

ORDINANCE 2019-12

AN ORDINANCE ADOPTING WISCONSIN ADMINISTRATIVE CODES RELATING TO STRUCTURES AND DWELLINGS AND PROVIDING FOR ADMINISTRATION AND ENFORCEMENT OF SUCH CODES

The Common Council of the City of Richland Center, Wisconsin, does ordain as follows:

SECTION 1:

Chapter 420 of the Code of Ordinances of the City of Richland Center is adopted to read as follows:

CHAPTER 420

ADOPTION OF WISCONSIN ADMINISTRATIVE CODE PROVISIONS RELATING TO STRUCTURES AND DWELLINGS AND PROVIDING FOR ADMINISTRATION AND ENFORCEMENT OF SUCH CODES

420.01 Scope. The Wisconsin Administrative Codes adopted herein shall apply to all industrial buildings, commercial buildings, single family dwellings, multi-family dwellings, apartment buildings, swimming pools, garages and other outbuildings in the City of Richland Center. Excepted are outbuildings used exclusively for children's play structures, dog kennels and storage sheds of less than 200 square feet in area.

420.02 Adoption of Codes. The following Wisconsin Administrative Codes and all subsequent revisions thereto are hereby adopted and made applicable in their entirety within the City of Richland Center and enforcement by the City :

Ch. SPS 316	Electrical Code
Ch. SPS 320-325	Uniform Dwelling Code
Ch. SPS 328	Smoke Detectors
Ch. SPS 361-65	Commercial Building and Heating, Ventilating and Air Conditioning Code
Ch. SPS 370	Historic Building Code
Ch. SPS 375-379	Existing Buildings Code
Ch. SPS 381-387	Uniform Plumbing Code

420.03 Scope of Uniform Dwelling Code Expanded. Notwithstanding SPS 320.05, the scope of the Wisconsin Uniform Dwelling Code is revised and adopted to include for the purposes of this ordinance:

1. Additions, alterations and major equipment replacements for one-family and two-family dwellings built prior to June 1, 1980. Because such projects are not under state jurisdiction, the City zoning board of appeals shall decide appeals and petitions for variance under SPS 320.19 and 320.21. Petitions for variance shall be decided per SPS 320.19 (Intro.) so that equivalency is maintained to the intent of the rule from which variance is sought. As the board of appeals approves petitions for variance, the building inspector is granted the power to apply the results to similar circumstances by precedent.

2. Detached garages serving one- and two-family dwellings and any heating, electrical or plumbing systems therein shall comply with the Uniform Dwelling Code. Petitions for variance and appeals shall be handled as in the previous paragraph

3. Residential sheds or other outbuildings of over 200 square feet in area.

420.04 Permits Required.

(1) Prior to commencing work, the owner of the property or agent of the owner shall obtain a valid permit from the city building inspector for any of the following:

(a) New buildings.

(b) Additions that increase the physical dimensions of an existing building, including decks and porches.

(c) Alterations to a building's structure or alterations to a building's heating, electrical or plumbing systems.

(d) Replacement of major building equipment.

(e) Water heater replacements shall require a permit if the plumbing, venting, electrical or gas supply systems are altered.

(3) Re-siding, re-roofing and finishing or re-finishing of interior surfaces and installation of cabinetry shall generally be exempted from permit requirements. Notwithstanding the foregoing, if more than two (2) layers of roofing are to be installed on a roof a permit is required unless structural calculations have been provided to and approved by the building inspector.

420.05 Building Inspector.

(1) Creation and Appointment of Building Inspector.

(a) There is hereby created the office of Building Inspector. The building inspector shall be a person who is certified for inspection purposes by the State of Wisconsin in the required

categories specified under SPS 305, Wisconsin Administrative Code.

(b) The City Council shall appoint the building inspector, who may be either a City employee or a person or entity with whom the City has contracted for provision of building inspection services.

(2) Subordinates. The building inspector may appoint, as necessary, subordinate inspectors with the consent of the City Council. Any subordinate retained to inspect buildings shall be certified as necessary under SPS 305, Wisconsin Administrative Code, by the State of Wisconsin.

(3) Duties. The building inspector shall administer and enforce all provisions of this ordinance

(4) Powers. Within the limits of the law, 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. Where necessary, the building inspector may apply for an administrative search warrant authorizing entry for inspection purposes.

(5) Records. The building inspector shall perform all administrative tasks required by the applicable codes. In addition, the 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.

420.06 Submission of Plans. Two (2) sets of building plans shall be submitted to the building inspector for any new building or for any work which expands the size of a building, or as otherwise required by the building inspector. If a new building or an addition to an existing building is proposed, then a plot plan drawn to scale showing the location of existing buildings, the location of the proposed new structure(s) work, and the location of all property lines shall be submitted to the building inspector.

