

## **BUILDING CODE ORDINANCE**

### **AN ORDINANCE ADOPTING THE WISCONSIN UNIFORM BUILDING CODES, CREATING THE POSITION OF TOWN BUILDING INSPECTOR, AND ESTABLISHING BUILDING PERMIT REQUIREMENTS AND FEES.**

#### **Section 1.0 INTRODUCTION**

- 1. Authority.** This ordinance is adopted pursuant to authority granted by Chapters 60, 61 and 101 Wisconsin Statutes.
- 2. Purpose.** This ordinance is adopted to promote the general health, safety and welfare of the Town of Ellington, Outagamie County, Wisconsin.

#### **Section 2.0 GENERAL PROVISIONS**

- 1. Applicability.** This ordinance applies to the construction and inspection of all one and two family dwellings and detached garages serving one and two family dwellings. The building structure and any heating, electrical, or plumbing systems shall comply with the Wisconsin Uniform Dwelling Code. Excepted are outbuildings used exclusively for agricultural purposes, children's play structures, dog kennels and storage sheds of less than 120 square feet in area.
- 2. Wisconsin Uniform Dwelling Code Adopted.** The Wisconsin Uniform Dwelling Code, Chapters Comm. 20-25, Wisconsin Administrative Code and amendments thereto is adopted and incorporated by reference and shall apply to all buildings set forth in paragraph 1. Notwithstanding Comm. 20.05, the scope of applicability of the Uniform Dwelling Code is expanded by this ordinance to dwellings built prior to June 1, 1980 when altered or added on to, detached garages serving one and two family dwellings and residential storage sheds over 120 square feet in area.

#### **Section 3.0 BUILDING INSPECTOR**

- 1. Creation and Appointment.** There is hereby created the position of Town Building Inspector. The Building Inspector shall be appointed by the Town. The Building Inspector shall be certified for inspection purposes by the State in the required categories specified under Chapter Comm 5 Wisconsin Administration Code.
- 2. Duties.** The Building Inspector shall administer and enforce the provisions of this ordinance.
- 3. 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.

**4. Records.** The Building Inspector shall perform all administrative tasks required by applicable codes adopted herein. 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.

**5. Issuance of Permits.** The Building Inspector shall issue the requested permit after all requirements are satisfied.

#### **Section 4.0 BUILDING PERMITS**

**1. Building Permit Required.** No person shall construct a new building, construct an addition that increases the physical dimensions of a building, including decks, or make alterations to the building structure costing, within a 12 month period, more than \$2,500.00 including market labor value, or make structural changes or major changes to mechanical systems that require extensions without first obtaining a building permit from the Building Inspector.

**2. Exemptions.** Restoration or repair of an installation to its previous code compliant condition, as determined by the Building Inspector, shall not require a Building permit. Residing, re-roofing, finishing interior surfaces and installation of cabinetry shall not require a building permit.

**3. Building Plans.** Two sets of building plans shall be submitted to the Building Inspector for any work valued over \$5,000.00, any work which expands the size of a building, any new building or as requested 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.

**4. Fees.** A building permit fee, as established periodically by the Town of Ellington, shall be paid at the time of building permit application. If work commences prior to permit issuance, double fees may be charged by the Building Inspector.

#### **Section 5.0 ENFORCEMENT AND PENALTIES**

**1. Violations and Penalties.** Violations of this ordinance shall, upon conviction, be subject to a forfeiture of not less than \$25.00 nor more than \$1,000.00 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.

2. **Injunctive Action and Stop Work Orders.** This ordinance may be enforced by injunctive action and/or a stop work order against a project to prevent further non-complying work.

3. **Liability.** This ordinance shall not be construed as an assumption of liability by the Town of Ellington or Building Inspector for damages because of injuries sustained or property destroyed by any defect in any installation or on any premises.

Adopted and approved this 28 day of June, 1999.

Town Board Chairman

Orville Nelson  
Orville Nelson

ATTESTED TO:  
Town Clerk

Donna Bentle  
Donna Bentle

Town Supervisor

Joseph Schumacher  
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Town Supervisor

Jeffrey Tews  
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