

## **Title 14**

### **BUILDINGS AND CONSTRUCTION**

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## Chapter 14.04

### GENERAL PROVISIONS

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#### **14.04.010 Scope.**

The provisions of this Code shall govern the design, construction, alteration, demolition, and moving of all buildings and structures. (Part of Ord. passed 10/3/73: prior Code § 30.00).

#### **14.04.020 Short Title.**

These regulations shall be known and cited as “Municipal Building Code”; and shall be construed to secure their expressed intent and to ensure public safety, health and welfare insofar as they are dependent upon building construction. (Part of Ord. passed 10/3/73: prior Code § 30.01).

#### **14.04.030 Application Of Wisconsin Administrative Building Code.**

All buildings and structures which involve the use of structural steel and reinforced concrete framing; heavy timber constructions; roof trusses with spans more than twenty-five (25) feet, not including truss roof rafters; and all other buildings not specified in this Section shall conform to the applicable requirements of the Wisconsin Administrative Building Code; except that the incidental use of steel beams, girders, columns and hangers and reinforced concrete slabs and walls not exceeding the allowable stresses of the proposed materials shall be permitted under the provisions of this Code. The construction requirements of buildings other than one (1) and two-family (2) dwellings shall be in accordance with the applicable requirements of the Wisconsin Administrative Building Code. (Part of Ord. passed 10/3/73: prior Code § 30.02).

#### **14.04.031 Uniform Dwelling Code.**

A. The State of Wisconsin Administrative Code, Chapter IND 20-25, Uniform Dwelling Code, as adopted and effective December 1, 1978, is adopted and incorporated in this Code by reference.

B. The Building Inspector and his delegated representatives are authorized and directed to administer and enforce all of the provisions of the Uniform Dwelling Code. (Ord. 78-11-3).

#### **14.04.040 Application Generally.**

All buildings and structures hereafter erected, altered, repaired, moved or demolished that are used or designed to be used for the purpose herein defined shall comply in full with the requirements of this Code. (Part of Ord. passed 10/3/73: prior Code § 30.03 (part)).

#### **14.04.050 Effect On Zoning Regulations.**

No provision of this Code shall be construed to repeal, modify, or constitute an alternative to any lawful zoning regulations. (Part of Ord. passed 10/3/73: prior Code § 30.03(1)).

**14.04.060 Application To New Buildings.**

This Code shall apply to all new buildings, to their accessory structures, and to parts thereof, which are hereafter erected. (Part of Ord. passed 10/3/73: prior Code § 30.03(2)).

**14.04.070 Application To Existing Buildings.**

This Code shall also apply to buildings and conditions described in this Section:

- A. An existing building to be occupied which building was not previously so occupied;
  - B. An existing structure that is altered or repaired, when the cost of such alterations or repair during the life of the structure exceeds fifty percent (50%) of the equalized value of the structure, said value to be determined by the assessor of the Municipality;
  - C. Additions and alterations, regardless of cost, made to an existing building when deemed necessary in the opinion of the Building Inspector shall comply with the requirements of this Code for new buildings. The provisions of Section 14.04.080 shall also apply;
  - D. Roof Coverings. Whenever more than twenty-five percent (25%) of the roof covering of a dwelling is replaced in any twelve (12) month period, all roof covering shall be in conformity with applicable Sections of this Code;
  - E. Additions and Alterations. Any addition, or alteration, regardless of cost, made to a dwelling shall be made in conformity with applicable Sections of this Code.
- (Part of Ord. passed 10/3/73: prior Code § 30.03(3)).

**14.04.080 Application To Alterations And Repairs.**

The following provisions shall apply to buildings altered or repaired:

- A. Alterations. When not in conflict with any regulations, alterations to any existing building or structure, accommodating a legal occupancy and use but of nonconforming type of construction, which involves either the structural members of floors or roofs, beams, girders, columns, bearing, or other walls, room, heating and air conditioning systems, arrangement, light and ventilation, changes in location of exit stairways or exits, or any or all of the above, then such existing construction shall be made to conform to the minimum requirements of this Code applicable to such occupancy and use and given type of construction.
  - B. Repairs. Repairs for purposes of maintenance, or replacements in any existing building or structure which do not involve the structural portions of the building or structure, or which do not effect room arrangement, light and ventilation, access to or efficiency of any exit stairways or exits, fire protection, or exterior aesthetic appearance and which do not increase a given occupancy and use, shall be deemed minor repairs.
  - C. Alterations, When Not Permitted. When any existing building or structure, which for any reason whatsoever does not conform to the regulations of this Code, has deteriorated from any cause whatsoever to an extent greater than fifty percent (50%) of the equalized value of the building or structure, no alterations or moving of such building or structure shall be permitted. Any such building or structure shall be considered a menace to public safety and welfare and shall be ordered vacated and thereafter demolished and debris removed from the premises.
  - D. Alterations and Repairs Required. When any of the structural members of any building or structure have deteriorated from any cause whatsoever to less than their required strength, the owner of such a building or structure shall cause such structural members to be restored to their required strength; failing in which the building or structure shall be considered a menace to public safety and shall be vacated and thereafter no further occupancy or use of the same shall be permitted until the regulations of this Code are complied with.
  - E. Extent of Deterioration. The amount and extent of deterioration of any existing building or structure shall be determined by the Building Inspector.
  - F. Use of Unsanitary Building. It is unlawful to occupy or use or permit the occupancy or use of any building or structure that is unsanitary or dilapidated, or deteriorated, or out of repair, thereby being unfit for human habitation, occupancy or use until the regulations of this Code have been complied with.
- (Part of Ord. passed 10/3/73: prior Code § 30.03(4)).

**14.04.090 Razing Buildings.**

The Building Inspector is authorized to act for the Municipality under the provisions of Section 66.05 of the Wisconsin Statutes, relating to the razing of buildings and all acts amendatory thereof and supplementary thereto. The Municipal Clerk/Treasurer is authorized to place the assessment and collect the special tax as therein provided. (Part of Ord. passed 10/3/73: prior Code § 30.03(5)).

## Chapter 14.08

### DEFINITIONS

#### Sections:

- 14.08.010 Definitions Generally.
- 14.08.020 Accessory Building.
- 14.08.030 Addition.
- 14.08.040 Adjoining Lot Line.
- 14.08.050 Alley.
- 14.08.060 Alteration.
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- 14.08.090 Area.
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- 14.08.110 Basement.
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- 14.08.140 Building, Existing.
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- 14.08.160 Cement Or Cement Lime Mortar.
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- 14.08.290 Garage, Private.
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- 14.08.320 Habitable Rooms.
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- 14.08.340 Loads.
- 14.08.350 Lot.
- 14.08.360 Lot Line.
- 14.08.370 Masonry.
- 14.08.380 Masonry, Solid.
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- 14.08.470 Shall.**
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- 14.08.490 Story.**
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- 14.08.510 Walls.**
- 14.08.520 Square Footage Of Building.**
- 14.08.530 Unusual Construction.**

**14.08.010 Definitions Generally.**

For the purpose of this Code, the following words and phrases shall have the meanings assigned to them in this Section. Words and phrases not herein otherwise defined, shall have the meanings accepted by common usage. (Part of Ord. passed 10/3/73: prior Code § 30.14 (part)).

**14.08.020 Accessory Building.**

“Accessory building” means a part of a principal building, or a supplemental building located on the same lot with a principal building and generally used for storage, private garage or other use customarily incident to a residence use. (Part of Ord. passed 10/3/73: prior Code § 30.14(1)).

**14.08.030 Addition.**

“Addition” means any new construction whereby an existing building or structure, or building or structure in course of construction, is increased in area or cubical content. (Part of Ord. passed 10/3/73: prior Code § 30.14(2)).

**14.08.040 Adjoining Lot Line.**

“Adjoining lot line” means the line between adjoining lots, plots of land, or parcels of land of different or same ownership. (Part of Ord. passed 10/3/73: prior Code § 30.14(3)).

**14.08.050 Alley.**

“Alley” means a right-of-way which affords a secondary means of vehicular access to abutting properties. A street shall not be considered an alley. (Part of Ord. passed 10/3/73: prior Code § 30.14(4)).

**14.08.060 Alteration.**

“Alteration” means any change or modification in construction or occupancy. (Part of Ord. passed 10/3/73: prior Code § 30.14(5)).

**14.08.070 Apartment.**

“Apartment” means a room or suite of rooms which is occupied or which is intended or designed to be occupied by one family for living and sleeping purposes. (Part of Ord. passed 10/3/73: prior Code § 30.14(6)).

**14.08.080 Approved.**

“Approved” as to materials and types of construction, refers to approval by the Building Inspectors Association as the result of investigation and tests conducted by said association or by reason of accepted principles or tests by national authorities or technical or scientific organizations.(Ord.10/3/73: prior §30.14(7))

**14.08.090 Area.**

“Area” as applied to dimensions, means the maximum horizontal projected area of a building, structure, room, apartment or open space, not including overhangs. (Part of Ord. passed 10/3/73: prior Code § 30.14(8)).

**14.08.100 Attic.**

“Attic” means a space not suitable for human occupancy under the roof and above the ceiling of the topmost story of any building or part thereof. (Part of Ord. passed 10/3/73: prior Code § 30.14(9)).

**14.08.110 Basement.**

“Basement” means that portion of a building the floor line of which is below lot grade and the ceiling of which is not more than five (5) feet above lot grade. Same for cellar. (Part of Ord. passed 10/3/73: prior Code § 30.14(10)).

**14.08.120 Bearing.**

“Bearing” means that area of any structural unit of a building or structure which is in direct contact with the supports which receive the loads from that unit. (Part of Ord. passed 10/3/73: prior Code § 30.14(11)).

**14.08.130 Building.**

“Building” means any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind. (Part of Ord. passed 10/3/73: prior Code § 30.14(12)).

**14.08.140 Building, Existing.**

“Building, existing” means a building erected prior to the adoption of this Code or one for which a legal building permit has been issued. (Part of Ord. passed 10/3/73: prior Code § 30.14(13)).

**14.08.150 Building Inspector.**

“Building Inspector” means the officer charged with the administration and enforcement of this Code or his regularly authorized deputy; same for Building Official. (Part of Ord. passed 10/3/73: prior Code § 30.14(14)).

**14.08.160 Cement Or Cement Lime Mortar.**

For the definition of “cement” or “cement lime mortar” see Section 14.28.110. (Part of Ord. passed 10/3/73: prior Code § 30.14(15)).

**14.08.170 City.**

“City” means any political subdivision which adopts this Code for regulation within its jurisdiction. (Part of Ord. passed 10/3/73: prior Code § 30.14(16)).

