an informed and educated decision. Notes that Secretary Blanchard, and the <i>Wisconsin Building Codes Report</i>, seem to highlight the fact that the Fire Code Council agreed with this process, however, they fail to list the membership of that council, or that the vote was the narrowest of margins.</p> <p>Questions the proposed rules, which have been created to facilitate the adoption of a model fire code. The proposed rules make it more difficult to understand the process; add even more cross-references; and create confusion, offer inconsistencies, list several questionable exceptions, and exclude eight chapters of the IFC.</p> <p>Questions whether the Department is being influenced by the various building, engineering, and architectural organizations, thus not allowing the</p>	<p>Opposition is noted. See response to Exhibit 1 for a description of the planned code comparison, and a description of how NFPA 1 and 101 will apply instead of the IFC.</p>

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		<p>fire service organizations equal consideration. Questions whether those organizations should be the most influential in adopting a fire code, or should the fire service organizations? Questions whether we should adopt model codes that will put builders and architects on the same playing field and make it easier for designers, manufacturers, and suppliers in the state to compete economically, or should we adopt codes that protect the property and life safety of those who own, occupy, and live in those buildings?</p> <p>Indicates Secretary Blanchard makes the statement "The Department can adopt the ICC codes and then consider the NFPA suite of codes when they are available, which is estimated to be in 2003." Questions if that is the case, wouldn't it be more prudent to wait? Questions her statement that "The Department has been concentrating on the adoption process for an international code for the past three years and has not maintained its program to update the state-authored building codes." Indicates that while that may be true for the building codes, believes updates have been made to the fire codes.</p> <p>Request delaying the adoption of any building code or fire code until a complete comparison of the ICC codes and NFPA codes can be completed so that what is best can then be chosen. Notes Wisconsin has had its own codes for over 85 years, and contrary to statements being made, these codes have continually been revised, thus enhancing the life and fire safety in commercial occupancies. Indicates several more years are not too much to ask.</p>	
69 (Also See Green Bay Oral Comments)	James E. Gignac City of Wisconsin Rapid's Fire Department Wisconsin Rapids, Wisconsin	<p>Opposes adoption of the ICC Codes as the Fire Chief of Wisconsin Rapids and Board member of the Wisconsin State Fire Chiefs Association.</p> <p>Indicates the Department is not listening to the Fire Service as reflected by the Green Bay testimony of electrical unions, engineers, major contractors and architects, as well as similar opposition to the ICC codes expressed at</p>	See response to Exhibit 1 for a general description of the changes that have been made to the proposed rules, based in large part on listening to the Fire Service, and for a description of the planned code comparison. Issues pertaining to the 2% Fire Dues program are not germane to the issue of model code adoption.

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		<p>the Pewaukee hearing.</p> <p>States the Department has gutted the ICC codes with modifications to the extent the codes are ineffective, as well as being the weakest set of codes to ever be presented to any group of fire safety professionals. Indicates the gutted ICC codes are worthless for life safety and property protection, and he is opposed to the adoption. Indicates the AFL-CIO is also on record as opposing the ICC codes.</p> <p>Indicates a conflict of interest exists between the City of Madison Fire Department and the Department, which has not gone unnoticed. Indicates the City of Madison receives compensation from the Department for plan reviews. Indicates the Fire Service removed the City of Madison Fire Marshall from the code council because he did not represent the views of the Fire Service, but the Department then increased the size of the council to retain the City of Madison representative. Requests appointment to the council.</p> <p>Opposed to the ICC suite of codes because the Department has refused to conduct a side-by-side comparison with the NFPA codes. Also opposed because neither the ICC suite of codes nor the ICC code-making authority is approved or recognized by the American National Standards Institute or other major code adoption approval agencies throughout the country.</p> <p>Opposed to the ICC codes because they do not permit input from non-members.</p> <p>Opposed to the use of 2% Fire Dues funds to send staff on junkets to participate in ICC conventions, conferences, etc. Understands legislators are requesting an audit of the use of the 2% Fire Dues.</p>	

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70	Lynn Wallace A & D Engineering Madison, Wisconsin	<p>Opposed to the ICC codes because the structures built utilizing these codes will be less safe for the occupants and the fire personnel assigned to fight interior fires.</p> <p>Opposed to the ICC codes due to the arbitrary and capricious way the Safety and Buildings Division has failed to abide by their agreements for a unified Fire Service involvement and recommendation. Questions what happened to the spirit of cooperation between the Department and the Fire Service.</p> <p>Opposed to the ICC codes due to the fact every Wisconsin fire and EMS Association is opposed to adoption of the ICC codes.</p> <p>Opposed to the gutted ICC codes as a Certified Construction Inspector, former Building Inspector, and Building Commissioner in the State of Illinois.</p> <p>Opposed to the ICC codes as a former Fire Chief in the States of Michigan and Illinois. Indicates unlike the Department, those states listen to the Fire Service and sought the Fire Service's advice.</p> <p>Opposed to the manner in which the Department has promulgated a proposed set of building and fire codes for the State of Wisconsin. Requests, as every Fire Service organization has requested, that a side-by-side comparison be made between the ICC and the NFPA codes. Opposed to the actions of the Department in the adoption process without recognizing the input of the Wisconsin Fire Service.</p>	<p>Proposal increases alignment with model codes over current Comm code. See response to Exhibit 1.</p>

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		<ul style="list-style-type: none"> The fire departments are opposed to the International Fire Code. The <i>International Energy Conservation Code</i>™ (IECC) has numerous proposed modifications, and he feels the current Wisconsin Energy Code is a better energy code than the IECC. The health care industry will still have to use two codes, including the NFPA series. <p>Recommends the Department not adopt the new codes as they are now. Feels there are several things in the future that may reduce the number of required modifications. Feels that if the upcoming NFPA Building Code is written like the rest of the NFPA codes, it will match or supercede the ICC series of codes.</p>	
		<p>Indicates in the event that the ICC codes are adopted, he offers the following comments on improving the codes:</p> <ul style="list-style-type: none"> Comm 63.0503: States that currently in Table Comm 63.29-1, heating ducts located in "unheated spaces" are to be insulated with a value of R-9. The IECC requires these same ducts to be insulated to a value of R-8. Feels the R value should be increased rather than decreased. Explains there is much more heat loss through the ducts because of the higher temperature, than there is through walls or roof assemblies. Indicates that Table Comm 63.29-2 Note g states that the ducts outside of the exterior thermal envelope of the building need to be insulated to R-9, whereas the IECC says these areas only have to be insulated to R-5. Recommends the current Table Comm 63.29-2 be used in lieu of IECC Table 503.3.3.3. Feels the piping insulation values should, in general, follow the current Table Comm 63.29-1. States the insulation of small pipes should not be reduced, especially when they travel through areas that are mechanically cooled. Recommends that the "runouts up to 2" and "1 and less" should have the R values as specified in the current Table Comm 63.29-1. Disagrees with the requirement that domestic and service hot water 	<ul style="list-style-type: none"> Disagree. Comm 63-0503 replaces the requirements of IECC Table 503.3.3.3, with those of IECC 803.2.8. That section of the IECC does require the higher R-8 insulation on ducts outside the "building envelope", which is defined as the exterior thermal envelope. In Comm 63.0803(2)(e), the reduction of the IECC requirement from R8 to R7.5 was made to allow the use of standard thicknesses of duct insulation that is only R 7.5 when installed, compressed and covered with a vapor retarder. Disagree. The rules should be consistent with the IECC whenever possible. Disagree that there is sufficient justification to vary from the IECC on this issue. Disagree. The rules should be consistent with the

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		<p>systems insulation is not based on temperatures. Recommends a requirement for temperatures above 140°F be added, because dishwashing process water would be uninsulated in relation to the heating system requirements.</p> <ul style="list-style-type: none"> States that in IECC 602.3, there is not a good justification for the 1% of the total glazing to be exempt from the "glazing U-factor" requirement in Table 602.1. Feels a variance or waiver can be used to justify a request or give specific requirements for the 1% exceptions. Feels that under IECC 803.232, the current language in Comm 63 should be retained, which requires humidity control when moisture is added to maintain specific humidity levels in a zone. Questions why the ducts/plenums R values were reduced from R-8 to R-7.5 and from R-5 to R-4.5. Feels the IECC minimums should be maintained. Indicates that under Comm 63.1018 (2) (b), a way is required to verify the R value of the insulation. However, he did not see that the IECC part of the code identifies how to verify the R value. Recommends the 5-year-aging-of-foam-insulation exception be added to the IECC part of the code. Feels a building may end up using more energy than what it was designed for. States that currently the energy code has 4 ways to meet the building envelope, and that the IECC will have a minimum of 7 ways to do the building envelope. Suggests reducing the methods to be in compliance with the current building code. Feels that this code may be extremely difficult to learn, especially for code officials, and if it is too complex, a designer may only learn one method, and the code official has to know 	<p>IECC whenever possible. Disagree that there is sufficient justification to vary from the IECC on this issue.</p> <ul style="list-style-type: none"> Disagree. The exemption was made to provide for simple application when there is some kind of non-standard or decorative unrated glazing. All of the pathways allowed for code conformance are equivalent and the IECC chapter 6 table values were adjusted to compensate for the exemption. Agree. The provisions of IECC ch 8 and Subchapter III of Comm 63 should be consistent. The humidistat requirement will be added. Disagree. The reduction of the IECC requirements were made to allow the use of standard thicknesses of duct insulation, which have a slightly lower R-value when installed, compressed and covered with a vapor retarder. Agree. The provisions of IECC ch 8 and Subchapter III of Comm 63 should be consistent. The requirement will be added to IECC ch. 8. Disagree. The rules should be consistent with the IECC whenever possible. The various compliance methods in the IECC are there because users requested them.

