



MEMORANDUM

LEGISLATIVE REFERENCE BUREAU

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To: Ald. Jim Bohl
From: Jeff Osterman, Legislative Fiscal Analyst
Date: January 11, 2013
Subject: PERMIT AND CODE REQUIREMENTS FOR REPLACEMENT
WINDOWS: MILWAUKEE-AREA COMMUNITIES

Recently, you asked the Legislative Reference Bureau to survey Milwaukee-area communities regarding their permit and code requirements for replacement windows for one- and two-family dwellings. In response, I contacted building inspection officials in the 20 largest municipalities in the four-county area and posed the following questions:

1. Does your municipality require a permit to replace windows in a one- or two-family home?
2. Does your municipality apply the fenestration U-factor in the Uniform Dwelling Code (s. SPS 322.32, Wis. Adm. Code) to all dwellings – like the City of Milwaukee – or does it apply a different standard to pre-June 1, 1980 housing?

The results of this survey are summarized in the table on the following pages. Municipalities are listed in descending order of population size.

Copy: Suzanne Hanson, Department of Neighborhood Services
Richard Paur, Department of Neighborhood Services

| Municipality | Permit required? | Follow UDC U-Factor standard or use something else? |
|---------------------|---|---|
| Waukesha | Yes, but a “same-day permit” will be issued for same-size window openings (no plan submittal required). | UDC; require compliance with energy conservation standards of ch. SPS 322. |
| West Allis | Only if the size of the window opening is being changed. | UDC. |
| Wauwatosa | Only if the style or size of the window is being changed, in which case the applicant needs both a permit and design review board approval. | For pre-1980 housing, Wauwatosa adopts the Uniform Building Code (the document supported by the Building Inspectors Association of South East Wisconsin). Replacement windows must be double-glazed, but that’s all that the city requires. |
| New Berlin | Only if the size of the window is being increased or a bay window is being installed. | UDC. |
| Brookfield | Only if a change in the window opening is required. | UDC. |
| Greenfield | Only if the header is being changed/window opening is being made larger. | UDC. |
| Menomonee Falls | Only if the size of the window opening is being changed. | Only look at energy efficiency of windows in new homes and additions, because that’s when “energy calculations” are done. |
| Franklin | Only if the size of the window opening is being changed. | If a window is being replaced with the same type of window, the city would not apply the current UDC standard to it. |
| Oak Creek | Only if the header size is being changed. | UDC, but energy efficiency of windows is not normally an issue (because permits are not issued and inspections are not conducted). |
| West Bend | Only if the window opening is being enlarged. | “Don’t do anything with that because a permit is not required.” |
| Muskego | Only if changing the size of the window. | UDC. |

| Municipality | Permit required? | Follow UDC U-Factor standard or use something else? |
|---------------------|--|---|
| Mequon | Yes. | Have adopted the Uniform Building Code (“UBC”) for pre-1980 housing. But the issue of energy efficiency of replacement windows hasn’t come up. Most new windows meet current efficiency standards anyway. |
| South Milwaukee | No response. | |
| Germantown | Only if the size of the window opening changes. | Don’t do any inspections of window replacements, even when permits are required. Therefore, no one checks to see if the energy-efficiency standard is met. |
| Cudahy | Only if altering the size of the window. | UDC, but has also adopted the Building Inspectors Association of South East Wisconsin’s “guidelines” (less stringent). Regardless, most windows will be in compliance with the UDC – most manufacturers meet these standards anyway. |
| Oconomowoc | Only when replacing or installing a structural header. | UDC. |
| Whitefish Bay | Yes. | Although the village has adopted the UDC to apply to all one- and two-family residential buildings, for replacement windows, building inspectors just look at s. SPS 321.05 (tempered glass requirements). The village <u>does</u> inspect replacement windows; about 40% fail to pass inspection, especially under s. SPS 321.05 or because of improper sealing. |
| Greendale | Only if there’s a change in a structural opening. | UDC. The village has adopted some exceptions for pre-1980 homes, but not in the area of window replacement. |
| Hartford | Only if a new header is being installed. | No code compliance requirements. No inspections, so city inspectors never check window quality. However, the inspector thinks you’d have to go out of your way to find new windows that don’t meet current energy-efficiency standards. |
| Shorewood | Only if the size of the window is being changed. | UDC for buildings constructed before 6/1/80. UBC applies to pre-1980 housing; through the UBC, the village refers to certain sections of the UDC. Inspector believes 99% of replacement windows are thermopane and meet the current energy-efficiency standards; there is very little glazing that does not meet code. Also, the energy efficiency of replacement windows has not been an issue because, generally speaking, no permit is required. |

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