

WISCONSIN STATE
LEGISLATURE
COMMITTEE HEARING
RECORDS

2003-04

(session year)

Assembly

(Assembly, Senate or Joint)

**Committee on
Housing
(AC-Ho)**

COMMITTEE NOTICES ...

➤ Committee Hearings ... CH (Public Hearing Announcements)

➤ **

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INFORMATION COLLECTED BY COMMITTEE
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Name:

➤ Clearinghouse Rules ... CRule

03hr_CRule_02-077_AC-Ho_pt01

➤ Hearing Records ... HR (bills and resolutions)

➤ **

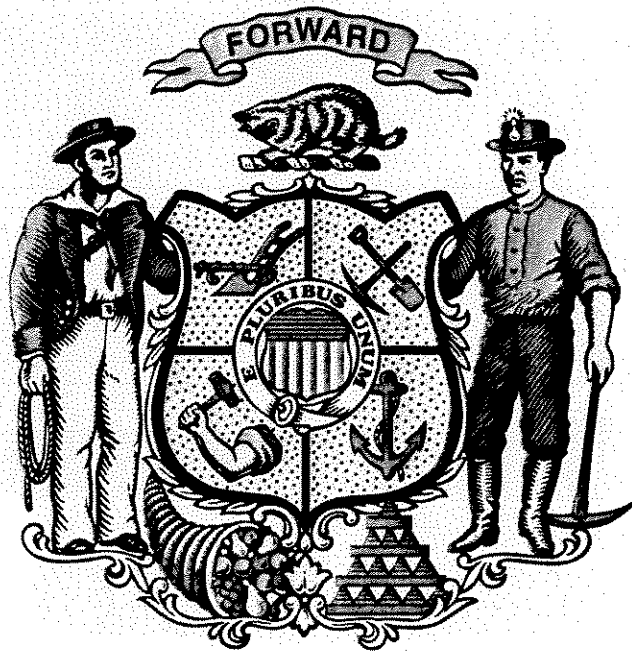
➤ Miscellaneous ... Misc

➤ **

DEPARTMENT OF COMMERCE
PUBLIC HEARING ATTENDANCE RECORD

RULE NO.: Chs. Comm 20-25 Uniform Dwelling Code DATE: Tuesday, July 9, 2002
 RELATING TO: _____ TIME: _____
 LOCATION: _____ CITY: Madison

Name	Representation (Business, Assoc., Group, Self, etc.)	City and State	Appearing in Support	Appearing in Opposition	Appearing for Information
<u>Donna E. W. J. J.</u>	<u>W.B.A.</u>	<u>Madison WI</u>			
<u>Donna E. W. J. J.</u>	<u>W.B.A.</u>	<u>" "</u>			
<u>Dan Brooks</u>	<u>Kool View (Solariums)</u>	<u>MADISON, WI</u>		X	
<u>MICHAEL HEMSER</u>	<u>MILW NARI</u>	<u>Wauwatosa WI</u>			
<u>Ken Stouffer</u>	<u>MILW NARI</u>	<u>Wauwatosa WI</u>			
<u>Mary L. Schroeder</u>	<u>Miller Homes / MBA</u>	<u>Beechgrove, WI</u>			
<u>Renee Gaden</u>	<u>Miller Homes / MBA</u>	<u>Brookfield WI</u>			
<u>ROBERT KASTAN</u>	<u>PATIO ENCLOSURES, INC</u>	<u>Waukesha, WI</u>			
<u>John D. Meyer</u>	<u>ALL AMERICAN HOMES</u>	<u>DYERSVILLE IOWA</u>			
<u>John D. Meyer</u>	<u>Metropolitan Builders Assoc</u>	<u>Waukesha WI</u>			
<u>Alan Anderson</u>	<u>Kool View Co</u>	<u>MADISON WI</u>		X	
<u>Ashna Rauf</u>	<u>Kool View</u>	<u>MADISON, WI</u>		X	
<u>MARK BELICOWSKI</u>	<u>REMODELING CO. INC.</u>	<u>Waukesha WI</u>			
<u>CHRIS ESNER</u>	<u>FOUR SEASON SUNROOMS</u>	<u>New Berlin WI</u>		X	
<u>DAN GENGLEN</u>	<u>NATIONAL FIRE SPRINKLER ASSOC.</u>	<u>Williams Bay WI</u>			X



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

Clearinghouse Rule Number: 02-077		Hearing Location: Appleton	
Rule Number: Chs. Comm 20-25		Hearing Date: Monday, July 8, 2002	
Relating to: Uniform Dwelling Code			
Comments:			
Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
Oral & Exhibit 1	Tony Driessen Quarles & Brady Madison, WI Representing American Plastics Council	Section Comm 22.03 seems to require new and extensive testing for all existing foam plastic insulation products. This would be very burdensome on all manufacturers as well as on the Department of Commerce. Requests a clarification of the wording to make intent clear.	It is not the department's intent to require this testing for all products. The testing would only apply to the very few products that claim R-values greater than those recognized by the ASHRAE Handbook of Fundamentals. The code wording will be changed to clarify this intent.
Oral	Tom O'Brien Advantage Sunrooms Green Bay, WI	<ol style="list-style-type: none"> 1. "New Codes" will hurt his business. Expansion of his business in Wisconsin is questionable given the proposed codes. 2. There are positive health effects from the sunlight coming through glass. People without a sunroom will move to states with milder winters. 3. Prescriptive path analysis is discriminatory against sunrooms. It allows huge homes built in a conventional manner that use more energy than a sunroom. Most sunrooms are attached to smaller homes. 4. New code will not save energy. People will just call them 3-season rooms and say they won't heat them, but they will use inefficient and possibly dangerous space heaters to heat them. 5. Code doesn't take account of beneficial heat gain in the winter. 	<p>1-5. The department will make an amendment to the application of the code that should eliminate many problems associated with sunroom construction. The prescriptive path method will stay, but its value will be primarily limited to post-1999 construction.</p>

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

Clearinghouse Rule Number: 02-077		Hearing Location: Madison	
Rule Number: Chs. Comm 20-25		Hearing Date: Tuesday, July 9, 2002	
Relating to: Uniform Dwelling Code			
Comments: Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
Oral & Exhibit 2	Jane Witt Wisconsin Builders Assn. Madison, WI	<p>A summary of comments from various WBA members:</p> <ol style="list-style-type: none"> 1. Comm 21.05 (5) (b) would require more safety glazing than the current code and would require safety glazing outside the tub. 2. The proposed decrease in spindle spacing should not be implemented unless there is a record of injuries or other problems. The 4-inch limit is not always compatible with good architecture. We might as well require a wall. 3. Exit separation is unnecessary. How many people have died due to doors being too close together? 4. Cantilevered floor section needs to be clarified for situations where engineering is not needed. 5. Bracing of floor joists parallel to the foundation should not require a brace in the second joist space. Bracing in the first space is sufficient. 6. Eliminating the 15% oversizing allowance for furnaces will not achieve the desired result of energy saving. 7. The proposal to clarify where the tread measurement is taken from eliminates the option of adding, e.g. ceramic tile after the house is finished. 8. Grading requirements for the lot should not be included in the UDC. 9. New requirements for the thermal envelope will not achieve energy savings and will increase air quality problems until the industry learns to think of the dwelling as a complete system. 	<ol style="list-style-type: none"> 1. Disagree. The intent and the written rule will require less safety glazing and will not require it outside the tub. 2. Disagree. Balconies and open-sided stairways are becoming more prevalent. The problem is small children can easily get between spindles that have wider spacing. 3. Disagree. To benefit from 2 exits, they must have a reasonable separation. There have been notes in the code and commentary language for many years recommending this separation. 4. Agree. The department will amend the proposal in accordance with Metro Builders Association recommendations. 5. Agree. Condition for bracing in the second joist space will be deleted. 6. Agree. The proposal will be dropped. 7. Agree. Changes in floor covering thickness will effect the riser measurement 8. Disagree. There has been a grading requirement in the UDC since its inception. The proposal simply adds a minimum number to the slope. 9. Comment is noted.

