

ORDINANCE NO. 185

AN ORDINANCE TO REPEAL AND RECREATE SECTION 13.02, TO CREATE SECTIONS 13.03 THROUGH 13.06 AND TO REPEAL CHAPTERS 14 AND 15 OF THE MUNICIPAL CODE OF THE CITY OF FENNIMORE, GRANT COUNTY, WISCONSIN RELATING TO BUILDING REGULATIONS

THE COMMON COUNCIL OF THE CITY OF FENNIMORE, GRANT COUNTY, WISCONSIN, DO ORDAIN AS FOLLOWS:

Section I: Section 13.02 of the Municipal Code of the City of Fennimore shall be and hereby is amended to read as follows:

“13.02 PERMITS

(1) General Permit Requirement

No building, plumbing or electrical work shall be performed in the City unless a permit therefor is obtained as required in this chapter.

(2) Payment of Fees

All fees shall be paid to the City Clerk/Treasurer. A receipt showing that such fees as prescribed by ordinance have been paid, shall be presented to the Building Inspector before the Inspector shall issue a building, electrical or plumbing permit.

(3) Permit Lapses

A building, electrical or plumbing permit shall lapse and be void unless substantial operations under the permit are completed within six (6) months from the date of issuance thereof.

(4) Revocation

If the Building Inspector shall find at any time that the above-mentioned ordinances, laws, orders, plans and specifications are not being complied with, and that the holder of the permit refuses to conform after a written warning or instruction has been issued to him or her, the Building Inspector shall revoke the building, electric or plumbing permit by written notice posted at the site of the work. When any such permit is revoked, no person shall do any further work thereunder until the permit is reissued, excepting such work as the Building Inspector may order to be done as a condition precedent to the reissuance of the permit or as he or she may require for the preservation of human life and safety or property.

(5) Report of Violations

All police officers shall report at once to the Building Inspector any building, electrical or plumbing work which is being carried on without a permit as required by this chapter.

(6) Records

The Building Inspector shall keep a record of all permits, fees and inspections and shall make an annual report.

(7) Appeal

A person aggrieved by any decision by the Building Inspector under this code shall have the right to appeal thereof to the Zoning Board of Appeals of the City of Fennimore in the same manner and with the same force and effect as provided for other appeals to said Board.”

Section II: Sections 13.03 through 13.06 of the Municipal Code of the City of Fennimore shall be and hereby are created to read as follows:

“13.03 PROCEDURES

(1) Building Permits and Inspection

(a) Permit Required. No building or any part thereof shall hereafter be erected within the City or ground broken for the same, except as hereinafter provided, until a building permit therefor shall first have been obtained from the Building Inspector by the owner or his or her authorized agent. The term “building” as used in this section shall include any building or structure and any enlargement, alteration, heating or ventilating installation, moving or demolishing or anything affecting the fire hazards or safety of any building or structure.

(b) Application. Application for a building permit shall be made in writing upon a form furnished by the Building Inspector and shall state the name and address of the owner of the land, and also the owner of the building, if different, and the legal description of the land upon which the building is to be located, and shall contain such other information as the Building Inspector may require for effective enforcement of this section.

(c) Plans. With such application there shall be submitted a complete set of plans and specifications as required in the Wisconsin Administrative Code, Uniform Dwelling Code. Plans for buildings required to comply with the State Building Code shall bear a stamp of approval from the Department of Commerce. Applications for permits for buildings not subject to the Uniform Dwelling Code or State Building Code shall submit building plans which include a plot plan, floor plan and elevations the same as required for one or two family dwellings under the Uniform Dwelling Code.

(d) Waiver of Plans. If the Building Inspector finds that the character of the work is sufficiently described in the application, he or she may waive the filing of plans for alterations, repairs or moving provided the cost of such work does not exceed \$2,000.00.

