

ORDINANCE TO ESTABLISH BUILDING CODES

ORDINANCE NO. _____

I. Authority and Purpose.

This ordinance is adopted under the authority granted by Wisconsin statutes and the Town's village powers. The purpose is to promote the public health, safety and welfare by establishing minimum standards for construction, design, alteration, use and occupancy of buildings and structural alterations.

II. Permits Required.

A. Prior Permit Required. Prior to commencing any of the work listed below the owner or the property on which the work is performed, or the agent of the owner, shall obtain the appropriate permits as required by this ordinance.

B. Permits are required for the following:

New buildings,
Additions to buildings,
Decks,
Detached garages and accessory structures,
Alterations to the structure of buildings,
Replacement or additions of major building equipment including furnaces,
and central air conditioners,
Electrical wiring for new construction or remodeling,
HVAC for new construction or remodeling,
Plumbing for new construction or remodeling,
Moving buildings, razing buildings,
Electrical or plumbing for swimming pools,
Agricultural buildings, and
Changes in use of any building when the requirements for a new use are
in any way more stringent than the requirements for the previous use.

C. Exemptions from Permits. No permit is required for re-siding, reroofing of up to two (2) layers, finishing interior surfaces and minor repairs as determined by the Building Inspector.

D. Expiration. Uniform Dwelling Code permits shall be valid for 24 months from date of issuance. All other permits shall be valid for 12 months from date of issuance.

E. Posting. The property owner shall post the permit in an outside location visible from the street from the time of issuance until the project is completed.

III. Design and Construction Standards.

A. Compliance Required. All persons shall comply with the standards established in this Ordinance.

B. State Regulations Adopted. The following regulations of the Wisconsin Administrative Code are adopted by reference as the law of the Town. All future amendments, revisions or modifications to these codes adopted by a state agency from time to time are hereby adopted as the law of the Town.

Comm 16, Electrical Code,
Comm 20 through 25, Uniform Dwelling Code,
Comm 61 through 65, Commercial Building Code,
Comm 66, Multifamily Code,
Comm 70, Historic Building Code,
Comm 75 through 79, Existing Building Code,
Comm 81 through 86, Plumbing Code.

C. Scope of Uniform Dwelling Code. Comm. 16, 20 through 25, 70 and 81 through 86 are adopted as the standards for design and construction of the following structures:

New construction of all 1 and 2 family dwellings,
Existing buildings previously occupied as something other than a 1 or 2 family dwellings being converted to a 1 or 2 family use,
Additions, alterations and major equipment replacements to 1 and 2 family dwellings built prior to June 1, 1980,
Decks, whether attached to a building or detached, and
Detached garages and detached accessory buildings.

D. Private Swimming Pools.

All private swimming pools not enclosed within a structure shall conform to the plumbing and electrical codes of the Uniform Dwelling Code.

E. Agricultural Buildings.

All agricultural buildings shall be designed and constructed to conform to Comm. 61 through 65.

F. Alternative Materials and Methods.

Nothing in this Ordinance is intended to prohibit the use of alternate materials or methods of construction not specifically mentioned. Alternative materials or methods may be approved by the Building Inspector. Requests shall be accompanied by evidence showing that the alternate performs in a manner equal to the materials or method in this ordinance. The Building Inspector may require tests or independent engineering analysis be performed to substantiate the claims paid for by the applicant.

IV. Razing and Moving Buildings.

A. Permit Required. All persons who demolish or move a structure exceeding 250 square feet in floor area or cause such events shall apply for and obtain a permit from the Building Inspector prior to taking any steps toward demolition or moving.

B. Regulations Demolition and Moving shall comply with the following regulations:

The site where the structure was located shall be properly cleared of debris, rubbish and pavement and graded and leveled to conform to the adjoining grade and, thereafter seeded or sodded to prevent erosion. Excavations shall be filled and graded within 30 days after demolition is complete.

The following material shall not be used as fill: materials that deteriorate or hazardous or toxic substances, materials containing asbestos and materials that cannot be buried under federal, state or county laws.

No person shall fill the excavation without informing the Building Inspector of the event and giving the Inspector 72 hours to inspect. The Building Inspector shall view the material to be used as fill. After the site has been filled, graded and seeded or sodded the Building Inspector shall again inspect for compliance with these regulations.

C. Regulations regarding Moving Buildings. No person shall move a building exceeding 250 square feet in violation of these regulations.

1. Payment of a cash deposit to the Town in an amount determined by the Town Board sufficient to pay for damage to Town roads caused by the move.

2. Move a building that the Building Inspector determines is not in enough sound structural condition to withstand the proposed move and meet the provisions of this ordinance after the move including proposed alterations after the move is complete.

3. The movement of such building shall be continuous without any interruption so as to cause as little disruption to traffic as possible.

