

Chapter70

BUILDING CONSTRUCTION

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[History: Adopted by the Town Board of the Town of Pleasant Springs 11/17/1989 by Ord. No.89-1 as §7.01 of the 1989 Code; amended in its entirety 3/4/1997. Subsequent amendments noted where applicable.]

GENERAL REFERENCES

Fire Prevention-See Cb.100.
Mobile Homes-See Ch. 141.

Subdivision of Land-See Cb.190.

§ 70-1. Statutory authority.

This chapter is adopted under the authority granted by Chs. 59, 60, 61, 62, 66 and 10I, Wis. Stats.

§70-1. Purpose.

The purpose of this chapter is to promote the health, safety and welfare of the residence of the Town of Pleasant Springs.

§70-3. Scope.

This chapter applies to all dwellings, commercial building, apartment buildings, swimming pools, garages and other buildings. Exempted are outbuildings used exclusively for agricultural purposes and children's play structures, dog kennels and storage sheds of less than 120 square feet in area.

§70-4. Permit required; exceptions.

- A. Prior to commencing any of the following work, the owner or agent shall obtain a valid permit from the Town Building Inspector:
 - (I) All new building construction including, but not limited to, residential dwellings, garages, agricultural buildings, and sheds over 120 square feet in area.

- (2) All building additions that increase the physical dimensions of an existing building, including, but not limited to, decks, porches and garages.
 - (3) All alterations to the interior and/or exterior structure of an existing building including, but not limited to, kitchen remodeling, bath remodeling, remodeling an attic and/or basement for living space, window replacement, changes in exterior finish such as brick facade, clapboard or vinyl siding, and roof replacement and repair. No more than three layers of roofing shall be installed on any roof.
 - (4) All alterations to the heating, electrical or plumbing systems of an existing structure.
 - (5) Replacement of major building equipment, including furnaces and air conditioners. Water heater replacement shall require a permit if the plumbing, venting, electrical or gas supply system is altered.
 - (6) Demolition of all existing structures. This includes all agricultural structures, such as silos, chicken houses, tobacco sheds, etc. [Amended 4-14-2008]
- B. Prior to commencing any of the following work, the owner or agent shall obtain a valid Access Damage Deposit and Permit for each of the following, and any combination of the following:
- (1) All construction, demolition, or landscaping that requires material and/or equipment weighing twelve or more tons (24,000 pounds) including delivery vehicle weight.
 - (2) All debris dumpsters that weighs and/or requires equipment weighing twelve or more tons (24,000 pounds) including delivery vehicle weight. No dumpster shall be placed on public property.
- The Building Inspector shall not issue any building permit without the necessary damage deposit and permit. [Amended 8-4-2009]
- C. As determined by the Building Inspector, minor repair of an existing installation to its previous code-complaint condition is exempt from permit requirements.
- D. Commercial buildings are included in electrical permit requirements. [Amended 4-14-2008]

§70-5. Adoption of codes. [Amended 11-4-2003]

The following Wisconsin Administrative Codes and subsequent revisions are adopted for enforcement by the Town.

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| Chs. | COMM 16 to 17 | Electrical Code |
| Chs. | COMM20 to 25 | Uniform Dwelling Code |
| Ch. | COMM28 | Smoke Detectors |
| Chs. | COMM 50 to 64 | Building and Heating, Ventilating and Air-Conditioning Code |
| Ch. | COMM66 | Uniform Multifamily Dwelling Code |
| Ch. | COMM69 | Barrier-Free Design |
| Ch. | COMM 70 | Historic Building Code |
| Chs. | COMM 75 to 79 | Existing Building Code |
| Chs. | COMM 80 to 86 | Uniform Plumbing Code |

§70-6. Scope of Uniform Dwelling Code expanded.