**14.08.180 Cubic Contents.**

“Cubic contents” means the actual cubic space enclosed within the outer surface of the outside or enclosed walls, outer surfaces of the roof and the finished surfaces of the lowest floors of a building or structure; does not include the contents of courts which are open to the sky. (Part of Ord. passed 10/3/73: prior Code § 30.14(17)).

**14.08.190 Dwelling.**

“Dwelling” means a building which is designed or used or which is intended to be used as a residence or place of abode. (Part of Ord. passed 10/3/73: prior Code § 30.14(18)).

**14.08.200 Equipment.**

“Equipment” as specifically regulated by this Code, includes heating, cooling, air conditioning, and ventilating systems; plumbing and sanitary systems; electric light and power systems; telephone, electronic and radio signal and annunciator systems; dry cleaning, dyeing and washing machines; elevators and dumb waiters; gas pipe systems; standpipes; sprinkler systems; fire protection apparatus, fire extinguishers, and pumps; oil burners, stokers, and conveyors; refrigerating systems; devices, machinery and apparatus of every description; furnaces, boilers; high or low pressure steam systems; gasoline pumps; all movable or portable containers of every description; all air pressure or other tanks; and all other self-contained systems used in conjunction with buildings or structures. (Part of Ord. passed 10/3/73: prior Code § 30.14(19)).

**14.08.210 Established Grade.**

“Established grade” means the grade of the street as established by Ordinance at the centerline of the street. (Part of Ord. passed 10/3/73: prior Code § 30.14(20)).

**14.08.220 Existing.**

“Existing” means a building, structure, equipment, or premises completed or in course of construction, or used or occupied, and for which a legal permit has been issued prior to the effective date of this Code. (Part of Ord. passed 10/3/73: prior Code § 30.14(21)).

**14.08.230 Family.**

“Family” means an individual or two (2) or more persons related by blood or marriage, or a group of not more than three (3) persons (excluding servants) who need not be related by blood or marriage living together in a dwelling unit. (Part of Ord. passed 10/3/73: prior Code § 30.14(22)).

**14.08.240 Fire District.**

“Fire District” means zoned areas of *the city* within which wood frame construction is prohibited except otherwise provided for in this Code. (Part of Ord. passed 10/3/73: prior Code § 30.14(23)).

**14.08.250 Floor Area.**

“Floor area” means the net area of any floor space, enclosed by exterior walls, fire walls, or absolute fire separation exclusive of open spaces. (Part of Ord. passed 10/3/73: prior Code § 30.14(24)).

**14.08.260 Footings.**

“Footings” means that portion of the foundation of a structure which spreads and transmits loads directly to the soil or the piles. (Part of Ord. passed 10/3/73: prior Code § 30.14(25)).

**14.08.270 Foundation.**

“Foundation” means the supporting structure as a whole, below the lowest floor upon which rests the superstructure of a building or structure. (Part of Ord. passed 10/3/73: prior Code § 30.14(26)).

**14.08.280 Garage.**

“Garage” means a building or portion thereof in which a motor vehicle containing gasoline, distillate, or other volatile, flammable liquid in its tank is stored, repaired or kept. (Part of Ord. passed 10/3/73: prior Code § 30.14(27)).

**14.08.290 Garage, Private.**

“Garage, private” means a building or a portion of a building in which only motor vehicles used by the tenants of the building or buildings on the premises are stored or kept. (Part of Ord. passed 10/3/73: prior Code § 30.14(28)).

**14.08.300 Grade, Building.**

“Grade, building” means the elevation of ground adjacent to the structure. (Part of Ord. passed 10/3/73: prior Code § 30.14(29)).

**14.08.310 Grade, Lumber.**

“Grade, lumber” means the classification of lumber in regard to stress and grade. (Part of Ord. passed 10/3/73: prior Code § 30.14(30)).



**14.08.320 Habitable Rooms.**

“Habitable rooms” means rooms used for human occupancy; for example but not confined to the following:

A. “Bedroom” means a habitable room in a dwelling unit intended for use primarily for sleeping purposes.

B. “Kitchen” means a habitable room or space in a dwelling unit in which meals are cooked or prepared.

C. “Living room” means the principal habitable room in a dwelling unit designed for or appropriated to the general occupancy or use of a family or household. (Part of Ord. passed 10/3/73: prior Code § 30.14(31)).

**14.08.330 Lintel.**

“Lintel” means the beam or girder placed over an opening in a wall which supports the wall construction above. (Part of Ord. passed 10/3/73: prior Code § 30.14(32)).

**14.08.340 Loads.**

A. “Dead load” means the weight of the walls, floors, partitions, roofs and other structural parts of a building or structure.

B. “Live load” means all imposed, transient, moving loads, or loads due to impact and including movable partitions in a building or structure other than dead loads.(Part of Ord passed 10/3/73: prior Code § 30.14(33)).

**14.08.350 Lot.**

“Lot means a parcel of land in a single ownership occupied or to be occupied by not more than one (1) principal or main building and the accessory buildings or uses customarily incident to it, including such open spaces as are required by this or other Codes and having its principal frontage upon a street.

(Part of Ord. passed 10/3/73: prior Code § 30.14(34)).

**14.08.360 Lot Line.**

“Lot line” means a line or lines dividing one lot, plot or land or parcel of land from an adjoining lot, plot of land or parcel of land. (Part of Ord. passed 10/3/73: prior Code § 30.14(35)).

**14.08.370 Masonry.**

“Masonry” means a construction composed of separate units such as brick, block, hollow tile, stone or approved similar units or a combination thereof, laid up or built unit by unit and bonded by mortar.

(Part of Ord. passed 10/3/73: prior Code § 30.14(36)).

**14.08.380 Masonry, Solid.**

“Masonry, solid” means masonry built without hollow spaces.

(Part of Ord. passed 10/3/73: prior Code § 30.14(37)).

**14.08.390 Nonconforming Building, etc.**

“Nonconforming building, etc.” means a lawful existing building, premises, structure, use, materials or equipment which do not conform to the requirements of this Code.

(Part of Ord. passed 10/3/73: prior Code § 30.14(38)).

**14.08.400 Occupancy Or Use.**

“Occupancy” or “use” means the purpose for which a building, structure, equipment, materials or premises or part thereof is used or intended to be used as regulated by this Code.

(Part of Ord. passed 10/3/73: prior Code § 30.14(39)).

**14.08.410 Person.**

“Person” means any individual, persons, partnerships, firm, organization, association or corporation, their agents, heirs or assigns. (Part of Ord. passed 10/3/73: prior Code § 30.14(40)).

**14.08.420 Pilaster.**

“Pilaster” means a projection of masonry or other construction being an integral part of a wall to provide bearing for concentrated loads or to compensate for a reduction of wall Section by openings, or to stiffen a wall against lateral forces. (Part of Ord. passed 10/3/73: prior Code § 30.14(41)).

**14.08.430 Principal Building.**

“Principal building” means a single main building or structure on a lot for specific use or occupancies. (Part of Ord. passed 10/3/73: prior Code § 39.14(42)).

**14.08.440 Repair.**

“Repair” means the reconstruction or renewal of any part of an existing building for the purpose of its maintenance. The word “repair” or “repairs” shall not apply to any change of construction. (Part of Ord. passed 10/3/73: prior Code § 30.14(43)).

**14.08.450 Required.**

“Required” means mandatory by provisions of this Code. (Part of Ord. passed 10/3/73: prior Code § 30.14(44)).

**14.08.460 Room.**

“Room” means a space within a building or structure completely enclosed with walls, partitions, floor and ceiling except for necessary openings for light, ventilation, ingress and egress. (Part of Ord. passed 10/3/73: prior Code § 30.14(45)).

**14.08.470 Shall.**

“Shall” as used herein, is mandatory; same for must. (Part of Ord. passed 10/3/73: prior Code § 30.14(46)).

**14.08.480 Stairway.**

“Stairway” means three or more risers. (Part of Ord. passed 10/3/73: prior Code § 30.14(47)).

**14.08.490 Story.**

“Story” means the space in a building included between the surface of any floor and the surface of the next above or below, or roof next above. (Part of Ord. passed 10/3/73: prior Code § 30.14(48)).

**14.08.500 Structure.**

“Structure” as specifically regulated by this Code means anything which is constructed, erected and framed of component parts and which is fastened, anchored or rests on a permanent foundation or on the ground for any occupancy or use whatsoever, excluding fencing. (Part of Ord. passed 10/3/73: prior Code § 30.14(49)).

**14.08.510 Walls.**

“Walls” shall be defined as follows:

- A. “Bearing wall” means a wall which supports any load in addition to its own weight.
- B. “Cavity wall” means a wall built of masonry units or of plain concrete, or a combination of these materials, so arranged as to provide an air space within the wall, and in which the facing and backing (inner and outer parts) of the wall are tied together with metal ties.
- C. “Curtain wall” means a nonbearing wall between columns or piers.
- D. “Exterior wall” means an outer enclosing wall of a building or structure.
- E. “Faced wall” means a wall in which the masonry facing and backing are so bonded as to exert common action under load.
- F. “Nonbearing wall” means a wall which supports no load other than its own weight.
- G. “Panel wall” means a nonbearing wall in skeleton construction, built between columns or piers and wholly supported at each story.

H. "Partition" means an interior vertical structure usually of light construction serving to enclose an area, room, space or division, extended from floor to ceiling, and having wall surfaces of approved materials as permitted by this Code.

I. "Retaining wall" means a wall used to resist laterally imposed pressures.

J. "Veneered wall" means a wall having masonry facing which is attached to the backing but not so bonded as to exert common action under load; also having outer facing for the purpose of providing ornamentation, protection or insulation. (Part of Ord. passed 10/3/73: prior Code § 30.14(50)).

**14.08.520 Square Footage Of Building.**

"Square footage of building" means the actual area in square feet enclosed by the exterior perimeter of the building walls on each separate floor level. (Part of Ord. passed 10/3/73: prior Code § 30.14(51)).

**14.08.530 Unusual Construction.**

"Unusual construction" means any construction methods or materials not covered in this Code. (Part of Ord. passed 10/3/73: prior Code § 30.14(52)).

## Chapter 14.12

### BUILDING INSPECTOR AND PERMITS

#### Sections:

- 14.12.010 Department Created--Inspector Appointment.**
- 14.12.020 Duties Of Inspector.**
- 14.12.030 Rights Of Inspector.**
- 14.12.040 Records Keeping.**
- 14.12.050 Permit Applications Required.**
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- 14.12.064 Foundation Survey Requirements.**
- 14.12.065 Waiver Of Certified Survey.**
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- 14.12.080 Permit--Registered Seals.**
- 14.12.090 Permit--Drainage Plans.**
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- 14.12.300 Certificate Of Occupancy.**
- 14.12.310 Order To Discontinue Occupancy.**
- 14.12.320 Change In Occupancy.**
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#### **14.12.010 Department Created--Inspector Appointment.**

There is created the Department of Building Inspection. The Building Inspector shall be appointed by the Municipality. (Part of Ord. passed 10/3/73: prior Code § 30.04(part)).