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

Clearinghouse Rule Number: 02-077		Hearing Location: Madison	
Rule Number: Chs. Comm 20-25		Hearing Date: Tuesday, July 9, 2002	
Relating to: Uniform Dwelling Code			
Comments:	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
Oral & Exhibit 3	Alan Anderson Kool View Sunrooms McFarland, WI	<ol style="list-style-type: none"> The new code change for prescriptive path envelope requirements for additions and alterations prevents marketing a 4-season sunroom product that cannot be heated or cooled. The proposal will not save energy and does not recognize the special nature of sunrooms, such as lower daytime lighting requirements, therapeutic benefits, the perception of more living space, etc. The prescriptive path method discriminates against the smaller home because a larger home is allowed much more glazing area. Sunrooms should be allowed to be heated and cooled by efficient conventional methods rather than by inefficient or unsafe methods on the part of the homeowner. The newest International Energy Conservation Code has additional allowances for sunrooms. 	<p>1-5. The department will make an amendment to the application of the code that should eliminate many problems associated with sunroom construction. The prescriptive path method will stay, but its value will be primarily limited to post-1999 construction.</p>
Oral & Exhibit 4	Scott Mathie Metropolitan Builders Assn Southeastern Wisconsin	<ol style="list-style-type: none"> Total load path requirements in s. Comm 21.02 should be taken out of the draft since the UDC council voted to table the whole topic. Comm 21.03 (1) (e-g), Exit Separation - there was no recommendation on the part of the UDC Council and the model codes don't recognize a minimum separation distance. Requests some minor changes to the cantilevered floor section based on submitted written comments. Supports the concept of floor joist bracing but there is no need for bracing in the second joist space from the wall - only in the first joist space. Should not eliminate the 15% oversizing allowance for furnaces because it is not an issue of saving energy. 	<ol style="list-style-type: none"> Disagree that the UDC Council voted to table the whole topic. The department agreed to do further research on the prescriptive methods but the performance requirement as proposed is valid. There was general consensus on the UDC Council to include the proposal in the public hearing draft. It is irrelevant that there is no model code requirement, since there is no model code requirement for 2 exit doors. Agree. The department will amend the proposal in accordance with Metro Builders recommendations. Agree. Condition for bracing in the second joist space will be deleted. Agree. The proposal will be dropped.

SUMMARY OF PUBLIC HEARING COMMENTS AND AGENCY RESPONSE

Clearinghouse Rule Number: 02-077		Hearing Location: Madison	
Rule Number: Chs. Comm 20-25		Hearing Date: Tuesday, July 9, 2002	
Relating to: Uniform Dwelling Code			
Comments:			
Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
	Mathie (cont.)	<p>6. Comm 22.20, Prescriptive Path for Additions, needs some clarification. Does "gross wall area" include new and existing walls or ceilings in the calculations?</p> <p>7. Four-season sunrooms continue to be a problem. Recommends a committee made up of Commerce staff, builders, municipalities, remodelers and sunroom industry to investigate the problem.</p>	<p>6. The department will attempt to clarify. The proposal currently specifies "wall area of the addition", so ceilings and existing walls would be excluded.</p> <p>7. The department will make an amendment to the application of the code that should remove many problems associated with sunroom construction. If there are still problems, a committee will be considered.</p>
Oral	Robert Kasten Patio Enclosures, Inc. Waukesha, WI	<p>1. Provides copies of voluntary specifications for sunrooms that should be incorporated into the code.</p> <p>2. It makes more sense to allow a 4-season room to be heated with a "conventional" heating system than to have the owner use inefficient and dangerous space heaters to condition the space.</p> <p>3. Timer switches could be required which would automatically turn off the heat in a 4-season room after a set time.</p> <p>4. A separate heating system could be required which would serve only the sunroom.</p>	<p>All comments will be considered. The department will make an amendment to the application of the code that should eliminate many problems associated with sunroom construction.</p>
Oral & Exhibit 5	Mark Benkowski Custom Design Associates Remodeling Contractors Greendale, WI	<p>1. Opposes the elimination of the 15% oversizing allowance in s. Comm 22.12 (1).</p> <p>2. Supports s. Comm 22.20, Prescriptive Path for Additions, as far as it goes. It is much better than the current code but it does not go far enough to really help remodelers. There are still many beneficial additions to existing homes that could not be done to meet the code.</p>	<p>1. Agree. The proposal will be dropped.</p> <p>2. The department will make an amendment to the application of the code that should remove many problems associated with sunroom construction and additions in general. The prescriptive path method will stay, but its value will be primarily limited to post-1999 construction.</p>
Oral & Exh. 5 & 6	Mary Schroeder Miller Homes Brookfield, WI	<p>1. Total load path requirements in s. Comm 21.02 should be taken out of the draft since the UDC council voted to table the whole topic. As written, the proposal will promote the use of oriented strand board (OSB), which is not a viable way to accomplish the total load path.</p>	<p>1. Disagree that the UDC Council voted to table the whole topic. The department agreed to do further research on the prescriptive methods but the performance requirement as proposed is valid.</p>

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

Clearinghouse Rule Number: 02-077		Hearing Location: Madison	
Rule Number: Chs. Comm 20-25		Hearing Date: Tuesday, July 9, 2002	
Relating to: Uniform Dwelling Code			
Comments:	Presenter,	Comments/Recommendations	Agency Response
Oral or Exhibit No.	Group Represented, City and State		
	Schroeder (cont.)	<p>2. Exit separation is not required under the model codes. It will increase costs for the entry level home buyer.</p> <p>3. Decreasing the spindle spacing on stairway rails from 6 inches down to 4 inches is unjustified. There is no reason to increase the cost.</p> <p>4. Supports the concept of floor joist bracing but there is no need for bracing in the second joist space from the wall - only in the first joist space.</p> <p>5. Section on cantilevered floors still needs work. Requests changes based on submittal by Metro Builders Association.</p> <p>6. All changes to chapter Comm 22 should be tabled to get proper discussion and scrutiny by the UDC Council. Building houses progressively tighter does not equal a better house.</p> <p>7. Section Comm 22.195, Heat Traps - Why require a trap on both inlet and outlet sides of the water heater when the outlet side is the hot water?</p> <p>8. Should not eliminate the 15% oversizing allowance for furnaces because it is not an issue of saving energy.</p> <p>9. There are many references that seem to apply to multifamily dwellings that have not been tailored to apply to 1-2 family dwellings.</p> <p>10. Proposed sections Comm 22.35 (8) and 22.21 (1) (b) seem to contradict each other regarding the use of the insulating value of adjacent soil.</p> <p>1. The requirements in ch. Comm 22 discriminate against smaller homes. It is easier to add a heated sunroom to a larger home than to add the identical sunroom to a smaller one. Most sunroom customers own smaller homes.</p> <p>2. There have been many recent improvements in sunroom technology that make them highly energy efficient if the building materials and heating sources are regulated.</p>	<p>2. Since there is no model code requirement for 2 exit doors, there is no reason for an exit separation requirement. Costs should be minimal because of the egress window option.</p> <p>3. Disagree. Balconies and open-sided stairways are becoming more prevalent. The problem is small children can easily get between spindles that have wider spacing.</p> <p>4. Agree. Condition for bracing in the second joist space will be deleted.</p> <p>5. Agree. The department will amend the proposal in accordance with Metro Builders recommendations.</p> <p>6. The UDC Council reviewed the proposals on 2 separate occasions. Based on further department review, a number of proposals will be dropped from ch. 22, such as the new infiltration default values, and water heater heat traps.</p> <p>7. The proposal on water heater heat traps will be removed from this draft and discussed in more detail.</p> <p>8. Agree. The proposal will be dropped.</p> <p>9. Most of the proposals came from the IECC. They are tailored wherever possible to apply exclusively to 1-2 family dwellings.</p> <p>10. Agree. Proposed section Comm 22.35 (8) will be deleted to eliminate the conflict.</p> <p>The department will make an amendment to the application of the code that should remove most problems associated with sunroom construction and additions in general.</p>
Oral	Chris Egner Four Seasons Sunrooms New Berlin, WI		

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Relating to: Uniform Dwelling Code			
Comments:		Comments/Recommendations	
Oral or Exhibit No.	Presenter, Group Represented, City and State		Agency Response
Oral & Exhibit 7	Dan Gengler National Fire Sprinkler Association Williams Bay, WI	<p>1. The Uniform Dwelling Code needs to acknowledge the use of fire sprinklers in 1-2 family dwellings. Nationwide, most people who die in structure fires die in their own homes.</p> <p>2. Fire statistics are not well-reported in Wisconsin, so the actual number of fire deaths is difficult to quantify but is probably higher than reported.</p> <p>3. Requests early warning system in dwellings of smoke, heat and carbon monoxide detectors along with residential sprinkler systems.</p>	1-3 This will require additional research and cost studies. Discussions will be initiated.