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		<p>them all.</p> <ul style="list-style-type: none"> States that if the IECC is used, it should include modifications to maintain the features that work well and save energy in Wisconsin and make economic sense. Recommends that the pool cover and other energy-conserving items in IECC 504.3 be retained. Feels the pool cover should not be a required item, but suggests an equivalent to the pool cover be incorporated into the code. Suggested the following sliding scale be followed to give the owner a greater incentive to cover the pool, since the humidity would drop and then the HVAC system can eventually be turned off: <table border="0" style="margin-left: 40px;"> <tr> <td style="text-align: right;"><u>Outside Air Temp. (°F)</u></td> <td style="text-align: left;"><u>Inside Relative Humidity is Below</u></td> </tr> <tr> <td>0 and below</td> <td>20</td> </tr> <tr> <td>0 to 20</td> <td>30</td> </tr> <tr> <td>20 to 40</td> <td>40</td> </tr> <tr> <td>20 to 60</td> <td>60</td> </tr> </table> Suggests adding requirements for shielded outdoor fixtures. Feels these fixtures can save as much as 50% of the energy as compared to non-shielded fixtures. <p>In place of 'equivalent' to a pool cover, in Comm 64.0401 (2) (b) 2. d., suggests that the exhaust system run continuously, even when NOT occupied, as the intent is to reduce both the humidity in the area, and material deterioration due to excessive moisture.</p> <p>If ventilation is turned off when not occupied, under Comm 64.0401 (2) (b) 2. d., suggests the following be considered with regard to outside air temperature: <table border="0" style="margin-left: 40px;"> <tr> <td style="text-align: right;"><u>Outside Air Temp. (°F)</u></td> <td style="text-align: left;"><u>Inside RH</u></td> </tr> </table> </p>		<u>Outside Air Temp. (°F)</u>	<u>Inside Relative Humidity is Below</u>	0 and below	20	0 to 20	30	20 to 40	40	20 to 60	60	<u>Outside Air Temp. (°F)</u>	<u>Inside RH</u>
<u>Outside Air Temp. (°F)</u>	<u>Inside Relative Humidity is Below</u>														
0 and below	20														
0 to 20	30														
20 to 40	40														
20 to 60	60														
<u>Outside Air Temp. (°F)</u>	<u>Inside RH</u>														
		<ul style="list-style-type: none"> Agree. Disagree. On/off switches are already required under electrical and fuel gas codes. The pool cover requirement has no performance specifications. Time clocks for off-peak pump operation to reduce operating cost should be an option. Uneven application to only pools at buildings of fewer than 3 stories is problematic. Comm 64 does allow reduced ventilation with lowered humidity. Pool covers are still an option for lowering pool area humidity to take advantage of this provision. Disagree. A complete cost benefit analysis to demonstrate energy savings for the exterior lighting system as a whole has not been provided. Owners and designers may choose to use shielded fixtures to help them meet the code requirements. <p>Comm 64 does allow reduced ventilation with lowered humidity. Pool covers are an option for lowering pool area humidity to take advantage of this provision. No information has been provided to allow the specification of a performance standard for pool covers that will provide equivalent moisture control and prevention of the migration of odors and pool chemicals and allow no ventilation.</p>													

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		<p>0 and below 0 - 20 20 - 40 40 - 60</p> <p>Interprets Comm 64.0401 (4) (a) 1 as allowing an air intake vent 2 feet below an exhaust vent; if so, suggests that the 'exception' to the 10-foot rule be eliminated.</p>	<p>Some ventilation is still required to prevent the migration of pool chemicals.</p>
71	David C. Bixby Gas Appliance Manufacturers Association Arlington, Virginia	<p>Presents various cross-reference errors to the IPC or ICC electrical code (see IMC 108.7.1, 301.7, and 301.8).</p> <p>Indicates the <i>International Mechanical Code</i>® (IMC) and <i>International Fuel Gas Code</i>® (IFGC) both adequately address locations where direct-fired heaters may be installed. Suggests that any commercial location from which contaminants must be purged should be permitted to use this type of equipment, as long as the equipment is not used to supply air to sleeping quarters.</p> <p>Indicates that after adoption of the IMC and IFGC, the Association expects variance approvals in the interim (prior to the effective date of the codes) for use as stated in the codes.</p>	<p>Disagree. The rules should be consistent with the IECC whenever possible. Disagree that there is sufficient justification to vary from the IECC on this issue.</p> <p>Comment noted.</p> <p>Agree.</p>
72	Jim Schey Wisconsin Department of Administration, Division of Facilities Development (DOA) Madison, Wisconsin	<p>Identifies the following concerns with the IECC:</p> <ul style="list-style-type: none"> IECC section 803.3.4: Requests deletion of the requirement that all multiple-zone systems be variable air volume (VAV). Feels the requirements under the current Comm 63.27 and matching Comm 63.1027 adequately address the intent for energy conservation under these applications. Cited an example of a 150-bed correctional workhouse that has an 8200 cubic-foot-per-minute constant-volume heating-only system, which uses a 7.5 horsepower fan. To design this as a VAV system would require the additional first cost of the variable frequency drive, minimum outside air flow station, variable flow 	<ul style="list-style-type: none"> See s. Comm 63.0004. The use of section 803 is only one of many options. IECC Chapter 8 is designed to provide an equivalent but simpler path for code compliance for certain common building designs. It is not intended to be the optimal compliance method for all system types.

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		<p>controls, and variable-air-volume terminal dampers. The amount of savings from modulating the 7.5 horsepower fan would not offset the additional first cost to install the VAV system over the life of the system. Also cites other examples where research labs are served by a constant-volume air handler and are zoned with reheat coils, and gives specifics why there would be no savings installing a VAV system in this application. Also states that animal research buildings dealing with infectious agents often need stringent pressurization control, which cannot be met with VAV systems.</p> <ul style="list-style-type: none"> • IECC section 804.3: Recommends deletion of the last sentence in this section relating to limiting the outlet temperature of lavatories in public facility restrooms to 110°F. Identifies areas where this would be problematic. Many service water-heating systems serve large buildings and are recirculating. States that even with pipe insulation, there is a temperature loss between the heater and faucet, which varies depending on the recirculation rate and the distance to the remote faucet. Indicates DOA wants to avoid the significant added cost, complexity, operating problems, and potentially higher energy use that would result from this requirement. Also indicates in healthcare facilities where this same restriction is required for patient safety, DOA has great difficulty meeting the temperature control requirement, even with employing all of the additional mixing valves, temperature sensors, and alarms that are required. • Comm 63.1027 (2) (f): This section relates to zone-control exceptions. Feels this exception allows multiple reheat systems as an exception where the code air supply is reset to the highest temperature level that will satisfy the zone requiring the coolest air. Indicates there is a problem in the application of this in a direct-expansion (DX) cooling system. Indicates the first issue is that direct-expansion cooling systems cannot truly reset the cold air supply temperature, they can only cycle on and off, and through compressor stages. Feels this requirement will satisfy a zone, 	<ul style="list-style-type: none"> • Agree that section 804.3 should be deleted to avoid conflicts with the temperature control requirements of the Wisconsin Plumbing Code. The deletion will also make the IECC ch. 8 compliance path equivalent to that of the proposed Subchapter III of Comm 63, which also has no plumbing temperature control requirements. • Agree to make suggested clarification.