**14.12.020 Duties Of Inspector.**

The Building Inspector is vested with the authority and responsibility to enforce all laws controlling safe building construction. He shall make periodic inspection of existing public buildings to determine their safety. He shall make inspections at the site of buildings damaged by any cause whatsoever to determine the safety of buildings affected thereby. (Part of Ord. passed 10/3/73: prior Code § 30.04(1)).

**14.12.030 Rights Of Inspector.**

The Building Inspector or his authorized agent shall have the power and authority at all reasonable hours, for any proper purpose, to enter upon any public or private premises and make inspection thereof and to require the production of the permit for any building, plumbing, electrical or heating work being done or the required license thereof. No person shall interfere with or refuse to permit access to any such premises to the above described representatives of the Municipality while in the performance of their duties. (Part of Ord. passed 10/3/73: prior Code § 30.04(2)).

**14.12.040 Records Keeping.**

There shall be kept in the Department of Building Inspection a record of all applications for building permits in a book for such purpose, and each permit shall be regularly numbered in the order of its issue. Also, a record showing the number, description and size of all buildings erected indicating the kind of materials used and the cost of each building and aggregate cost of all buildings in the various classes, shall be kept. There shall be kept in the Department of Building Inspection, a record of all inspections made, and of all removal and condemnation of buildings, and a record of all fees collected showing the date of their receipt. The Building Inspector shall make a written monthly report to the governing body of the Municipality relative to these matters. (Part of Ord. passed 10/3/73: prior Code § 30.04(3)).

**14.12.050 Permit Applications Required.**

A. No buildings, structures, or any parts thereof, or any development except as hereinafter provided in this Chapter, shall be built, enlarged, altered, repaired, demolished, placed or moved within the areas subject to the provisions of this Chapter until a permit has been applied for in writing and issued by the Building Inspector. For the purposes of this Section, to alter or repair a building or structure shall be construed to mean to change the dimensions, square footage, cubic footage, or structural supports of a building or structure or to change the structure in such a way that the future use of the premises is inconsistent with the district wherein the parcel is located. All permits issued by Building Inspector shall be issued only upon the condition that the Building Inspector or his designee may inspect the premises for compliance during reasonable daylight hours.

B. Permits required are as follows:

1. Building;
2. Air conditioning;
3. Wrecking and razing;
4. Heating;
5. Moving of buildings;
6. Occupancy; and
7. Zoning.

C. No person, firm, business, industry or corporation shall occupy any owned, rented or leased building, structure, premises or space, except residential occupancies, without first having obtained an occupancy inspection and permit, certifying that the proposed use or occupation is in compliance with the terms of this Chapter. The Building Inspector may waive the occupancy inspection if it has been determined that the premises has been inspected within the previous twelve (12) month period.

D. Applications for permits required by this Chapter shall be made in triplicate to the office of the Building Inspector on forms furnished by the office or authorized by this Chapter and shall include all information and data required by such forms.

E. Applications for zoning permits required by this Chapter shall fully comply with Section 66.036 of the Wisconsin Statutes, and with the Chapter 13 of the Twin Lakes Code of Ordinances, both of which may be amended from time to time.

F. When required by this Chapter, applicants for a permit shall, prior to application for such permit, obtain a list of the owners of parcels within three hundred feet or any abutting property owner, or party of interest as defined in this Chapter, from the Village assessor's office, with said list to be certified by the assessor's office and submitted by the applicant at the time of application.

G. No application shall be accepted by the Building Inspector if the parcel for which a permit is being applied for is not in compliance with any provision of this Chapter.

H. Any application for a permit under this Chapter or any use subject to the regulations and standards set forth herein shall be accompanied by a sworn statement by the owner of the subject property that said property and use will be operated in accordance with the provisions of this Chapter.

I. Such forms shall include the following information or as deemed appropriate by the Building Inspector:

1. Names and addresses of the applicant, owner of the site, architect, professional engineer, contractor and authorized agent and their respective phone numbers.

2. Description of the subject site by lot, block, and reported subdivision or by metes and bounds; addresses of the subject sites; type of structure; existing and proposed operation or use of the structure or sites; number of employees, anticipated patrons or maximum seating capacity and the zoning district within which the subject site lies, tax parcel number, date of purchase and projected cost of construction.

3. A plat of survey prepared by a land surveyor registered by the state of Wisconsin shall be prepared and show the following:

a. Location, boundaries, dimensions and size of the subject site;

b. Location, boundaries, dimensions, uses, set backs and sizes of all existing and proposed structures, existing and proposed easements, streets and other public ways and utilities;

c. All existing highway access restrictions, off-street parking, loading areas and driveways;

d. All existing and proposed street, sides, rear and shore yard setbacks;

e. All floor plans including garages;

f. Complete construction details;

g. Such other details as may be required by the Building Inspector.

4. The permit fee specified in Section 14.64.030.

5. Additional information that may be required by the Building Inspector or Plan Commission.

(Ord. 99-11-2 § 2 (part)).

#### **14.12.055 Permit Applications Not Required.**

Except for development and substantial improvements in the floodplain and shoreland-wetland districts, permits shall not be required for:

A. Farm buildings and structures which are not for human habitation and which are not permanently fixed to the ground and which are readily removable in their entirety, provided that street, sides, rear and shore yard setback requirements for that district are met. This exemption, however, shall not apply to roadside stands more than three hundred square feet in area used for the sale of farm products or other goods and services produced solely on the parcel.

B. Farm improvements such as drainage irrigation systems, grass waterways and terraces, farm fences except as outlined in this Chapter.

C. Public utilities such as gas and oil pipe lines, electric and telephone transmission and distribution lines, poles and other accessories which shall be permitted in all districts except for those areas defined as floodplain and shoreland-wetland areas provided, however, that when a utility proposes a major inter-city transmission line or pipeline, it give notice to the plan commission of such intention and of the time and place of hearing before the public service commission and provided further that at the request of the committee, the utility meet with it to discuss the routing of said transmission line or pipe line and before actual construction, file a mapped description of the route of such transmission line with the committee.

D. Repairs and other alterations which do not change the cubic footage of a building or structure and do not constitute a change in use and meet all street, sides, rear and shore yard setback requirements. (Ord. 99-11-2 § 2 (part)).

#### **14.12.060 Permit Time Limits.**

A. All building permits, except new home permits, shall expire after twelve months. After twelve months, if the project is at least 25% completed, the building permit may be renewed at the cost of ½ of the original cost. The minimum renewal fee shall be as provided in § 14.64.030. If the project is not 25% completed, a renewal will not be issued; at that time, an applicant must submit a new application. If a project is 25% completed and permit renewed, this will be the only renewal issued. If, after the permit is renewed one time, the project is not completed, the applicant must submit a new application. A new home permit shall expire two years after issuance.

B. In the case of a new home permit, if at least 50% of the project is not completed, with the proper inspections obtained, upon expiration of the permit (two years from the date of issuance), a renewal may be obtained at the cost of ½ of the original cost. The minimum renewal fee shall be as provided in § 14.64.030. If the project is not 50% completed upon the expiration of the initial permit, with the proper inspections obtained, the applicant must submit a new application.

C. For purposes of this Section, “substantially completed” shall be deemed to mean that construction equivalent to seventy-five percent (75%) of the projected cost of the project as noted in the application for the permit, has, in fact, been completed. (Ord. 99-11-2 § 2 (part))(Ord. 18-5-3)).

#### **14.12.064 Foundation Survey Requirements.**

A. Any person erecting, moving, enlarging or reconstructing a structure, which, under this Chapter, requires a zoning permit shall upon completion of the construction of footings, concrete slab or other foundations, submit to the office of the Building Inspector a survey prepared by a registered land surveyor showing the locations, boundaries, dimensions, elevations and size of the following: the boundaries of the lot, all existing structures (including foundations) and their relationship to the lot lines. The Building Inspector shall compare the location of the all new or extended foundations with the location of all proposed construction activity reported on the permit application. No further construction may commence unless the Building Inspector shall find that the foundation location is consistent with the permit as issued and shall so certify.

B. The foundation survey requirements may be waived, at the option of the permit applicant, for any construction provided that the permit applicant shall file and record with the office of the Building Inspector and with the Kenosha County Register of Deeds an “Assumption of Liability” which shall be binding on the permit applicant and his estate and which shall forewarn future owners of said parcel of the lack of a certified foundation survey verifying that structures located on the parcel are in conformity to this Chapter and further, that if an error is made on the placement of any construction or structure, or if a zoning violation is later discovered, the applicant and his estate shall move the construction or structure so as to conform with the zoning regulations effective on the date the permit was issued and shall further pay all consequent damages. Structures illegally located on a parcel are in violation of this Chapter. Applicable statute of limitations for prosecution of such violations shall not begin to run until such time as a certified survey has been filed with the Office of the Building Inspector and the Register of Deeds indicating the location of the structures on the parcel. (Ord. 99-11-2 § 2 (part)).

#### **14.12.065 Waiver Of Certified Survey.**

The Building Inspector may authorize the issuance of a building permit without a Certified Survey Map for construction of accessory buildings, decks and other similar structures which, in the opinion of the Building Inspector, constitute work costing less than five thousand dollars (\$5000.00) and are not of such magnitude require a Certified Survey. In cases where a Certified Survey Map is not required and submitted to the Building Inspector, the property owner shall submit a sketch prepared to the satisfaction of the Building Inspector showing the following:

- A. Location and dimensions of all buildings on the lot, both existing and proposed.
- B. Dimensions of the lot.
- C. Dimensions showing all setbacks of all buildings on the lot.
- D. All floor plans including garages.
- E. Complete construction details. (Ord. 99-11-2 § 2 (part)).

**14.12.066 Certificate Of Compliance.**

A Certificate of Compliance shall be required in the following instances:

A. No vacant land shall be occupied, used, developed or substantially improved; and no building hereafter erected, altered or moved shall be occupied; and no floodland shall be filled, excavated, or developed; and no nonconforming use shall be maintained, renewed or changed until a Certificate of Compliance shall have been issued by the Building Inspector. Such permit shall show that the building or premises or part thereof and the proposed use thereof are in conformity with the provisions of this Chapter. Such permit shall be issued only when the building or premises and the proposed use thereof conform with all the requirements of this Chapter.

B. Upon the establishment of a new business or industry in an existing structure, as set forth in Section 14.12.050(A).

Under the above circumstances, no person, firm or corporation shall occupy, use or cause to be used, any land or building as set forth above until the Building Inspector has issued a written Certificate of Compliance. (Ord. 99-11-2 § 2 (part)).