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

Clearinghouse Rule Number: 02-077		Hearing Location: Eau Claire	
Rule Number: Chs. Comm 20-25		Hearing Date: Wednesday, July 10, 2002	
Relating to: Uniform Dwelling Code			
Comments: Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
Oral	Mark Prissel Sunroom Specialists, Inc. Eau Claire, WI	<ol style="list-style-type: none"> 1. Most sunroom additions are on homes that were built prior to 1980. 2. Uneven code enforcement makes it cost prohibitive for many people to afford a proper 4-season sunroom addition. Some owners opt for a 3-season room but add their own heat which is inefficient and may be unsafe. 	The department will make an amendment to the application of the code that should remove many of the problems associated with sunroom construction and additions in general.

SUMMARY OF PUBLIC HEARING COMMENTS AND AGENCY RESPONSE

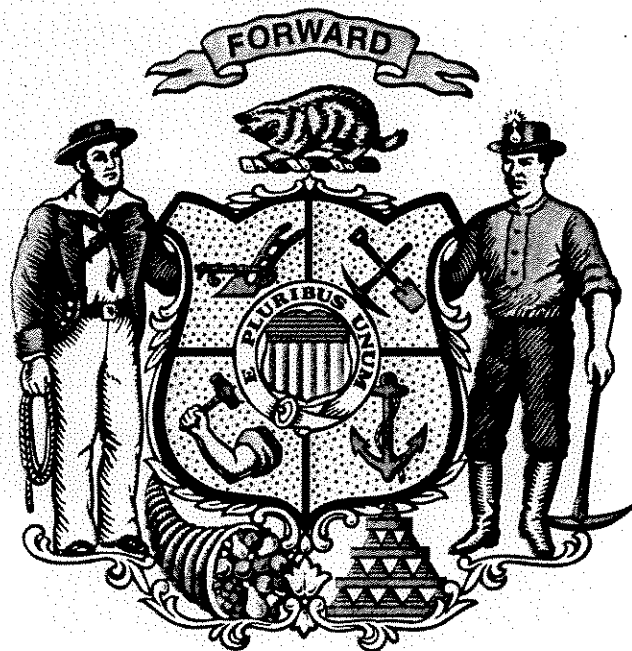
Clearinghouse Rule Number: 02-077		Hearing Location: Not Applicable - Written Comments	
Rule Number: Chs. Comm 20-25		Hearing Date: Not Applicable	
Comments: Uniform Dwelling Code			
Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
8	Marc Shuter Builders World, Inc. Waukesha, WI	Opposes the limitation of glazing to 25% of the floor space. The code should not limit the use of a material but should require the use of better-performing materials.	There is a proposal to limit the use of glazing to 25% of the gross wall area, but that is for a very specific and limited application to additions to existing dwellings. The vast majority of glazing applications in a dwelling have no such limit.
9 & 10	Gene Widenski Nashotah Homes, Inc. Nashotah, WI & Bob Schulz Winters Design Group LLC Wauwatosa, WI	<ol style="list-style-type: none"> 1. Opposes the exit separation requirements proposed in s. Comm 21.03 because they are not necessary and could cause design and safety problems. 2. Recommends some clarification in the cantilevered floor requirements under s. Comm 21.22 (6). 3. Opposes the need for additional bracing in joist spaces that are parallel to foundation walls. 4. Opposes the proposal to eliminate the 15% oversizing allowance for furnace systems because it will not save energy and will make it more difficult to ensure comfort throughout the home. 	<ol style="list-style-type: none"> 1. Disagree. To benefit from 2 exits, they must have a reasonable separation. There have been notes in the code and commentary language for many years recommending this separation. 2. Agree. The department will amend the proposal in accordance with Metro Builders Association recommendations. 3. Agree. Condition for bracing in the second joist space will be deleted. 4. Agree. The proposal will be dropped.
11	Mike Lotto Lotto Homes Greenleaf, WI	<ol style="list-style-type: none"> 1. Code changes should be based on fact rather than conjecture or hearsay. 2. Opposes the stringent uniformity requirement on stairways because of difficulty in changing floor coverings over time. 3. Opposes "exit door minimums" without data to back them up. 4. Opposes the proposed change on stairway spindle spacing from 6-inches down to 4-inches. 5. Wants to know how many people have been injured with non-safety glazing in certain windows. 	<ol style="list-style-type: none"> 1. Agree. 2. Changes in floor covering thickness will effect the riser measurement. The clarification is needed for uniformity. 3. If this refers to exit separation, to get any benefit from 2 exits, there must be a reasonable separation between them. There have been notes in the code and commentary language for many years recommending this separation 4. Disagree. Balconies and open-sided stairways are becoming more prevalent. The problem is small children can easily get between spindles that have wider spacing. 5. The U.S. Consumer Product Safety Commission did such a study as the basis for the federal rules on which the Wisconsin rules are based.

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

Clearinghouse Rule Number: 02-077		Hearing Location: Not Applicable - Written Comments	
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Relating to: Uniform Dwelling Code			
Comments: Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
	Lotto (cont.)	<p>6. Opposes grading requirement in UDC because the inspection may have to wait until the snow melts or the builder could be held responsible for settling or for changes in landscaping done by the owner.</p> <p>7. Wants to know why the changes in cantilevered floor systems since floors have been cantilevered up to 24 inches for many years.</p> <p>8. Opposes many energy code requirements because they result in a home being built too tight and require more expensive ventilation equipment. Opposes the proposed change on stairway spindle spacing from 6-inches down to 4-inches. There appears to be no record of injuries with the current code and design options would be limited.</p>	<p>6. There has been a grading requirement in the UDC since its inception. The proposal simply adds a minimum number to the slope. If this proves to be a problem, the UDC Council will revisit it.</p> <p>7. The reason for the change is the increased reports of problems based on decreasing lumber quality.</p> <p>8. Comment is noted.</p>
12	John Thompson Private Architect Madison, WI	Opposes the proposed change on stairway spindle spacing from 6-inches down to 4-inches. There appears to be no record of injuries with the current code and design options would be limited.	Disagree. Balconies and open-sided stairways are becoming more prevalent. The problem is small children can easily get between spindles that have wider spacing.
13	Ross DePaola Wisconsin Environmental Decade Monona, WI	1. Favors the proposal to eliminate the 15% furnace oversizing allowance because properly sized equipment operates more efficiently and eliminates discomfort caused by off-cycles that are too long. The code still allows for oversizing to the next higher equipment size. Comments include supporting documents from U.S. Department of Energy. 2. Favors the prescriptive path method for dwelling additions proposed under s. Comm 22.20	1. Disagree. After discussion with the UDC Council, there is widespread support for keeping the allowance. 2. The department will make an amendment to the code that should remove many problems associated with sunroom construction and additions in general. The prescriptive path method will stay, but its value will be primarily limited to post-1999 construction. The department will make an amendment to the application of the code that should remove many problems associated with sunroom construction.
14	Nelma Rauf Madison, WI	The code needs to be amended to better allow existing housing stock to be renovated. New housing is impossibly expensive for thousands of people. There has to be a happy medium between energy efficiency on the one hand and making it prohibitively expensive to renovate a small house on the other.	
15	Joe Jameson City of Middleton	Wants the issue of basement exiting added back into the draft. Safety has to be more important than cost. The costs are nonexistent if there is no habitable space added to the basement.	
16	Carl Anderson City of Madison Scott Ellarson City of Madison Kevin McNulty City of Columbus	1. Favors a rule requiring 2 exits from basements that have habitable space, similar to the one in the working draft published immediately prior to the public hearing draft. It is an essential safety feature. 2. Favors the performance language in proposed s. Comm 21.02 (1) regarding total load path.	Disagree. The department has determined that the benefits do not justify the costs for all dwelling situations where the requirement would apply. 1. Disagree. The department has determined that the benefits do not justify the costs for all dwelling situations where the requirement would apply. 2. Agree.

