

CHAPTER Comm 70
HISTORIC BUILDING CODE

SECTION 1. Comm 70.02 (2) (e) and (i) are amended to read:

Comm 70.02 (2) (e) ~~Chapter Comm 56 occupancies, except libraries, museums and art galleries~~ Educational occupancies specified in IBC section 305.1;

(i) Other buildings as specified in s. ~~Comm 50.04~~ 61.02 (4).

SECTION 2. Comm 70.03 (2) is repealed and recreated to read:

Comm 70.03 (2) OCCUPANCY CHANGES. When a qualified historic building is changed to an occupancy different than what the building was originally constructed as, the owner may elect to be subject to this chapter or the prevailing code.

SECTION 3. Comm 70.04 is repealed and recreated to read:

Comm 70.04 Impact of other codes on qualified historic buildings. The owner of a qualified historic building who elects to be subject to this chapter is not required to comply with any provision of any other building code, including any county or municipal building code, or of any other local ordinance or regulation, if that provision concerns a matter dealt with in the historic building code.

SECTION 4. Comm 70.05 is repealed and recreated to read:

Comm 70.05 Verification of a qualified historic building. When an owner elects to be subject to the requirements in this chapter, a verification of historic status form shall be completed and submitted to the department or an authorized representative with the plans and specifications as specified in s. Comm 70.07 (3). The verification of historic status form shall be signed by the state historic preservation officer or an authorized municipal official verifying the building is a qualified historic building.

Note: A copy of the verification of historic status form, SBD-7728, is available from the Safety and Buildings Division at P.O. Box 7162, Madison, WI 53707-7162, or at telephone 608/266-3151 and at 608/264-8777 (TTY), or at the Safety and Buildings' web site at www.commerce.state.wi.us.

SECTION 5. Comm 70.06 is repealed and recreated to read:

Comm 70.06 Application of historic building code. (1) GENERAL. Except as specified in sub. (2), when an owner elects to be subject to this chapter, it shall be applied as follows:

(a) A qualified historic building that is altered, remodeled, reproduced, or changed in occupancy shall comply with the requirements in subchs. IV to X.

(b) A qualified historic building that is preserved, reconstituted, repaired or restored shall comply with the requirements of subchs. V to X.

(2) HISTORICAL EXHIBITS. Any qualified historic building that is preserved and used solely as an historical exhibit shall comply with the requirements in subch. IX.

SECTION 6. Comm 70.07 (1) and (3) are repealed and recreated to read:

Comm 70.07 (1) PLAN SUBMITTAL. If a qualified historic building is altered, remodeled, or changed to a new occupancy, plans and specifications shall be submitted to the department or an authorized representative as specified in s. Comm 61.30.

(3) PLANS, SPECIFICATIONS AND DATA. Plans and specifications shall be submitted and prepared in accordance with ss. Comm 61.30 and 61.31.

SECTION 7. Comm 70.07 (5) (b) and (c) are amended to read:

Comm 70.07 (5) (b) *Verification form.* A verification of historic status form as specified in s. Comm 70.05 shall be submitted ~~and signed by the state historic preservation officer or an authorized municipal official verifying that the building is a qualified historic building to the department or an authorized representative with plans and specifications required in sub. (3).~~

(c) *Building evaluation form.* When the building evaluation method is used, a completed building evaluation form as specified in s. Comm 70.23 shall be submitted to the department or an authorized representative with plans and specifications required in sub. (3).

Note: Copies of the department plan approval application form ~~SB-118-SBD-118,~~ verification of historic status form SBD-7728, and building evaluation form SDB-10725-E are available from the Safety and Buildings Division at P.O. Box 7162, Madison, WI 53701-7162, or at telephone 608/264-1818 and 608/264-8777 (TTY). Some of the department forms are also available at the Safety and Buildings' web site at www.commerce.state.wi.us.

SECTION 8. Comm 70.08 is repealed and recreated to read:

Comm 70.08 Approvals. The department or an authorized representative shall review and make a determination on an application for plan review in accordance with s. Comm 61.31.

