

CHAPTER 15

BUILDING REGULATIONS

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15.01 PURPOSE. (Ord. Am. #2-2004; 2020-02) The purpose of this chapter is to regulate the construction of new buildings and building additions to insure that all such construction is in compliance with the setback and use requirements of the Zoning Code.

15.02 CONSTRUCTION AND REMODELING PERMIT. (Ord. Am. #2-2004) (1) **PERMIT REQUIRED.** No person shall commence to construct any building or an addition to any building, or commence to remodel any building, until a Zoning Compliance Permit is obtained from the Zoning Administrator.

(2) (Repealed Ord. 7-2000).

(3) **APPLICATIONS.** Applications for Zoning Compliance Permits shall be submitted to the Clerk-Treasurer who shall forward same to the Zoning Administrator. The application shall include the following:

(a) For new buildings and additions to buildings:

1. Name of owner.
2. Address and lot and block numbers where construction is proposed.
3. A plot plan showing the size and location of the building or addition and distances to all lot lines.
4. The intended use of the building or addition.

(b) For remodeling:

1. Name of owner.
2. Address of premises where remodeling is proposed.
3. A description of the remodeling.
4. The estimated cost of materials and labor.
5. Any change of use, if any, resulting from remodeling.

(4) **FEE.** (Appealed and Recreated 15-99) The application for a Zoning Compliance Permit remodeling permit shall be accompanied by a fee of a minimum of \$5.00 plus \$1.00 per thousand of cost (reference 15.02 (2) sub. a) up to a maximum of \$25.00. In the event that construction or remodeling is commenced without a permit, the fee shall be \$10, plus a \$1.00 per

thousand of cost (ref. 15.02(2) sub. a), to a maximum of \$25.00.

(5) **ISSUANCE OF PERMIT.** After reviewing the application and inspecting the site of new construction, the Zoning Administrator shall issue the Zoning Compliance Permit if he finds the proposed construction or remodeling complies with the Zoning Code.

15.025 DRAINAGE PLANS. (Cr. Ord. #1-2008) (1) Drainage plans must be submitted to and approved by the Village's Building Inspector before an occupancy permit will be issued for any new or remodeled premises. A drainage plan is also required for filling yards for the purposes of landscaping or raising ground elevations. Drainage plans may be submitted to the Village Clerk for transmittal to the Building Inspector or may be submitted to the Building Inspector directly.

(2) The Building Inspector may specify which, if any, elements of a drainage plan must be implemented prior to issuance of an occupancy permit. The Building Inspector shall confirm that the required elements of a drainage plan have been implemented prior to issuance of an occupancy permit.

(3) In accordance with sec. 16.06(2)(c), all new subdivisions or developments must have a master drainage plan that is reviewed and approved by the Village Plan Commission, and then submitted and approved by the Village Board of Trustees.

(4) By request, the Building Inspector will provide a sample drainage plan and a list of required items to assist contractors and homeowners in preparing a drainage plan for individual lots.

(5) It shall be the responsibility of the owner or developer to provide adequate drainage facilities to deal with any water running off his or her property and to comply with all state and federal laws and administrative regulations pertaining to erosion control and drainage both during and after construction.

(6) Any person creating a drainage problem on adjacent property is responsible for correcting the situation either by surface or underground drainage of this area. The corrections must be done by accepted engineering practices and must be approved by the Director of Public Works. If in the judgment of the Director of Public Works, unusual conditions demonstrate a need for more comprehensive review, the Director of Public Works may require that the corrections must be first submitted and approved by the Plan Commission, and then submitted and approved by the Village Board.

15.03 OCCUPANCY PERMIT. (Ord. Am. #2-2004) (1) **PERMIT REQUIRED.** No person shall occupy any constructed or remodeled premises requiring a Zoning Compliance Permit until the Zoning Administrator has issued an occupancy permit. However, premises may be temporarily occupied during remodeling.

(2) **APPLICATION.** Upon completion of the construction or remodeling, the owner shall notify the Zoning Administrator, in writing or orally, and arrange for a final inspection.

(3) FEE. None.

(4) ISSUANCE OF PERMIT. Upon inspecting the premises and upon finding that the use of the premises is in compliance with the Zoning Code, the Zoning Administrator shall issue an occupancy permit.

15.04 ACCESS REQUIREMENTS (Ord. Am. #2-2004) (Cr. Ord. #10-98). In addition to the other requirements of this chapter, no Zoning Compliance Permit shall be issued and no person shall commence to construct any building on land located outside of a platted subdivision unless the requirements of this section are met:

(1) The lot on which the building is to be constructed shall adjoin either a public or private road which, at the minimum standards of sec. 16.05(2) of this Code.