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

Clearinghouse Rule Number: 02-077		Hearing Location: Not Applicable - Written Comments	
Rule Number: Chs. Comm 20-25		Hearing Date: Not Applicable	
Relating to: Uniform Dwelling Code			
Comments:			
Oral or Exhibit No.	Presenter, Group Represented, City and State	Comments/Recommendations	Agency Response
	Steve Kittelson City of Stoughton	3. Favors the proposal to eliminate the 15% furnace oversizing allowance.	3. Disagree. After discussion with the UDC Council, there is widespread support for keeping the allowance.
	Butch Johnson City of Monroe	4. Favors the language in proposed s. Comm 21.03 (1) (e) to (g) regarding minimum exit separation distances.	4. Agree.
	Gilbert Bradley Village of Waunakee	5. Favors the proposal to go to a 4-inch maximum spacing for rail spindles to be consistent with the national model codes.	5. Agree.
	Russell Jeske City of Evansville	6. Favors the proposed language in s. Comm 22.20 (2) regarding energy efficiency for additions to existing dwellings.	6. The department will make an amendment to the application of the code that should remove many problems associated with sunroom construction and additions in general. The prescriptive path method will stay, but its value will be primarily limited to post-1999 construction.
	John Crook City of Fitchburg		
	Martin Pilger Village of McFarland		
	Michael Kleisch Village of Oregon		
	Calvin King City of Onalaska		
	Mike Reuter City of Platteville		
	Marvin Horman City of Onalaska		





STEVE WIECKERT

STATE REPRESENTATIVE

CHAIRMAN
ASSEMBLY COMMITTEE
ON GOVERNMENT OPERATIONS

January 24, 2003

To: Assembly Housing Committee Members

From: Representative Steve Wieckert

The following Clearinghouse Rule was submitted to the Assembly Housing Committee.

Clearinghouse Rule 02-077

Relating to the uniform dwelling code.

Referred to the Assembly Housing Committee: January 15, 2003

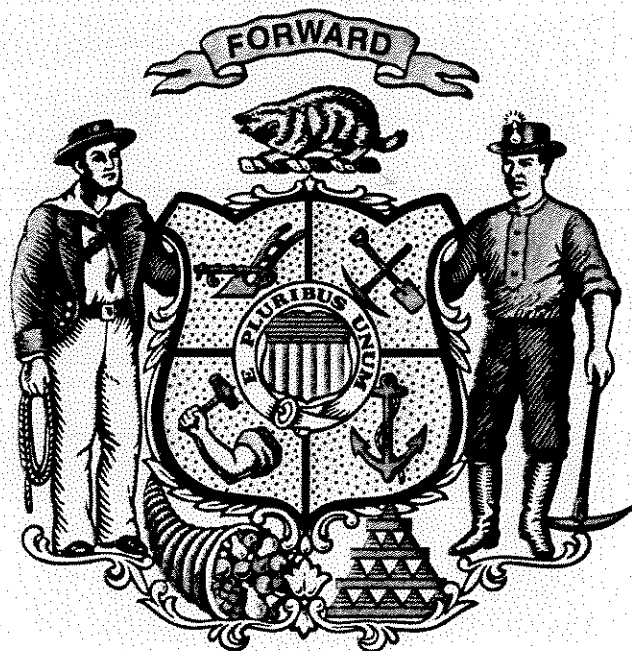
Committee Oversight ends: February 14, 2003

If you would like a copy of this rule, submit comments or request a hearing please contact Scott in my office. The deadline for committee action is listed above. Thank you.

IDEALS, PRINCIPLES, PATRIOTISM

STATE CAPITOL OFFICE: ROOM 16 WEST • P.O. BOX 8953 • MADISON, WI 53708-8953 • (608) 266-3070 • (608) 282-3657 FAX • Rep.Wieckert@legis.state.wi.us
DISTRICT 57 OFFICE: 3033 W. SPENCER STREET • APPLETON, WI 54914 • (920) 731-3000 • FAX: (920) 731-2999

COMMITTEES: ECONOMIC DEVELOPMENT • GOVERNMENT OPERATIONS • HEALTH • HOUSING • INSURANCE



Becher, Scott

From: Matthias, Mary
Sent: Wednesday, January 29, 2003 9:08 AM
To: Becher, Scott
Subject: RE: meeting

the Clearinghouse comments were all under the heading for "Form and Style", so no worries about the agency exceeding its statutory authority.

-----Original Message-----

From: Becher, Scott
Sent: Wednesday, January 29, 2003 9:03 AM
To: Matthias, Mary
Subject: RE: meeting

Mary- Can you provide any more insight on Clearinghouse Rule 02-077 ? Just wondering..

-----Original Message-----

From: Matthias, Mary
Sent: Wednesday, January 29, 2003 7:57 AM
To: Becher, Scott
Subject: meeting

Hi Scott- I'm going to have to reschedule our meeting that we had planned for 10 am today.-- I won't be able to make it over there today because I'm trying to finish a bill draft for a meeting Friday. I will call you tomorrow to reschedule. Also, I looked at the rule that is in the Housing Committee and I didn't see any significant problems with it. I don't see any need for a hearing.

In any event I will probably see you tomorrow morning at the JLC co-chairs meeting....

Thanks!

Mary Matthias
Senior Staff Attorney
Legislative Council Staff
ph.(608)266-0932;fax (608)266-3830
mary.matthias@legis.state.wi.us

- ① Hold a hearing
- ② Do nothing
- ③ Hold a hearing, ask the Department of Commerce to take this action #15, Comm 21.04(3)(9)
[9 of 29]



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Terry C. Anderson
Legislative Council Director

Richard Sweet
Clearinghouse Assistant Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE REPORT TO AGENCY

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

CLEARINGHOUSE RULE 02-077

AN ORDER to repeal Comm 21.18 (1) (c) 1., 21.25 (3) (c), 22.03 (title), 22.06 (14), Table 22.07-1, Table 22.23 column 2 and footnote 1 and 22.35 (4) (a) 4.; to renumber Comm 21.04 (4) (c) 1. to 3., 21.18 (1) (d), 22.03 (1) and (2), Table 22.07-2 and 22.35 (4) (a) 5.; to renumber and amend Comm 21.04 (4) (c) (intro.) and 4.; to amend Comm 20.24 (1), (2) and note, 21.02 (1) (intro.) and (d), 21.03 (1) (a), (5) (a) (intro.) and (10) (b), 21.04 (2) (b) 1. and (e) and (3) (a), 21.045 (3) (c), 21.05 (1) (a) and (5) (b), 21.08 (title), (1) (a) 1. and (2) (title) and (2) (a) to (c), 21.085 (1) (b), 21.10 (4) (a), 21.12, Table 21.18-A, Table 21.18-C, Table 21.18-F, 21.18 (4) (intro.) and (b), 21.22 (5) (b) 1., 21.30 (7) (b) and (d), 22.06 (15) and (31), 22.12 (1), 22.24, 22.31 (3) and 22.34 (2); to repeal and recreate Comm 20.07 (35), 20.24 (4) to (17), 21.03 (1) (e) and (5) (b) 1., 21.04 (3) (b) 3., Table 21.18-A footnote e, 21.203 (2), 21.205, 21.22 (6), 21.27 (3) (b), 21.28 (1) (a), 22.07, 22.21 (1), 22.30 (2), 22.34 (1), 22.35 (2) and (4) (a) 3. and (b), Table 22.35-1, 22.35 (6) and 22.35 (7); and to create Comm 20.07 (10t), 21.03 (1) (f) and (g), 21.04 (2) (f) and (3) (c) 3., 21.125 (4), 21.18 (1) (d), 21.24 (1) (title), (2) (title) and (3), 22.03 (title) and (1) to (3), 22.06 (17m), 22.195, 22.20, 22.335, 22.35 (4) (c) and (d) and (8), Table 22.35-3 and 25.01 note, relating to the uniform dwelling code.

Submitted by **DEPARTMENT OF COMMERCE**

05-30-2002 RECEIVED BY LEGISLATIVE COUNCIL.

06-26-2002 REPORT SENT TO AGENCY.