SECTION 9. Comm 70.17 (2) is amended to read:

Comm 70.17 (2) "Authorized representative" means any certified municipality or county as specified in s. Comm ~~50.24~~ 61.70, and any appointed agent as specified in s. Comm ~~50.22~~ 61.71.

SECTION 10. Comm 70.17 (5) is amended to read:

(5) ~~“Change in use”~~ “Changed in occupancy” means the process of adapting a building to ~~accomplish a use an occupancy other than that for which it was originally designed but does not mean a change of use within an occupancy chapter.~~

~~Note: For example a factory occupancy being converted to an assembly occupancy or a one and 2 family dwelling (exempt from department code regulations) converted to a mercantile occupancy.~~

SECTION 11. Comm 70.17 (11) is repealed.

SECTION 12. Comm 70.17 (9) and (10) are renumbered (10) and (11).

SECTION 13. Comm 70.17 (9) is created to read:

Comm 70.17 (9) “IBC” means the *International Building Code*®.

SECTION 14. Comm 70.17 (14) is amended to read:

Comm 70.17 (14) “Prevailing code” means the ~~most~~ current edition of chs. ~~Comm 50-64 building and heating, ventilating and air conditioning code~~ Comm 61 to 65, the Wisconsin Commercial Building Code.

Note: The Wisconsin Commercial Building Code, chs Comm 61 to 65, adopts by reference the *International Building Code*® (IBC), the *International Energy Conservation Code*TM (IECC), the *International Mechanical Code*® (IMC) and the *International Fuel Gas Code*® (IFGC). Comm 14, Fire Prevention Code, may have rules that may affect the maintenance and use of a qualified historic building.

SECTION 15. Comm 70.17 (18) is repealed and recreated to read:

Comm 70.17 (18) “Remodel” has the meaning given in s. 101.132 (1) (h), Stats.

Note: Section 101.132 (1) (h), Stats. reads: “ ‘Remodel’ means to substantially improve, alter, extend or otherwise change the structure of a building or change the location of exits, but does not include maintenance, redecoration, reroofing or alteration of mechanical or electrical systems.”

SECTION 16: Comm 70.20 is amended to read:

Comm 70.20 Scope and application. This subchapter provides an alternative method for determining code compliance for a qualified historic building being remodeled, altered or changed in use occupancy. When the building evaluation method is used, the method shall be used in its entirety to evaluate a qualified historic building.

SECTION 17. Comm 70.21 and 70.22 are repealed and recreated to read:

Comm 70.21 Building evaluation method. (1) GENERAL. The building evaluation method evaluates the degree of life safety of a qualified historic building by comparing the 17 building safety parameters specified in s. Comm 70.22 with the requirements of the prevailing code. The degree of life safety is measured in terms of fire safety, means of egress and general safety as follows:

(a) *Fire safety.* The category of fire safety includes the building safety parameters affecting the structural fire resistance, automatic fire detection, fire alarm, and fire suppression features of a qualified historic building.

(b) *Means of egress.* The category of means of egress includes those building safety parameters affecting safe evacuation from a qualified historic building.

(c) *General safety.* The category of general safety includes all of the building safety parameters under fire safety and means of egress.

(2) DETERMINING NUMERICAL VALUES. A single numerical value shall be determined for each of the building safety parameters specified in s. Comm 70.22. After a numerical value has been determined for a building safety parameter, that value shall be entered for each of the applicable life safety categories in the corresponding row in Table Comm 70.23. The values shall be entered in accordance with all of the following:

(a) A numerical value may not be interpolated and, except for zero, shall be listed with a positive or negative sign.

(b) Where a building parameter does not apply, a value of zero shall be assigned.

(3) BUILDING SAFETY SCORE. (a) The numerical values entered in Table Comm 70.23 shall be algebraically totaled within each life safety column, and the total shall be listed as a safety score in each column.

(b) Where the safety score in each life safety column is equal to or greater than zero, the qualified historic building is in compliance with this chapter.

(c) Where the safety score in any of the life safety columns is less than zero, the building is not in compliance with this chapter, for the proposed occupancy. Additional safety measures may be proposed by the owner to bring any negative safety score to a value which is equal to or greater than zero.

