

**TOWN OF LITTLE SUAMICO
OCONTO COUNTY, WISCONSIN**

CONTENTS

- 1.1 Authority
- 1.2 Purpose
- 1.3 Scope
- 1.4 Adoption of Wisconsin Uniform Dwelling Code
- 1.5 Building Inspector
- 1.6 Building Permit Required
- 1.7 Submission of Plans
- 1.8 Issuance of Permit
- 1.9 Building Permit Fee
- 1.10 Occupancy Permit
- 1.11 Construction Permit
- 1.12 Unsafe Buildings
- 1.13 Penalties
- 1.14 Stop Work Order
- 1.15 Variance
- 1.16 Appeals
- 1.17 Disclaimer and Non-liability for Damages
- 1.18 Severability
- 1.19 Effective Date

1.1 AUTHORITY. These regulations are adopted under the authority granted by Wis. Stat. § 101.65.

1.2 PURPOSE. The purpose of this ordinance is to promote the general health, safety, and welfare and to maintain required local uniformity with the administrative and technical requirements of the Wisconsin Uniform Dwelling Code.

1.3 SCOPE. The scope of this ordinance includes the construction and inspection of one- and two-family dwellings built since June 1, 1980, and camping units as defined in Wis. Admin. Code § 327.08(9).

- A. Notwithstanding Wis. Admin. Code § SPS 320.05 or any other exemptions of the Uniform Dwelling Code, the scope of this ordinance also includes the construction and inspection of alterations and additions to one- and two-family dwellings built before June 1, 1980. Because such projects are not under state jurisdiction, petitions for variance and final appeals under Wis. Admin. Code §§ SPS 320.19 and 320.21, respectively, shall be decided by the municipal board of appeals. Petitions for variance shall be decided per Wis. Admin. Code § SPS 320.19(Intro) so that equivalency is maintained to the intent of the rule being petitioned.
- B. Notwithstanding Wis. Admin. Code § SPS 320.05 or any other exemptions of the Uniform Dwelling Code, the scope of this ordinance also includes the construction and inspection of [detached garages] [accessory buildings] serving one- and two-family dwellings. The building structure and any heating, electrical or plumbing systems shall comply with the requirements of the Uniform Dwelling Code, other than for smoke alarms, carbon monoxide alarms and frost protection of footings, which shall be determined by the code official. Petitions for variance and appeals shall be handled by this municipality.

1.4 WISCONSIN UNIFORM DWELLING CODE ADOPTED. The Wisconsin Uniform Dwelling Code, §§ SPS 320-325 and § SPS 327, and their successors, of the Wisconsin Administrative Code, and all amendments thereto, are adopted and incorporated by reference and shall apply to all buildings within the scope of this ordinance.

1.5 BUILDING INSPECTOR.

A. There is hereby created the position of Building Inspector, who shall administer and enforce this ordinance and shall be certified by the Division of Industry Services, as specified by Wis. Stat. § 101.66(2), in the category of Uniform Dwelling Code Construction Inspector. Additionally, this or other assistant inspectors shall possess the certification categories of UDC HVAC, UDC Electrical, and UDC Plumbing.

B. Appointment. The Board of Supervisors shall appoint the Building Inspector.

C. 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.

1.6 BUILDING PERMIT REQUIRED. Any person, unless exempt under this Ordinance, who constructs, installs, repairs, reconstructs, removes, demolishes, or remodels any private building or structure in the Town, including building, heating, ventilating, plumbing or electrical work or service, or who causes the same to occur, shall seek and obtain from the Town a Town Building Permit prior to commencing, or causing the commencement of, construction, removal, demolition, installation, repair, reconstruction or remodeling project. This shall include the following:

- (1) New buildings.
- (2) Additions that increase the physical dimensions of a building including decks.
- (3) Alterations to the building structure, cost shall include market labor value, or alterations to the building's heating, electrical or plumbing systems.
- (4) Alteration of plumbing, venting, electrical or gas supply systems.
- (5) Any electrical wiring for new construction or remodeling.
- (6) Any HVAC for new construction or remodeling.
- (7) Any plumbing for new construction or remodeling.
- (8) Camping units.
- (9) Construction of remodeling to a detached accessory structure that is over 100 sq. ft.

1.7 SUBMISSION OF PLAN. The owner or contractor shall, with respect to any proposed construction or demolition, submit two sets of building plans to the Inspector for any work which

expands the size of a building, any new building or as required by the Inspector. If a new building or building addition is proposed, then a plot plan drawn to scale showing such proposed work and existing buildings and property lines shall be submitted. A third set of plans may be requested at the discretion of the Building Inspector for the Assessor. The Building Inspector may require the owner or contractor to submit plans for any construction or demolition project when the Building Inspector determines that it is necessary to review such plans to assure that the proposed project will comply with all applicable codes.