**14.12.067 Other Permits.**

It is the responsibility of a permit applicant to secure all other necessary permits required by any federal, state, or local agency. This includes, but is not limited to, a water use permit pursuant to Chapters 30 and 31 of the Wisconsin Statutes or a wetland fill permit pursuant to Section 404 of the Federal Water Pollution Control Act, as amended. (Ord. 99-11-2 § 2 (part)).

**14.12.068 Plan Retention.**

All plans under this Section shall remain on file in the Office of the Building Inspector until at least one (1) year after the completion of the building, after which time the Building Inspector may return the same to the owner, may keep them for public record or may destroy them. (Ord. 99-11-2 § 2 (part)).

**14.12.069 Disclaimer.**

All permits issued by the Office of the Building Inspector shall note the following disclaimer therein:

Each applicant for a Zoning Permit is charged with knowledge of the Twin Lakes General Zoning Code and Floodplain and Shoreland-Wetland Zoning Ordinance. Copies of the text of this Ordinance or portions thereof and copies of the Official Zoning Maps are available for sale, copying or inspection upon request. Any statement made, assurance given or permit erroneously issued contrary to this Ordinance is null and void. (Ord. 99-11-2 § 2 (part)).

**14.12.070 Waiver Of Some Permit Requirements.**

At the option of the Building Inspector, plans, data and specifications need not be submitted with an application for permit to execute minor alterations and repairs to any building, structure or equipment, provided the proposed construction is sufficiently described in the application for permit. (Part of Ord. passed 10/24/73: part of Ord. passed 10/3/73: prior Code § 30.05(3)).

**14.12.080 Permit--Registered Seals.**

A. All plans, data and specifications for the construction of any building or structure or for any construction in connection with existing buildings and structures, other than one (1) and two-family (2) residences, containing more than fifty thousand cubic feet (50,000), total volume, submitted with an application for permit, shall bear the seal of the registered architect or registered engineer. The plans shall also



be stamped as approved as required by the Department of Industry, Labor and Human Relations of the State of Wisconsin.

B. No permit shall be granted for such structure unless such construction will be under the supervision of an architect or engineer, as required by the Wisconsin Statutes. A written statement to this effect shall be filed by the architect or engineer, with the Building Inspector with the application for permit.  
(Part of Ord. passed 10/3/73: prior Code § 30.05(4)).

#### **14.12.090 Permit--Drainage Plans.**

A. Grading of Lots. The plans shall meet the requirements of Chapter 22 of this Title but shall, at minimum, show the present and proposed grades of the lot on which it is proposed to erect the building for which a building permit is sought and of the immediately adjoining property in sufficient detail to indicate the surface water drainage before and after the completion of grading. No permit shall be issued if the erection of the building and the proposed grades shall unreasonably obstruct the natural flow of water from the surface of adjoining property or obstruct the flow of any existing ravine, ditch, drain or stormwater sewer draining neighboring property, unless suitable provision is made for such flow by means of an adequate ditch or pipe, which shall be shown on the plans and shall be constructed so as to provide continuous drainage at all times.

B. Stormwater drains. No dwelling shall be erected nor shall existing provisions for conveyance of water from the roof of any dwelling be altered or replaced unless provision is made to convey water from the roof of the dwelling in such a manner that such water will not, directly or indirectly, pass thence into the sanitary sewer system. No storm water or surface water drains, may be connected with the sanitary sewer system, whether installed above or below the surface of the ground.  
(Ord. 2000-12-1 § 2; part of Ord. passed 10/3/73: prior Code § 30.05(5)).

#### **14.12.091 Culverts.**

A. No person shall install a drainage culvert in the right-of-way of any Village street, alley, or public right-of-way without first obtaining a permit from the Village.

B. Application for a culvert shall be made on forms available at the Village Hall and shall be completed and filed with the Village Clerk/Treasurer, who shall refer the application to the committee for public works or superintendent of streets.

C. Before granting a culvert permit, the superintendent of streets shall make an inspection of the site and establish the grade, size and length of the culvert, together with aprons and end walls. No permit shall be granted for any culvert having a diameter of less than fifteen (15) inches, unless the superintendent, after inspection of the site, shall determine that a twelve (12) inch culvert will provide adequate drainage. No culvert shall be installed less than five (5) feet from the adjoining property line.

D. The applicant shall pay the costs of the culvert and end walls and materials necessary for proper installation of the culvert as required by the department of public works (superintendent of streets), except that the Village will provide one load of gravel for cover on the culvert.  
(Ord. 92-2-2; Ord. 90-8-1 (part); Ord. 90-2-1).

#### **14.12.100 Permit--Moving Damaged Buildings.**

No building shall be repaired, altered or moved within or into the Municipality that has deteriorated or has been damaged by any cause, (including such moving and separation from its foundation and service connections in case of moved buildings), fifty percent (50%) or more of its equalized value, and no permit shall be granted to repair, alter or move such building within or into the Municipality.  
(Part of Ord. passed 10/3/73: prior Code § 30.05(6)).

#### **14.12.110 Permit Issuance.**

A. If the Building Inspector finds that the proposed building will comply in every respect with this Code, other municipal Ordinances, and all laws of the state of Wisconsin, and lawful orders issued pursuant thereto, he shall issue a building permit. After being approved, the plans and specifications shall not be altered in any

respect which involves any of the above mentioned Ordinances, laws or orders, or which involves the safety of the building, except with the written consent of the Building Inspector filed with such application.

B. In case adequate plans are presented, the Building Inspector, at his discretion may issue a permit for a part of the building before receiving the plans and specifications of the entire building. It shall be unlawful to commence work on any building or alteration before the building permit has been issued. The issuance of a permit upon the plans and specifications shall not prevent the Building Inspector from thereafter requiring the correction of errors in said plans and specifications or from preventing building operations being carried on thereunder when in violation of any Ordinances of the Municipality or laws of the state of Wisconsin or lawful orders issued pursuant thereto.

C. For the construction of buildings requiring approval of the State Industrial Commission, no permit shall be issued until such approved plans are received by the Building Inspector.

(Part of Ord. passed 10/3/73: prior Code § 30.05(7)).

#### **14.12.115 Permit Withholding.**

A. Dedicated Street and Approved Subdivision Required.

No building permit shall be issued unless all of the following conditions are true at the time of permit issuance: (i) the property on which the building is proposed to be built abuts a street or otherwise has legal access to a right of way that has been dedicated for street purposes, whether public or private; (ii) a Development Agreement providing for the completion of all required subdivision improvements, as required under Chapter 16 of the Twin Lakes Code of Ordinances, has been approved by the Village Board executed by the owner or subdivider and recorded in the office of the Register of Deeds for Kenosha County; and (iii) the owner or subdivider is not in default under the applicable Development Agreement for the subdivision.

B. Utilities Required.

1. Residential Buildings. No building permit shall be issued for the construction of any residential building until sewer, water, grading and graveling are installed in the streets necessary to service the property for which the permit is required and a receipt for payment of electrical hook up is presented to the Building Inspector.

2. Non-Residential Buildings. No building permit shall be issued for the construction of any building other than residential until contracts have been let for the installation of sewer, water, grading and graveling in the streets necessary to services the property for which the permit is requested.

3. Occupancy. No person shall occupy any building until sewer, water, grading and graveling are installed in the streets necessary to service the property and a Certificate of Occupancy shall not be issued until such utilities are available to service the property.

(Ord. 2014-5-2)

#### **14.12.120 Revocation Of Permit.**

A. The Building Inspector may revoke any permit, certificate of occupancy, or approval issued under the regulations of this Code and may stop construction or use of approved new materials, equipment, methods of construction, devices or appliances for any of the following reasons:

1. Whenever there is a violation of any regulation of this Code or of any other Ordinance, law or lawful orders or Wisconsin Statute relating to the same subject matter.

2. Whenever the continuance of any construction becomes dangerous to life or property.

3. Whenever there is any violation of any condition or provisions of the application for permit, or of the permit.

4. Whenever in the opinion of the Building Inspector there is inadequate supervision provided on the job site.

5. Whenever any false statement or misrepresentation has been made in the application for permit, plans, drawings, data specifications or certified lot or plot plan on which the issuance of the permit or approval was based.

6. Whenever there is a violation of any of the conditions of an approval or occupancy given by the Building Inspector for the use of any new materials, equipment, methods of construction, devices or appliances.

B. The notice revoking a permit, certificate of occupancy, or approval shall be in writing and may be served upon the applicant for the permit, owner of the premises, and his agent, if any, and on the person having charge of construction.

C. A revocation placard shall also be posted upon the building, structure, equipment or premises in question by the Building Inspector.

D. After the notice is served upon the persons as aforesaid and posted, it shall be unlawful for any person to proceed thereafter with any construction operation whatsoever on the premises, and the permit which has been so revoked shall be null and void, and before any construction or operation is again resumed, a new permit, or required by this Code, shall be procured and fees paid therefor, and thereafter the resumption of any construction or operation shall be in compliance with the regulation of this Code.

(Part of Ord. passed 10/3/73: prior Code § 30.05(8)).

#### **14.12.130 Permit--Issuance Card, Voidance, Recommencing Work.**

A. A weatherproof card signed by the Building Inspector indicating the permit has been issued shall be posted at the job site during construction. After issuance of a building permit, the approved plans shall not be altered unless any proposed change is first approved by the Building Inspector as conforming to the provisions of this Code.

B. The building permit shall become void unless operations are commenced within four (4) months from the date thereof, or if the building or work authorized by such permit is suspended at any time after work is commenced, for a period of sixty (60) days.

C. Before any work is commenced or recommenced after the permit has lapsed, a new permit shall be issued at the regular fee rate. In any event, the work required to construct a one or two (2) family residence shall be completed within eighteen (18) months from the date of issuance of the permit.

(Part of Ord. passed 10/3/73: prior Code § 30.06).

#### **14.12.140 Moving Buildings--Permit Required.**

No person shall move any building or structure upon any of the public ways of the Municipality without first obtaining a permit therefor from the Building Inspector and upon the payment of the required fee. Every such permit issued by the Building Inspector for the moving of a building shall designate the route to be taken, the conditions to be complied with, and shall limit the time during which said moving operations shall be continued. (Part of Ord. passed 10/3/73: prior Code § 30.07(1)).

#### **14.12.150 Moving Buildings--Continuous Movement Required.**

The movement of buildings shall be a continuous operation during all the hours of the day, and day by day and at night, until such movement is fully completed. All of such operations shall be performed with the least possible obstruction to thoroughfares. No building shall be allowed to remain overnight upon any street crossing or intersection, or so near thereto as to prevent easy access to any fire hydrant or any other public facility. Lighted lanterns shall be kept in conspicuous places at each end of the building during the night.

(Part of Ord. passed 10/3/73: prior Code § 30.07(2)).