Comm 70.22 Building safety parameters. A qualified historic building shall be evaluated in accordance with all of the following building safety parameters:

(1) NUMBER OF STORIES. (a) *Determining types of construction.* The type of construction shall be determined by comparing the actual building elements to those specified in the prevailing code. The type of construction shall be based on that which most closely represents the type of construction described in the prevailing code. A single numerical value shall be established from Table Comm 70.22-1 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

Note: See IBC chapter 6 as adopted in the prevailing code for types of construction requirements.

(b) *Different types of construction.* Buildings with different types of construction shall be separated with a type of construction separation specified in the prevailing code unless the lowest type of construction is used as the basis for the evaluation.

(c) *Allowable number of stories.* The allowable number of stories for the type of construction shall be determined in accordance with the prevailing code.

Note: See s. Comm 62.0500 and IBC chapter 5 as adopted in the prevailing code for allowable height and areas.

TABLE 70.22-1
Number of Stories

Number of Stories	Numerical Value (per story)
Each story above the maximum number of stories allowed	-5
Complies with prevailing code	0
Each story below the maximum number of stories	+5 (maximum value, +10)

(2) BUILDING AREA. (a) *Allowable area.* Except as specified in par. (b), the allowable building area shall be determined in accordance with the prevailing code. A single numerical value shall be established from Table Comm 70.22-2 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

Note: See s. Comm 62.0500 and IBC chapter 5 as adopted in the prevailing code for allowable building area.

(b) *Number of stories.* When the building has more stories than permitted by the prevailing code, the maximum number of stories allowed for that type of construction shall be used to determine the maximum allowable area requirements for the building.

**TABLE 70.22-2
Building Area**

Building Area	Numerical Value
More than 150% of the allowed area	-5
111% - 120% of allowed	-2
90% to 110% of allowed area, or where code does not have area limitations	0
80% - 89% of allowed	+2
70% - 79% of allowed	+3
50% - 69% of allowed	+4
Less than 50% of the area allowed	+5

(3) FIRE RESISTANCE RATING AND FIRE SEPARATION DISTANCE. The fire resistance rating requirements for exterior walls based on the fire separation distance shall be determined in accordance with the prevailing code. A single numerical value, using the worst case condition, shall be established from Table Comm 70.22-3 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

Note: See s. Comm 62.0702 and IBC section 702 for definition of fire separation distance, s. Comm 62.0704 and IBC section 704 for exterior wall construction and rating, and IBC section 602 for fire-resistance rating requirements for building elements, as adopted in the prevailing code.

**TABLE 70.22-3
Building Fire Separation Distance**

Building Fire Separation Distance	Numerical Value
Distance and rating less than allowed under the prevailing code	-2
Complies with prevailing code	0
Greater than the prevailing code	+2

(4) ATTIC COMPARTMENTALIZATION. The attic area shall be evaluated in accordance with the attic draftstopping requirements specified in the prevailing code. A single numerical value shall be established from Table Comm 70.22-4 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

Note: See IBC section 716.4 as adopted in the prevailing code for attic draftstopping requirements.

TABLE 70.22-4
Attic Compartmentalization

Attic Compartmentalization	Numerical Value
No compartments provided but required	-5
Compartments are not more than 10% over the code permitted areas	-3
Complies with prevailing code	0
Compartments are less than 25% of the code permitted areas	+3

(5) FIREBLOCKING AND DRAFTSTOPPING. The fireblocking and draftstopping requirements shall be determined in accordance with the prevailing code. If the existing wall material is removed and the wall cavity is exposed, fireblocking and draftstopping shall be provided in accordance with the prevailing code. A single numerical value, using the worst case condition, shall be established from Table Comm 70.22-5 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

Note: See IBC section 716.2 as adopted in the prevailing code for fireblocking and draftstopping requirements.

TABLE 70.22-5
Fireblocking and Draftstopping

Fireblocking and draftstopping	Numerical Value
No verification of fireblocking or draftstopping	-5
Fireblocking and draftstopping provided at basement and attic levels and wherever accessible	-3
Complies with prevailing code	0

(6) MIXED OCCUPANCIES. The separation of different occupancies shall be evaluated in accordance with the prevailing code. A single numerical value, using the worst case condition, shall be established from Table Comm 70.22-6 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

Note: See IBC section 302.3 as adopted in the prevailing code for separation of occupancy requirements.