For the purposes of this chapter, the scope of the Uniform Dwelling Code is revised to read:

- A. Additions, alterations and major equipment replacement for one-and two-family homes built prior to June 1, 1980.
- B. Detached garages serving one-and two-family dwellings.
- C. Residential shed of over 120 square feet in area.

§70-7. Building Inspector.

- A. Creation and appointment. There is hereby created the office of Building Inspector. The Building Inspector shall be appointed by the Town Board of Supervisors. The Building Inspector shall be certified for inspection purposes by the state in the required categories specified under Ch. COMM 5, Wis. Adm. Code, and all Department of Commerce regulations. [Amended 11-4-2003)
- B. Subordinates. The Building Inspector may appoint, as necessary, subordinate inspectors. Any subordinate retained to inspect buildings shall be certified by the state as necessary Under Ch. COMM 5, Wis. Adm. Code, and all Department of Commerce regulations. [Amended 11-4-2003)
- C. Duties. The Building Inspector shall administer and enforce all provisions of this chapter.
- D. Powers. The Building Inspector 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 while in the performance of his/her duties.
- E. Records. The Building Inspector shall be submitted to the Building Inspector for any work valued over \$5,000, any work that expands the size of the building, any new building, or as required by the Building Inspector. If a new building or building addition is proposed, then a plot plan showing such proposed work and existing buildings and property lines shall be submitted.

§70-8. Submission of plans.

Two sets of building plans shall be submitted to the Building Inspector for any work valued over \$5,000, any work that expands the size of the building, any new building, or as required by the Building Inspector. If a new building or building addition is proposed, then a plot plan showing such proposed work and existing buildings and property lines shall be submitted.

§70-9. Issuance of permit; posting; term. [Amended 11-4-2003)

The Building Inspector shall issue the requested permit after all state, county and local submission requirements are satisfied. If a permit card is issued, it shall be posted at the job in a visible location. Permits are valid for only 24 months from the date of issuance.

§70-10. Completion/Occupancy Permit required.

A Completion/Occupancy Permit is required for all activities as described in §70-4(A) and (B). If no noncompliance is found by the Building Inspector, then the Building Inspector shall issue a Completion/Occupancy Permit. No driveway access damage deposit shall be returned until a Completion Permit and/or Occupancy Permit has been issued, the Public Works Department has examined the roadway for damage, and the Town Board has acted to approve return of the deposit. (Amended 4-18-2008)

§70-11. Occupancy.

If no noncompliances are found by the Building Inspector, then the Building Inspector shall allow occupancy. If minor noncompliances, other than health and safety items, are in existence, the Building Inspector may allow temporary occupancy for a specified term. Occupancy may not be taken until occupancy is allowed by the Building Inspector.

§70.12. Exterior finish.

All buildings shall have a weather-resistant, uniform and neighborhood-compatible exterior finish. Tar paper and similar material is not acceptable.

§70.13. Maintenance of buildings.

All buildings shall be maintained so they do not lose their value or become noncomplying with applicable codes.

§70.14. Maintenance of yards.

Yards shall be kept free of weeds, trash, open storage or nonlicensed or disabled vehicles.

§70.15. Fees.

At the time of building Permit application, the applicant shall pay fees as established periodically by the Town Board. If work commences prior to permit issuance, double fees may be charged by the Building Inspector.

§70.16. Violations and penalties. [Amended 11-4-2003)

Violations shall be corrected within 30 days after written notice is given. Upon failure to correct the violation within said 30 days, violators of this chapter shall, upon conviction, be subject to a forfeiture of not less than \$25 nor more than \$1,000 for each day of noncompliance, together with the cost of prosecution. Per-day fees will be set from time to time by the Town Board.

§70.17. Stop-work order.

The Building Inspector may issue a stop-work order against a project to prevent further noncomplying work.

§70.18. Liability for damages.

This chapter shall not be construed as an assumption of liability by the Town or Building Inspector for damages because of injuries sustained or property destroyed by any defect in any installation or on any premises.