

CHAPTER 14
BUILDING CODE

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14.01 APPLICATION OF PROVISIONS. The purpose and intent of this chapter shall be to:

- (1) Exercise jurisdiction over the construction and inspection of new one and two family dwellings and additions to existing one and two family dwellings.
- (2) Provide plan review and on site inspections of one and two family dwelling by inspectors certified by the Department of Industry, Labor and Human Relations.
- (3) Establish and collect fees to defray administrative and enforcement costs.
- (4) Establish remedies and penalties for violations.
- (5) Establish use of the Wisconsin Uniform Building Permit as prescribed by the Department of Industry, Labor and Human Relations.

14.02 STATE UNIFORM DWELLING CODE ADOPTED. The Administrative Code provisions describing and defining regulations with respect to one and two family dwellings in Chs. Ind. 20-25, Wis. Adm. Code, whose effective dates are generally June 1, 1980, are hereby adopted and by reference made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by an Administrative Code provision incorporated herein by reference is required or prohibited by this chapter. Any future amendments, revisions or modifications of the Administrative Code provisions incorporated herein are intended to be made part of this subchapter to secure uniform Statewide regulation of one and two family dwellings in the Town. A copy of these Administrative Code provisions and any future amendments shall be kept on file in the Town Clerk's office.

14.03 DEFINITIONS. As used in this chapter, certain word and phrases shall be defined as follows:

ADDITION. New construction performed on a dwelling which increases the outside dimensions of the dwelling.

ALTERATION. A substantial change or modification other than an addition or minor repair to a dwelling or to systems involved within a dwelling.

DEPARTMENT. The Department of Industry, Labor and Human Relations.

DWELLING. (a) Any building, the initial construction of which is commenced on or after the effective date of this chapter, which contains one or two dwelling units.

(b) An existing structure or that part of an existing structure which is used as a home, residence or sleeping place by an individual or by two or more individuals maintaining a common household to the exclusion of all others.

MINOR REPAIR. Repair performed for maintenance or replacement purposes on any existing one or two family dwelling which does not affect room arrangement, light and ventilation, access to or efficiency of any exit stairways or exits, fire protection or exterior aesthetic appearance and which does not increase a given occupancy and use. No building permit is required for work to be performed which is deemed minor repair.

PERSON. An individual, partnership, firm or corporation.

UNIFORM DWELLING CODE. Those Administrative Code provisions, and any future amendments, revisions or modifications thereto, contained in following chapters of the Wisconsin Administrative Code:

Ch. Inc. 20 – Administration and Enforcement

Ch. Inc. 21 – Construction Standards

Ch. Ind. 22 – Energy Conservation Standards

Ch. Ind. 23 – Heating, Ventilating and Air Conditioning Standards

Ch. Ind. 24 – Electrical Standards

Ch. Ind. 25 – Plumbing and Potable Water Standards

14.04 ENFORCEMENT.

(1) METHOD OF. The Building Inspector appointed by the Town Board shall enforce the provisions of this chapter.

(2) POWERS. The Building Inspector, or an authorized certified agent, may at all reasonable hours enter upon any public or private premises for inspection purposes, and may require the production of the permit for any building, plumbing, electrical or heating work. No person shall interfere with or refuse to permit access to any such premises to the Building Inspector or his agent while in the performance of his duties.

(3) RECORDS. The Building Inspector shall perform all administrative tasks required by the Department under the Uniform Dwelling Code. In addition, the Inspector shall keep a record of all applications for building permits in a book for such purpose and shall regularly number each permit in the order of its issue. Also, a record showing the number, description and size of all buildings erected indicating the kind of materials used

and the cost of each building and aggregate cost of all one and two family dwellings shall be kept. The Building Inspector shall make a written annual report to the Town Board relative to these matters.

(4) **ISSUANCE OF PERMIT.** If the Building Inspector finds that the proposed building, or repair or addition, complies with all Town ordinances and the Uniform Dwelling Code, the Inspector shall officially approve the application and a building permit shall be subsequently issued to the applicant. The issued building permit shall be posted in a conspicuous place at the building site. A copy of any issued building permit shall be kept on file with the Building Inspector.

(5) **FEES.** At the time application for a building permit is filed, the applicant shall pay the fees established by the Town Board and on file with the Town Clerk.

14.10 VIOLATIONS.

(1) No person shall erect, use, occupy or maintain any one or two family dwelling in violation of any provision of this chapter or the Uniform Building Code, or cause or permit any such violation to be committed. Any person violating any of the provisions of this chapter shall be subject to the provisions of §25.04 of this General Code.

(2) If an inspection reveals a noncompliance with this chapter or the Uniform Dwelling Code, the Building Inspector shall notify the applicant and the owner, in writing, of the violation to be corrected. All cited violations shall be corrected within 30 days after written notification unless an extension of time is granted pursuant to §Ind. 20.10(1)(c), Wis. Adm. Code.

(3) If, after written notification, the violation is not corrected within 30 days, a stop work order may be served on the owner or his representative and a copy thereof shall be posted at the construction site. Such stop work order shall not be removed except by written notice of the Building Inspector after satisfactory evidence has been supplied that the cited violation has been corrected.

(4) Each day each violation continues after the 30 day written notice period has run shall constitute a separate offense. Nothing in this subchapter shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of this chapter or the Uniform Dwelling Code.

(5) If any construction or work governed by the provisions of this chapter or the Uniform Dwelling Code is commenced prior to the issuance of a permit, double fees shall be charged.

14.11 LIABILITY FOR DAMAGES. This chapter shall not be construed as an assumption of liability by the Town for damages because of injuries sustained or property destroyed by any defect in any dwelling or equipment.