**TABLE 70.22-6
Occupancy Separation**

Occupancy Separations	Numerical Value
No separation provided, but required	-5
Provided, but 2 hours less than required	-4
Provided, but 1 hour less than required	-2
Complies with prevailing code for fire resistive ratings or no separation is required ¹	0
Provided and 1 or more hours greater than required	+2

¹ Where a 3-hour separation is required and a 4-hour separation is provided, the value shall be zero.

(7) **VERTICAL OPENINGS.** (a) *Fire resistance ratings.* Except as specified in par. (b), the fire-resistance rating of enclosures of stairway exits, hoistways and other shafts or openings between 2 or more floors shall be evaluated in accordance with the prevailing code. A single numerical value, using the worst case condition, shall be established from Table Comm 70.22-7 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

Note: See IBC section 707 as adopted in the prevailing code for shaft and vertical exit enclosure requirements.

(b) *Exception.* Atriums from 3 levels to not more than 8 levels may not be considered in the evaluation of vertical openings, but shall comply with s. Comm 70.26.

**TABLE 70.22-7
Vertical Openings**

Vertical Openings	Numerical Value (per shaft or opening)
No enclosure	-3
Enclosure with no rating	-2
Enclosure provided but 1-hour below the required protection level	-1
Complies with prevailing code	0
1-hour required, but 2-hour provided	+1

(8) **HEATING, VENTILATING, AND AIR CONDITIONING.** The number of floors served by an individual heating, ventilating, and air conditioning (HVAC) system shall be determined in accordance with the prevailing code. A single numerical value shall be established from Table Comm 70.22-8 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

Note: See IMC section 607 as adopted in the prevailing code for ducts and air transfer openings.

**TABLE 70.22-8
HVAC Systems**

HVAC Systems	Numerical Value
Greater than 5-floor levels served by undampened duct system, combustibles in air plenums, or corridors used as air plenums.	-5
3 to 5-floor levels served by undampened duct system	-2
2-floor levels served by undampened duct system	-1
Complies with prevailing code or provided with fire dampers	0
Multi-level buildings having 1-floor level HVAC system or central system with no ducts serving other floor levels	+5

(9) SMOKE DETECTION. The smoke detection system shall be evaluated in accordance with the prevailing code. A single numerical value shall be established from Table Comm 70.22-9 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

Note: See s. Comm 62.0907 and IBC section 907 as adopted in the prevailing code for fire alarm and detection systems.

**TABLE 70.22-9
Smoke Detection**

Smoke Detection	Numerical Value
Complies with prevailing code	0
Elevator lobby only and not required by prevailing code	+1
HVAC return only and not required by prevailing code	+2
HVAC return and elevator lobby and not required by prevailing code	+3
All corridors, in addition to those required by the code, including elevator lobbies ¹	+4
Total space with interconnection of smoke detectors and building fire alarm system and not required by prevailing code	+5

¹If required detectors meet the requirements for corridor protection, enter zero.

(10) FIRE ALARMS. The fire alarm system shall be evaluated in accordance with the prevailing code. A single numerical value shall be established from Table Comm 70.22-10 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

Note: See s. Comm 62.0907 and IBC section 907 as adopted in the prevailing code for fire alarm and detection systems.

**TABLE 70.22-10
Fire Alarms**

Fire Alarms	Numerical Value
Manual fire alarm system required, but not provided	-5
Manual fire alarm system required and provided, but does not comply with prevailing code	-2
Complies with the prevailing code	0
Manual fire alarm system provided but not required ¹	+1
Manual fire alarm and voice alarm or manual fire alarm with public address system provided, but not required ²	+3
Central control station ³	+4
Central control station and interconnected to a remote control station which is permanently monitored ³	+5

¹If a numerical value of (+5) is taken under (9) smoke detection, the numerical value for this section is zero.

²Voice alarm and public address system shall be activated from a location, which is occupied by an employee during all periods of building occupancy.

³Fire department may require systems to be interconnected with the fire department.