420.07 Issuance of Permits. The building inspector shall issue the requested building 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 after the date of issuance.

420.08 Occupancy Permit.

(1) Occupancy may not be commenced until the inspector has allowed occupancy as evidenced by an occupancy permit. If the building inspector finds no non-compliant conditions, the building inspector shall allow occupancy.

(2) If non-compliant conditions are found, other than health or safety items, the inspector may, but is not required to, allow temporary occupancy for a specified period, provided the property owner satisfies the inspector that the non-compliant conditions will be brought into compliance within a specified period. If the non-compliant conditions are not brought into compliance within the specified period the building inspector shall have the power to revoke any occupancy permit for the property.

420.09 Exterior Finish Required. All buildings shall have a weather-resistant, uniform and neighborhood-compatible exterior finish. Tarpaper or similar material is not acceptable.

420.10 Maintenance of Buildings. All buildings shall be maintained in such condition that they do not lose value, degrade the neighborhood or become non-compliant with applicable City codes or ordinances.

420.11 Maintenance of Yards. Yards shall be kept free of weeds and trash and maintained in compliance with all applicable City codes or ordinances.

420.12 Permit Fees. At the time of a building permit application, the applicant shall pay the fees as established periodically by the Common Council by ordinance or resolution. The applicable fees shall be paid prior to commencement of work. If work is commenced prior to issuance of a building permit, the building inspector may charge double the established fees for late issuance of the permit.

420.13 Stop Work Order. When the inspector learns of work being performed which is not in compliance with this chapter or any of the codes adopted herein, the inspector may issue a stop work order against the project to prevent further non-complying work. Continued work after a stop work order has been issued shall constitute a violation of this chapter.

420.14 Notices.

(1) All notices and orders under this chapter shall:

1. Be in writing
2. Include a description of the property sufficient for identification. If the property has a house number that number shall be sufficient for identification.
3. Include a statement of the reason it is being issued.
4. Include contact information for the inspector who issued the notice

(2) All notices under this chapter shall be made by one of the following methods:

1. Personal delivery to an owner of record of the property as shown in the public records of Richland County.
2. Mailing to the owner of record of the property at the address shown in the records of the Richland County Treasurer for the mailing of property tax bills for the premises.
3. Posting the notice in a conspicuous place on the affected property.

420.15 Time Limit for Correction of Violations of this Chapter. The building inspector is authorized to impose a reasonable time limit for correction of conditions in violation of this chapter or any of the codes adopted herein. Failure to correct such conditions in violation of this chapter within such time limit shall constitute a violation of this chapter as of the date of initial notification of the violation.

420.16 Penalties for Violations.

(1) Violations Imputed to Owner of Property. Violations of this Chapter shall be imputed to the owner of record of the property where the violation is found to exist.

(2) Forfeiture. Any natural person, partner of any partnership, officer of any corporation, member of any limited liability company, officer of any voluntary association or other legal entity who shall violate or fail or refuse to comply with any section of this Chapter shall, upon conviction thereof, forfeit to the City of Richland Center not less than \$100.00 nor more than \$400.00, plus all applicable costs, fees and surcharges imposed under Ch. 814 Wis. Stats., and in the event such forfeiture, costs, fees and surcharges are not paid, such person, may, upon order of the Circuit Court, be imprisoned in the Richland County jail until such forfeiture, costs and assessment are paid, but not to exceed 90 days, and/or shall be subject to any other sanctions lawfully imposed by the Court for such failure to pay. Each day that a violation is maintained or permitted to exist shall constitute a separate violation.

(3) Additional Enforcement Provisions. In addition to or in lieu of imposition of a forfeiture the City may enforce this chapter by means of the withholding of building permits and/or injunctive action against a violation or violator.

420.17 No Assumption by the City of Liability for Damages. This ordinance shall not be construed as an undertaking or guarantee by the City or its duly appointed inspectors as to any property or improvement. The City does not assume any liability by the City of Richland Center or its duly appointed inspector for damages because of injuries sustained or property damaged or destroyed by any defect in any installation or on any premises.

420.18 Supremacy. The provisions of Chapter 420 as herein adopted shall supercede any contrary provision of existing ordinances of the City relating to the subject matter of this Chapter.

SECTION 2: Repeal of Obsolete Ordinances Superseded by this Ordinance. The following ordinances of the City of Richland Center are found to be obsolete and are hereby repealed:

- Chapter 454 Housing Code (1969)
- Chapter 456 Building Code (1967 & 1969)
- Chapter 457 Plumbing Code (1967)
- Chapter 458 Electrical Code (1967)

SECTION 3: Effective Date.

This ordinance shall be in full force and effect from and after its passage and publication.

Enacted the 3rd day of December, 2019



Michael J. Kauffman, Mayor

ATTEST:



Melinda D. Jones, City Clerk/Treasurer