4. If the move causes any damage to Town roads the applicant shall forthwith repair the damage. Failure to do so within 10 days shall cause the Town to make the repairs and charge the costs to the applicant, deducting the amount from the cash bond. The applicant shall pay and excess to the Town forthwith.

V. ADMINISTRATION OF ORDINANCE

A. Inspectors Appointed.

The Town Board shall appoint a certified Building Inspector, Electrical Inspector and Plumbing Inspector who shall have the general management and control of all matters pertaining to the respective position(s). The Inspectors may appoint subordinate inspectors who are certified to perform the required inspections. When an application for unusual technical design or magnitude of construction is filed, the Inspector may refer the plans and specifications to the Department of Commerce for analysis and recommendations regarding safe design and compliance with this ordinance.

B. Duties of Inspector(s)

The Inspector(s) shall perform all tasks required by the Wisconsin Department of Commerce under all codes covered under Comm. 20.09, and keep records of all applications, plans and permits and fees.

C. Powers of Inspector(s)

Upon application for a permit the applicant authorizes the Inspector(s) and authorized subordinates to enter upon any private or public premises for inspection purposes and may require the production of the permits. No person shall interfere with or refuse access to the premises to the inspector or subordinate while in the performance of duties.

D. Submission of Plans

Two sets of building plans shall be submitted to the Inspector(s) for any work requiring a permit under this ordinance. The Inspector(s) may require the applicant submit a 3rd set of plans. If a new structure or addition is proposed then the applicant shall also submit an accurate plot plan or survey map drafted by a registered land surveyor showing the proposed work, existing buildings and lot lines. The Inspector(s) shall review the plans and maps for completeness and compliance with this ordinance.

E. Fees.

At the time an applicant files an application the applicant shall pay the fees established by motion from time to time by the Town Board. Double fees may be imposed in the event work is conducted without a permit.

F. Issuance of Permit.

The Building Inspector(s) shall issue the requested permit after all state, county Town requirements are complied with and additional information requested by the Inspector(s) is provided.

G. Inspections.

1. The Inspector(s) shall perform the following inspections within 2 business days or an agreed upon longer time after receiving a request from the applicant, contractor or property owner: footing and foundation; rough carpentry, HVAC, electric and plumbing; drantile and basement floor; under floor plumbing, electric service, electric trench for buried cable; insulation; final carpentry, HVAC and plumbing; fence; pool; accessory building, deck, razing and moving.

2. Failure to obtain inspections.

Construction shall not proceed beyond the point of inspection until the inspection has been completed unless the Inspector(s) fails to make the required inspection within the time allotted above. When an improvement subject to this ordinance has been made without the owner, applicant or contractor calling for an inspection or in advance of the allotted time for inspection and when the Inspector(s) cannot examine the concealed work the Inspector(s) may require the property owner make the work visible to the Inspector(s); withhold the occupancy permit or issue a permit upon the certification of a registered professional engineer and all owners that the work complies with this ordinance and that the owners agree to indemnify and hold the Town and its agents and successors harmless from all liability arising out of the construction of the improvement.

H. Stop Work Order.

The Inspector(s) may issue a stop-work order for a non-compliance with this ordinance so as to prevent further work not in compliance with this ordinance.

I. Occupancy Permit

If no non-compliances are found by the Inspector(s) then the Inspector shall issue an occupancy permit. No person may occupy a structure until an occupancy permit has been issued. If the Inspector(s) find minor matters not complying with this ordinance which are not matters of health and safety, the Inspector may issue a temporary occupancy permit for 90 days.

After the grace period for a temporary occupancy permit the noncompliance shall either be corrected or the premises shall be not be occupied until full compliance is obtained and an occupancy permit issued.

VI. LIABILITY

No part of this ordinance shall be construed as assuming liability on the part of the Town or its Inspectors or agents for damages or injuries to people or property by reason of a defect in any building or structure issued with a permit.

VII. VIOLATIONS

A. It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, remove, demolish, convert, equip, use or occupy any building or portion of a building in violation of this ordinance; or to cause or allow the same to be done. This applies to contractors and property owners.

B. Any person who fails or neglects to comply with an order of an Inspector(s) issued under this ordinance shall be guilty of a violation of this ordinance and each day that such failure or neglect continues shall constitute a separate offense.

C. Any person violating any provision of this ordinance shall upon conviction be subject to a forfeiture of not less than \$50.00 nor more than \$500.00. Each day that a violation continues shall be a separate offense.

Adopted this 15th day of October, 2007

Attest:




Diane Boyd, Town Clerk


Approved:



Gary Wallen, Town Chairman



Charles Papske, Town Supervisor I



Carl Rieken, Town Supervisor II

SCr 10/15/07