

RULE REPORT

Department of Commerce

Clearinghouse Rule No.: 08-043

Rule No.: Chapters Comm 20-25

Relating to: Uniform (1-2 Family) Dwelling Code

Contact person for substantive questions:

Contact person for internal processing:

Name Larry Swaziek

Name Duane Hubeler

Title Program Manager

Title UDC Consultant

Telephone Number 267-7701

Telephone Number 266-1390

1. **Basis and purpose of the proposed rule.**

Section 101.60, Stats., reads in part, "The purpose of this subchapter is to establish statewide construction standards and inspection procedures for one- and 2-family dwellings..."

The Uniform Dwelling Code is further authorized under s. 101.63 (1), Stats.

2. **How the proposed rule advances relevant statutory goals or purposes.**

Since the UDC first appeared, regular updates, including the current proposal, have been essential to keep up with new methods of construction and new materials and processes. The last comprehensive update occurred in 2003.

Under s. 101.63 (5), Stats., the department is required to review the Uniform Dwelling Code on a biennial basis.

3. **Changes to the rule analysis or fiscal estimate that was prepared for public hearing.**

No changes other than to update the list of affected sections which has changed slightly due to public hearing comments.

FINAL REGULATORY FLEXIBILITY ANALYSIS

Department of Commerce

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Pursuant to s. 227.19 (3m), Stats., the Department of Commerce has determined that the proposed rules to update chapters Comm 20 to 25 will not have a significant impact on a substantial number of small businesses.

- 1. Reason for including or failing to include the following methods for reducing impact of the rule on small businesses: Less stringent compliance or reporting requirements; less stringent schedules or deadlines for compliance or reporting requirements; simplification of compliance or reporting requirements; establishment of performance standards to replace design or operational standards; exemption from any or all requirements.**

- 2. Issues raised by small businesses during hearings, changes in proposed rules as a result of comments by small businesses and reasons for rejecting any alternatives suggested by small businesses.**

COM-10538 (N.03/97)

(Continued on reverse side)

- 3. Nature and estimated cost of preparation of any reports by small businesses.**

- 4. Nature and estimated cost of other measures and investments required of small businesses.**

- 5. Additional cost to agency of administering or enforcing a rule which includes any of the methods in 1. for reducing impact on small businesses.**

- 6. Impact on public health, safety and welfare caused by including any of the methods in 1. for reducing impact on small businesses.**

RESPONSE TO LEGISLATIVE COUNCIL CLEARINGHOUSE REPORT

Department of Commerce

CLEARINGHOUSE RULE NO.: 08-043

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RELATING TO: Uniform (1-2 Family) Dwelling Code

Agency contact person for substantive questions.

Name: Larry Swaziek

Title: Program Manager

Telephone No. 267-7701

Legislative Council report recommendations accepted in whole.

Yes

No

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

a. Accepted

b. Accepted in part

c. Rejected

d. Comments attached

Item # cc. The phrase, "all state requirements" has been clarified to read, "all efficiency requirements under this chapter".

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4 . Review rules for adequate references to related statutes, rules and forms [s. 227.15(2)(e)]

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

5 . Review language of rules for clarity, grammar, punctuation and plainness [s. 227.15(2)(f)]

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

Item # d. It is necessary to include the phrase in question because the word "attached" has several other informal meanings related to the construction of a dwelling.