RS:PGC

LEGISLATIVE COUNCIL RULES CLEARINGHOUSE REPORT

This rule has been reviewed by the Rules Clearinghouse. Based on that review, comments are reported as noted below:

1. STATUTORY AUTHORITY [s. 227.15 (2) (a)]

Comment Attached YES NO

2. FORM, STYLE AND PLACEMENT IN ADMINISTRATIVE CODE [s. 227.15 (2) (c)]

Comment Attached YES NO

3. CONFLICT WITH OR DUPLICATION OF EXISTING RULES [s. 227.15 (2) (d)]

Comment Attached YES NO

4. ADEQUACY OF REFERENCES TO RELATED STATUTES, RULES AND FORMS [s. 227.15 (2) (e)]

Comment Attached YES NO

5. CLARITY, GRAMMAR, PUNCTUATION AND USE OF PLAIN LANGUAGE [s. 227.15 (2) (f)]

Comment Attached YES NO

6. POTENTIAL CONFLICTS WITH, AND COMPARABILITY TO, RELATED FEDERAL REGULATIONS [s. 227.15 (2) (g)]

Comment Attached YES NO

7. COMPLIANCE WITH PERMIT ACTION DEADLINE REQUIREMENTS [s. 227.15 (2) (h)]

Comment Attached YES NO



WISCONSIN LEGISLATIVE COUNCIL RULES CLEARINGHOUSE

Ronald Sklansky
Clearinghouse Director

Richard Sweet
Clearinghouse Assistant Director

Terry C. Anderson
Legislative Council Director

Laura D. Rose
Legislative Council Deputy Director

CLEARINGHOUSE RULE 02-077

Comments

[NOTE: All citations to "Manual" in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated September 1998.]

2. Form, Style and Placement in Administrative Code

a. In SECTION 7, the text should begin with the reference "Comm 21.03 (1) (e)." [See also the text of SECTION 8.]

b. In SECTION 12, it appears that s. Comm 21.04 (2) (e) 1. is amended. If so, the notation "1." should be included in the treatment clause and inserted before the word "Within" in the text of the rule.

c. The treatment clauses of SECTIONS 17 and 18 should be combined to read as follows: "Comm 21.04 (4) (c) (intro.) and 1. to 3. are renumbered Comm 21.04 (4) (c) 1. (intro.) and a. to c. and Comm 21.04 (4) (c) 1. (intro.), as renumbered, is amended to read:".

d. In s. Comm 21.125 (4), the phrase "shall be responsible for dismantling and removing erosion control procedures" should be replaced by the phrase "shall dismantle and remove erosion control procedures."

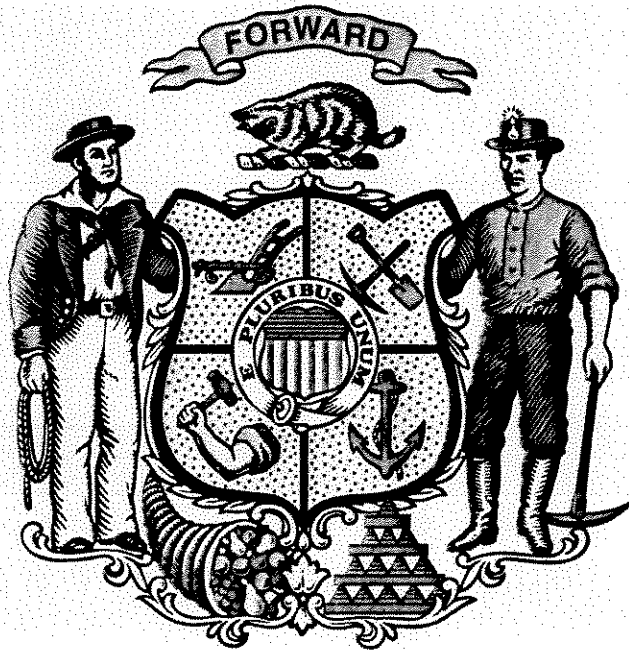
e. The treatment clause of SECTION 44 should read as follows: "Comm 22.03 (title) is repealed and recreated to read:". The new title then should be shown as text. As a result of this change, the treatment clause of SECTION 46 should read as follows: "Comm 22.03 (1) to (3) are created to read:".

f. In s. Comm 22.06 (31), the word "thereby" should be replaced by the word "are."

g. In s. Comm 22.335 (intro.), it appears that the word "section" should be replaced by the word "subchapter."

h. In s. Comm 22.35 (1), each occurrence of the word "Subchapters" should be replaced by the notation to "subchs." Also, the reference "pars. (a) through (d)" should be replaced by the phrase "all of the following":

i. Section Comm 22.35 (2) (e) 2. appears to be an incomplete sentence.



Subj: **fyi...Builders Association Alert**
Date: 1/31/03 4:00:44 PM Central Standard Time
From: czuleger@ranw.org (Chad Zuleger)
To: czuleger@ranw.org (Chad Zuleger)
CC: mchapman@ranw.org (Margery Chapman), lynn@vhba.com (Lynn Raether (E-mail)), tlanson@wra.org (Tom Larson (E-mail))

RANW Brokers:

At the request of the Valley Home Builders Association, we're passing on the following information to REALTORS® Association Brokers.

Please disseminate to your agents.

Thank you,

Chad Zuleger, Government Affairs Director
REALTORS® Association of Northeast Wisconsin
P.O. Box 2637, Appleton, WI 54912
920.739.9108
mobile: 920.470.9110
fax: 920.739.9157
czuleger@ranw.org

From the Valley Home Builders Association:

Proposed code change could cost \$400 per house

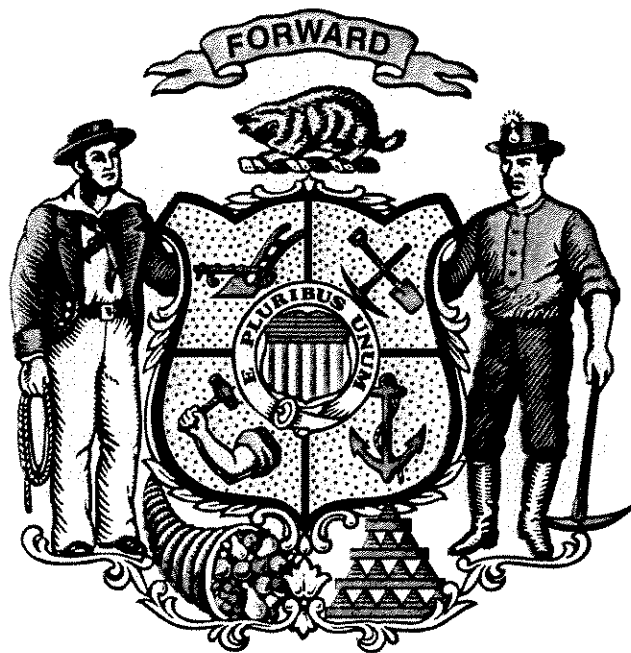
The Wisconsin legislature is scrutinizing updates to the One and Two Family Dwelling Code. One of those changes affects the way you build railings on stairs and balconies.

The change would reduce the maximum allowable space between spindles from the current 6-inches to just 4-inches. This change is being made because the International Residential Code utilizes the 4-inch spacing, rather than the 6. The Uniform Dwelling Code Council approved the change to be consistent with the IRC.

Since the rule was sent to the legislature, several builders have raised new concerns:

- * Cost: estimated to add \$400 per home
- * Aesthetics: the new spacing requirement will require three spindles-per-stair in most designs.
- * Safety: It is possible to maintain two-spindles-per stair and meet the spacing requirement, but stairs would have to be narrower, and therefore steeper.

The Chairs of the two housing committees have asked WBA to poll a selection of its members to determine if there is a concern about this proposal.



Becher, Scott

From: LCBJOHN@aol.com
Sent: Saturday, February 01, 2003 12:54 PM
To: Sen.Stepp@legis.state.wi.us
Cc: Rep.Wieckert@legis.state.wi.us; Rep.Huebsch@legis.state.wi.us; Sen.Meyer@legis.state.wi.us
Subject: 4" rail spacing

Dear Senator Stepp:

I am writing to register my concerns against the UDC proposed code change which would require us to change the spacing on all open railings in new construction. As a builder who builds in both MN. and WI. I work with both the current 6" spacing we now have in WI. and the 4" spacing required in MN. as they are under the IBC.