(2) (Am. Ord. #1-2008) The property owner shall provide the Village with all easements necessary to enable the property owner to connect sewer and water service to the property where connection to existing systems can be reasonably provided, as approved by the Village Board. All utilities (electricity, water and sewer) shall be installed to the lot line prior to construction.

15.05 UNIFORM DWELLING CODE (Ord. Cr. #2-2004)

(1) AUTHORITY. This section is adopted under the authority granted by s. 101.65, Wisconsin Statutes

(2) (Am. Ord. #6-2012) PURPOSE. The purpose of this section is to promote the general health, safety and welfare and to maintain required local uniformity with the administrative and technical requirements of the Wisconsin Uniform Dwelling Code and Commercial Building Code.

(3) (Am. Ord. #6-2012, Ord. #6-2011) SCOPE. The scope of this ordinance includes the construction, remodeling and inspection of commercial buildings and one- and two-family dwellings built since June 1, 1980 and extended to include one and two family dwellings and commercial buildings built prior to June 1, 1980.

(4) (Am Ord. 2-2020, Am. Ord. #6-2012, Ord. #6-2011) WISCONSIN UNIFORM DWELLING, COMMERCIAL BUILDING AND ELECTRICAL CODES ADOPTED. The Wisconsin Uniform Dwelling Code, Chs. SPS 320-325 of the Wisconsin Administrative Code and all amendments thereto, is adopted and incorporated by reference and shall apply to all buildings within the scope of this ordinance. In addition, the Wisconsin Commercial Building Code Chs. SPS 360-366, and all amendments thereto, is adopted and incorporated by reference and shall apply to all commercial buildings within the scope of this ordinance. In addition, the Wisconsin

Electrical Code, Ch. SPS 316 of the Wisconsin Administrative Code and all amendments thereto, is adopted and incorporated by reference.

(5) (Am. Ord. #6-2012) **BUILDING INSPECTOR.** There is hereby created the position of Building Inspector, who shall administer and enforce this ordinance and shall be certified by the Division of Safety & Buildings, as specified by Wisconsin Statutes, Section 101.66(2), in the category of Uniform Dwelling Code Construction Inspector. Additionally, this or other assistant inspectors shall possess the certification categories of UDC HVAC, UDC Electrical, and UDC Plumbing as well as commercial building, plumbing, HVAC and electrical inspector.

(6) **BUILDING PERMIT REQUIRED.** No person shall alter, in excess of \$1,000.00 value in any twelve month period, build, add onto or alter any building within the scope of this ordinance without first obtaining a building permit for such work from the Building Inspector. Any structural changes or major changes to mechanical systems that involve extensions shall require permits. Restoration or repair of an installation to its previous code-compliant condition as determined by the Building Inspector is exempted from permit requirements. Residing, re-roofing, finishing of interior surfaces and installation of cabinetry shall be exempted from building permit requirements.

(7) (Am. Ord. #6-2012, Ord. # 2-2010, Am. Ord. #8-2006) **BUILDING PERMIT FEE.** The building permit fees are as follows. In addition, the seal fee (currently \$30.00) shall be paid to the Building Inspector to be forwarded to the Wisconsin Department of Commerce for a UDC permit seal that shall be assigned to any new dwelling.

(a) Each permittee shall pay an inspection fee in the amount of \$0.11 per square foot for the inspection of all new one and two family dwellings and commercial buildings or additions to existing dwellings and commercial buildings with a minimum fee of \$75.00. In addition thereto, each permittee shall compensate the Building Inspector the sum of \$ 50.00 for each inspection after an initial corrective visit on each building project. For manufactured dwellings with a Wisconsin insignia affixed, the fee shall be 2/3 of the normal fee for any closed-panel manufactured area and the full fee for site-built areas.

(b) In addition to the inspection fee under sub. (a) and the state seal, if applicable, each applicant shall pay Building Inspector fees according to the following schedule:

(i)	Electrical	\$0.04 per square foot plus \$30.00 base fee
(ii)	Plumbing	\$0.04 per square foot plus \$30.00 base fee
(iii)	HVAC	\$0.03 per square foot plus \$30.00 base fee
(iv)	Erosion Control	\$75.00

(c) Other fees are as follows:

(i)	Remodels	\$6.00 per thousand of estimated cost with a \$75.00 minimum fee
(ii)	Reinspection and additional inspection fees	\$50.00 per inspection

- (iii) Early start permit/
Residential \$50.00

(8) (Am. 2-2010) **PROCEDURE FOR OBTAINING PERMIT.** Any person required to obtain a building permit under this Section shall also apply for a Zoning Compliance Permit and/or occupancy permit with the Village's Zoning Administrator as required by ss. 15.02 and 15.03. The Zoning Administrator, or his or her designee, who may be the Building Inspector, shall determine whether the proposed building or alteration complies with the Zoning Code. The applicant shall also file his, her or its application for a building permit with the Village's Building Inspector in accordance with procedures established by and on forms required by the Inspector."