(11) SMOKE CONTROL. The ability of a natural or mechanical venting, exhaust or pressurization systems to control the movement of smoke from a fire shall be determined in accordance with Table 70.22-11 for the entire building based on the worst case condition. If a building is 2 stories or less in height, the numerical value is zero. A single numerical value shall be established from Table Comm 70.22-11 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

Note: See s. Comm 62.0909 and IBC section 909 as adopted in the prevailing code for smoke control requirements.

**TABLE 70.22-11
Smoke Control**

Smoke Control	Numerical Value
Operable windows, that are operable without special keys or tools, are provided throughout the entire building, but not required	+2
Automatic smoke vents provided throughout entire building, but not required	+3
One smokeproof stairway enclosure provided and building has operable windows throughout, but neither required	+5
All stairways provided are pressurized, but not required	+7
Engineered smoke control and removal system provided that covers the entire building, but not required	+10

(12) EXIT CAPACITY. (a) *General.* Except as specified in par. (b), the means of egress by number and capacity of exits shall be determined in accordance with the prevailing code. If exiting differs on various floor levels, the worst case floor shall be used. A single numerical value shall be established from Table Comm 70.22-12 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

Note: See ss. Comm 62.1003 to Comm 62.1006 and IBC chapter 10 as adopted in the prevailing code for means of egress requirements.

(b) *Exceptions.* The minimum number of exits shall be provided as specified in the prevailing code for the applicable occupancy classification.

TABLE 70.22-12
Exit Capacity

Exit Capacity	Number Value (per exit)
Complies with prevailing code	0
Horizontal exits are provided in addition to the required exits ¹	+2
Exits to grade or enclosed stairways exceed the minimum number of exits ²	+3
Eliminate a fire escape exit and provide a code complying enclosed stairway exit serving 3 or more levels	+5

¹No more than one-half the exits may be horizontal exits.

²Exits shall be at least 20 feet apart.

(13) DEAD ENDS. The length of exit access travel distance in which the building occupants are confined to a single direction of egress shall be evaluated in accordance with Table 70.22-13. A single numerical value shall be established from Table Comm 70.22-13 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

TABLE 70.22-13
Dead Ends

Dead Ends	Numerical Value (per dead end)
Dead ends exceed the maximum permitted distance in prevailing code	-5
Complies with prevailing code	0

(14) MAXIMUM TRAVEL DISTANCE TO AN EXIT. (a) *General.* Except as specified in par. (b), the length of travel to a required exit shall be determined in accordance with the prevailing code. A single numerical value shall be established from Table Comm 70.22-14 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

Note: See IBC section 1004 as adopted in the prevailing code for travel distance requirements.

(b) *Exceptions.* Travel distances that exceed 25% above the required limitations are not permitted.

**TABLE 70.22-14
Maximum Travel Distance**

Maximum Travel Distance	Numerical Value
111% - 125% of limit allowed	-5
90% - 110% of prevailing code limit	0
50% - 89% of limit allowed ¹	+3
Less than 50% of limit allowed ¹	+5

¹For residential occupancies no credit may be taken for reduced exit distance.

(15) EMERGENCY POWER. The availability of emergency power for emergency lighting shall be evaluated in accordance with the prevailing code and ch. Comm 16. A single numerical value shall be established from Table Comm 70.22-15 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

Note: See IBC section 2702 as adopted in the prevailing code for emergency and standby powersystems.

**TABLE 70.22-15
Emergency Power**

Emergency Power	Numerical Value
Emergency power required, but not provided	-5
Complies with prevailing code	0
Emergency power provided, but not required ¹	+2

¹Does not apply to buildings 2 stories or less in height.

(16) ELEVATOR CONTROL. The elevator equipment and controls that are available to the fire department to rescue building occupants from upper floors during a fire shall be evaluated in accordance with ch. Comm 18. A single numerical value shall be established from Table Comm 70.22-16 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

**TABLE 70.22-16
Elevator Control**

Elevator Control	Numerical Value
No elevators in buildings 3 stories or more in height	-3
Buildings 3 stories or more in height containing elevators without Phase I emergency recall operation	-2
Buildings 2 stories or less in height containing elevators without Phase I emergency recall operation	-1
No elevators in buildings 2 stories or less in height	0

Buildings 2 stories or less in height containing elevators with Phase I emergency recall operation	+1
Buildings 3 stories or more in height containing elevators with Phase I emergency recall operation	+4
Buildings 3 stories or more in height containing elevators with Phase I emergency recall operation and Phase II in-car emergency operation	+5

(17) SPRINKLERS. (a) *General.* Except as specified in par. (b), the sprinkler system shall be evaluated in accordance with the prevailing code. A single numerical value shall be established from Table Comm 70.22-17 and entered in Table Comm 70.23 as specified in s. Comm 70.21.