On the homes we build, the 4" spacing will add 450.00 - 550.00 dollars per open rail system in material and labor. This cost does not include the additional cost incurred on exterior decks and steps. While I am a firm believer in safe housing, I cannot justify this cost to safety and I am not aware of an accident in WI do to the spindles being 6" vs. 4" apart. I can tell our rails in MN do not have a very nice look as we need to put three spindles on each tread vs. two in WI. under current code.

When constructing the rails on exterior deck, the finished look is just plain terrible. People what to sit on their decks and look out but spindles 4" apart obstruct much of the view. We have had owners ask us to space the spindles farther apart and they are not happy when we tell them their MN code will not allow us to do so. I have jokingly said they should have staid in WI were we have reasonable codes. I hope this situation does not change.

I believe the push for this change is coming from bureaucrats who want the WI. code to mimic the International Code. I find this very frustrating as our WI. code, in most instances, has more commonsense in it than the IBC allowing us to build better homes for less money. As a builder who works with both, we have a better code and this change is not needed and I hope will be stopped.

Thank you for you time and I hope you can help us on this matter.

Respectfully, John Lautz, President, Lautz Custom Builders, Inc., West Salem, WI

Becher, Scott

From: MicLotto@aol.com
Sent: Sunday, February 02, 2003 8:37 PM
To: Rep.Wieckert@legis.state.wi.us
Subject: UDC Codes

Hi Rep. Wiechert

I'm a small builder in the Greenleaf area and am concern with the proliferation of codes that continually raise the cost of building a new home year after year.

I am opposed to the required change to 4" clearance maximum for balasters. This adds hundreds of dollars to the cost, and I cannot see why it is needed. Let's bring some common sense to these code requirements. My customers just don't get it when I tell them they MUST have something included that they don't want, because some beaurocrat says its code.

Thank you for considerting my position.

Mike Lotto, Lotto Homes, 6438 Ledge-top Dr., Greenleaf, WI 54126.
920-864-7803.

Becher, Scott

From: mike nett [mikenett@charterinternet.net]

Sent: Monday, February 03, 2003 2:27 PM

To: Rep.Wieckert@legis.state.wi.us

Subject: UDC

Dear Representative Wieckert,

Please allow me the opportunity to express my opposition to changing in the UDC Code regarding spindle spacing from 6" to 4".
Thank you!

Sincerely,

Mike Nett, President
Nett Construction & Insulation, Inc.

02/03/2003

Becher, Scott

From: Andy Vande Hey [andyv@vandeheys.com]
Sent: Tuesday, February 04, 2003 8:59 AM
To: Rep.Wieckert@legis.state.wi.us
Subject: Dwelling code change

Dear Rep. Wieckert,

Thank you for taking the time to hear the voice of the people. I was recently informed about the possible dwelling code change on the spacing of spindles from 6" to 4". I would urge you to hold true to the 6" spacing.

We operated a design/build landscaping/carpentry firm and the change would do more harm than good. The main negatives I see are the increased cost passed on to the homeowners, blocking more of the view for the homeowner, and also making outdoor structures look worse to neighbors.

From a safety standpoint the 6" rule has been keeping our people safe for years, 4" will not save anymore lives. Please consider keeping the 6" rule for spindle spacing.

I would greatly appreciate a response letting me know how you intend to vote on this issue. Thank you for your time.

Warmest Regards,

Andy Vande Hey

Becher, Scott

From: Garry H. Decker & Co., LLC [ghdecker@athenet.net]

Sent: Tuesday, February 04, 2003 10:37 AM

To: Rep.Wieckert@legis.state.wi.us

Subject: Spindles

Dear Representative Wieckert,

I am opposed to the change from 6" to 4" apart for spindles. There is no good reason to make this change, other than to create more problems for builders. Why would this make for a good change??? Again, I would like to see a "NO" vote on this.

Garry Decker

Becher, Scott

From: Leon Church [lchurch@sweetwoodbuilders.com]
Sent: Tuesday, February 04, 2003 10:58 AM
To: Sen.Stepp@legis.state.wi.us; Rep.Wieckert@legis.state.wi.us
Subject: spacing of stair spindles

Hello,

I would like to respond to the issue at hand regarding changing the spacing of spindles from 6" to 4". I have no problem doing on balconies or other non-stair areas. However, when you get to the stairway, 4" spacing poses a problem. It will be difficult to get three spindles on a stair, which is what would be required for 4" spacing. The aesthetics of the stair will certainly be undermined. There is also a considerable cost increase, not only in additional spindles, but in choosing deeper treads in order to comfortably get all three spindles on each step.

Thank you,

Leon Church

Sweetwood Builders, Inc.

920-739-4111

lchurch@sweetwoodbuilders.com

Note new e-mail address: For Leon Church use lchurch@sweetwoodbuilders.com. For Mary Anne Moore-Church use moorechurch@sweetwoodbuilders.com. For Tina Sabel use tsabel@sweetwoodbuilders.com. Visit our web site at www.sweetwoodbuilders.com.

Sommers, Tim

From: Hugh Mulliken [mulliken@dcwis.com]
Sent: Tuesday, February 04, 2003 11:45 AM
To: Sen.Stepp@legis.state.wi.us
Cc: Rep.Wieckert@legis.state.wi.us
Subject: Uniform Dwelling Code

Dear Sen Stepp and Rep. Weickert: I would like to comment briefly about the contemplated change in the UDC regarding the spacing of spindles on stairs and decks. I have been designing homes for approximately thirty years. When the code was first adopted a maximum nine inch (9") space was required, it then went to six inches (6"). I suspect the reduction was to prevent the way-ward baby from crawling through a stair rail. Now it is my understanding that you are contemplating reducing the spacing to four inches (4"). Why I must ask? Certainly the current spaces is small enough to prevent any injury and any reduction in the required space would only serve to restrict the ability to see through the spindles on applications such as a deck that over looks a nice view. I would hope that you consider carefully the ramifications of this decision before making a hasty change. It really isn't necessary for the health and safety of our citizens. Thanks for your consideration on this subject. Hugh Mulliken

Sommers, Tim

From: ACE Builders, LLC [ace@dcwis.com]
Sent: Tuesday, February 04, 2003 11:13 AM
To: Sen.Stepp@legis.state.wi.us; Rep.Wieckert@legis.state.wi.us
Rep.Wieckert@legis.state.wi.us

Subject: Spindle Code Change

Dear Legislators,

I am writing in concern of the upcoming spindle code change from the current 6" to a 4" spacing. My concern is the safety factor will not outway the asthetic value and cost increase with additional spindles.

The asthetics of an interior stairway will be hard to maintain with the spacing on the tread depth as it is currently set to code. Do we want to address either lenthening the tread or shortening it which we feel would be dangerous.

An exterior deck is already compromised asthetically with the close requirements of the spindles and the additional spindles will not greatly increase the safety of a child.

We hope you consider all of the requirements and weigh the value of the code change for the homeowner and the builder as well. As a builder we feel the code would not be of value to either the homeowner or the builder

Sincerely,

Suzanne J. Wick

Ace G. Wick
ACE Builders, LLC
4879 Mathey Rd.
Sturgeon Bay, WI 54235
(920) 746-0472

Sommers, Tim

From: Chris Trudell [ctrudell@new.rr.com]
Sent: Tuesday, February 04, 2003 1:44 PM
To: Rep.Wieckert@legis.state.wi.us
Subject: code change proposed for spindles

Hi Steve!

Thanks for taking the time to meet with us last week! As always, if we can do anything at the local level to assist you, just let me know. I wanted to send a quick email regarding the proposed change in spindle spacing in the code revisions. As a builder of higher end homes, I am concerned on 2 fronts - first, the cost to add the additional spindles on the homes we build could add as much as \$1500 to the cost of a project. Second, the appearance of 3 spindles per stair is going to be objectionable to most of my clients. While I understand the safety issues that are trying to be addressed, I think the consumer is not going to be happy about the looks of this configuration. I have been told a possible compromise would be 6" spacing on the stairs and the proposed 4" spacing on balconies, etc. and personally feel this would be a much better alternative from both a cost and aesthetics perspective. Thanks for your time and attention in resolving this issue.