(9) **PENALTIES.** The enforcement of this section and all other laws and ordinances relating to building except where other specifically provided in this Code shall be by means of the withholding of building permits, imposition of forfeitures and injunctive action. Forfeitures shall be not less than \$25.00 nor more than \$1,000.00 for each day of noncompliance."

15.06 DEMOLITION OR REMOVAL OF BUILDINGS AND STRUCTURES

Whenever a building or structure is demolished or removed, the premises shall be restored and maintained free from all debris and unsafe or hazardous conditions. For purposes of this ordinance, "structure" includes detached garages, storage buildings, sheds, farm structures, mobile homes and manufactured homes that are greater than 100 square feet in size.

(1) **TIME LIMITATION.** No demolition project and no hole or open basement foundation established for the purpose of removing a building or other structure shall continue or shall remain open for more than thirty (30) days from the date the demolition project is commenced, or the hole or open basement foundation is established. Prior to the end of the thirty (30) daytime frame, for demolition projects, the demolition project shall be completed, including removal of all demolition materials from the site. Where any hole or open basement foundation is created or established, a building shall be placed upon the hole or open basement foundation site, or the hole shall be filled, or open basement foundation site shall be removed and the site restored to grade.

(2) **TIME LIMITATION EXPIRATION.** In the event the demolition materials are not removed or the hole or open basement foundation is not covered with a building as provided herein, then the Village shall provide written notice to the owner of the land that pursuant to the police powers of the Village if the demolition is not completed, including removal of demolition materials, or the open hole or open basement foundation is not covered with a building within thirty (30) days of the date of the notice, then the Village, at the Village's discretion, may complete the demolition project or fill any hole or remove any basement foundation and restore the site to grade. Any costs incurred by the Village's action as set forth herein shall be billed to the owner of the property and placed as a special charge against the property.

(3) **PROTECTIVE FENCES.** All sites which have either a hole or basement located on the lot for the purpose of moving a building from the site shall have a protective fence surrounding the hole or basement foundation. The protective fence shall be at least four (4) feet tall and shall not allow for a six (6) inch sphere to pass through the fence. The fence shall be in good condition and shall prevent entry onto the hole site. The protective fence as described herein shall remain at the site

during all times the hole or basement foundation remains open. However, no protective fence shall be allowed for a period of time to exceed thirty (30) days from the date the hole or open basement foundation is established.

(4) **SITE MANAGEMENT.** Unless otherwise provided in the demolition permit, all debris must be hauled away at the end of each day for the work that was done on that day or stored in a dumpster to be emptied regularly. Combustible material shall not be used for backfilling but shall be hauled away. There shall not be any burning of materials on the site of the razed building or structure without prior approval from the Fire Chief. If any demolition operation under this section results in, or would likely result in, an excessive amount of dust particles in the air creating a nuisance in the vicinity thereof, the permittee shall take all necessary steps, by use of water spraying or other appropriate means, to eliminate such nuisance. All streets must be free from debris at all times and thoroughly cleaned at the end of each day. The permittee shall take all necessary steps, prior to the demolition of a building or structure, through the employment of a qualified person in the field of pest control or by other appropriate means, to treat the building or structure so as to prevent the spread and migration of rodents and insects therefrom during and after the demolition operations.

(5) **PERMIT.** Prior to commencing any demolition project, the owner of the structure or the owner of the property on which the building or other structure is located shall apply for and obtain a demolition permit from the Village Clerk. At the time of application, the owner shall pay a fee of \$50.00 per building or structure for the permit which shall be valid only for the dates specified on the permit. If the demolition project is not completed within the time specified in the permit, the owner shall be required to obtain an additional permit and shall pay an additional fee. Nothing in this section shall be construed as permitting any owner to extend a demolition project for more than thirty (30) days from the date of the commencement of the project as provided in sec. (1).

(6) **PENALTY.** The penalty for violation of this section shall be a forfeiture of \$100, together with the costs of prosecution. Each day any such violation continues shall constitute a separate offense.

15.10 PENALTY. (Ord. Am. #2-2004) Any person who shall violate any provision of this section except as provided in s. 15.05 (9) shall be subject to a penalty as provided in sec. 20.04 of this Code.