



2015 Senate Bill 94

Date of enactment: July 1, 2015
Date of publication*: July 2, 2015

2015 WISCONSIN ACT 49

AN ACT *to renumber and amend* 145.02 (2); *to amend* 101.63 (1) (intro.) and 101.82 (1); and *to create* 145.02 (2) (b) of the statutes; **relating to:** standards for the construction and inspection of camping units; for installing, repairing, and maintaining electrical wiring in camping units; and for plumbing in camping units; providing an exemption from emergency rule procedures; and granting rule-making authority.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 101.63 (1) (intro.) of the statutes is amended to read:

101.63 (1) (intro.) Adopt rules which establish standards for the construction and inspection of one- and 2-family dwellings and components thereof. The rules shall include separate standards, established in consultation with the dwelling code council, that apply only to the construction and inspection of camping units that are set in a fixed location in a campground for which a permit is issued under s. 254.47, that contain a sleeping place, and that are used for seasonal overnight camping. Where feasible, the standards used shall be those nationally recognized and shall apply to the dwelling and to its electrical, heating, ventilating, air conditioning and other systems, including plumbing, as defined in s. 145.01 (10). No set of rules may be adopted which has not taken into account the conservation of energy in construction and maintenance of dwellings and the costs of specific code provisions to home buyers in relationship to the benefits derived from the provisions. Rules promulgated under this subsection do not apply to a bed and breakfast establishment, as defined under s. 254.61 (1), except that the rules apply to all of the following:

SECTION 2. 101.82 (1) of the statutes is amended to read:

101.82 (1) Promulgate by rule a state electrical wiring code that establishes standards for installing, repairing, and maintaining electrical wiring. The rules shall include separate standards, established in consultation with the dwelling code council, that apply only to electrical wiring in camping units that are set in a fixed location in a campground for which a permit is issued under s. 254.47, that contain a sleeping place, and that are used for seasonal overnight camping. Where feasible, the rules shall reflect nationally recognized standards.

SECTION 3. 145.02 (2) of the statutes is renumbered 145.02 (2) (a) and amended to read:

145.02 (2) (a) The department shall have general supervision of all such plumbing and shall after public hearing prescribe and publish and enforce reasonable standards therefor which shall be uniform and of statewide concern so far as practicable. Any employee designated by the department may act for the department in holding ~~such~~ the public hearing required under this subsection. To the extent that the historic building code applies to the subject matter of these standards, the standards do not apply to a qualified historic building if the owner elects to be subject to s. 101.121.

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

SECTION 4. 145.02 (2) (b) of the statutes is created to read:

145.02 (2) (b) The department shall promulgate rules that establish separate plumbing standards applicable only to camping units that are set in a fixed location in a campground for which a permit is issued under s. 254.47, that contain a sleeping place, and that are used for seasonal overnight camping. If the department has appointed one or more committees under s. 227.13 to advise the department on rule making with respect to private on-site wastewater treatment systems or other plumbing systems, the department shall promulgate the rules required under this paragraph in consultation with those committees.

SECTION 5. Nonstatutory provisions.

(1) The department of safety and professional services shall use the procedure under section 227.24 of the statutes to promulgate the rules under sections 101.63 (1)

(intro.), 101.82 (1), and 145.02 (2) (b) of the statutes, as affected by this act. Notwithstanding section 227.24 (1) (c) and (2) of the statutes, emergency rules promulgated under this subsection remain in effect until July 1, 2018, or the date on which permanent rules take effect, whichever is sooner. Notwithstanding section 227.24 (1) (a) and (3) of the statutes, the department of safety and professional services is not required to provide evidence that promulgating a rule under this subsection as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this subsection. Notwithstanding section 227.24 (1) (e) 1d. and 1g. of the statutes, the department of safety and professional services is not required to prepare a statement of the scope of the rules promulgated under this subsection or present the rules to the governor for approval.

CAMPING CABINS IN OTHER STATES

Michigan

Camping Cabins

Rule 1 (1) (b) of the campground rules, defines a “camping cabin” as “a recreational unit that is a hard-sided tent or shelter,

- that is less than 400 square feet in area,
- that is on skids designed to facilitate relocation from time to time,
- and that does not have a direct connection to a source of water.”

A cabin that meets this definition may be placed on a licensed campsite. The number of campsites with camping cabins in any campground must be reported to the DEQ.

A camping cabin is allowed to have electrical outlets inside the structure. The campsite may have a water connection or water outlet outside, but not inside the camping cabin.