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		<p>but technically is not feasible with DX cooling. States the second issue is that direct-expansion cooling systems cannot successfully be controlled by discharge temperature. Indicates DOA has seen numerous cases where this was tried and resulted in severe overcycling of the compressor, and ultimately, higher energy use. Feels the only successful way to control the cycling of the compressor is by average return-air temperature or room temperature. Requests Comm 63.1027 (2) (f) be altered to clarify the application of direct-expansion cooling systems and compressor cycling and run time, by allowing control from average return air.</p>	
73	Norman Mattson Modine Manufacturing Racine, Wisconsin	<p>Identifies the following concern with the IMC:</p> <ul style="list-style-type: none"> IMC section 605.1, which requires filters upstream of coils is problematic. In some cases, snow that is entrained in the incoming air builds up on the filters, and the filters then collapse or the fan shuts down. Pre-heat coils with wide fin spacing upstream of the filters can melt the incoming snow before the snow build-up may occur. Although these coils require maintenance, they prevent filter collapse and the fan shut-down. Requests that preheat coils be excluded from this requirement. <p>Supports the IMC/IFGC adoption in their entirety, without omissions. These national codes should be adopted even if the IFC is not.</p>	<ul style="list-style-type: none"> Agree. An exception should be made for preheat coils for snow melting that are single row, maximum 8 fins per inch, completely accessible for pressure washing and that have ductwork designed for drainage <p>Support is noted.</p>
74	James Ranfone American Gas Association Washington, DC	<p>In reference to Comm 65.0400, indicates the piping provisions in the IFGC are directly extracted from National Fuel Gas Code and, therefore, there is no need to substitute text as written in draft.</p>	<p>The intent is to not change from the current code for fuel gas piping.</p>
75	Richard J. Pearson Pearson Engineering Madison, Wisconsin	<p>In reference to Comm 65.0700, states the reference to NFPA 54-1999 needs to be cited correctly as ANSI Z223.1/NFPA 54-1999.</p> <p>Favors adoption of the ICC codes versus waiting for NFPA to develop and publish codes. Noted a thorough review was undertaken by various Department advisory councils.</p>	<p>Agree.</p> <p>Support is noted.</p>

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		Presents some problems with the current Wisconsin code: out-of-state designers must have training on Wisconsin codes, Wisconsin designers must be trained to know what other states use, and some aspects of the ICC codes provide a higher quality. Believes these problems result in higher costs, but do not improve life safety, air quality, or energy use.	Comments noted.
76	Roger Johnson City of Milwaukee Health Department Milwaukee, Wisconsin	Recommends review of the NFPA documents when they become available, for possible inclusion in Wisconsin's code in the future. In reference to IMC 507.13 - Capacity of commercial cooking hoods - suggests making direct reference to accepting flow rates obtained through engineering analysis in lieu of empirical numbers. Reliance upon experience versus numbers should also be requested.	See response to Exhibit 1 for a description of the planned code comparison. Agree. An engineering analysis option will be added.
77	Richard P. Kuchnicki International Code Council Falls Church, Virginia	States the ICC code family reflects the best aspects of three model codes - BOCA/National, Uniform and Standard. They are technically sound codes incorporating proven safety concepts and techniques in use across the country for many years.	Support is noted.
78	Jeffery K. Feid State Farm Insurance Bloomington, Illinois	Supports Wisconsin's efforts to strengthen its building codes and apply them statewide. Sound public policy to strengthen building codes saves lives and reduce property losses. Believes the ICC codes will help enhance building safety, firefighter safety, uninterrupted business operations, and more efficient construction practices.	Support is noted.
79	Raymond L. Holzman City of Waukesha, Building Inspection Waukesha, Wisconsin	Urges the adoption process to proceed. Expresses support for adoption of building and fire codes, as a partner in enforcement of building regulations,	Support is noted.
80	Michael Hedrick City of Hartford,	Indicates using a single set of codes eliminates incomplete regulation that results in inadequate safety. Believes use of a single set of codes will bring consistency and reduce delays in the permit process.	Support is noted.

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81	Inspection Hartford, Wisconsin Curtis Witynski League of Wisconsin Municipalities Madison, Wisconsin	Fully endorses adoption of the ICC codes, which will help Wisconsin's professionals and citizens lower costs and increase service. Supports adoption of IBC and IFC. Notes the League's Taxation and Finance Committee voted unanimously in favor of support on February 2, 2001. Believes it makes sense to adopt model codes used throughout the U.S. Believes the IBC and IFC are improvements over the current Wisconsin codes; the suite of codes are more detailed, more integrated, more comprehensive and therefore, more safety enhancing than the current codes. Disagrees with the Wisconsin State Fire Chiefs Association view that adoption should be delayed until a comparison between ICC and NFPA codes is completed. Indicates if a more restrictive fire code is adopted by NFPA, municipalities are free to adopt it as their local code.	Support is noted.
82	Fredrick M. Baumgart City of Franklin, Building Inspection Franklin, Wisconsin	Indicates the ICC codes have been used for over 50 years, have a regular update cycle, and utilize input from all code officials. Requests adoption of the proposed changes to the Wisconsin Administrative Code. ICC code adoption will, once again, put Wisconsin in the forefront of public health and safety. Indicates the adoption may be treading on uncharted waters, but we must realize that the old way is not the best way either. The combined three model codes are something that the State of Wisconsin can no longer compete with. Indicates the adoption will give many designers, in-state and out, ability to	Support is noted.
83	Ed Ciechanowski City of Oak Creek, Building Inspection Oak Creek, Wisconsin		Support is noted.

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84	Robert Greenstreet UW-Milwaukee School of Architecture and Urban Planning Milwaukee, Wisconsin	<p>submit code-compliant plans.</p> <p>Believes the opposition regarding adoption of some NFPA codes is self-serving. Wisconsin has always used NFPA standards as a good source of reference. NFPA may have gotten a late start in adopting building codes, compared to the ICC, and now wants Wisconsin to delay until their code is finished.</p> <p>Supports a single model code and commends Wisconsin in its efforts to improve safety and the efficiency of the construction process. The use of eight advisory committees shows an open review process, addressing the concerns and comments of many.</p> <p>Believes adoption of these standards will align Wisconsin codes with the latest integrated national and international standards. Such consistency can only improve building safety in the state as will as be economically beneficial to all.</p>	Support is noted.
85	Paul F. Lourich, AIA Engberg Anderson Design Partnership, Inc. Milwaukee, Wisconsin	<p>Favors the adoption of a national code in Wisconsin to take advantage of the much larger knowledge base of a national group.</p> <p>Has serious reservations about the modifications to the ICC codes being contained in a separate book from the model code. This situation is a setup for confusion and errors. A design professional would need to conduct a line-for-line detailed analysis to fully understand the actual requirements in Wisconsin.</p> <p>Suggests that the model code organizations provide Wisconsin with authority to write its amendments within the body of the ICC codes and print and distribute within Wisconsin. This would result in fewer errors caused by misinterpretation or missed regulations, and save time. Otherwise, the code officials will be inundated with calls and questions from the design profession.</p>	Support is noted. Formatting options are being considered to make the codes easier to read. Model code organizations do print enrolled codes for other states.

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86	William M. Mainus City of Wauwatosa, Buildings & Safety Division Wauwatosa, Wisconsin	Gives full support to adoption of the ICC suite of codes. Indicates he has worked with many designers from other states, and most were unfamiliar with the Wisconsin building codes, which leads to confusion, increased costs, and delay time for plan review and inspections. Requests to keep the modifications of the ICC codes to a minimum.	Support is noted.
87	Ron Smith M&I Bank of Southern Wisconsin Madison, Wisconsin	Encourages adoption of the IBC codes as soon as possible. Feels the IBC codes have a broad base of support and are a real improvement over Wisconsin's current Commercial code. Waiting until NFPA completes its code is unnecessary and costly to the individuals who must work with existing codes.	Support is noted.
88	Rick Baier Building Owners and Managers Association (BOMA) International Washington, DC	Urges adoption of the entire ICC suite of codes, and feels the value of this unified approach will be demonstrated far into the future for all those that interpret, apply, and enforce the codes. Indicates the commercial property professionals have long anticipated the development of the ICC set of codes, and these professionals strongly believe this single set of model codes will lead to increased consistency in the content, interpretation, and enforcement of building regulations at the state and local levels. Explains the efforts to develop the IFC jointly between the ICC and the NFPA fell apart at the completion of the initial draft of the document. Notes that last year, NFPA, the International Association of Plumbing and Mechanical Officials, and the Western Fire Chiefs Association announced plans to jointly develop their own separate set of codes. However, neither the ICC code process is perfect, nor are any of the alternatives. Feels the ICC offers a single umbrella with a comprehensive package of codes. Feels there are many substantial benefits to the ICC set of codes, and the benefits far outweigh the disadvantages. Identifies the following benefits of the ICC codes: <ul style="list-style-type: none"> • One single set, the ICC set, will cover all aspects of the building design and construction, with the broad purpose of safeguarding public health, 	Support is noted.