1.8 ISSUANCE OF PERMIT. The Inspector shall issue the requested permit if the owner or contractor demonstrates that 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 from the street. The permit shall expire 24 months after issuance if the dwelling exterior has not been completed. The permit may be extended for 30, 90, or up to 180 days with the Building Inspector's approval and payment of permit fees. By accepting a permit, the applicant, owner, or contractor grants the Building Inspector the right of access to the real estate on which the permitted construction or demolition will occur. Permits are issued conditionally on the condition that the owner and/or contractor(s) conform to the requirements of all applicable codes, zoning ordinances and setback requirements in constructing the building.

1.9 BUILDING PERMIT FEE. The building permit fees shall be determined by resolution and shall include the applicable fee per Wis. Admin. Code § SPS 302 to be forwarded to the Wisconsin Department of Safety and Professional Services for a UDC permit seal that shall be assigned to any new dwelling. Permit fees for a Wisconsin camping unit as outlined within Wis. Admin. Code § SPS 327.09 and inspection fees as outlined within Wis. Admin. Code § 327.10(3) will also be included in this resolution.

1.10 OCCUPANCY PERMIT. If the Building Inspector, after completing all required inspections, finds that a building has been constructed in accordance with the applicable codes, then the Inspector shall issue an occupancy permit. If the building fails to comply with the code in minor respects which do not threaten the safety, health or welfare of the building's occupants, the Building Inspector may issue a temporary occupancy permit for 30 days or a specified term. No person may have occupancy of a building until an occupancy permit is issued.

1.11 CONSTRUCTION DEPOSIT.

- A. 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.
- B. 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.
- C. The construction deposit will only be used to pay for damage to town property and/or levied against other fees as determined necessary by the town via the town building inspector.
- D. 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.
- E. In the event of damage experienced to town property more than 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.

- F. 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.
- G. The Town of Little Suamico will refund any unused portions of the construction deposit upon final inspection and authorization of the town building inspector.

1.12 UNSAFE BUILDINGS. Whenever the Building Inspector determines that any building or structure is so old, dilapidated or has become so 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, the inspector shall order the owner to raze and remove all or part thereof, or if such structure can be made safe and sanitary by repairs, is at the owner's option. Such orders and proceedings shall be as provided in Section 66.0413, Wis. Stats.

1.13 PENALTIES. The enforcement of this section and all other laws and ordinances relating to building shall be by means of the withholding of building permits, imposition of forfeitures and injunctive action. Forfeitures shall be not less than \$25.00 nor more than \$1,000.00 for each day of noncompliance.

1.14 STOP WORK ORDER. The Building Inspector may issue a stop work order for a project to prevent further non-complying work. No person, firm or entity may continue a construction project after a stop work order has been issued. The person, firm or entity that receives such a stop work order may contest the validity of the same by requesting a hearing before the municipality. The municipality shall hear the appeal within seven days. The municipality shall affirm the stop work order unless the owner or contractor shows that the Building Inspector erred in determining that the construction project violated a provision or provisions of the State building codes.

1.15 VARIANCE. The Municipality shall hear requests for variances from the building code to the extent the municipality has authority to hear and grant variances. The municipality shall approve, conditionally approve, or deny a requested variance. The municipality may grant a variance from a code requirement only if the variance is permitted by state law and if the performance of the proposed variance is equal to or greater than the code requires.

1.16 APPEALS. Any person feeling aggrieved by an order of the Building Inspector may, within 20 days thereafter, appeal from such order to the Town Board. The municipality will follow procedures explained in the Wisconsin Statutes Chapter 68, to arrive at a final determination. Final determinations may be reviewed as explained in Wisconsin Administrative Rules SPS 320.21.

1.17 DISCLAIMER AND NON-LIABILITY FOR DAMAGES. This ordinance shall not be construed as an assumption of liability by the municipality or the Building Inspector for damages because of injuries sustained or property destroyed by any defect in any dwelling or equipment.

1.18 SEVERABILITY. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

1.19 EFFECTIVE DATE. This ordinance shall be effective September 9, 2024, upon passage and publication as provided by law.

1.20 The municipality shall keep a record of all inspections completed and retain such records, in accordance with Wis. Admin. Code § SPS 320.10(6). File UDC permits with the Wisconsin Department of Safety and Professional Services in accordance with Wis. Admin. Code § SPS 320.09(2)(a)2.

Adopted this 9th, day of September 2024


Dale Mohr, Town Chairperson

Attest: Lisa Glinski
Lisa Glinski, Town Clerk

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