Chris Trudell
President
Valley Home Builders Association
ctrudell@new.rr.com
920-720-0565 office

02/04/2003

Becher, Scott

From: GREAT NORTHERN CONSTRUCTION, INC. [gncinc@itol.com]
Sent: Tuesday, February 04, 2003 2:21 PM
To: Rep.Wieckert@legis.state.wi.us; Sen.Stepp@legis.state.wi.us
Subject: UNIFORM DWELLING CODE

I am opposed to reducing the maximum allowable space between stair spindles from the current 6" to 4". It is an unnecessary change that would increase the cost of construction, be aesthetically limiting, and pose peril because it would encourage stair treads to be designed to the minimum depth. 6" spacing is narrow enough. Please oppose this proposal.

Tom Birmingham

Great Northern Construction, Inc.

V: 920-868-3611

C: 920-493-0051

F: 920-868-9304

Becher, Scott

From: Mary Schroeder [msbuilder@millerhomesinc.com]
Sent: Tuesday, February 04, 2003 3:10 PM
To: Rep.Wieckert@legis.state.wi.us
Subject: Uniform Dwelling Code - Stair Spindle Revision



MBA - UDC -
Spindle Changes - ...

Dear Representative Weickert:

Attached please find my response to the proposed Stair Spindle Revision to the Wisconsin Uniform Dwelling Code. Your attention to this matter is appreciated.

Sincerely,

MILLER HOMES INC.
Mary L. Schroeder
President



September 26, 2002

State Representative Steve Wieckert
Rep.Weickert@legis.state.wi.us

RE: UDC – Spindle Changes

Dear Representative Wieckert:

Miller Homes is extremely concerned with regard to this proposal.

1. Our position is that it will add a cost of between \$350.00 and \$800.00 per house, which for some people is fine, but for lower income people, it may put the cost of a home out of reach.
2. In order to maintain a (2) spindle per stair design, we will be forced to shorten the stairs to the legal minimum limit, thus causing stairs to be steeper and less safe.
3. If we go to (3) spindles per stair, this could add additional dollars to each house.
4. Aesthetically, which I am fully aware is not as important as safety, but still will address, is that stair railings will begin to look like jail cells.
5. There have been no cases of small children falling through 6" spacing. This proposal was brought up by someone who was questioning "What if a child went through 6" spacing?" I spoke to my own pediatrician, who will not go on record due to obvious liability issues, but said that most children's heads, once they are at an age to be able to move around, is larger than the 6" spacing.
6. One of my greatest fears was brought up at an NAHB Meeting and that this that at a 4" spacing, if a child backs through a stair rail, there is the potential of hanging. At least with a 6", the likelihood of that same child's head going through is far greater and would result in only an 8' fall versus strangulation.

I hope that this helps in your decision making process. If I can be of further assistance, you can reach me at 262-821-1818 or msbuilder@millerhomesinc.com.

Thank you for your attention to my concerns.

Sincerely,

MILLER HOMES INC.

Mary L. Schroeder
President

MLS/gkg

Sommers, Tim

From: Kim M. Johnson [jgolf@wiscobuilds.com]
Sent: Tuesday, February 04, 2003 3:29 PM
To: Rep.Wieckert@legis.state.wi.us; SenStepp@legis.state.wi.us
Subject: Stair Spindel Proposal

Steve and Cathy,

Just received a notice that we are contemplating a significant change to the number of stair spindels required via the building code. I know that this unnecessary change will undoubtedly cause construction problems with spacing, added cost and even possibly resulting in steeper and less safe stair configurations. Please pass on to all your contacts that the change is truly unnecessary and makes little sense to us. How the international code justifies it has to be a mystery to those of us here.

Appreciate your consideration.

Kim Johnson

Becher, Scott

From: Kenmark Construction [kenmark@athenet.net]
Sent: Wednesday, February 05, 2003 10:07 AM
To: Steve Wieckert; Sen.Stepp@legis.state.wi.us
Subject: 4" Railing Spacing

Dear Cathy:

My name is Ken Joosten, president of Kenmark Construction, Inc. a construction Company located in Appleton, WI. I supported your campaign with funds in the past election cycle and would like your help on a code change currently being considered.

My company has been in the construction industry in the Fox Valley area for the past 25+ years, and have seen code changes come and go. I have struggled from time to time with the practical application and sometimes the net benefits of some code changes that have been instituted over my building career here in Wisconsin. Perhaps more than ever I find it hard to understand the 4" spindle spacing code change that is currently being considered. I see nothing but increasing the cost of construction by an average of \$400.00 as a result of this change and fail to see who we will be protecting by this increased cost. My understanding is the purpose of this change is to bring current codes in line with some other existing standard which on it's own has no merit.

As a representative of Kenmark Construction, Inc. and my industry I urge you to do all you can to examine this issue and see that it is defeated in final approval.

Thank You! in advance for you prompt attention to this issue.

Regards;
Ken Joosten

Wieckert, Steve

From: Leon Church [esweetwoodbuild@new.rr.com]
Sent: Thursday, February 06, 2003 11:54 AM
To: 'Wieckert, Steve'
Subject: RE: spacing of stair spindles

Steve, The balance of the changes to the UDC have been looked at by the Builders and are ok. If you more info please call. Thanks Leon Church

Note new e-mail address: For Leon Church use lchurch@sweetwoodbuilders.com. For Mary Anne Moore-Church use moorechurch@sweetwoodbuilders.com. For Tina Sabel use tsabel@sweetwoodbuilders.com. Visit our web site at www.sweetwoodbuilders.com.

-----Original Message-----

From: Wieckert, Steve [mailto:Steve.Wieckert@legis.state.wi.us]
Sent: Wednesday, February 05, 2003 6:34 AM
To: Leon Church
Subject: RE: spacing of stair spindles

Hello Leon, Thanks for the e-mail. I'd be glad to look into the problems with the UDC regarding staircase spindles. The change does not seem to be very practical and there doesn't seem to be evidence that it is correcting any existing problem. Thanks Steve

-----Original Message-----

From: Leon Church [mailto:lchurch@sweetwoodbuilders.com]
Sent: Tuesday, February 04, 2003 10:58 AM
To: Sen.Stepp@legis.state.wi.us; Rep.Wieckert@legis.state.wi.us
Subject: spacing of stair spindles

Hello,
I would like to respond to the issue at hand regarding changing the spacing of spindles from 6" to 4". I have no problem doing on balconies or other non-stair areas. However, when you get to the stairway, 4" spacing poses a problem. It will be difficult to get three spindles on a stair, which is what would be required for 4" spacing. The aesthetics of the stair will certainly be undermined. There is also a considerable cost increase, not only in additional spindles, but in choosing deeper treads in order to comfortably get all three spindles on each step.

Thank you,
Leon Church
Sweetwood Builders, Inc.
920-739-4111
lchurch@sweetwoodbuilders.com

Note new e-mail address: For Leon Church use lchurch@sweetwoodbuilders.com. For Mary Anne Moore-Church use moorechurch@sweetwoodbuilders.com. For Tina Sabel use tsabel@sweetwoodbuilders.com. Visit our web site at www.sweetwoodbuilders.com.

Becher, Scott

From: Leon Church [esweetwoodbuild@new.rr.com]
Sent: Thursday, February 06, 2003 1:21 PM
To: 'Wieckert, Steve'
Subject: RE: spacing of stair spindles
Steve, Thanks Leon

Note new e-mail address: For Leon Church use lchurch@sweetwoodbuilders.com. For Mary Anne Moore-Church use moorechurch@sweetwoodbuilders.com. For Tina Sabel use tsabel@sweetwoodbuilders.com. Visit our web site at www.sweetwoodbuilders.com.