Note: See ss. Comm 62.0901 to Comm 62.0909 and IBC chapter 9 as adopted in the prevailing code for sprinkler requirements.

(b) *Exceptions.* If the building area evaluation was based on sprinkler protection as allowed by sub. (2) (b) 2., the numerical value under this section is zero.

TABLE 70.22-17
Sprinklers

Sprinklers	Numerical Value
System required but not provided ¹	-5
Existing sprinkler system is required but does not meet prevailing code ²	-1
Sprinkler system is not required and not provided	0
Sprinkler system required and provided in accordance with the prevailing code	0
Existing sprinkler system is not required and does not meet prevailing code ²	+1
Sprinklers provided in exit access, but not required	+3
Partial sprinkler system is provided throughout at least 75% of the building, but not required	+5
If sprinkler system is required, and regular sprinkler heads are replaced with quick response heads	+5
Complete sprinkler system provided throughout entire building, but not required	+7
Complete sprinkler system complying with NFPA 13 for quick response heads is provided throughout the entire building, but not required ³	+10

¹If -5 was entered under sub. (2), numerical value is zero.

²Does not apply to partial systems.

³If -5 was entered under sub. (2), numerical value is +5.

SECTION 18. Table Comm 70.23 is amended to read:

TABLE 70.23
(Partial Table)
Building Evaluation Form

<u>Building</u> Safety Parameters	<u>Life Safety Categories</u>			Comments
	Fire Safety	Means of Egress	General Safety	
5. <u>Firestopping</u> <u>Fireblocking and</u> <u>draftstopping</u>		NA		

NA as used in this Table means “Not applicable.”

SECTION 19. Comm 70.26 (3) (d) is repealed and recreated to read:

Comm 70.26 (3) (d) *Mechanical smoke exhaust.* A mechanical smoke exhaust system shall comply with the prevailing code.

Note: See IBC section 910.4 as adopted in the prevailing code for mechanical smoke exhaust requirements.

SECTION 20. Comm 70.27 is amended to read:

Comm 70.27 Roof coverings. Existing roof coverings not in conformance with the ratings specified in ~~Table 51.03 A~~ of the prevailing code may be allowed to remain on the building. Repairs may be made up to 50% of the entire roof surface with materials that match the existing roof coverings. If more than 50% of the entire roof surface needs to be repaired, the roof covering shall conform to the requirements of the prevailing code. Where wood shingles are used to preserve the historic features, the shingles shall be of a fire treated type and of a class C rating.

Note: See IBC section 1507 as adopted in the prevailing code for roof covering requirements.

SECTION 21. Comm 70.28 is amended to read:

Comm 70.28 Illuminated exit signs. Exit signs shall be provided in accordance with ~~Comm 51.15 (5)~~ the prevailing code.

Note: See IBC section 1003.2.10 as adopted in the prevailing code for exit sign requirements.

SECTION 22. Comm 70.29 (1) is repealed and recreated to read:

Comm 70.29 (1) PERMITTED AS EXITS. (a) *General.* Except as specified in par. (b), existing fire escapes complying with the code in effect when the building was approved may be used as an exit.

(b) When the occupancy of an existing building is changed to a new occupancy, fire escapes may not be used as an exit in accordance with the prevailing code.

SECTION 23. Comm 70.29 (3) is repealed.

SECTION 24. Comm 70.29 (4) is renumbered (3).

SECTION 25. Comm 70.30 (3) (a) is amended to read:

Comm 70.30 (3) (a) Extensions. The 12-inch handrail extension as specified in ~~s. Comm 51.16 (4)~~ the prevailing code at the bottom and top of stairways does not apply to existing stairways.

