

TOWN OF RICHMOND
St. Croix County

An Ordinance Amending the Town Building Inspection and Permit Ordinance

ORDINANCE # 10-07

The Town Board of the Town of Richmond does ordain as follows:

1.0 **ORDINANCE AMENDED**
Ordinance #1-2001 is hereby amended as follows:

1.1 **AUTHORITY.** These regulations are adopted under the authority granted by s. 101.65, Wisconsin Statutes

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.**

1.3.1 The scope of this ordinance includes the construction and inspection of one- and two-family dwellings built since June 1, 1980.

1.3.2 Notwithstanding s. Comm 20.05, the scope 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 ss. Comm 20.19 and 20.21, respectively, shall be decided by the Town Board. Petitions for variance shall be decided per s. Comm 20.19(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.

1.3.3 Notwithstanding s. Comm 20.05, the scope also includes the construction and inspection of detached garages serving one and two family dwellings. The building structure and any heating, electrical or plumbing systems shall comply with the Uniform Dwelling Code. Petitions for variance and appeals shall be handled as in the previous paragraph.

1.4 **WISCONSIN UNIFORM DWELLING CODE ADOPTED.** The Wisconsin Uniform Dwelling Code, Chs. Comm 20-25 of the Wisconsin Administrative Code, and all amendments thereto, is adopted and incorporated by reference and shall apply to all buildings within the scope of this ordinance.

1.5 **BUILDING INSPECTOR.** There is hereby created the position of Building Inspector, who shall administer and enforce this ordinance and shall be certified by the Division of Safety & Buildings, as specified by Wisconsin Statutes, Section 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.

1.6 **BUILDING PERMIT REQUIRED.** If a person alters, adds onto or builds a building in excess of \$2000 (two thousand dollars) value in any twelve-month period, they shall first obtain a building permit for such work from the building inspector. Residing, finishing of interior surfaces and installation of cabinetry shall be included in the permit requirements.

1.7 **EXEMPTIONS FROM PERMIT REQUIREMENT.** The requirement in Section 1.6 to obtain a Building Permit shall not apply to any of the following:

- 1.7.1 Buildings or structures owned by the town.
- 1.7.2 Additions, remodeling, reconstruction, enlargement, or alterations to buildings, when the cost of the work, including labor, shall be less than \$2000.
- 1.7.3 The restoration or repair of building equipment, such as furnaces, central air conditioners, water heaters, and similar mechanical equipment without the alteration or addition to the building or structure.
- 1.7.4 Fences or other similar enclosures.
- 1.7.5 Re-roofing projects that do not involve the repair or replacement of any structural elements including sheeting.
- 1.7.6 Outbuildings (not including structures larger than 120 square feet – meaning any structure larger than 120 square feet will require a building permit) without a foundation or slab.
- 1.7.7 Restoration or repair of an installation to its previous code-compliant condition as determined by the building inspector on a case-by-case basis.

1.8 NO EXEMPTION FROM OTHER STATUTORY REQUIREMENTS. The issuance of a permit pursuant to this Ordinance does not exempt the applicant from the requirement to obtain any other permit including (without limitation):

- 1.8.1 Obtaining any permit that may be required by any other state law or local ordinance, including but not limited to any of the following:
- 1.8.2 County sanitary permits.
- 1.8.3 Town, county, or state driveway permits.
- 1.8.4 State one- and 2-family dwelling code permits.
- 1.8.5 Any other applicable permit under town or county ordinance or state law.
- 1.8.6 Fence permits
- 1.8.7 Complying with any other requirement, ordinance, or law, including, but not limited to, those governing zoning, subdivision, land division, and setbacks.

1.9 BUILDING PERMIT FEE. The building permit fees shall be set by the Building Inspector and approved by resolution of the Town Board and shall include \$25.00 to be forwarded to the Wisconsin Department of Commerce for a UDC permit seal that shall be assigned to any new dwelling. The fee shall also include a \$30.00 administrative fee for the Building Inspector. The building permit fee shall be doubled for any project requiring a permit which is commenced without a permit or prior to issuance of a permit.

1.10 EXPIRATION OF PERMIT/EXTENSION. Work to be done pursuant to the permit must be commenced within six months of the date of issuance or the permit shall expire. All work to be done pursuant to the permit must be completed within two years of the date of issuance; permits shall expire two years from the date of issuance. Applications for extension must be submitted to the Building Inspector in writing at least fifteen (15) days prior to expiration. The fee for an extension shall be based on the Building Inspector's estimate of the value or cost of the work remaining to be done at the time of application for extension and shall be submitted with the application for extension. Extensions may be granted for a period of time not to exceed one year. Any reapplication for a new permit after expiration of an existing permit shall be assessed a fee as if the remaining work were a remodeling or similar project. Such fee shall be paid prior to reissuance of the new permit.

1.11 SECURITY/ROAD DAMAGE DEPOSIT. Any applicant for a building permit for a new dwelling shall pay a security and road damage deposit to the Town in the amount of \$1500.00 (one thousand five hundred dollars) prior to the issuance of the permit. This deposit shall be held in a non-

interest bearing account by the Town. If the project is completed, final inspection conducted, and no road damage is observed, this deposit shall be refunded to the applicant. If the building permit expires prior to completion and final inspection of the project, and no extension has been applied for, the amount of \$500.00 (five hundred dollars) shall be forfeited to the Town as a penalty. Any damage to Town roads due to the project shall be repaired by the Town and charged against the deposit. Any balance remaining due shall be paid by the applicant within 30 (thirty) days of written invoice by the Town. Any amounts not paid within that time frame shall be charged against the property and placed on the tax roll pursuant to Wisconsin Statutes Section 66.0627.

1.12 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, issuance of stop work orders, 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.

1.13 EFFECTIVE DATE. This ordinance shall be effective upon passage and publication as provided by law.

1.14 The building inspector(s) shall keep a log of all inspections completed.

Supervisor David Naser moved for adoption of this Ordinance, such motion was seconded by Supervisor Richard Volkert and the resulting vote was as follows:

Voted for:	<u>5</u>
Voted against:	<u>0</u>
Abstained:	<u>0</u>
Date of passage:	August 13, 2010
Date of publication:	September 9, 2010
Effective date:	September 10, 2010

Adopted this 13th, day of August, 2010



Todd Rehnelt, Town Chairman

Attest: 

Donna Preece, Town Clerk