-----Original Message-----

From: Wieckert, Steve [mailto:Steve.Wieckert@legis.state.wi.us]
Sent: Thursday, February 06, 2003 1:15 PM
To: Leon Church
Subject: RE: spacing of stair spindles

Thanks Leon, I'll be meeting with the Secretary of Commerce later today to discuss the UDC code changes and make suggestions. Steve

-----Original Message-----

From: Leon Church [mailto:esweetwoodbuild@new.rr.com]
Sent: Thursday, February 06, 2003 11:54 AM
To: 'Wieckert, Steve'
Subject: RE: spacing of stair spindles

Steve, The balance of the changes to the UDC have been looked at by the Builders and are ok. If you more info please call. Thanks Leon Church

Note new e-mail address: For Leon Church use lchurch@sweetwoodbuilders.com. For Mary Anne Moore-Church use moorechurch@sweetwoodbuilders.com. For Tina Sabel use tsabel@sweetwoodbuilders.com. Visit our web site at www.sweetwoodbuilders.com.

-----Original Message-----

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Sent: Wednesday, February 05, 2003 6:34 AM
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Sent: Tuesday, February 04, 2003 10:58 AM
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areas. However, when you get to the stairway, 4" spacing poses a problem. It will be difficult to get three spindles on a stair, which is what would be required for 4" spacing. The aesthetics of the stair will certainly be undermined. There is also a considerable cost increase, not only in additional spindles, but in choosing deeper treads in order to comfortably get all three spindles on each step.

Thank you,
Leon Church
Sweetwood Builders, Inc.
920-739-4111
lchurch@sweetwoodbuilders.com

Note new e-mail address: For Leon Church use lchurch@sweetwoodbuilders.com. For Mary Anne Moore-Church use moorechurch@sweetwoodbuilders.com. For Tina Sabel use tsabel@sweetwoodbuilders.com. Visit our web site at www.sweetwoodbuilders.com.

Becher, Scott

From: revelations [revelations@voyager.net]

Sent: Thursday, February 06, 2003 2:54 PM

To: Rep.Wieckert@legis.state.wi.us

Subject: Uniform Dwelling Code

In regards to the 6-inches to just 4-inches spacing between spindles....if the spacing is 4-inches instead of the 6-inches you might as well make everying railing a brick wall.

Becher, Scott

From: Craig Caliendo [ccaliendo@kingswaykettlecreek.com]
Sent: Thursday, February 06, 2003 2:51 PM
To: 'Rep.Wieckert@legis.state.wi.us'
Subject: UDC - Spindle Changes

Dear Senator Wieckert:

On behalf of Kings Way Homes, Kettle Creek Homes, LLC and Chapel Hill Homes, Inc. I would like to express my opposition to the proposed changes to the UDC regarding spindle spacing. We believe the existing requirements are more than sufficient to address safety concerns. The proposed change would merely add an unnecessary expense for our home buying customers. We also believe that this change would hurt the aesthetic look of stairways, and if stairways are narrowed to maintain the existing two-spindles per stair look, safety would be compromised due to steeper stairways. We ask that you oppose this change.

Thank you for your time.

Craig A. Caliendo
President
Kings Way Homes, Inc. & Kettle Creek Homes, LLC
700 Pilgrim Parkway
Elm Grove, WI 53122
262-797-3605 ext. 220
262-780-1985 (fax)
ccaliendo@kingswaykettlecreek.com

Becher, Scott

From: Lorene Scheelk Scheelk [lorenescheelk@hotmail.com]
Sent: Thursday, February 06, 2003 4:44 PM
To: Sen.Stepp@legis.state.wi.us; Rep.Wieckert@legis.state.wi.us
Subject: Proposed building code change

Hello: It has been brought to our attention that there is a proposed building code change in regards to spacing requirements of spindles on staircases in new construction. The change would reduce the space between spindles from 6 to 4 inches. As a builder we object and ask you to object for the following reasons.

- Cost: estimated to add \$400 per home.
- Aesthetics: the 3 spindles per stair in most designs.
- Safety: Stairs would have to be narrower and therefore steeper.

Sincerely,

David Scheelk
Scheelk Construction Inc.
1558 Krause Rd.
Sobieski, WI 54171

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Becher, Scott

From: Stephen M. Kaiser [kbd@ticon.net]
Sent: Friday, February 07, 2003 10:06 PM
To: Rep.Wieckert@legis.state.wi.us
Subject: spindle code change

Dear Rep. Wieckert:

I am writing briefly to express concern over the issue of lowering the spacing requirement for residential railings. Maintaining consistency with the IRC is not a bad idea overall, but, I have seen too many items that are just not functional or that do not increase public safety. This would be one of those items.

Back in 1991 or so, we changed the spacing from 9" to 6", this change made sense. 9" was not small enough to keep young children from getting through the opening, 6" definitely increased public safety. A change from 6" to 4" seems very much like overkill. I do not see an advantage here of going to 4". This is only going to add costs that will carry to our buyers at no increase to their general safety. Safety aside, let's talk aesthetics. 4" is going to be extremely compact for most design styles and quite frankly does not leave much room to see through.

Please consider these issues for the 2/14/03 hearing. Thankyou for you time.

Sincerely,

Stephen M. Kaiser

Wieckert, Steve

From: Leon Church [esweetwoodbuild@new.rr.com]
Sent: Thursday, February 06, 2003 11:54 AM
To: 'Wieckert, Steve'
Subject: RE: spacing of stair spindles

Steve, The balance of the changes to the UDC have been looked at by the Builders and are ok. If you more info please call. Thanks Leon Church

Note new e-mail address: For Leon Church use lchurch@sweetwoodbuilders.com. For Mary Anne Moore-Church use moorechurch@sweetwoodbuilders.com. For Tina Sabel use tsabel@sweetwoodbuilders.com. Visit our web site at www.sweetwoodbuilders.com.

-----Original Message-----

From: Wieckert, Steve [mailto:Steve.Wieckert@legis.state.wi.us]
Sent: Wednesday, February 05, 2003 6:34 AM
To: Leon Church
Subject: RE: spacing of stair spindles

Hello Leon, Thanks for the e-mail. I'd be glad to look into the problems with the UDC regarding staircase spindles. The change does not seem to be very practical and there doesn't seem to be evidence that it is correcting any existing problem. Thanks Steve

-----Original Message-----

From: Leon Church [mailto:lchurch@sweetwoodbuilders.com]
Sent: Tuesday, February 04, 2003 10:58 AM
To: Sen.Stepp@legis.state.wi.us; Rep.Wieckert@legis.state.wi.us
Subject: spacing of stair spindles

Hello,

I would like to respond to the issue at hand regarding changing the spacing of spindles from 6" to 4". I have no problem doing on balconies or other non-stair areas. However, when you get to the stairway, 4" spacing poses a problem. It will be difficult to get three spindles on a stair, which is what would be required for 4" spacing. The aesthetics of the stair will certainly be undermined. There is also a considerable cost increase, not only in additional spindles, but in choosing deeper treads in order to comfortably get all three spindles on each step.

Thank you,

Leon Church
Sweetwood Builders, Inc.
920-739-4111

lchurch@sweetwoodbuilders.com

Note new e-mail address: For Leon Church use lchurch@sweetwoodbuilders.com. For Mary Anne Moore-Church use moorechurch@sweetwoodbuilders.com. For Tina Sabel use tsabel@sweetwoodbuilders.com. Visit our web site at www.sweetwoodbuilders.com.

Wieckert, Steve

From: Leon Church [esweetwoodbuild@new.rr.com]
Sent: Thursday, February 06, 2003 1:21 PM
To: 'Wieckert, Steve'
Subject: RE: spacing of stair spindles

Steve, Thanks Leon

Note new e-mail address: For Leon Church use lchurch@sweetwoodbuilders.com. For Mary Anne Moore-Church use moorechurch@sweetwoodbuilders.com. For Tina Sabel use tsabel@sweetwoodbuilders.com. Visit our web site at www.sweetwoodbuilders.com.

-----Original Message-----

From: Wieckert, Steve [mailto:Steve.Wieckert@legis.state.wi.us]
Sent: Thursday, February 06, 2003 1:15 PM
To: Leon Church
Subject: RE: spacing of stair spindles

Thanks Leon, I'll be meeting with the Secretary of Commerce later today to discuss the UDC code changes and make suggestions. Steve

-----Original Message-----

From: Leon Church [mailto:esweetwoodbuild@new.rr.com]
Sent: Thursday, February 06, 2003 11:54 AM
To: 'Wieckert, Steve'
Subject: RE: spacing of stair spindles

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Thank you,
Leon Church
Sweetwood Builders, Inc.
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