(e) Approval of Plans. If the Building Inspector determines that the proposed building will comply in every respect with all ordinances of the City and all applicable laws and orders of the State, he or she shall officially approve and stamp the set of plans and return it to the owner, and shall issue a building permit therefor which shall be kept and displayed at the site of the proposed building. After being approved, the plans and specifications shall not be altered in any respect which involves any of the above-mentioned ordinances, laws and orders, or which involves the safety of the building or occupants, except with the written consent of the Building Inspector. In case adequate plans are presented for only part of the building, the Building Inspector may, at his or her discretion, issue a permit for a part of the building before receiving the plans and specifications for the entire building.

(f) Exceptions. The following repairs, alterations and improvements to existing buildings which do not involve enlargements, changes in structural strength, ventilation, fire protection or changes in electrical or plumbing systems are exempt from requirements for issuance of a building permit:

- (i) Painting
- (ii) Replacing floor, wall or ceiling coverings
- (iii) Replacement of gutters, eaves or downspouts
- (iv) Installation of household appliances which does not require rewiring or changes in plumbing
- (v) Tuck pointing or other repairs to existing masonry surfaces.
- (vi) Replacing window glass.
- (vii) Reroofing which does not involve new structural support or replacement of existing structural support.
- (viii) The addition of an open porch, carport, deck, lawn shed, fences, signs or siding.
- (ix) Razing an existing structure.

(g) Fees. The fees for building permits shall be as adopted by ordinance of the City Council from time to time and on file in the office of the City Clerk/Treasurer and Building Inspector. Fees are based on the fair market value of labor and materials for the construction or improvement. The building inspector shall have the authority to determine that an insufficient estimate or underestimate has been provided to the City and shall deny issuing a building permit until the appropriate fee has been paid. The fees are to be as follows until amended:

Single Family Dwelling Construction	\$100.00 plus \$2 per \$1,000
Multi-Family Dwelling Construction.....	\$100.00 plus \$2 per \$1,000
Commercial & Industrial Construction.....	\$100.00 plus \$2 per \$1,000
Plumbing.....	\$6 per \$1,000

Electrical.....	\$6 per \$1,000
HVAC.....	\$6 per \$1,000
	Minimum \$20 Commercial

**Additions: Room.....	\$50
Enclosed Porch.....	\$50
Garage.....	\$50
New Fireplace.....	\$50
**Structural Remodeling: Residential.....	\$50
Commercial.....	\$100
Occupancy.....	\$0
DOC Permit Seal.....	\$25.00 or amount charged by DOC

**Denotes that fees are for addition or cost of structural remodeling. In the event plumbing, electrical or HVAC work is to be done as part of the project, the owner shall pay the additional permit costs for each of these types of work under the fee schedule established for these types of work.

(h) Inspection of Work. The builder shall notify the Building Inspector when ready, and the Building Inspector shall inspect all buildings upon completion of the foundation forms, or before the foundation is laid, and again when ready for lath and plaster or before paneling is applied. After completion, he or she shall make a final inspection of all new buildings and alterations to existing buildings.

(i) Late Penalty Fee. Any property owner or individual required to obtain a building permit under the provisions of the Building Code for the City of Fennimore, Wisconsin, who does not obtain said permit prior to the commencement of construction shall be assessed a late penalty fee of double the normal permit fee assessed for such construction activity. This permit fee and penalty shall be assessed and paid in full prior to the Building Inspector issuing a building permit and prior to the continuation of any construction that has been commenced.

(2) Uniform Dwelling Code

(a) The Wisconsin Uniform Dwelling Code, Wis. Admin Code Chs. DOC 20-25, and all amendments thereto, is adopted and incorporated in this chapter by reference. The Uniform Dwelling Code shall apply to the construction and inspection procedures for all new construction and shall also apply to additions or alterations to existing building except as specified elsewhere in this Code.

(b) The Building Inspector and his or her delegated representatives are hereby authorized and directed to administer and enforce all of the provisions of the Uniform Dwelling Code.

(3) Portions of State Code Adopted

The State Building Code is hereby adopted and made a part of this chapter with respect to those classes of buildings to which that code specifically applies.