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89	Jon Buschke, Randy Dahmen, Irene Gerloff-Heckert, Tom Kasper, Jack Miller, Donna Stilen, Larry Stilen and Minh Tran Madison, Wisconsin	<p>safety, and welfare.</p> <ul style="list-style-type: none"> • ICC codes will lead to more consistent code enforcement and higher quality construction, enhancing public health and safety. • Manufacturers can put their efforts into research and development rather than designing to three different sets of standards; promoting innovation and keeping in step with state-of-the-art technology. • Uniform education and certification programs can be used internationally. • Code enforcement officials, architects, engineers, designers, contractors, and building owners and managers will be working with a consistent set of requirements throughout the United States; enhancing economic development by reducing or eliminating regional or jurisdictional differences. • The ICC codes will streamline the building regulatory system by bringing consistency and compatibility to multiple layers of requirements that currently exist at the local, state, and federal level. <p>Offers, as a group of code officials with several years of code enforcement experience, both with Wisconsin's codes and with the ICC codes, the following suggestions for improving the proposed rules. Believes these improvements would increase the clarity of the rules, and improve the consistency in applying the rules.</p> <p>For Comm 61, relating to administration and enforcement:</p> <ul style="list-style-type: none"> • Indicates Comm 61.03 (2) relating to conflicting requirements is confusing as written. Feels there should be a statement in (2) (a) that reads "except as specified in par. (b)." • Feels that adoption of the ICC codes fails to indicate which printing has been adopted and how to deal with the future code amendments to the ICC codes which are not adopted. • Indicates there may be conflicting requirements in Table Comm 61.30-1 and Table Comm 61.30-2. Both of these tables identify Residential 	<p>Comment is noted.</p> <ul style="list-style-type: none"> • Agree. The code will be revised. • The adoption under s. Comm 61.05 specifically references the "2000" editions. • Agree. The inconsistencies will be rectified.

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		<p>Group R. Feels the waiver to small residential occupancies is a change from the current code, and this should be clarified by deleting the R designation in one of the Tables.</p> <ul style="list-style-type: none"> • Suggests Comm 61.31 (2) (b) 2. be clarified by adding the phrase "and calculations" after the word "specifications." • Suggests Comm 61.31 (2) (d) be modified to include the requirements in IBC 106.1 to 106.2, to be consistent with the IBC and to improve the submittal process. Indicates that a common complaint of internal and external customers is the non-uniformity in plan review. Feels the vague statement goes against the goals of the Safety and Buildings Division. • Recommends adding the minimum plan review requirements from the current Comm 50.12 (3) (b) to Comm 61.31 (2) (e) 1. The Division has required structural calculations, minimum envelope calculations, and minimum heating and ventilating calculations for many years – proposes that the current requirements be amended to reflect current needs and requirements. Feels that too many plan approvals are delayed now due to lack of adequate or proper calculations. Keeping vague code requirements is a disservice to the users. • Suggests several editorial changes relating to application for approval, plan information, and product approvals. <p>For Comm 62, relating to the technical requirements in the IBC:</p> <ul style="list-style-type: none"> • Recommends retaining the requirements in IBC 414.1.3 relating to information required on plans for buildings and structures with hazardous storage. Feels with the deletion, Wisconsin will have a lesser standard than other states using the IBC. 	<ul style="list-style-type: none"> • Disagree. The information necessary to show code compliance is addressed under s. Comm 61.31 (2) (c) 1. • Disagree. The code allows the plan reviewer or inspector to request whatever information is necessary to show compliance with the code. The code is not the only method to inform customers as to what information in what format is beneficial for facilitating plan review processing. • Disagree. The code is not the only method to inform customers as to what information in what format is beneficial for facilitating plan review processing. A codified list of requirements which is either incomplete or not relevant can also be misleading. • Agree. Typographical errors and incorrect cross references will be rectified. • Disagree. The ICC model codes have various administrative and enforcement provisions strewn throughout the technical requirements of the code. To avoid confusion with the administration and enforcement provisions established under ch. Comm 61, the scattered ICC administration and enforcement provisions have not been utilized. The code is not the

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		<ul style="list-style-type: none"> only method to inform customers as to what information in what format is beneficial for facilitating plan review processing. Disagree. See previous response. Disagree. Section IFC 909.19 was not included for adoption in this proposal because the state commercial building code and fire prevention code do not require a certificate of occupancy. Acceptance testing of the smoke control system is required in section IFC 909.18; as with other fire safety features, the building official and the fire department can be instructed on the proper operation of the system as part of the acceptance testing. Disagree. The "optional" map was developed for those individuals that may be unsure were some of the IBC isobar lines may lie for a particular site and for those that would feel more comfortable with recognized county line designation. There are some areas in Figure 62.16-1 that specify higher ground snow load values, especially in the south zone, than IBC Figure 1608.2. Designers should have the choice to use the values in the IBC ground snow load map. Disagree. The code is not the only method to inform customers as to what information in what format is beneficial for facilitating plan review processing. Disagree. The code is not the only method to inform customers as to what information in what format is 	
		<ul style="list-style-type: none"> Feels that the IBC 907 requirements relating to information to be included on plans for showing locations of fire alarms and detection systems, etc., is important and should not be deleted. Suggests these requirements be moved to Comm 61.31 (2) (d). Objects to the elimination of the IBC requirements relating to the acceptance of smoke control systems prior to occupancy permits. Suggests moving the IBC 909.19 requirements to Comm 61.50 (4), Comm 61.51 (1), or Comm 61.70 (6). 	
		<ul style="list-style-type: none"> Indicates Comm 62.1608 (2) allows either use of the IBC snow load figure or Figure Comm 62.16-2, which leaves too much interpretation. Suggests that the use of Figure Comm 62.16-2 be mandatory instead of an alternative, since it gives a more definitive application. Suggests that the IBC requirements relating to masonry fireplace construction not be excluded from the code. Feels the masonry fireplace information should be included on the plans, and suggests this information be included in Comm 61.31 (2) (d). Feels the requirements for truss design drawings not be eliminated from the code, and be included under Comm 61.31 (2) (d). 	

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		<p>beneficial for facilitating plan review processing.</p> <ul style="list-style-type: none"> • Agree. Typographical errors and incorrect cross references will be rectified. • Section 62. 2902 (1) (a) incorporates the provision of the IPC that allows the substitution of urinals for water closets, and the Department agrees with the flexibility allowed by the permissive substitution. • Agree. The rules will be revised to clarify that such occupancies as dormitories, fraternities and sororities fall within the scope of the state's fair housing laws. • Agree. The reading of this provision is correct.
		<p>Identified several editorial corrections needed in numbering and cross-referencing.</p> <ul style="list-style-type: none"> • Suggests expanding Comm 62.2902 to include urinal requirements • Suggests that Comm 62.3408 be reviewed for application to R-2 occupancies. Believes all of the types of housing listed under R-2 should be included, not just apartments. • Indicates the IBC will require access to all floor levels in multiple tenant facilities, and this will require access to buildings with 2 or more Group M tenants, which is more restrictive.
		<p>For Comm 63, relating to energy conservation:</p> <ul style="list-style-type: none"> • Requests the sentence in IECC section 104.2 relating to information on the construction documents should be included in chapter Comm 63 or in Comm 61.31. Feels this information in initial submittals is important, and if deleted from Comm 63, we would be creating a lesser standard in Wisconsin than elsewhere in states that use the IECC. • Suggests that Figure 63.1015 relating to degree-day regions be divided into 3 regions rather than the 11 as shown. Feels this change would be easier for the code users and may decrease the possibility for errors. • Identifies a number of formatting changes to clarify the units of measure, and suggests using one of the two definitions for "gross exterior wall area." • Suggests that Comm 63 reference the insulation application for a "ceiling for over an unconditioned space," as specified in Figure Comm 63.1015. <p>For Comm 64 and Comm 65, relating to mechanical requirements:</p> <ul style="list-style-type: none"> • Indicates Table Comm 64.0403 fails to address "vehicle showrooms,"

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		<p>and requests the code be clarified if these rooms are to be included under "retail."</p> <ul style="list-style-type: none"> • Requests clarification on how Comm 64.0403 (5) relating to "required air changes" is to be applied (per room, building, or system). • Identifies inconsistent numbering and several incorrect cross-references. • Indicates there is no requirement for keeping registers, grilles, or electric heating equipment a minimum of four inches above the floor. Questions whether this should be included as a requirement. <p>The following are general questions and recommendations on sections within the IBC.</p> <ul style="list-style-type: none"> • Questions where condominiums are covered in the IBC. • Suggests adding wording to a number of IBC sections to provide clarity for better application and enforcement (IBC 406.3.13, 406.6.1, 410.2, and 1609.2). • Requests that definitions be included for "toilet room" and "bathroom." • Indicates there is a difference between the meaning of combustibility of gypsum board in the IMC and the IBC. Requests clarification of the difference. • Feels the footing depth of 90 inches is very restrictive, and recommends a 42-inch footing depth be permitted in Wisconsin, based on our past code experience. 	<p>are not listed under Table Comm 64.0403. Per s. Comm 64.0403(4)(b) 4., Ventilation for occupancies not listed in the table is to be determined via an approved engineering analysis or by using the most similar occupancy. Typically, a vehicle showroom would be a type of showroom floor.</p> <ul style="list-style-type: none"> • Agree. Revisions will be made as necessary to provide clarification. • Changes will be made as necessary. • No, however, the HVAC system is required to be maintained so that it functions properly. <ul style="list-style-type: none"> • Residential condominiums are one type of residential occupancy, Group R. • In an effort to keep Wisconsin modifications to the ICC codes to a minimum, the suggestions will be evaluated and may be forwarded through the ICC code proposal process. • Without specific code definitions, the dictionary definitions apply for both terms. • The difference reflects the different perspectives and objectives for the two codes. • The proposed IBC language has not modified the requirement that foundations be placed below the frost penetration level. The IBC does not specify a specific