Note: See IBC section 1003.3.3.11.5 as adopted in the prevailing code for handrail requirements.

SECTION 26. Comm 70.37 (1) (d) is amended to read:

Comm 70.37 (1) (d) Changed in use occupancy.

SECTION 27. Comm 70.37 (2) (a) is amended to read:

Comm 70.37 (2) (a) Structurally separated. New additions, which are structurally separated from the existing qualified historic structure, shall comply with the loading requirements of ~~ch. Comm 53~~ prevailing code.

Note: See IBC chapter 16 as adopted in the prevailing code for loading requirements.

SECTION 28. Comm 70.38 (1) (a) and (b) are amended to read:

Comm 70.38 (1) (a) Less than 25%. When a qualified historic building is remodeled or changed in use occupancy, which affects less than 25% of the total area of the building, a structural analysis shall be performed on that portion being remodeled.

(b) *25% or more.* When a qualified historic building is remodeled or changed in ~~use~~ occupancy, which affects 25% or more of the total area of the building, a complete structural analysis shall be performed on the entire building.

SECTION 29. Comm 70.39 (1) (a) 2. is repealed.

SECTION 30. Comm 70.39 (1) (a) 3. and 4. are renumbered Comm (1) (a) 2. and 3.

SECTION 31. Comm 70.39 (1) (a) 3. is amended to read:

Comm 70.39 (1) (a) 3. The permitted reductions specified in subds. 1. ~~–3.~~ and 2. are not to be used cumulatively.

SECTION 32. Comm 70.39 (2) (a) is amended to read:

Comm 70.39 (2) (a) The historic building has been determined to support the imposed ~~floor~~ roof loads; and

SECTION 33. Comm 70.40 (3) is repealed and recreated to read:

Comm 70.40 (3) (a) *Determination of fire resistance.* 1. Except as specified in subd. 2., the fire-resistance rating of archaic or existing building materials, elements or assemblies shall be determined in accordance with the prevailing code.

Note: See s. Comm 62.0703 and IBC section 703.3 as adopted in the prevailing code for fire-resistance rating requirements.

2. Fire-resistance rating may be determined by an actual testing of the material by an approved testing laboratory, or by other methods or standards recognized by the department.

(b) *Penetrations.* All penetrations in the building element, or assembly, for electrical, plumbing and heating, ventilating and air conditioning systems shall be packed with noncombustible cementitious materials and so fixed that the packing material will not fall out due to shrinkage from drying.

(c) *New materials.* The fire-resistance of any new materials, elements or assemblies shall comply with the prevailing code.

SECTION 34. Comm 70.42 is amended to read:

Comm 70.42 Accessibility requirements. All qualified historic buildings being altered, ~~or~~ remodeled, added to or changed in use occupancy shall comply with the requirements of ~~eh. Comm 69.21 and ADAAG 4.1.7~~ the prevailing code.

Note: See s. Comm 62.3408 and IBC section 3408 as adopted in the prevailing code for existing building requirements.

SECTION 35. Comm 70.48 (1) (b) is amended to read:

Comm 70.48 (1) (b) Qualified historic buildings ~~which undergo any change of occupancy or use which would~~ that are changed in occupancy and increase the energy consumption; or

SECTION 36. Comm 70.48 (2) (a) is amended to read:

Comm 70.48 (2) (a) ~~Totally preserved~~ Preserved buildings used as historical exhibits; and

SECTION 37. Comm 70.59 (1) (a) is amended to read:

Comm 70.59 (1) (a) ~~Change of use~~ Changed in occupancy. If a qualified historic building is changed in ~~use~~ occupancy, a load calculation of the building shall be performed for the proposed ~~use~~ occupancy. If the load calculation exceeds the actual service provided, the service shall be upgraded to meet the new load.

SECTION 38. Comm 70, subchapter XI “title” is amended to read:

Subchapter XI-~~Totally~~ Preserved Buildings Used As Historical Exhibits

EFFECTIVE DATE

Pursuant to s. 227.22 (2) (b), Stats., these rules shall take effect on July 1, 2002.

H:/historic/Comm 70 leg review draft.doc