

# CHAPTER 14

## BUILDING CODE

14.01 Authority

14.02 Purpose

14.03 Scope

14.04 Wisconsin Uniform Dwelling Code Adopted

14.05 Building Inspector

14.06 Building Permit Required

14.07 Building Permit Fee

14.08 Stop Work Order

14.09 Moving Buildings

14.10 Appeal

14.15 Violations and Penalties

**14.01 AUTHORITY.** This chapter is adopted under the authority granted by §101.65, Wis. Stats.

**14.02 PURPOSE.** The purpose of this chapter 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 more particularly:

- (1) To exercise jurisdiction over the construction and inspection of new one and 2-family dwellings.
- (2) To provide plan review and on-site inspections performed by the Building Inspector.
- (3) To establish use and standard building permit forms as prescribed by the Department of Commerce.
- (4) To collect fees to defray administration and enforcement costs.

**14.03 SCOPE.** The scope of this chapter includes the construction and inspection of one- and 2-family dwellings and additions to all dwellings. Plans and inspections shall cover topics of construction, heating, ventilation, electrical and plumbing.

**14.04 WISCONSIN UNIFORM DWELLING CODE ADOPTED.** The Wisconsin Uniform Dwelling Code (UDC), Wis. Adm. Code Chs. SPS 320-325 and all amendments thereto is hereby adopted and incorporated by reference and shall apply to all buildings with the scope of this chapter. A copy of the UDC shall be kept by file in the office of the Building Inspector.

- (1) The following provisions of the Wisconsin Administrative Code, so far as applicable, are adopted by reference and incorporated herein as though fully set forth:
  - a. Electrical (Ch SPS 316).
  - b. Camping Units (Ch SPS 327).
- (2) Uniform Dwelling Code SPS320.05, the scope also includes the construction and inspection of alterations and additions to one- and two-family dwellings built before June 1, 1980. The scope also includes the construction of detached garages and accessory structures over 100 square feet.

**14.05 BUILDING INSPECTOR.** (1) **QUALIFICATIONS.** The Building Inspector shall be certified by the Division of Safety and Buildings, as provided by §101.66(2), Wis. Stats., in the category of Uniform Dwelling Code Construction Inspector. In addition, the Building Inspector or deputy inspectors shall possess the certification categories of UDC HVAC, UDC Electrical, and UDC Plumbing.

(2) **GENERAL POWERS AND DUTIES.** The Building Inspector shall administer and enforce all provisions of this chapter. The Inspector may at all reasonable times enter upon any public or private premises for inspection purposes. No person shall interfere with the Inspector while in the performance of his duties.

(3) **RECORDS.** The Building Inspector shall keep a record of all permits issued and inspections made. The permits shall be marked in order and shall coordinate with the seal numbers purchased from the State. A record shall also be kept of all condemnation and removal of buildings. The Inspector shall make an annual report to the Town Board.

**14.06 BUILDING PERMIT REQUIRED.** Building permits are required for all one- and two-family dwellings, cottages or living space addition in the Town of Newbold. Decks and porches are exempt from this requirement.

(1) **APPLICATION FORMS TO BE USED.** The Building Inspector shall use forms prescribed by the Department of Commerce and shall file a copy of each form with the Department of Commerce in accordance with §101.65(3), Wis. Stats.

(2) **OCCUPANCY PERMIT.** The dwelling may not be occupied until an occupancy permit is issued. The Building Inspector shall issue an occupancy permit if no violations exist that could reasonably be expected to affect health or safety. Occupancy without approval will result in forfeiture of bond.

(3) **PERMIT LAPSE.** The building permit shall expire one year after issuance if the dwelling exterior has not been completed.

**14.07 BUILDING PERMIT FEE.** The building permit fee shall be according to the fee schedule.

**14.08 STOP WORK ORDER.** The Building Inspector may issue a stop work order for the following reasons:

- (1) If written violations are not corrected within 30 days.
- (2) Construction significantly and structurally deviates from approved plans.
- (3) Construction is deemed dangerously unsafe.

The stop work order “red tag” shall be posted at the construction site and the owner shall be notified in writing. The stopped work may resume when unsafe conditions and violations are corrected, and the Building Inspector authorizes a restart.

**14.09 MOVING BUILDINGS.** (1) **PERMIT REQUIRED.** No person shall move any building into or within the Town without a permit from the Director of Public Works upon 30 days’ notice.

(2) **APPLICATION.** Application for a permit shall be made on a form provided by the Director of Public Works.

(3) **PERMIT FEE.** The permit fee for moving buildings shall be established as per fee schedule.

(4) **BOND REQUIRED.** Before a permit is issued, the mover shall give a bond in the amount of \$10,000 with good and sufficient sureties to be approved by the Town Chairperson conditioned that the mover shall save the Town harmless from any liability arising out of the move and shall restore any street damaged by the move. This provision may be waived for small buildings.

(5) **INSURANCE REQUIRED.** Before a moving permit shall be issued, the applicant shall submit to the Town Clerk a certificate of insurance evidencing that the applicant has in force and will maintain during the term of the permit public liability insurance of not less than \$500,000 for any one person, \$1,000,000 for any one accident and \$50,000 for property damage.

(6) **NOTICE TO UTILITIES.** Prior to the issuance of said permit, the owner or mover shall certify that he has notified all public utilities whose lines or poles may be interfered with during the movement of the building. Such utilities shall take whatever steps are necessary to permit the building to be moved without damage to its lines and plies and may charge the permittee the cost thereof.

(7) **INSPECTION AND REPAIR OF TOWN ROADS.** Every permittee shall, with one day after reaching his destination, report that fact to the Director of Public Works. The Director of Public Works shall thereupon inspect the Town roads over which said building has been moved and ascertain their condition. If the moving of the building has caused any damage to the Town roads, the house mover shall forthwith place them in as good condition as they were before the permit was granted. Upon failure of the house mover to do so within 10 days thereafter to the satisfaction of the Town Board, the Town shall repair the damage done to such Town roads and hold the sureties of the bond given by the house mover responsible for the payment of the same.

**14.10 APPEAL.** Any person feeling aggrieved by an order of the Building Inspector may, within 30 days thereafter, appeal from such order to the Town Board. The Town shall follow procedures set forth in Ch. 68, Wis. Stats., to arrive at a final determination. Final determination may be reviewed as provided in Wis. Adm. Code COMM 20.21.

**14.15 VIOLATIONS AND PENALTIES.** The enforcement of this chapter and all other laws and ordinances relating to the building shall be by means of the withholding of building permits, imposition of forfeitures and injunctive action. Forfeitures shall be no less than \$50 nor more than \$500 for a first offense and not less than \$100 nor more that \$1000 for a second offense. Said forfeitures shall be for each day of noncompliance. When the Building Inspector or Director of Public Works cites violations of this chapter, the violations shall be promptly corrected. All written violations shall be corrected within 10 days unless an extension of time is granted pursuant to Wis. Adm. Code COMM 20.21