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90	Douglas Reace Self Eau Claire, Wisconsin	<p>Indicates he has concerns with excess lighting in urban areas, and current political climates in many municipalities make changes for energy conservation difficult. Explains that the City of Eau Claire has made efforts for shielding lighting in new development projects, but has yet to amend the electrical code for existing commercial developments and lighting excesses, in large part due to objections by the realtors and developers.</p> <p>Feels the average citizen, when faced with these lighting abuses, has found it very difficult to wade through industry standard jargon as to what is adequate lighting to meet the business owner needs, versus unnecessary glare and nuisance lighting.</p> <p>Explains that excessive lighting problems have exploded across the landscape, stealing the night sky and creating a pale haze over the cities, and suggests that a comprehensive unified energy lighting code be developed which is clear and understandable for politicians, lay people, city planners, and businesses. Recommends the Department solicit real public opinion from those people who do not have a vested interest in selling or installing lighting products, or the infrastructure needed to service that industry.</p>	<p>minimum depth.</p> <p>Disagree. The department does not have the statutory authority to regulate lighting to produce a "dark sky". Any code developed for ch. Comm 63 must be for the purpose of energy conservation. Darker night skies would only be a side effect of such energy conservation rules.</p> <p>A complete cost benefit analysis to demonstrate energy savings for the exterior lighting system as a whole has not been provided. Owners and designers may choose to use shielded fixtures to help them meet the code requirements.</p> <p>Because the provisions of Comm 63 are not retroactive, changes to the code would not impact existing installations.</p>
91	James M. Price, Jr. Adler Engineering Corp. Cumberland, Wisconsin	<p>Supports the Department's proposal to adopt the ICC suite of codes as the base of the Wisconsin commercial building code and fire code. This adoption will provide Wisconsin with the most-up-to-date public health and safety regulations available. Consistent building regulation will help Wisconsin professionals to compete more equitably nationally, and economically benefit all citizens of the state.</p>	Support is noted.
92	Peter M. Ogorek, AIA, T-3 Group, LTD Milwaukee, Wisconsin	<p>Believes Wisconsin should adopt the IBC as rapidly as possible. Indicates he is a licensed architect who has been involved in construction and the practice of architecture for approximately 15 years. When he was working exclusively in Wisconsin, he felt that our own state-written building code was a good idea; however, now the perceived advantages of our own written</p>	Support is noted.

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93	Jon Traw International Conference of Building Officials (ICBO) Whittier, California	code are not as important. Indicates he now is developing prototype designs and construction documents for national retail chains, and creating uniformity in code requirements between all states is very valuable. Supports the Department's efforts to adopt the five ICC codes.	Support is noted.
94	Robert Blankenheim Independent Inspections, Ltd. Waukesha, Wisconsin	Supports the Department's efforts to adopt the five ICC codes. States Independent Inspections, Ltd., works in Florida, Illinois and Wisconsin, and has seen the benefits of model code enforcement in Florida and Illinois. The ICC codes will improve consistency of enforcement throughout the state and the region. Code training for designers and contractors from other states would be applicable in Wisconsin. The ICC codes represent the best of the three model code groups.	Support is noted.
95	Paul Heilstedt Building Officials and Code Administrators International (BOCA) Country Club Hills, Illinois	Supports the Department's efforts to adopt the five ICC codes. States the ICC will be issuing a second printing of the ICC codes well before the proposed effective date in Wisconsin. The second printing will address all known errata, none of which affect the usability or enforceability of the codes. There is no current proposal to adopt any electrical code other than the <i>National Electrical Code</i> ®, as was implied by some opponents at public hearings	Support is noted.
96	James Haney Wisconsin	The method ICC uses to develop their codes is an acceptable alternative to the process NFPA uses to develop codes and standards. States WMC represents over 4,500 companies in Wisconsin, including service companies, contractors, designers, and building owners, who strongly	Support is noted.

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97	John Nehasil American Concrete Institute Farmington Hills, Michigan	<p>support the Department's efforts to adopt the five ICC codes, for the following reasons:</p> <ul style="list-style-type: none"> • Adoption of a code written by national experts will allow the Department to focus more effort on code compliance issues rather than code writing issues. This should help speed up the plan review process. • Using model codes will help building owners who build or maintain facilities in more than one state. New building concepts can be developed for multiple-state locations. This could not be done previously, due to Wisconsin's unique codes. • The proposed suite of codes offers a greater level of safety for owners and occupants than the current Wisconsin codes. • The proposed suite of codes will be minimum codes that can be amended by municipalities with unique needs. <p>Indicates new model codes can be considered if and when they are developed, as part of the normal code review cycle. There should be no delay in adopting the ICC suite of codes.</p> <p>Opposes the proposal to delete those portions of the IBC that require special inspections and qualified technicians to perform the special inspections for concrete construction. The concrete construction industry has been very active in getting these requirements into the code, and does not want them removed.</p>	<p>Disagree. The inclusion of the sections on special inspections would have unnecessarily imposed an added cost to building construction in Wisconsin. Unlike some of the other states, Wisconsin has a statewide plan review and inspection program. Wisconsin also has the added requirement that a supervising professional be retained by the owner for each building project (there is an exception for certain small buildings). This supervising professional has the responsibility of ensuring the building and its components are installed in accordance with the approved plans and specifications. The supervising professional must also submit a signed statement of the project's compliance to the Department for its records. The Department believes this current</p>

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98	Linda Grubb City of Madison, Building Inspection Department Madison, Wisconsin	<p>Opposes the proposal to delete those portions of the IBC that require qualified technicians to perform the special inspections for concrete construction.</p> <p>States the City of Madison Building Inspection Department strongly supports the Department's efforts to adopt the five ICC codes. The Building Inspection Department has been following the process from the beginning, and feels the research and implementation plan have been very thorough.</p> <p>Indicates the Building Inspection Department opposes the position of the Wisconsin State Fire Chiefs Association to delay adoption of the codes until NFPA publishes a competing suite of codes. The design professionals who work with the Inspection Department on a daily basis are very anxious and unanimously support adoption of the ICC suite of codes. The Inspection Department is strongly opposed to waiting an unknown length of time to see what NFPA might develop.</p>	<p>certification process accomplishes the same purpose as the IBC sections on special inspections.</p> <p>Agree. See agency response under Exhibit # 60, final comment, as it relates to use of qualified technicians.</p> <p>Support is noted.</p>
99	Dean Jensen Self Madison, Wisconsin	<p>Strongly supports the Department's efforts to adopt the IFC. The IFC has detailed requirements for draftstopping in attics, mansards, and overhangs. Includes a listing of recent, large-loss fires in the Madison area that he believes could have been greatly reduced if they had been built to the requirements contained in the IFC.</p>	<p>Support is noted. See response to Exhibit 1 for a description of a local option to apply the IFC instead of NFPA 1 and 101.</p>
100	Lisa MacKinnon 1000 Friends of Wisconsin Madison, Wisconsin	<p>Indicates they support adoption of the IBC, and oppose adoption of the NFPA fire and life safety codes, because the IBC is more flexible in its treatment of existing buildings. States that public health and safety must be preserved, but feels the retroactive construction requirements contained in the NFPA codes would be a disincentive to the rehabilitation and flexible use of existing building stock.</p>	<p>Support is noted. See response to Exhibit 1 for an explanation that the NFPA design and construction requirements are not included in the proposed rules.</p>
101	James Zirbel Ameritech Security Link	<p>States as a fire alarm contractor, he strongly supports immediate adoption of the ICC suite of codes. Although he uses NFPA standards on a daily basis,</p>	<p>Support is noted.</p>

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	Madison, Wisconsin	NFPA does not have a code to consider adopting.	
		Indicates he is disappointed that the Wisconsin State Fire Chiefs Association has made no effort to compromise with the other stakeholders, and is disappointed that the Association has not pointed out any substantive problems with the ICC suite of codes.	See response to Exhibit 1 for a general description of the changes made to the proposed rules as part of a compromise with the Wisconsin State Fire Chiefs Association.
		Believes there should be an ongoing comparison of the ICC suite of codes with any NFPA codes, but that should take place during subsequent code review periods.	See response to Exhibit 1 for a description of the planned code comparison.