#### **14.12.160 Moving Buildings--Street Inspection.**

Every person receiving a permit to move a building shall within one (1) day after said building reaches its destination, report that fact to the Building Inspector who shall thereupon in the company of the Municipal Highway Commissioner, inspect the streets and highways over which said building has been moved and ascertain their condition. If the removal of said building has caused any damage to any street or highway, the person to whom the permit was issued shall forthwith place them in as good repair as they were before the permit was granted. On the failure of the said permittee to do so within ten (10) days thereafter to the satisfaction of the governing body, said body shall repair the damage done to such streets and hold the person obtaining such permit and the sureties on his bond responsible for the payment of same.

(Part of Ord. passed 10/3/73: prior Code § 30.07(3)).

**14.12.170 Moving Buildings--Conformance With Code.**

No permit shall be issued to move a building within or into the Municipality and to establish it upon a location within the said Municipality until the Building Inspector has made an investigation of such building at the location from which it is to be moved, and is satisfied from such investigation that said building is in a sound and stable condition and of such construction that it will meet the requirements of this building Code in all respects. Should any repairs, improvements or remodeling be contemplated or required with respect to said building, the same shall be made insofar as possible before the building is taken from the premises from which it is to be moved. A complete plan of all further repairs, improvements and remodeling with reference to such building shall be submitted to the Building Inspector, and he shall make a finding of fact to the effect that all such repairs, improvements and remodeling are in conformity with the requirements of this building Code, and that when same are completed, the building as such will so comply with said building Code. In the event a building is to be moved from the Municipality to some point outside the boundaries thereof, the provisions with respect to the furnishing of plans and specifications for proposed alterations to such building, may be disregarded. (Part of Ord. passed 10/3/73: prior Code § 30.07(4)).

**14.12.180 Moving Buildings--Bond.**

A. Before a permit is issued to move any building over any public way in this Municipality, the party applying therefor shall give a bond to the Municipality in a sum to be fixed by the Building Inspector and which shall not be less than one thousand dollars (\$1,000.00); said bond to be executed by a corporate surety or two personal sureties to be approved by the governing body or designated agent conditioned upon, among other things, the indemnification to the Municipality for any costs or expenses incurred by it in connection with any claims for damages to any persons or property, and the payment of any judgment together with the costs and expenses incurred by the Municipality in connection therewith, arising out of the removal of the building for which the permit is issued.

B. Unless the Building Inspector, upon investigation, shall find it to be a fact that the excavation exposed by the removal of such building from its foundation shall not be so close to a public thoroughfare as to permit the accidental falling therein of travelers or the location, nature and physical characteristics of the premises and the exposed excavation, such as to make intrusion upon the premises and the falling into such excavation of children under twelve (12) years of age unlikely, the bond required by A shall be further conditioned upon the permittee erecting adequate barriers and within forty-eight (48) hours, filling in such excavation or adopting and employing such other means, devices or methods approved by the Building Inspector and reasonably adopted or calculated to prevent the occurrences set forth herein.

(Part of Ord. passed 10/3/73: prior Code § 30.07(5))

**14.12.190 Building Moving--Insurance.**

The Building Inspector shall require in addition to said bond above indicated, public liability insurance covering injury to one (1) person in a sum of not less than twenty-five thousand dollars (\$25,000.00) and for one (1) accident in a sum not less than fifty thousand dollars (\$50,000.00), together with property damage insurance in a sum not less than five thousand dollars (\$5,000.00), or such other coverage as deemed necessary. (Part of Ord. passed 10/3/73: prior Code § 30.07(6)).

**14.12.200 Building Moving--Plan Commission Approval.**

A. No such permit shall be issued unless it has been found as a fact by the Plan Commission of the Municipality by at least a majority vote, after an examination of the application for the permit which shall include exterior elevations of the building and accurate photographs of all sides and views of the same, and in case it is proposed to alter the exterior of said building, plans and specifications of such proposed alterations and after a view of the building proposed to be moved and of the site at which it is to be located, that the exterior architectural appeal and functional plan of the building to be moved or moved and altered, will not be so at variance with either the exterior architectural appeal and functional plan of the buildings already constructed or in the course of construction in the immediate neighborhood, or the character of the applicable district established by the zoning Ordinances of the Municipality, or any Ordinance amendatory thereof or

supplementary thereto, as to cause a substantial depreciation in the property values of said neighborhood within said applicable district. In case the applicant proposed to alter the exterior of said building after moving the same, he shall submit with his application papers, complete plans and specifications for the proposed alterations. Before a permit shall be issued for a building to be moved and altered, the applicant shall give a bond to the Municipality's Plan Commission, which shall not be less than one thousand dollars (\$1,000.00) to be executed in the manner provided in Section 14.12.180 to the effect that he will within a time to be set by the Plan Commission, complete the proposed exterior alterations to said building in the manner set forth in his plans and specifications. This bond shall be in addition to any other bond or surety which may be required by other applicable Ordinances of the Municipality. No occupancy permit shall be issued for said building until the exterior alterations proposed to be made have been completed.

B. Upon application being made to the Building Inspector he shall request a meeting of the Plan Commission to consider applications for moving permits which he has found comply in all respects with all other Ordinances of the Municipality. The Plan Commission may, if it desires, hear the applicant for the moving permit in question and/or the owner of the lot on which it is proposed to locate the building in question, together with any other persons, either residents or property owners, desiring to be heard, giving such notice of hearing as they may deem sufficient. Such hearing may be adjourned for a reasonable length of time, and within forty-eight (48) hours after the close of the hearing, the Plan Commission shall, in writings, make or refuse to make, the finding required by this Section, and file it in the office of the Village Clerk/Treasurer copy of it to the Building Inspector. (Part of Ord. passed 10/3/73: prior Code § 30.07(7)).

#### **14.12.210 Moving Buildings--Board of Appeals.**

A. On an appeal to the Board of Appeals, in the absence of proof to the contrary adduced before the Board of Appeals, a refusal to grant the moving permit because of refusal of the Plan Commission to make the finding required by Section 14.12.200, such refusal shall be deemed to be passed upon facts supporting a conclusion that the exterior architectural appeal and functional plan of the building to be moved, or to be moved and altered, for which a permit was refused, would, when moved or altered, be so at variance with all of the exterior architectural appeal and functional plan of buildings already constructed or in the course of construction in the immediate neighborhood, or the character of the applicable district, as to cause substantial depreciation in the property values of the neighborhood within said applicable district.

B. Any person entitled to appeal from the grant of or refusal of the Building Inspector to grant said moving permit may appeal to the Board of Appeals in the same manner and with the same force and effect as the Ordinance codified in this Title had not been adopted and the Building Inspector had taken such action independently of the Plan Commission. (Part of Ord. passed 10/3/73: prior Code § 30.07(8)).

#### **14.12.220 Building Razing.**

Before a building can be demolished or removed, the owner or agent shall notify all utilities having service connections within the building, such as water, electric, gas, sewer and other connections. A permit to demolish or to remove a building shall not be issued until it is ascertained that service connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner. Excavations shall be filled with solid fill to match lot grade, within thirty (30) days of removal of the structure. Any excavation shall be protected with appropriate fences, barriers and/or lights. (Part of Ord. passed 10/3/73: prior Code § 30.08).

#### **14.12.230 Permit--Fees.**

Before receiving a building permit, the owner or his agent shall pay the fee specified in Section 14.64.030. In applying the provisions of this Code in respect to new work, existing buildings, alterations and repairs, the physical value of the work shall be determined by the Building Inspector on the basis of current costs or as otherwise provided in the local Ordinances. (Part of Ord. passed 10/3/73: prior Code § 30.09).

#### **14.12.240 Unusual Construction.**

When applications for unusual technical design or magnitude of construction are filed, the Building Inspector may refer such plans and specifications to the Department of Industry, Labor and Human Relations, State of Wisconsin, Safety and Building Division for analysis and recommendations as to the safety of design in compliance with this Code. (Part of Ord. passed 10/3/73: prior Code § 30.10).

#### **14.12.250 Inspections--Notification.**

Upon notification from the permit holder or his agent, required inspections of the construction of any buildings, structures or equipment shall be made as follows:

A. Inspection to determine if the location on the premises is in compliance with approved certified lot or plot plan of the premises and the terms of the permit;

B. Inspection to determine if the construction of footings as to thickness, width, placing of reinforced steel, if required and foundation walls is in compliance with approved plans, data and the terms of the permit;

C. Inspection of all wall, floor and roof framing, fire stopping, and bracing when completed, and of all pipes, chimneys, ventilating and other ducts, shafts and equipment when in place but before any such work is covered, enclosed or concealed by other construction;

D. Inspection prior to laying concrete for basement floor to inspect subgrade, drain tile, and forms;

E. Final Inspection. Upon the completion of any building, structure, equipment or construction for which a permit was issued and before the same is occupied or used, a final inspection shall be made by the Building Inspector, and until such building structure or equipment is in compliance with all the requirements of this Code and terms of the permit, no occupancy shall be maintained. If the construction conforms to the requirements of this Code a certificate of occupancy shall be issued.

(Part of Ord. passed 10/3/73: prior Code § 30.11(1)).

#### **14.12.260 Inspections--Coordination.**

All provisions of the laws and regulations of the Municipality and of legally adopted rules of local fire and health officials in respect to the operation, equipment, housekeeping, fire protection, handling and storage of flammable materials, liquids and gases and the maintenance of safe and sanitary conditions of use in occupancy in all buildings shall be strictly enforced by the administrative officials to whom such authority is delegated. Whenever inspection by any authorized enforcement officer discloses any violation of the provisions of this Code, or of any other rules, regulations, or laws, he shall immediately notify the administrative officer having jurisdiction of the violation. (Part of Ord. passed 10/3/73: prior Code § 30.11(2)).

#### **14.12.270 Inspections--Certified Report.**

The Building Inspector may require a certified report of all required inspections as regulated by this Code from the registered architect or registered engineer supervising the construction of any building, structure, or equipment requiring their supervision. Such certified report shall state in detail that all construction work has been executed in accordance with all of the regulations of this Code, approved plans, specifications, terms of the permit, and data filed with the application for permit; and further that such construction work was executed in accordance with accepted architectural and engineering standard procedures.

(Part of Ord. passed 10/3/73: prior Code § 30.11(3)).

#### **14.12.280 Appeal From Decision Of Building Inspector.**

Any person feeling himself aggrieved by any order or ruling of the Building Inspector may appeal from such ruling to the Board of Appeals within twenty (20) days after written notice of such ruling shall have been delivered to him. Such appeal is to be in writing, setting forth the order appealed from, and the respects in which said person, feeling himself aggrieved, claims that said order or ruling is erroneous or illegal. Said notice of appeal shall be filed with the Clerk/Treasurer who shall thereupon notify the Building Inspector of said appeal, and the appeal shall be heard at the next meeting of the Board of Appeals. The Board of Appeals, after consideration thereof, shall affirm, reverse or modify said ruling as is just in the premises. The ruling or order of the inspection shall be enforced until changed by said Board of Appeals.

