

Chapter 15

BUILDING CONSTRUCTION

GENERAL REFERENCES

Driveways — See Ch. 36.

Fences — See Ch. 59.

Extraterritorial zoning — See Ch. 50.

Land division and subdivision — See Ch. 110.

Fees — See Ch. 55.

§ 15-1. Statutory authority; conflicts with other laws.

These regulations are adopted under the authority granted by Chs. 59, 60, 61, 62, 66 and 101, Wis. Stats. Where this chapter conflicts with applicable uniform state codes, the latter shall govern.

§ 15-2. Purpose.

The purpose of this Building Code is to promote the health, safety and welfare of the Town of New Glarus.

§ 15-3. Scope.

This Building Code applies to all dwellings, commercial buildings, swimming pools, garages and other outbuildings. Excepted 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.

§ 15-4. Permit required; exceptions.

- A. Prior to commencing any of the following work, the owner or agent shall obtain a valid permit from the Municipal Building Inspector:
- (1) New buildings.
 - (2) Additions that increase the physical dimensions of a building, including decks.
 - (3) Alterations to the building structure costing, within a twelve-month period, over \$5,000, including market labor value, or alterations to the building's heating, electrical or plumbing system.
 - (4) Replacement of major building equipment, including furnaces and central air conditioners. Water heater replacement shall require a permit if the plumbing, venting, electrical or gas supply system is altered.
- B. Restoration or repair of an installation to its previous code-compliant condition as determined by the Building Inspector is exempted from permit requirements. Re-siding, reroofing and finishing of interior surfaces and installation of cabinetry shall be exempted from permit requirements. However, unless structural calculations are provided, no more than two layers of roofing shall be installed on a roof.

- C. Commercial buildings are included in electrical permit requirements.

§ 15-5. Adoption of state codes.

The following Wisconsin Administrative Codes and subsequent revisions are adopted for municipal enforcement:

- A. Chapter SPS 316, Electrical.
- B. Chapters SPS 320 to 325, Uniform Dwelling Code.
- C. Chapter SPS 328, Smoke Detectors and Carbon Monoxide Detectors.
- D. Chapters SPS 361 to 365~~6~~, Commercial Building Code.
- E. Chapter SPS 375-379, Historic Buildings.
- F. Chapters SPS 366, Buildings Constructed Prior to 1914.
- G. Chapters SPS 381 to 387, Uniform Plumbing Code.
- H. Chapter SPS 327, Camping Units.

§ 15-6. Scope of Uniform Dwelling Code expanded.

Notwithstanding §SPS 320.05 Exemptions, Wisconsin Administrative and Enforcement Code, the scope of the Wisconsin Uniform Dwelling Code is revised to include, for the purposes of this chapter:

- A. Additions, alterations and major equipment replacements for one- and two-family dwellings built prior to June 1, 1980. Because such projects are not under state jurisdiction, petitions for variance and final appeals under §§SPS 320.19 and 320.21, respectively, shall be decided by the Town Board. Petitions for variance shall be decided per §SPS 320.19 (Intro) so that equivalency is maintained to the intent of the rule being petitioned. As the Town Board approves petitions for variance, the Building Inspector is granted the power to apply the results to similar circumstances by precedent.¹
- B. Detached garages serving one- and two-family dwellings and any heating, electrical or plumbing system therein. Petitions for variance and appeals shall be handled as in Subsection A.
- C. Residential sheds of over 120 square feet in area.

15-7. Building Inspector.

- A. Creation and appointment. There is hereby created the office of Building Inspector. The Building Inspector shall be appointed by the municipality. The Building Inspector shall be certified for inspection purposes by the state in the required categories specified under §SPS 305, Wisconsin Administrative Code.
- B. Subordinates. The Building Inspector may appoint, as necessary, subordinate

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

inspectors. Any subordinate retained to inspect buildings shall be certified as necessary under Ch. Comm 5, Wisconsin Administrative Code, by the state.

- 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 perform all administrative tasks required by the applicable codes. In addition, the Building 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 issuance.

§ 15-8. Submission of plans.

Two sets of building plans shall be submitted to the Building Inspector for any work valued over \$5,000, any work which expands the size of a 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.

§ 15-9. Issuance and term of permit; posting of permit card.

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 site in a visible location. Permits are valid for two years.

§ 15-10. Completion deposit required.

A deposit of \$100 is required for all projects over \$5,000 in total value. It shall be refunded after the project is completed and no noncompliances are found by the Building Inspector and all other fees are paid. It shall be forfeited if occupancy occurs before permit or extends after a temporary occupancy permit expires. It shall also be forfeited if the exterior is not finished per § 15-12 within two years of permit issuance.

§ 15-11. Occupancy.

If no noncompliances are found by the Building Inspector, then the Building Inspector shall allow occupancy. If minor noncompliances other than health or 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.

§ 15-12. Exterior finish.

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

§ 15-13. Maintenance of buildings.

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

§ 15-14. Maintenance of yards.

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

§ 15-15. Fees.

At the time of building permit application, the applicant shall pay fees as established periodically by the municipal governing body.² If work commences prior to permit issuance, the Building Inspector may charge double fees.

§ 15-16. Violations and penalties.

Violations 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 costs of prosecution. Violations discovered by the Building Inspector shall be corrected within 30 days, or more if allowed by the Building Inspector, after written notice is given.

§ 15-17. Stop-work order.

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

§ 15-18. Liability for damages.

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

2. Editor's Note: See Ch. 55, Fees.