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Oral	Warren Bauer American Institute of Architects (AIA) – Wisconsin Society, and Potter Lawson Madison, Wisconsin	<p>Supports adoption of the proposed rules. Notes the Safety and Buildings Division began to look at adopting one of the three model building codes about eight years ago, and AIA – Wisconsin supported that idea at that time, but the Division then decided to wait until those three model codes were combined into a single model code.</p> <p>States the Division and its Commercial Building Code Council have spent more than two years reviewing both drafts and final published versions of the ICC codes. Believes the proposed rules satisfy an objective of the Council to have a minimum number of modifications to the ICC codes.</p> <p>Believes adoption of the IBC and related codes will (1) enhance code understanding and thereby improve compliance; (2) make Wisconsin's building code more consistent with national standards, and provide a better fit to some of today's building types; (3) make building code requirements more predictable and understandable for out-of-state corporations considering building in Wisconsin; and (4) facilitate more economical code updating.</p> <p>Believes there is no advantage for Wisconsin to delay the adoption and wait for publication of NFPA's proposed building code, which is scheduled to be available in late 2003. States it would take several years of review after that code is available to get to the point we are at now.</p> <p>Supports adoption of the IBC and IFC. Believes these codes are essential to fire protection and life safety in Wisconsin. Believes these codes provide more restrictive and better requirements than any other model code available now, and are the most complete and contemporary. States the IFC gives fire officials and building officials the latitude to address life safety and fire protection in all buildings, including existing buildings.</p>	Support is noted.
Oral (Also See Exhibit #6)	Ed Ruckriegel City of Madison Fire Department Madison, Wisconsin	<p>Opposes any delay in adopting the IBC or IFC.</p> <p>Questions why IFC chapter 33 is deleted in the proposed rules, and what will</p>	Support is noted. See response to Exhibit 1 for a description of a local option to apply the IFC instead of NFPA 1 and 101.
Oral	Larry Connellier, Sr.		The need to omit certain chapters reflects the current

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and Exhibit #M-1	Cornellier Fireworks, and Wisconsin Fireworks Association Beloit, Wisconsin	happen with it in the future.	regulatory scheme where certain fire safety issues are addressed in other administrative codes. These other codes will be reviewed and may be updated to reflect the model fire code requirements.
Exhibit #M-2	Larry Cornellier, Jr. Pyro Sales, d/b/a Cornellier Fireworks Windsor, Wisconsin	Suggests the NFPA fire code would be a better code to adopt. States the NFPA process is open to the public, every public proposal or comment is acted on, and the proponent receives a copy of the committee action. Indicates the NFPA committees that develop the codes must be balanced, meaning they must have industry representation and special experts in the field. Notes NFPA initially participated in developing the IFC, but dropped out because the ICC process is not as open and is not balanced. States building inspectors, fire service representatives, insurance company representatives, and some select industry representation primarily develop the IBC and IFC. Opposes adoption of the IBC and IFC by the Department. States Class C Consumer Fireworks UN0336 does not fall into the same hazard class as low and high explosives UN0335 and does not require the same tables of distances. Supports NFPA's national fire codes, and states NFPA currently has a committee that is working on a proposed draft by the American Pyrotechnic Association for consumer fireworks retail and storage outlets.	See response to Exhibit 1 for a description of how NFPA 1 and 101 will be applied instead of the IFC. Opposition is noted. See response to Exhibit 1 for a description of how NFPA 1 and 101 will be applied instead of the IFC, and for a general description of the exclusion of NFPA provisions that are regulated by other current Comm code chapters. The exclusion of various provisions of NFPA 1 reflects the current regulatory scheme where certain fire safety issues are addressed in other administrative codes. These other codes will be reviewed and may be updated to reflect the model fire code requirements.
Oral/Exhibit #M-3	Robert E. Shipley, AIA American Institute of Architects - Wisconsin	States the Society supports adoption of the IBC and the related family of international model codes as the state building code in Wisconsin, without delay. Believes adoption of the IBC in Wisconsin will enhance state code	Support is noted. See response to Exhibit 1 for a description of anticipated training.

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Rule Number: Comm 4, 14, 15, 16, 46, 50 to 64, 65, 66, 69, and 73			
Relating to: Construction and Fire Prevention for Public Buildings and Places of Employment			
Comments:		Presenter,	
Oral or Exhibit No.	Group Represented, City and State	Comments/Recommendations	Agency Response
	Society Madison, Wisconsin	<p>requirements; improve code understanding, compliance, and enforcement; facilitate future code updates; and ultimately benefit state consumers.</p> <p>Believes the Safety and Buildings Division and its advisory code councils have performed a thorough and conscientious review of the proposed code revisions. States building consensus among the various groups interested and involved in this code transition process was not an easy task.</p> <p>Encourages the Department to allocate sufficient resources for successful implementation of the proposed rules. In addition to funding staff training, resources should be allocated to provide convenient educational opportunities for architects and allied design and construction industry professionals.</p> <p>Supports the immediate adoption of ICC codes in Wisconsin. Indicates publication of the IBC culminates decades of support from government, code enforcement officials, architects, engineers, builders, and other industry-related associations for a single family of compatible model codes, in place of regional codes. States that because Wisconsin representatives participated in the ICC code development process, they can appreciate that the codes were developed in an open process, addressing the concerns and comments of many.</p> <p>Believes by adopting the ICC series, Wisconsin's requirements for construction and fire prevention would be integrated with the most comprehensive set of companion publications available now, and would immediately update safety and construction processes. This would provide an interstate economic advantage by opening up markets in adjoining states to Wisconsin designers, manufacturers, and suppliers; and increase competitiveness by allowing designers, manufacturers, and suppliers from other states to compete in Wisconsin.</p> <p>Believes the adoption would expand Wisconsin's resources for code</p>	
Oral and Exhibit #M-4	William Shomburg Building Officials and Code Administrators International Country Club Hills, Illinois		Support is noted.

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Clearinghouse Rule Number: 00-179		Hearing Location: Madison	
Rule Number: Comm 4, 14, 15, 16.46, 50 to 64, 65, 66, 69, and 73			
Relating to: Construction and Fire Prevention for Public Buildings and Places of Employment			
Comments: Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
		<p>development, training, and technical support, to include the full slate of services provided by BOCA International, such as code application assistance, code adoption support, code interpretations, customized state educational programs, national certification programs, technical handbooks and workbooks, plan review, and training and informational videos.</p> <p>States the five ICC codes proposed for adoption are each coordinated with the others, thus eliminating the potential conflicts and confusion caused by adopting codes that are not readily coordinated or technically consistent. Believes the IBC addresses design and installation of building systems through requirements that emphasize performance. States the IFC addresses life safety issues for firefighting personnel.</p> <p>States there is nothing in the ICC codes prohibiting local jurisdictions from adopting additional requirements, such as requiring retrospective compliance.</p> <p>States no other code system now can provide the same level of economic or public safety benefits as the ICC codes, and BOCA stands ready to provide any and all support services necessary to accommodate and ease this transition.</p>	
Oral/Exhibit #M-5	Jim Boullion Associated General Contractors of Wisconsin Madison, Wisconsin	<p>Supports adoption of the new suite of ICC codes in Wisconsin. Feels this new code will be more cost effective and efficient for contractors and consumers, and enhance building safety for Wisconsin's citizens and fire fighters.</p> <p>Notes the Association's representative participated in developing the proposed rules, which include changes to the ICC codes wherever those codes did not come up to Wisconsin's standards.</p> <p>Believes the adoption will help maintain Wisconsin's reputation as being a leader in building code innovation and development. In this fast-changing</p>	Support is noted.

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Relating to: Construction and Fire Prevention for Public Buildings and Places of Employment			
Comments:		Presenter,	
Oral or Exhibit No.	Group Represented, City and State	Comments/Recommendations	Agency Response
Oral (Also See Exhibit #12)	John Mielke Associated Builders and Contractors of Wisconsin Madison, Wisconsin	<p>world, this is critically important in order to be able to utilize the very latest in construction equipment, materials, and technologies.</p> <p>Opposes any recommendation to delay or prevent the proposed building code from being adopted. Feels the proposed adoption schedule gives everyone time to learn the building code without any unnecessary delays.</p> <p>Believes adoption of this set of codes is not the end of the process. Wisconsin needs to continue to look at new code developments and keep code development in Wisconsin a dynamic process. As building technology advances, Wisconsin will need to investigate those new developments and determine if they should be locally adopted.</p> <p>(Same as comments in mailed-in Exhibit #12)</p>	
Oral and Exhibit #M-13	Dave Bloom Town of Madison Fire Department Madison, Wisconsin	<p>Opposes adoption of a suite of codes at this point, and favors delaying that adoption. Notes Wisconsin has lived with its present codes and updated them for 86 years. We have two very good suites of model codes that could be compared, and one could be selected and adopted as the best code for Wisconsin and the Town of Madison. That comparison has not been done, and he understands the Department is not going to do it. Feels it is imperative that the two suites of codes be compared, and it is totally irresponsible to move forward with adoption of the IBC and IFC before a good comprehensive comparison is completed. A two-year delay that may be needed to do the comparison is minimal compared to the 86 years that we have lived with the codes we have, and during those two years, the current codes can be updated. States there is no reason why the comparison could not be done.</p> <p>States there have been numerous concerns raised by the Fire Service during</p>	<p>See response to Exhibit 1 for a description of the planned code comparison, and a general description of the changes made to the proposed rules due to the Public Hearing comments, which reflect the concerns raised by the Fire Service.</p>

