

Town of Little Suamico Building Code

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1.1 Introduction

The Town of Little Suamico is adopting this ordinance pursuant to Wisconsin State Statutes 101.65.

A. Title. This chapter shall be known as the Building Code of the Town of Little Suamico and shall be referred to as “this code.”

B. Purpose

1. To exercise jurisdiction over the construction and inspection of new one and two-family dwellings.
2. To provide plan review and on-site inspections performed by inspectors or agencies certified by DILHR.
3. To establish use of standard building permit forms as prescribed by DILHR.
4. To collect fees to defray administrative and enforcement costs.
5. To provide remedies and penalties for violations.

C. Scope. This code shall apply to all new one and two-family dwellings and to all additions and alterations to such buildings built after July 13, 1992. Plans and inspection will consist of all permits for structure, HVAC, electrical, plumbing, erosion, energy, & plan review.

1.2 State Uniform Dwelling Code Adopted

Wisconsin Administrative Code Chapters 20 through 25, whose effective date is July 13, 1992 and all amendments thereto are hereby adopted and by reference made a part of this ordinance. Any future amendments and revisions to the UDC are intended to be made a part of this ordinance in the interest of statewide uniformity.

A copy of the UDC shall be kept on file in the office of the Building Inspector.

1.3 Method of Enforcement

This code will be enforced by the Town of Little Suamico using a Contract with a certified inspector.

1.4 Building Inspector

- A. **Appointment.** The Board of Supervisors shall appoint the Building Inspector.
- B. **Qualifications.** The Building Inspector shall have the necessary qualifications as sated in ILHR 26.06 and be certified by the state in categories for which he is appointed.
- C. **General Powers and Duties.** The Building Inspector shall administer and enforce all provisions of this code and the UDC. The Building 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 the duties described herein.
- D. **Records.** The Building Inspector shall keep a record of all permit applications issued.
 - (1) The permits shall be marked in order and shall coordinate with the seal numbers purchased from the state.
 - (2) The records shall also detail number, description, size, cost, materials used and the aggregate cost of all UDC construction.
 - (3) A record shall be kept of all condemnation and removal of buildings.
 - (4) The Inspector shall make an annual report to the appointing authority.

1.5 Building Permit Requirements

No construction of any kind shall taken place unless a building permit for that work shall first be obtained by the owner or his authorized agent from the Building Inspector.

- A. **Application Forms to be Used.** Building Inspector shall use forms prescribed by DILHR per S.S. 101.65(3).
- B. **Submission of Plans.**
 - (1) The applicant shall submit two copies of plans at the time the building permit application is filed.
 - (2) Work that is not displayed on the building plans is not included in the Building permit.
 - (3) An additional fee for plan review may be assessed at the time of application for renewal of permit.
- C. **Issuance of Permit.** If the Building Inspector determines that the building plans in every respect comply with local ordinances and the UDC, a permit shall be issued.
 - (1) After being approved, the plans and specifications shall not be changed, except with the approval of the Building Inspector.
 - (2) The issued building permit shall be posted in a conspicuous place at the building site.
- D. **Permit Lapse.** The building permit shall expire two years after issuance if the dwelling exterior has not been completed.
- E. **Occupancy.**
 - (1) Occupancy of structures shall not be permitted until said structure has passed final inspection and the Building Inspector authorizes occupancy.
 - (2) Occupancy of a structure, without a final inspection and authorization by the town Building Inspector, constitutes a violation of this ordinance and will be subject to fees

and/or fines in accordance with this ordinance and the Town of Little Suamico Fee Schedule.

- (3) Open Houses, herein defined as the public showing of the building structure for purposes of sale or rent, are not permitted until final inspection has been completed and the Building Inspector authorizes occupancy.