(Part of Ord. passed 10/3/73: prior Code § 30.11(4)).

**14.12.290 Stop-Work Order.**

Whenever the provisions of this Code, any Developer's Agreement or of the plans approved thereunder are not complied with, a stop-work order shall be served on the owner or his representative and a copy thereof shall be posted at the site of the construction. A stop-work order under this Section shall also be issued if any fees owed under this Code or a Developer's Agreement become past due and outstanding. Such stop-work order shall not be removed except by written notice of the Building Inspector after satisfactory evidence has been supplied that the violation has been corrected.

(Ord. 96-11-2 § 1, 1996: part of Ord. passed 10/3/73: prior Code § 30.12).

**14.12.300 Certificate Of Occupancy.**

A. The Building Inspector shall make a final inspection of all new buildings, additions, and alterations. If no violations of this or any other Ordinance be found the Building Inspector shall issue a Certificate of Occupancy, stating the purpose for which the building is to be used.

B. No building, nor part thereof, shall be occupied until such certificate has been issued, nor shall any building be occupied in any manner which conflicts with the conditions set forth in the Certificate of Occupancy. (Part of Ord. passed 10/3/73: prior Code § 30.13(1)).

**14.12.310 Order To Discontinue Occupancy.**

A. Whenever any building or portion thereof is being used or occupied contrary to the provisions of this Code, the Building Inspector shall order such use or occupancy discontinued and the building or portion thereof vacated, by notice served on any person using or causing such use or occupancy to be continued and such person shall vacate such building or portion thereof within ten (10) days after receipt of the notice or make the building or portion thereof comply with the requirements of this Code.

B. Any building, structure or premises, or any part thereof, hereafter vacated or damaged by any cause whatsoever so as to jeopardize public safety or health, shall not hereafter be occupied or used under an existing Certificate of Occupancy or without the same, until an application has been filed and a new Certificate of Occupancy issued. This subsection B shall not apply to buildings used entirely for dwelling purposes.

(Part of Ord. passed 10/3/73: prior Code § 30.13(2)).

**14.12.320 Change In Occupancy.**

It is unlawful to change the use of any building, structure, premises or part thereof without first obtaining from the Building Inspector an approval of such change in the occupancy or use, and a Certificate of Occupancy therefor. (Part of Ord. passed 10/3/73: prior Code § 30.13(3)).

**14.12.330 Hardship Occupancy.**

The Building Inspector shall have the authority and power to permit the occupancy of any building or structure in the Municipality, prior to issuance of an occupancy certificate, in all such cases of hardship as in his judgment and discretion warrant occupancy before final stage of completion as set forth in the Code. Before granting such permission, the Building Inspector shall first examine the premises and determine if it is safe and sanitary. The Building Inspector shall determine the time within which such building or structure can be completed, such time should not exceed one hundred twenty (120) days.

(part of Ord. passed 10/3/73: Prior Code § 30.13(4)).

## Chapter 14.16

### DESIGN

#### Sections:

- 14.16.010 Generally.**
- 14.16.020 Application.**
- 14.16.030 Repair And Maintenance.**
- 14.16.040 Cleanliness Required.**
- 14.16.050 Street Exposure.**
- 14.16.060 Room Areas.**
- 14.16.070 Ceiling Heights.**
- 14.16.080 Light And Ventilation.**
- 14.16.090 Stairways, Landings And Roof Decks.**
- 14.16.100 Toilets, Bathrooms And Kitchens.**
- 14.16.110 Exits And Openings.**
- 14.16.120 Access To Attics.**

#### **14.16.010 Generally.**

For construction details of a typical house Section see Section 14.64.110.  
(Part of Ord. passed 10/3/73: prior Code § 30.15 (part)).

#### **14.16.020 Application.**

All one (1) and two (2) family dwellings shall conform to the requirements of this Chapter. A building which contains a use or occupancy other than one (1) and two (2) family units shall follow the applicable requirements of the Wisconsin Administrative Building Code.  
(Part of Ord. passed 10/3/73: prior Code § 30.15(1)).

#### **14.16.030 Repair And Maintenance.**

Every building and all parts thereof, shall be kept in good repair and the roof shall be maintained to prevent leakage. All rainwater shall be so drained and conveyed therefrom to prevent dampness in the walls and ceilings. (Part of Ord. passed 10/3/73: prior Code § 30.15(2)).

#### **14.16.040 Cleanliness Required.**

Every building shall be kept reasonably clean, and shall also be kept reasonably free from any accumulation of dirt, filth, rubbish, garbage or other matter in or on the same, or in the yards, courts, passages, areas or alleys connected with or belonging to the same. (Part of Ord. passed 10/3/73: prior Code § 30.15(3)).

#### **14.16.050 Street Exposure.**

- A. Every building shall front on at least one (1) street, unless otherwise permitted by local regulations.
  - B. Existing buildings not fronting on a street shall be provided with an unobstructed fire access lane not less than fifteen (15) feet in width from a public thoroughfare to the building.
- (Part of Ord. passed 10/3/73: prior Code § 30.15(4)).

#### **14.16.060 Room Areas.**

Room sizes for one and two (2) family dwellings shall be equal to or greater than those listed in Table No. 2, Section 14.64.040. Multiple family buildings shall have room sizes as approved by the Municipality.

- A. Minimum dimension of living rooms shall be eleven (11) feet, and of kitchens, six (6) feet. Minimum room areas shall not include areas used for storage or closet purposes.



B. Rooms and spaces not herein regulated as to area shall be connected to a living or other habitable room. Rooms and spaces not herein regulated and of areas less than the minimum areas herein required shall not be used for living, dining, sleeping or kitchen purposes.

C. No habitable rooms shall be permitted in basements unless ceiling line of the room is at least four (4) feet above grade line.

D. No additional dwelling units shall be created or maintained by rearranging room suites, by subdividing rooms or by alterations in any existing building or structure unless such dwelling units have been authorized by permit and comply with this and other applicable regulations.

(Part of Ord. passed 10/3/73: prior Code § 30.15(5)).

#### **14.16.070 Ceiling Heights.**

A. Except as otherwise permitted by local requirements the minimum clear ceiling height of all habitable rooms in one (1) and two (2) family homes shall have a minimum ceiling height of seven feet six inches (7'6"). Basement ceiling height shall be a minimum of six feet ten inches (6'10") under joists.

B. Sloping roofs may penetrate rooms provided that any portion of any room under a sloping roof having a height of less than five (5) feet shall not be considered as part of the floor area in computing areas or volume of such rooms. Rooms under a sloping roof shall have a minimum ceiling height of seven feet six inches (7'6") for not less than one half (1/2) of the required area of the room.

C. Rooms in any building or structure having ceiling heights or areas which do not conform to the regulations of this Section shall not be used for human habitation. For ceiling heights of bath and toilet rooms, see Section 14.16.100(D). (Part of Ord. passed 10/3/73: prior Code § 30.15(6)).

#### **14.16.080 Light And Ventilation.**

A. Every room in which one or more persons live, sleep, work or congregate shall have a window or windows with sash areas, which shall at least ten percent (10%) of the floor area of the room. Such windows shall be constructed so as to permit a window area of at least five percent (5%) of the floor area of the room to be open to the outside, unless ventilation is provided by louvers, other openings or artificial means.

B. Windows shall be provided in all basements having a minimum openable total area of not less than one percent (1%) of the basement floor area, excluding crawl space area.

(Part of Ord. passed 10/3/73: prior Code § 30.15(7)).

#### **14.16.090 Stairways, Landings And Roof Decks.**

A. Every exit stairway shall be not less than three (3) feet in width and not more than four (4) inches on one (1) side may be used for handrails. Every platform shall be at least as wide as the stairway, measured at right angles to the direction of travel. Whenever a door opens onto a stairway, a platform shall be provided extending at least the full width of the door in the direction of travel.

B. If stairways are provided in addition to those required by this Code, such additional stairways need not conform to the width requirements of this Code.

C. All stairway landings, platforms, roof decks or similar elevations or depressions more than two (2) feet above or below adjacent grade or floor level shall have a guard rail on the open sides thereof, at least thirty-two (32) inches in height, with an intermediate rail at mid-height or vertical rails of eleven (11) inches maximum spacing on center.

D. Stairways on the outside of buildings and an integral part thereof, having more than three (3) risers, shall have a handrail on each side.

E. Risers and Treads. All stairways and steps shall have a uniform rise of not more than eight (8) inches, and a minimum tread width of nine (9) inches. Risers shall be measured from tread to tread, and treads shall be measured from rise to rise. There shall be no more than eighteen (18) risers in any one run.

F. The continuous clear head room measured perpendicularly from the nosing shall be not less than six feet eight inches (6'8"), except that for basement stairways such head room may be six feet four inches (6'4").

G. Winders may be used provided that such winders are designed so the tread width eighteen inches from the converging end will not be less than nine inches (9").

H. Handrails. All stairways and steps of more than three (3) risers shall have at least one (1) handrail. The handrail around stairways shall be not less than two feet eight inches (2'8") high, measured above the stair nosing. The handrail shall be installed on the open side, if any, and this shall meet the minimum requirement. (Part of Ord. passed 10/3/73: prior Code § 30.15(8)).

#### **14.16.100 Toilets, Bathrooms And Kitchens.**

A. In every dwelling there shall be provided in each dwelling unit and connected to a plumbing system at least: one (1) kitchen sink, one water closet, one bath tub or shower, and one lavatory.

B. Wherever public water supply is not available, there shall be provided on the premises, for each dwelling unit, means for a sanitary disposal of sewerage without health hazards or nuisance, and in conformity with general accepted standards.

C. Plumbing fixtures as stated above shall be smooth, nonabsorbent, resistive to detrimental action of conveyed wastes and free from concealed fouling surfaces.

D. Bathrooms for required toilets, tubs or showers, or lavatories shall have a minimum floor area of not less than twelve(12) square feet for each water closet and each tub, and ten (10) square feet for each shower, lavatory or other sanitary plumbing fixture or equipment installed therein. The ceiling height of the required bathroom shall be not less than seven (7) feet. Powder rooms or second baths are not subject to the above, but shall have a minimum floor area of fourteen (14) square feet with a minimum dimension of three (3) feet in one direction.

E. Each bathroom or toilet room shall be provided with a door. No bathroom or toilet room shall open directly into a kitchen, nor shall such room provide sole access to any other room.

F. Bathrooms and toilet rooms shall be provided with means of ventilation as required by this Code for habitable rooms, or positive mechanical ventilation, providing one air change every five (5) minutes. (Part of Ord. passed 10/3/73: prior Code § 30.15(9)).