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Comments: Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
Oral and Exhibit #M-6	Mark Hoppenjan City of Prairie du Chien Fire Department Prairie du Chien, Wisconsin	<p>the various Code Council meetings, and those concerns have not been addressed to date.</p> <p>Supports the Wisconsin State Fire Chiefs Association and the Wisconsin Fire and EMS Coalition efforts to delay adoption of any code at this point until a comparison is done between the ICC suite of codes and the NFPA suite of codes, and the best code is picked.</p> <p>Opposes adoption of the IBC and IFC at this time.</p> <p>States the Department has not done a fair and impartial comparison of the available model building codes. The Department compared the IBC and IFC to the current building codes but has not looked at NFPA's new model code. Questions how it can be claimed that the ICC suite of codes is the best for Wisconsin, unless we have compared other codes to that suite.</p> <p>Understands there are some supporters of the ICC suite whose opinions are conflicting. They support adoption of the ICC suite in one sentence, and in another sentence in the same letter, they say they will adopt the NFPA codes locally if the NFPA codes are better.</p> <p>States we are considering a joint set of codes that we want to live with in the future. Indicates the Department has stated it will look at the NFPA codes and would possibly adopt them at a later date if the Department feels then they are a better suite. Indicates the Department has also stated it wants the code process to be user friendly and cost effective for both the enforcers and the builders. States the idea of adopting one code suite as a short term solution is about as far from being cost effective and user friendly as possible. If this happens, the code enforcer will have buildings that are built to today's code, and have a few built to the interim code, and have the ones built to the new code. Why not wait three or four more years and adopt the correct suite of codes, with a true comparison.</p>	<p>See response to Exhibit 1 for a description of the planned code comparison, and a general description of the changes made to the proposed rules due to the Public Hearing comments, which reflect the concerns raised by the Fire Service.</p>

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Relating to: Construction and Fire Prevention for Public Buildings and Places of Employment			
Comments:	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
Oral (Also See Pewaukee Oral Comments)	Timothy Pemmo National Electrical Contractors Association, Milwaukee Chapter Milwaukee, Wisconsin	<p>Feels the comparison needs to be done between the ICC and NFPA, to do the State of Wisconsin justice. If the comparison is not done, anyone who thinks the Fire Service is a partner in this process is kidding themselves.</p> <p>States the Chapter neither supports nor opposes the proposed rules, but has some reservations. Understands the ICC codes adopt NFPA 70 as the electrical code, along with some additional NFPA codes, which is good. Disputes the claim that there is no advantage to waiting for the NFPA suite of codes. Believes NFPA has a superior system in their panel decision-making bodies, with regard to each code; and that the impacted parties have a more equal, more fair, and more representative opportunity to speak to effect continual changes.</p> <p>States that although the ICC codes adopt the NFPA electrical standards, and the Association will still be able to participate in the corresponding NFPA decision-making panels, the Association has no say within the ICC. If the ICC decides they no longer wish to implement the NFPA standards, the Association would be left without a voice in future code decision-making panels. The Association would then have to resort to interceding at the state level to develop a Wisconsin code or to countermand the ICC decision by reinstating the NFPA standards. By adopting the ICC codes, we are going away from having direct participation in the decision-making process as to what is and is not in the electrical code. In the future, there would then be the possibility that undesirable things would happen. Believes there is no problem with waiting.</p>	<p>The continued use of NFPA 70 is not affected by this model code adoption.</p>
Oral/Exhibit #M-7	Sidney Sharpe Town of Brookfield Fire Department Brookfield, Wisconsin	<p>Opposes adoption of the IBC and IFC at this time. Based on the correspondence he has seen, meetings he has been in, and telephone conversations he has had, there is clearly no consensus that these codes should be adopted at this time. Believes it is better to spend some time in order to gain a consensus, rather than rush to adopt a code for which there is not a consensus.</p> <p>Believes there is no overwhelming, compelling reason to adopt a new code at</p>	<p>See response to Exhibit I for a general description of the changes made to the proposed rules due to the Public Hearing comments, which reflect the concerns raised by the Fire Service.</p>

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		<p>this time. States the current Wisconsin commercial building code and fire prevention code need improvement, and in the long run, it may be advantageous to adopt a model code of some form. But at the moment, there is not a reason that is compelling enough to rush to adoption of a code prior to achieving some true consensus among the state agencies that adopt the codes and the Fire Service representatives who enforce the codes at the local level.</p> <p>Believes there are impacts to early adoption that are adverse to the Fire Service. If a set of codes is adopted early and all inspectors are adequately trained on it, and the code set is then within a few years either discarded in favor of a different model code, or substantially changed, all the training issues would have to be addressed again. This would incur expenses of money, time, and energy by the fire departments that enforce the codes. States enforcement problems would be caused if inspectors go into the field to enforce a new code, and then within a few years have to confront the same customers with a different set of codes. Believes this risks confusing the end users, by moving from today's set of codes, to an interim set of codes, and then possibly to a third set of codes.</p> <p>States it would be far better to wait and make the right change once rather than make the wrong change and then have to make mid-course corrections later. Adds it is also far better, if adopting a model code is the right thing to do, to adopt a code that the Fire Service as well as the Department believes is the right one to adopt.</p>	
Oral/Exhibit #M-8	Karolyn Beebe Good Neighbor Lighting Group Madison, Wisconsin	Requests that the code requirements for exterior, shielded lighting be reinstated for commercial properties. Believes that without the requirements, about one third of the energy used for outdoor lighting is wasted into outer space. (Submits several documents supporting the request.)	Disagree. A complete cost benefit analysis to demonstrate energy savings for the exterior lighting system as a whole has not been provided. Owners and designers may choose to use shielded fixtures to help them meet the code requirements.
Oral/Exhibit #M-9	Ross DePaola Integrated Energy	Understands that actions by NFPA are forcing the ICC to look at combining with NFPA to produce a single, national code. Opposes delaying adoption of	Agree.

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Relating to: Construction and Fire Prevention for Public Buildings and Places of Employment			
Comments: Oral or Exhibit No.		Comments/Recommendations	
Presenter, Group Represented, City and State Services Madison, Wisconsin		<p>the improvements in energy conservation requirements that have been developed since 1997. The IECC has new energy conservation requirements for multifamily housing that are long overdue. Delaying these requirements will result in lost opportunity for energy conservation for buildings built during the delay.</p>	Agency Response
		<p>Notes a "shielded fixture" code requirement for outdoor lighting was proposed during meetings of the Department's Energy Conservation Council. States the Department decided to not expand the code to include the requirement because of concern that the requirement would be difficult to apply, and that if the total lighting budget was not adjusted, overall lighting energy would not be reduced. Recommends the Department reinstate review of this issue and consider adoption of the requirement for the following reasons: (A) Section 101.027 (2), Stats., requires the Department to review the energy conservation code and promulgate rule changes to improve energy conservation, and the statutes further require that economics must be considered prior to rule promulgation. As the Department did not investigate the economic and energy savings merits of the requirement, the Department was incorrect to dismiss this issue without further study. (B) The requirement may save a very significant amount of energy, possibly reducing outdoor lighting fixture power by 50%. It is not difficult to imagine that light energy which spills away from its intended task wastes energy. It is in the best interests of the economic health of Wisconsin to seriously consider such rules, especially in light of rising energy costs. (C) The lighting budgets for exterior lighting were reduced by one third in the proposed code, and the availability of higher-efficiency fixtures will make it easier for specifiers to meet the code requirements. (D) Some large cities in Wisconsin currently have ordinances that require shielded fixtures. Madison's requirements are more restrictive than what was proposed. (E) This issue has passed the Energy Conservation Code Council's review, and the Department could simply reinstate the requirement.</p>	<p>Disagree. A complete cost benefit analysis to demonstrate energy savings for the exterior lighting system as a whole has not been provided. Owners and designers may choose to use shielded fixtures to help them meet the code requirements.</p>
Exhibit	Amy Hasselman	States it seems reasonable to adopt all of the proposed rules except the IFC,	Support is noted. See response to Exhibit 1 for a

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#M-10	Knapp Schmidt Architects Madison, Wisconsin	and then decide on the IFC when it can be compared to NFPA, assuming that this is feasible.	description of the planned code comparison, and a description of how NFPA 1 and 101 will apply instead of the IFC.
Exhibit #M-11	Bradley J. Liggett City of Beloit Fire Department Beloit, Wisconsin	Opposes the proposed rules. Indicates the City of Beloit strongly supports a thorough comparison of the codes, and does not support any adoption of the IBC and IFC prior to comparison of the Wisconsin, ICC, and NFPA codes. The best code for Wisconsin should then be enacted. States there are many training, financial, and logistic considerations that would be impacted by the adoption of the IBC and IFC codes. States the IBC code is less stringent than the NFPA code.	See response to Exhibit 1 for a description of the planned code comparison, and a description of how NFPA 1 and 101 will apply instead of the IFC.
Exhibit #M-12	Sandy Gordon Wisconsin Chapter of the American Society of Interior Designers Madison, Wisconsin	Supports the proposed rules. It would be beneficial, economical, and efficient for builders, designers, engineers, and architects to conduct business across the country.	Support is noted.