F. Construction Deposit.

- (1) The Town of Little Suamico will require a construction deposit, paid at the time of building permit application, in the amount determined by the Town of Little Suamico Fee Schedule, to be deposited in an account and held in escrow by the Town of Little Suamico.
- (2) The primary permit holder shall sign a Construction Deposit Agreement to authorize the Town of Little Suamico to deduct from the construction deposit amount(s) needed to correct damages or other assessed fees as determined by the town.
- (3) The construction deposit will only be used to pay for damages to town property and/or levied against other fees as determined necessary by the town via the town building inspector.
- (4) The construction deposit shall constitute an agreement on the part of the primary permit holder to assume financial responsibility on behalf of all persons directly or indirectly involved in the work for which a permit is secured.
- (5) In the event of damages experienced to town property in excess of the construction deposit amount, the applicant will pay the amount due within thirty days (30) days of written notification by the town or the town's agent. If default of payment occurs, the costs for repair or fees assessed shall be levied against said property in the form of a special assessment on the property taxes. Any deductions or assessments will be documented and made a part of the building permit record.
- (6) The Construction Deposit Agreement authorizes the Town Building Inspector to stop any construction until such time as the construction deposit has been replenished, assuming an enforcement action resulted in a deposit deduction.
- (7) The Town of Little Suamico will refund any unused portions of the construction deposit upon final inspection and authorization of the town building inspector.

1.6 Unsafe Buildings

If a building is so old, dilapidated and so out of repair as to be dangerous, unsafe and unsanitary or otherwise unfit for human habitation and so that it would be unreasonable to repair, the Building Inspector shall order the owner to raze or remove the building at the owner's expense. Such order and proceedings shall be carried out in a manner prescribed by Wisconsin Statute 66.05.

1.7 Permit Fees

- (1) Building Permit Fees shall be determined by the Town of Little Suamico in accordance with the Town of Little Suamico Fee Schedule.
- (2) Changes and modifications to the Fee Schedule shall be incorporated to this ordinance by reference upon approval of the Town Board.
- (3) Other fees, including but not limited to re-inspections, park, street cleaning, failure to secure inspection, temporary occupancy, additional plan review, early start, and communication towers may be levied as necessary in accordance with the Little Suamico Fee Schedule.
- (4) Upon failure to obtain a permit before work on a building has been started, the total fee shall double. On the second offense, the total fee shall be tripled. The third offense, the fees shall quadruple. Any other occasions may, in addition to the fees, bring about citations in accordance with section 1.8 of this ordinance.

1.8 Violations and Penalties

When the Building Inspector cites violations with this code or the UDC, the violations shall be promptly corrected. All written violations shall be corrected within 30 days unless an extension of time is granted pursuant to S.S. ILHR 20.21 of the UDC.

- A. Stop Order.** If written violations are not corrected after 30 days, the Building Inspector shall issue a stop order to the owner. The stop order shall be posted at the construction site.
- B. Penalties.** Any person in violation with this code or the UDC shall, upon conviction, be subject to a forfeiture of not less than \$25 or more than \$500 together with the cost of prosecution. Each day that such violation continues will constitute a separate offence (see Wisconsin Statute 66.119, 66.12 and 101.66).

1.9 Appeals

Any person feeling aggrieved by an order of the Building Inspector may, within 20 days thereafter, appeal from such order to this appointing authority. The municipality will follow procedures explained in Wisconsin Statutes Chapter 68, to arrive at a final determination. Final Determinations may be reviewed as explained in Wisconsin Administrative Rules ILHR 20.21.

2.0 Repeal

All other ordinances or parts of ordinances that are inconsistent or conflict with this ordinance are hereby repealed.

2.1 Effective Date

This ordinance shall take effect upon passage and publication.

Dated this _____ day of _____, 2003.

Officials

Elmer Ragen, Town Chairman

Ken Yost, Supervisor

Walter Bramschreiber, Supervisor

Attest:

Sandy Pagel, Town Clerk

Revised Code Adopted March, 2003

Date Published & Posted