(4) New Methods and Materials

All materials, methods of construction and devices designated for use in buildings or structures covered by this chapter and not specifically mentioned in or permitted by this chapter shall not be so used until approved in writing by the Department of Commerce for use in buildings or structures covered by the State Building Code, except sanitary appliances which shall be approved in accordance with the State Plumbing Code. Such materials, methods of construction and devices, when approved, shall be installed or used in strict compliance with the manufacturer's specification and any rules or conditions of use established by DOC. The data, tests and other evidence necessary to prove the merits of such material, method of construction or device shall be determined by DOC.

(5) Unsafe Buildings

Whenever the Building Inspector finds any building or part thereof within the City to be, in his or her judgment, so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use, and so that it would be unreasonable to repair the same, he or she shall order the owner to raze and remove such building or part thereof, or if it can be made safe by repairs, to repair and made safe and sanitary or to raze and remove at the owner's option. Such order and proceedings shall be as provided in section 66.05(5), Wis. Stats.

13.04 ELECTRICAL CODE

(1) State Electrical Code Applies

All electrical work, including the placing of wires and other equipment, shall conform to the State Electrical Code and amendments and revisions which may be adopted in the future which is hereby made a part of this chapter by reference.

(2) Electrical Code Permit

No electric wiring or other equipment shall be installed or altered without first securing a permit therefor from the City Building Inspector, except that repairs or replacements of broken or defective sockets, switches or base receptacles may be made without a permit. The application for such permit shall be on a form furnished by the Building Inspector and shall state clearly the work planned, alterations to be made and equipment and materials to be used, and all later deviations from such plan must be submitted to and approved by the Building Inspector. A fee shall be charged for the permit as provided in Section 13.03.

(3) Inspection of Work

After roughing in the wiring of any building, and before any such work is covered up, or upon completion of any outside wiring construction work, it shall be the duty of the person doing such work to notify the Building Inspector, who shall at once inspect or cause to be inspected the same. Upon completion of such wiring, the Inspector shall be notified and shall inspect or cause to be inspected the finished work. If he or she finds that the work conforms to the State Electrical Code, he or she shall issue a certificate of compliance which shall contain the date and an outline of the result of such inspection, a duplicate of which shall be filed by location in the office of the Building Inspector. No person shall use any such electrical equipment until such certificate has been issued.

13.05 PLUMBING CODE

(1) State Plumbing Code Applies

All plumbing work shall conform to the State Plumbing Code and amendments and revisions which may be adopted in the future which is hereby made a part of this chapter by reference.

(2) Plumbing Code Permit

No plumbing equipment shall be installed or altered without first securing a permit therefor from the City Building Inspector, except that repairs or replacements of broken or defective fixtures, garbage disposals, sinks and stools may be made without a permit. The application for such permit shall be on a form furnished by the Building Inspector and shall state clearly the work planned, alterations to be made and equipment and materials to be used, and all later deviations from such plan must be submitted to and approved by the Building Inspector. A fee shall be charged for the permit as provided in Section 13.03.

(3) Inspection of Work

Before any pipes or other work is covered up, it shall be the duty of the person doing such work to notify the Building Inspector, who shall at once inspect or cause to be inspected the same. Upon completion of such work, the Inspector shall be notified and shall inspect or cause to be inspected the finished work. If he or she finds that the work conforms to the State Plumbing Code, he or she shall issue a certificate of compliance which shall contain the date and an outline of the result of such inspection, a duplicate of which shall be filed by location in the office of the Building Inspector.

13.06 PENALTY

Except as otherwise provided herein, any person who fails to comply with the provisions of this chapter shall be subject to a forfeiture as provided in s. 25.04 of this Municipal Code. Each day of noncompliance with any provision of this chapter shall constitute a separate offense.”

Section III: Chapters 14 and 15 of the Municipal Code of the City of Fennimore shall be and hereby are repealed.

Section IV: This ordinance shall take effect upon its passage and publication as required by law.

Adopted and approved this 13th day of December 1999.

Stephen A. Briehl
Stephen A. Briehl, Mayor

ATTEST:

Margaret A. Sprague
Margaret A. Sprague, City Clerk

Date Adopted: 12-13-99
Date Recorded: 12-14-99
Date Published: 12-23-99
Effective Date: 12-24-99