#### **14.16.110 Exits And Openings.**

A. Exterior stairways other than to the first floor and basement shall not be allowed. Every residential home shall have two (2) exits on the first floor. Duplexes shall have two (2) separate stairways or one(1) stairway and an outside porch not more than ten (10) feet above the ground.

B. Access to each dwelling unit shall be provided without passing through any part of any other dwelling unit. In dwelling units, every habitable room shall have access to every other habitable room without passing through a bathroom or toilet room.

C. Minimum size of doors or openings shall be as follows:

1. Exterior Doors. The minimum size for at least one (1) main entrance door to a residence, shall be three (3) feet wide, by six feet eight inches (6'8") high. The rear or side door shall be two feet eight inches (2'8") wide by six feet eight inches (6'8") high.

2. Interior Doors. Minimum size door serving as exit from any habitable rooms shall be two feet six inches (2'6") wide, by six feet six inches (6'6") high. Bathrooms and closets other than linen and broom closets can be served by a door a minimum of two (2) feet wide.

3. An opening used without a door shall be the same size as the required minimum size of door.

D. Corridors and hallways between rooms shall be not less than thirty-six (36) inches wide.

(Part of Ord. passed 10/3/73: prior Code § 30.15(10)).

#### **14.16.120 Access To Attics.**

In every building and structure having an attic, there shall be provided permanent access thereto by means of a scuttle, disappearing or permanently installed stairway; minimum size opening shall be twenty-four inches by twenty inches (24"x24"). (Part of Ord. passed 10/3/73: prior Code § 30.15(11)).

Chapter 14.20

SOILS AND EXCAVATIONS

Sections:

- 14.20.010 Soil Load Bearing Capacity.
- 14.20.020 Borings And Tests.
- 14.20.030 Soil Test Procedure.
- 14.20.040 Excavations.

14.20.010 Soil Load Bearing Capacity.

The permissible loads in tons per square foot on natural earth shall not exceed the bearing capacity shown in the following table:

TABLE A

TYPE OF SOIL OR ROCK	BEARING CAPACITY TONS/SQ. FT.
Quick sand, alluvial and filled soils, determined by test but not more .....	1/2
Soft clay, sandy loam, or silt.....	1
Ordinary clay.....	2
Clay or fine sand, firm and dry.....	3
Sand, compact, and well cemented; dry hard clay.....	4
Gravel and coarse sand, well packed.....	5
Hard pan or shale.....	6
Rock .....Not more than twenty percent (20%) percent of the ultimate crushing strength of such rock.	

(Part of Ord. passed 10/3/73: prior Code § 30.16(1)).

14.20.020 Borings And Tests.

A. When Required. In the absence of satisfactory data from immediately adjacent areas, the owner or applicant shall make borings, test pits or other soil investigations at such locations and to sufficient depths of the bearing materials to the satisfaction of the Building Inspector.

B. Soil Samples. Samples of the strata penetrated in test borings or test pits, representing the natural disposition and conditions at the site shall be available for examination of the Building Inspector.

C. Varying Soil Values. When test borings indicate non-uniformity of bearing materials, a sufficient number of additional borings shall be made to establish strata levels of equal bearing capacity.

D. Cost of Tests. When the safe sustaining power of the soil is in doubt, the Building Inspector shall direct that the necessary borings or tests be made by and at the expense of the applicant and under the supervision of the Building Inspector to determine the safe value.

(Part of Ord. passed 10/3/73: prior Code § 30.16(2)).

14.20.030 Soil Test Procedure.

A. Soil Test Method. The test procedure and testing apparatus shall be approved by the Building Inspector before they are used; and a complete record of the tests together with a record of the soil profile shall be filed by the licensed engineer or architect.

B. Loaded Area. If results of soil tests by boring are in doubt as to safe sustaining powers the Building Inspector may require tests by loaded area method. The loaded area shall be approximately four (4) square feet for all bearing materials; except that when the footing overlies wet clay or other soft materials, the test load shall be applied to an area of not less than ten square feet.

C. Recorded Settlements. Loads shall be applied in continuous increments of not more than one-quarter (1/4) of the proposed safe load. When the proposed load has been reached, it shall remain undisturbed and readings shall be recorded to determine the rate of settlement until the settlement in eight (8) consecutive hours is less than one-hundredth inches (1/100).

A fifty percent (50%) excess load shall then be applied and allowed to remain in place until the rate of settlement is less than one-hundredth inches (1/100) in twenty-four (24) hours.

D. Accuracy of Loading. Test loads applied by mechanical devices shall be automatically controlled so as to insure not more than five percent (5%) variation in applied load. Such devices shall be calibrated prior to the test.

E. Test Acceptance. The load settlement shall be represented diagrammatically, and no test shall be deemed satisfactory if the net settlement after removal of the test load exceeds one-hundredth inches (1/100) per ton of gross load applied. (Part of Ord. passed 10/3/73: prior Code § 30.16(3)).

#### **14.20.040 Excavations.**

A. All excavations for buildings and structures and parts thereof shall be protected and guarded against danger to life or injury to persons or property.

B. No trench for sewer or other excavations shall be made below any foundation wall nearer than three (3) feet to any corner of said foundation. No trench for sewer or other excavations shall be made nearer to any column or pier footing than one and one-half (1 ½) times the depth of the excavation below the footing.

C. When the owner of any lot or plot of land or the Municipality in making improvements is about to excavate or cause an excavation to be made, which excavation in any way affects any building or structure on any adjoining lot, a notice shall be given to all owners of adjoining lots at least ten (10) days prior to commencing the excavation. Such notice shall describe the extent and character of the excavation work about to be done, and the adjoining owners shall thereafter be given a reasonable opportunity to protect their property in compliance with the regulations of this Code. (Part of Ord. passed 10/3/73: prior Code § 30.17).

## Chapter 14.21

### EROSION CONTROL

#### SECTIONS:

**14.21.010 Intent.**

**14.21.020 Authority.**

**14.21.030 Findings And Purpose.**

**14.21.050 Definitions.**

**14.21.060 Design Criteria, Standards And Specifications For Control Measures.**

**14.21.070 Maintenance Of Control Measures.**

**14.21.080 Control Of Erosion And Pollutants During Land Disturbance And Development.**

**14.21.090 Permit Application, Control Plan And Permit Issuance.**

**14.21.100 Inspection.**

**14.21.110 Enforcement.**

**14.21.120 Appeals.**

**14.21.130 Penalties.**

#### **14.21.010 Intent.**

The intent of this Chapter is to require erosion control practices that will reduce the amount of sediment and other pollutants leaving construction sites during land development or land disturbance activities. This Chapter applies to all land disturbing construction activities and land development activities within the Village. (Ord. 2008-11-2; Ord. 94-7-3 (part), 1994).

#### **14.21.020 Authority.**

This Chapter is adopted under the authority granted by Section 61.354, Wisconsin Statutes. (Ord. 2008-11-2; Ord. 94-7-3 (part), 1994).

#### **14.21.030 Findings and Purpose.**

A. Findings. The Village finds runoff and erosion from construction sites and land disturbing activities greatly impacts the amount of sediment and other pollutants that enter the waters and rights-of-way of the state and the Village.

B. Purpose. It is the purpose of this Chapter to preserve the natural resources; to protect the quality of the waters of the state and the Village; and to protect and promote the health, safety and welfare of the people, to the extent practicable by minimizing the amount of sediment and other pollutants carried by runoff or discharged from construction sites and land disturbing activities to lakes, streams and wetlands within the boundaries and jurisdiction of the Village. The Department of Natural Resources "Erosion and Sediment Control Technical Standards" is adopted by reference and shall become a part of this Chapter, a copy of which shall be kept on file in the Village Hall. (Ord. 2008-11-2; Ord. 94-7-3 (part)).

#### **14.21.050 Definitions.**

A. "Agricultural land use" means use of land for planting, growing, cultivating and harvesting of crops for human or livestock consumption and pasturing or yarding of livestock.

B. "Best management practice" means a practice or combination of practices to control erosion and attendant pollution.

C. "Erosion and Sediment Control Technical Standards" means the most recent edition of the Department of Natural Resources "Erosion and Sediment Control Technical Standards."

D. "Commercial land use" means use of land for the retail or wholesale sale of goods or services.

E. "Construction site control measure" means a control measure used to meet the requirements of this erosion control Chapter and/or Erosion and Sediment Control Technical Standards.

F. “Control measure” means a practice or combination of practices to control soil erosion and attendant pollution.

G. “Erosion” means the detachment and movement of soil, sediment or rock fragments by water, wind, ice or gravity.

H. “Erosion Control Plan statement” means a written description of the number, locations, sizes and other pertinent information of control measures designed to meet the requirements of this Chapter submitted by the applicant for review and approval by the Village for development of up to one acre or single lot.

I. “Erosion Control Plan” means a written plan of the number, locations, sizes and other pertinent information of control measures designed to meet the requirements of this Chapter submitted by the applicant for review and approval by the Village for development of greater than one acre or multiple lots.

J. “Land development activity” means the construction or demolition of utilities, buildings, roads, parking lots, paved storage areas, and similar facilities.

K. “Land disturbing activity” means any man-made change of the land surface, including removing vegetative cover, excavating, filling and grading, but not including agricultural land uses such as planting, growing, cultivating and harvesting of crops; growing and tending of gardens; harvesting of trees; and landscaping modifications.

L. “Landowner” means any person holding title to or having an interest in land.

M. “Land user” means any person operating, leasing, renting, or having made other arrangements with the landowner by which the landowner authorizes use of his or her land.

N. “Runoff” means the rainfall, snow melt, or irrigation water flowing over the ground surface.

O. “Site” means the entire area included in the legal description of the land on which the land disturbing or land development activity is proposed in the permit application.

P. “Stabilize” means to make the site steadfast or firm, minimizing soil movement by mulching and seeding, sodding, landscaping, concrete, gravel or other measure.

Q. “Village personnel” or “authorized personnel” means employees of the Village of Twin Lakes authorized by the Village Board to implement provisions of this Section of the Municipal Code.

R. “Ten-year twenty-four-hour design storms” means the rain intensities and rain volumes as described in Erosion and Sediment Control Technical Standards.

S. “Waters of the state” means all lakes, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, water-courses, drainage systems and other surface water or groundwater, natural or artificial, public or private, within the state or its jurisdiction.

T. “Working day” means a calendar day, except Saturdays, Sundays, and Village-recognized legal holidays. (Ord. 2008-11-2; Ord. 94-7-3 (part)).