Since water connections are not allowed inside a camping cabin, water using sanitary fixtures such as sinks, showers, or toilets are not allowed inside the cabin.

A camping cabin may be located on a modern site or on a primitive site. If users of the campsite depend on flush toilets in a service building, then it is “modern.” If users of the campsite depend on a privy, then it is “primitive.” This is not necessarily the camping industry definition of modern or primitive.

Since a camping cabin is a licensed campsite, local codes apply to the extent that they apply to the other licensed campsites. However, local codes may require building permits.

Minnesota

Background:

Over the past few years, cabins have been constructed and put into use at some campgrounds in Minnesota. These cabins are located on a camping site and are available for use as an alternative to tents or camping vehicles. These cabins are typically used by a single family and are equipped with bed frames, mattresses and electricity. Some cabins may also have air conditioners. No plumbing or cooking facilities are provided in the units. A water faucet is available near the cabin and the cabin occupants use the central toilet and shower facilities in the campground.

Policy:

These cabins are operated as and meet the definition of a motel as defined in Minnesota Statute, Section 157.15, subd. 7, or in the case where there are five or more cabins, a resort as defined in Minnesota Statute, Section 157.15, subd. 11. These cabins would require a license for a motel or resort under the authority granted in Minnesota Statute, Section 157.16, and must meet the following conditions:

- Cabins in existence and operating as lodging at any recreational camping area in the state will be required to be licensed as a lodging establishment (motel or resort), and must pay the appropriate fees, effective immediately.

- Cabins in existence prior to this policy need not submit plans, but must be inspected by and meet the applicable lodging requirements of the agency which has jurisdiction, prior to being licensed.
- Any new cabins constructed after this policy, must submit complete plans to the appropriate jurisdiction for review and approval prior to construction.
- All local zoning requirements must be complied with prior to licensure.
- All cabins must meet the State Fire Marshal Requirements. This would include requirements for egress windows, smoke detectors and fire extinguishers.
- All cabins must meet applicable state building code requirements as referenced in Minnesota Rules, part 1305.1614 and part 1305.1616; in particular, they must be adequately secured to the ground to withstand up to 80 miles per hour wind without tipping over.
- Central toilet and shower facilities must be available in the campground where the cabins are located in accordance with the schedule specified in Minnesota Rules, part 4630.0900. Camping cabins are not allowed in “primitive” campgrounds which do not have approved toilet and shower facilities. Approved privy type toilets may be provided in place of central toilets and showers for existing cabins located at remote state park wilderness trails which do not have running water available.
- The individual sewage treatment system for the facility must be properly sized and designed for the total number of cabins and campsites at the facility.
- Useable floor space” as specified in Minnesota Rules, part 4625.0100, subpart 1, includes attached porches (open or enclosed); each cabin must have at least 50 square feet of usable floor space per occupant and beds must be separated by at least 3 feet.
- Camping cabins must be separated by at least 10 feet from other structures and recreational camping vehicles.

South Dakota

Our parks offer camping cabins in picturesque settings nestled among the trees or overlooking the water. These one-room, log-style cabins are found in parks throughout the state. ADA Accessible Camping Cabins Accessible cabins feature accessible picnic tables, sidewalks, porch ramp, nearby parking, and wide doors. Service animals are permitted inside the cabins; please inform the park staff before you arrive. Reservations for these cabins are available.

Cabins include:

- Sleeping accommodations for four or five people
- Heating, air conditioning and electricity
- Furnishings: set of bunk beds, double bed, table and benches
- Outside accommodations: fire grate, picnic table and a porch

Cabins do not have restrooms, running water, or kitchens

CAMPING CABIN CONSIDERATIONS

Systems

Electrical

- allowed in cabin?
- connection required?
- inspection procedures?

Water

- allowed in cabin?
- connection required?
- inspection procedures?

Waste water

- allowed in cabin?
- connection required?
- inspection procedures?

Other parameters

Size:

400 sq. ft. is the max size for RVs and has thus been adopted by some states for max cabin size.

Permanence:

Should cabins have permanent foundations? Should they have hold-downs? Should they be easily transportable? What structural considerations are needed?

Water tightness:

Should there be water tightness criteria? Who would perform inspections? What would rules look like?

Energy:

Should there be insulation? Should there be vapor barriers?

Safe Egress:

What egress rules need to be implemented?

Fire considerations:

Should cabins be required to have extinguishers? What else?

Seasonal occupancy length:

What should occupancy length be for “seasonal overnight camping”? DHS 178 reads: “temporary dwelling” means a dwelling occupied no more than 4 continuous months in a 12 month period.