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Rule Number: Comm 4, 14, 15, 16, 46, 50 to 64, 65, 66, 69, and 73			
Relating to: Construction and Fire Prevention for Public Buildings and Places of Employment			
Comments:		Comments/Recommendations	
Oral or Exhibit No.	Presenter, Group Represented, City and State		Agency Response
Oral	Dennis Nivare City of Rice Lake Fire Department Rice Lake, Wisconsin	States the comparison between NFPA and the IFC is not being done as had been agreed upon. Firefighters cannot protect the public to the greatest extent possible if we do not compare and consider the best code.	See response to Exhibit 1 for a description of the planned code comparison, and a description of how NFPA 1 and 101 will apply instead of the IFC.
Oral	Keith Tveit City of Ashland Fire Department, and Wisconsin State Fire Chiefs Association (WSFCA) Ashland, Wisconsin	Reads from the 2% Fire Dues guide – it refers to a partnership between the Department and local fire departments. There is no partnership unless the Department does a comparison. The Department is not listening to the concerns of the Fire Service. Questions how training and materials for using the IFC will be funded. NFPA has offered training and free codes, but the ICC has not. As a partner doing the work for the Department, it is inappropriate to use 2% Dues for the training or to force fire departments to buy the materials themselves. States there is a liability issue with local fire departments. If there is a catastrophe, the outcry will be directed at the local department, not at the state or the ICC. We need to enhance the partnership and look at what is right for Wisconsin and not try to customize codes to appease a specific group with its own agenda. Wisconsin amendments that weaken code requirements are inappropriate when the amendments affect the life safety of firefighters. Emphasizes that a fair comparison must be done between the IFC and NFPA.	See response to Exhibit 1 for (1) a general description of the changes that have been made to the proposed rules, based in large part on listening to the Fire Service; (2) a description of the planned code comparison; and (3) a description of anticipated training and associated costs. Issues pertaining to the 2% Fire Dues program are not germane to the issue of model code adoption.
Oral	Walter Hovey City of Washburn Fire Department Washburn, Wisconsin		See response to Exhibit 1 for a description of the planned code comparison, and a description of how NFPA 1 and 101 will apply instead of the IFC.
Oral	Mark Young City of Superior Building Inspection, and Northwest Building Inspectors Association Superior, Wisconsin	Notes the mayor and city council of Superior have passed a resolution in support of the ICC suite of codes. Wisconsin needs to quickly adopt national model codes to be more in concert with the rest of the country. If the IFC is inadequate to meet the needs of the Wisconsin Fire Service, the IFC can be amended.	Support is noted
Oral/Exhibit	Jack Miller	Indicates the draft does not adequately address plan submittal requirements.	Disagree. The ICC model codes have various

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Relating to: Construction and Fire Prevention for Public Buildings and Places of Employment			
Comments: Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
#R-1	Self Hayward, Wisconsin	<p>Uniform plan submittal requirements are a major reason for adopting a model code, but there are many deletions throughout proposed chapters Comm 61 and 62 relating to plan submittal requirements that should remain as the model code intended them. For instance, truss plan submittals were deleted from ch. 23 of the IBC but not included elsewhere in the draft. The proposed draft requires "adequate construction documents" and "adequate calculations" but does not define the terms. Wisconsin should not have lesser standards than the rest of the country.</p> <p>Provides a list of 28 suggested changes to the draft.</p> <ul style="list-style-type: none"> • 14 changes are editorial in nature to correct typos and provide more consistent formatting. • 13 changes are substantive in nature dealing with plan submittal and plan revision requirements. These suggestions consist of either keeping the current plan submittal and revision requirements that are in s. Comm 50.12, or else maintaining all of the plan submittal requirements in the IBC to include truss plans, Group H floor plans with hazardous-material inventories, smoke control system plans, and fire alarm plans. (C) 1 change questions the need to list and map 11 degree-day regions in Figure 63.1015, when only 3 grouped regions are needed. 	<p>administrative and enforcement provisions strewn throughout the technical requirements of the code. To avoid confusion with the administration and enforcement provisions established under ch. Comm 61, the scattered ICC administration and enforcement provisions have not been utilized. The code allows a plan reviewer or inspector to request whatever information is necessary to show compliance with the code. The code is not the only method to inform customers as to what information in what format is beneficial for facilitating plan review processing.</p> <ul style="list-style-type: none"> • Agree. Typographical errors and incorrect cross references will be rectified. • Disagree. The code allows a plan reviewer or inspector to request whatever information is necessary to show compliance with the code. The code is not the only method to inform customers as to what information in what format is beneficial for facilitating plan review processing.
Exhibit #R-2	Lyle Koerner, Jr. City of Eau Claire Fire Department Eau Claire, Wisconsin	<p>Believes both the IFC and NFPA will do a great job for Wisconsin and will do much better than what we have now.</p> <p>Indicates it is hard to support NFPA because all of their information is not available yet.</p> <p>Indicates it is hard to support the IFC because two organizations (WSFCA and the Wisconsin Fire Inspectors Association) have conducted research and are against the proposed change.</p> <p>Urges the Department to delay adoption until a comparison of NFPA and</p>	<p>See response to Exhibit 1 for a description of the planned code comparison, and a description of how NFPA 1 and 101 will apply instead of the IFC.</p>
Exhibit	David Bloom		See response to Exhibit 1 for a description of the planned

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#R-3 (Also See Exhibit #'s G-9 and P-4)	Town of Madison Fire Department, and WSFCA Madison, Wisconsin	IBC/IFC can be completed.	code comparison, and a description of how NFPA 1 and 101 will apply instead of the IFC.
Exhibit #R-4	Jeff Amo City of Black River Falls Fire Department Black River Falls, Wisconsin	States the fire code issue needs further study. A comparison between IFC and NFPA's <i>Fire Prevention Code</i> and <i>Life Safety Code</i> should be carried out as planned. The Department did a good job on the IBC study, and the IBC appears to be a decent code.	See response to Exhibit 1 for a description of the planned code comparison, and a description of how NFPA 1 and 101 will apply instead of the IFC.
Exhibit #R-5	Ron Christenson Titan Air, Inc. Osseo	Supports the proposed rules and offers one suggested clarification to the draft: s. Comm 65.0629 (d) should be modified or eliminated because it implies infrared heaters can somehow supply makeup air.	Agree.

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Relating to: Construction and Fire Prevention for Public Buildings and Places of Employment			
Comments: Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
Oral	Jim Stormer Wisconsin State Fire Fighters Pickerele, Wisconsin	<p>Opposes adoption of the ICC suite of codes. Feels use of these codes is being pushed through too fast, and the Department should wait until the NFPA suite is available to do a comparison.</p> <p>Notes he has concerns with how the 2% Fire Dues funding will be spent if the ICC codes are adopted.</p> <p>Objects to the Code Council membership being increased to 13 to accommodate another member of the fire safety field, who supports the IBC and IFC.</p>	<p>See response to Exhibit 1 for a description of the planned code comparison, and a description of how NFPA 1 and 101 will apply instead of the IFC. Issues pertaining to the 2% Fire Dues program are not germane to the issue of model code adoption.</p>
Oral	Gary Dekker Waldo Fire Department Sheboygan County Fire Chiefs Waldo, Wisconsin	<p>Objects to adoption of the ICC codes until a full comparison can be done with the NFPA suite.</p> <p>Has a concern with the 2% Fire Dues funding and how it will be used.</p>	<p>See response to Exhibit 1 for a description of the planned code comparison, and a description of how NFPA 1 and 101 will apply instead of the IFC. Issues pertaining to the 2% Fire Dues program are not germane to the issue of model code adoption.</p>
Oral/Exhibit #G-1	Eugene R. Peronne Eastern Wisconsin Fire Fighters Association Cascade, Wisconsin	<p>Read letter from Darrell Kasuboski, President of the Eastern Wisconsin Fire Fighters Association.</p> <p>Has a concern the Department is fast tracking approval of the IFC even after a vote by the Fire Safety Code Council to do a thorough side-by-side review of the IFC and the NFPA <i>Fire Prevention Code</i> and <i>Life Safety Code</i>. Feels this is a total disregard to the advisory council as well as other firefighting associations that are concerned with the safety of the firefighters statewide.</p> <p>States that the Eastern Wisconsin Fire Fighters Association, comprised of 1500 members, has gone on record as opposing the adoption of the ICC codes because it is known that NFPA's <i>Fire Prevention Code</i> and <i>Life Safety Code</i> are time-tested, proven documents developed by a consensus process with significant fire service input.</p> <p>Feels NFPA is the most comprehensive code addressing existing properties, and is used in all 50 states.</p>	<p>See response to Exhibit 1 for a description of the planned code comparison, and a description of how NFPA 1 and 101 will apply instead of the IFC.</p>