#### **14.21.060** Design criteria, standards and specifications for control measures.

All control measures required to comply with this Chapter shall meet the design criteria, standards and specifications for the control measures based on accepted design criteria, standards and specifications identified by the Erosion and Sediment Control Technical Standards and the Village. (Ord. 2008-11-2; Ord. 94-7-3 (part)).

#### **14.21.070** Maintenance Of Control Measures.

All sedimentation basins and other control measures necessary to meet the requirements of this Chapter shall be maintained by the applicant or subsequent landowner during the period of land disturbance and land development of the site in a satisfactory manner to ensure adequate performance and to prevent nuisance conditions (identified in the Erosion and Sediment Control Technical Standards). The standards for maintenance of control measures shall be as set forth in the Erosion and Sediment Control Technical Standards as adopted by reference by the Village. All erosion control measures under this Section shall be removed promptly when no longer necessary to facilitate the purposes identified in this Chapter. (Ord. 2008-11-2; Ord. 98-12-1 § 1, 1998: Ord. 94-7-3 (part)).

#### **14.21.080 Control Of Erosion And Pollutants During Land Disturbance And Development.**

A. Applicability. This Section applies to the following sites of land development or land disturbing activities:

1. Those activities requiring a subdivision plat approval; or the construction of a residential, commercial, industrial or institutional building(s) on lots of approved subdivision plats;
2. Those activities requiring a Certified Survey approval; or the construction of houses or commercial, industrial or institutional building(s) on lots of approved Certified Surveys;
3. Those activities involving grading, removal of protective groundcover or vegetation, excavation, land filling or other land disturbing activity affecting a surface area of four thousand (4000) square feet or more;
4. Those activities involving excavation or filling or a combination of excavation and filling affecting four hundred (400) cubic yards or more of dirt, sand or other excavation or fill material;
5. Those activities involving street, highway, road or bridge construction, enlargement, relocation or reconstruction;
6. Those activities involving the laying, repairing, replacing or enlarging of an underground pipe or facility for a distance of three hundred (300) feet or more;
7. Those involving grading, removal of protective groundcover or vegetation, excavation, demolition, land filling or other land disturbing activity on slopes of twelve percent (12%) or more.

B. Erosion and Other Pollutant Control Requirements. The following requirements shall be met on all sites described in Section 14.21.080A:

1. Site Dewatering. Water pumped from the site shall be treated by control measures specified in the Erosion and Sediment Control Technical Standards. Water may not be discharged in a manner that causes erosion of the site, adjacent sites or receiving channels.

2. Waste and Material Disposal. All waste and unused building materials (including garbage, debris, cleaning wastes, wastewater, toxic materials, or hazardous materials) shall be properly disposed of and not allowed to be carried off-site by runoff or wind.

3. Tracking. Each site shall have graveled roads, access drives and parking areas of sufficient width and length to prevent sediment from being tracked onto public or private roadways. Any sediment reaching a public or private road shall be removed by street cleaning before the end of each workday. Flushing may not be used unless sediment will be controlled by a sediment basin or other appropriate best management practice specified in the Erosion and Sediment Control Technical Standards.

4. Drain Inlet Protection. All storm drain inlets shall be protected with a straw bale, filter fabric, or equivalent barrier as specified in the Erosion and Sediment Control Technical Standards or approved by the Village.

5. Sediment Cleanup. All off-site sediment deposits occurring as a result of a storm event shall be cleaned up by the end of the next work day. All other off-site sediment deposits occurring as a result of construction activities shall be cleaned up by the end of the work day.

6. Site Erosion Control. The criteria set out in subsections (B)(6)(a) through (B)(6)(d) of this Section apply only to land development or land disturbing activities that result in runoff leaving the site.

a. Channelized runoff from adjacent areas passing through the site shall be diverted around disturbed areas, if practical. Otherwise, the channel shall be protected as described in subsection (B)(6)(c)(iii) of this Section. Sheetflow runoff from adjacent areas shall also be diverted around disturbed areas, unless shown to have resultant runoff velocities of less than 0.5 feet per second across the disturbed area for the ten (10) year twenty-four (24)-hour design storms. Diverted runoff shall be conveyed in a manner that will not erode the conveyance and receiving channels. For allowable velocities in different types of channels Soil Conservation Service guidelines shall be followed.

b. All activities on the site shall be conducted in a logical sequence to minimize the area of bare soil exposed at any one time,

c. Runoff from the entire disturbed area on the site shall be controlled by meeting either subsections (B)(6)(c)(i) and (ii) or (B)(6)(c)(i) and (iii) of this Section.

i. All disturbed ground left inactive for seven (7) or more days shall be stabilized by temporary or permanent seeding, temporary or permanent seeding and mulching, sodding, covering with tarps, or equivalent

best management practices. If temporary seeding is used, a permanent cover shall also be required as part of the final site stabilization. Seeding or sodding shall be conducted as specified in the Erosion and Sediment Control Technical Standards or by the Village. Variances from the requirements of this subsection may be granted by the Village upon application, but only if the failure to comply is due to extended periods of rain or other construction delays beyond the control of the responsible party.

ii. For sites with ten (10) or more acres disturbed at one time, or if a channel originates in the disturbed area, one (1) or more sedimentation basins shall be constructed. Each sedimentation basin shall be designed and constructed as specified in the Erosion and Sediment Control Technical Standards.

iii. For sites with less than ten (10) acres disturbed at one time, filter fences, straw bales, or equivalent control measures shall be placed along all side slope and down slope sides of the site. If a channel or area of concentrated runoff passes through the site, filter fences shall be placed along the channel edges to reduce sediment reaching the channel.

d. Runoff from sites with slopes of twelve percent (12%) or more may require additional or different controls than listed in subsection (B)(6)(c) of this Section. Requirements for such slopes shall be as specified by the Village.

e. Wherever possible, soil or dirt storage piles shall be located no closer than twenty-five (25) feet from any down slope road, lake, stream, wetland or drainage channel. Straw bale or filter fabric fences shall be placed on the down slope side of the piles. If remaining for more than thirty (30) days, piles shall be stabilized by mulching, vegetative cover, tarps or other means. The Village Board may require additional or different best management practices for piles located closer than twenty-five (25) feet to a road, lake, stream, wetland or drainage channel.

f. When the disturbed area has been stabilized by permanent vegetation or other means, temporary best management practices such as filter fabric fences, straw bales, and sediment tarps shall be removed.

(2008-11-2; Ord. 94-7-3 (part)).

C. Land disturbing activities affecting a surface area of one (1) acre, or a surface area of less than one (1) acre if part of a larger common plan of development or sale under the jurisdiction of the permittee, shall meet the performance standards of Sections NR 151.11, 151.223, and 216.46 of the Wisconsin Administrative Code as they may be amended from time to time. (Ord. 2008-11-2 (part))

#### **14.21.090 Permit Application, Control Plan And Permit Issuance.**

No landowner or land user may commence a land disturbance or land development activity subject to this Chapter without receiving prior approval of an Erosion Control Plan for the site and a permit from the Village. At least one (1) landowner or land user controlling or using the site and desiring to undertake a land disturbing or land developing activity subject to this Chapter shall submit an application for a permit and Erosion Control Plan, and pay an application fee to the Village. By submitting an application, the applicant is authorizing the Village to enter the site to obtain information required for the review of the Erosion Control Plan.

A. Content of the Erosion Control Plan for Land Disturbing and Land Development Activities Covering More Than One (1) Acre.

1. Existing Site Map. A map of existing site conditions on a scale of at least one (1) inch equals one hundred (100) feet showing the site and an immediately adjacent area extending a minimum of two hundred (220) feet in each direction including:

- a. Site boundaries and adjacent lands which accurately identify the site location;
- b. Lakes, streams, wetlands, channels, ditches, and other water-courses on the site or within one thousand (1000) feet;
- c. One hundred (100) year floodplains, flood fringes and floodways;
- d. Location of the predominant soil types;
- e. Vegetative cover;
- f. Location and dimensions of stormwater drainage systems and natural drainage patterns on and immediately adjacent to the site and the size, slope and land cover of upslope drainage areas, peak discharge, velocities, direction, and destination of flows;
- g. Locations and dimensions of utilities, structures, roads, highways and paving;



- h. Site topography at a contour interval of two feet, if available, but not to exceed five feet; and
  - i. Primary and/or secondary environment corridors or other areas of significance;
  - j. Name, address and daytime telephone number of the applicant and the person responsible for maintenance of best management practices.
2. Plan of Final Site Conditions. A plan of Final Site Conditions on the same scale as the existing site map showing the site changes.
3. Site Construction Plan. A site construction plan including:
- a. Locations and dimensions of all proposed land disturbing and land development activity;
  - b. Locations and dimensions of all temporary soil or dirt stockpiles;
  - c. Locations and dimensions of all construction site management control measures necessary to meet the requirements of this Chapter;
  - d. Schedule of anticipated starting and completion date of each land disturbing or land developing activity including the installation of best management practices needed to meet the requirements of this Chapter; and
  - e. Provisions for maintenance of best management practices during construction.
- B. Content of Erosion Control Plan Statement for Land Disturbing and Land Development Activities Covering Up to One (1) Acre. An Erosion Control Plan statement (with simple map) shall be submitted to briefly describe:
- 1. Property boundaries and area to be disturbed;
  - 2. Direction of slopes before and after development;
  - 3. Existing and proposed buildings and other improvements;
  - 4. Size of upslope drainage areas;
  - 5. Development schedule;
  - 6. Best management practices necessary to meet the requirements of this Chapter;
  - 7. Description of vegetation and other materials to be used to stabilize the site including a schedule for installation and maintenance; and
  - 8. Name, address and daytime telephone number of the applicant and the person responsible for maintenance of best management practices.
- C. Review of Plans. Within forty-five (45) days of receipt of the application, Erosion Control Plan (or Erosion Control Plan statement) and fee, the Village shall review the application and control plan to determine if the requirements of this Chapter are met. The Village may request comments from other departments or agencies. If the requirements of this Chapter are met, the Village shall approve the plan, inform the applicant and issue a permit. If the conditions are not met, the Village shall inform the applicant in writing and may either require needed information or disapprove the plan. Within thirty (30) days of receipt of needed information, the Village shall again determine if the plan meets the requirements of this Chapter. If the plan is disapproved, the Village shall inform the applicant in writing of the reasons for the disapproval.
- D. Permits.
1. Duration. Permits shall be valid for a period of one hundred eighty (180) days from the date of issuance. The Village, at the time of reapplication, may require additional control measures as a condition of approval if they are necessary to meet the requirements of this Chapter.
2. Surety Bond. As a condition of approval and issuance of the permit, the Village may require the applicant to deposit a surety bond or irrevocable Letter of Credit to guarantee a good faith execution of the approved Erosion Control Plan and any permit conditions, in the amount necessary to implement the approved Erosion Control Plan.
3. Permit Conditions. All permits shall require the permittee to:
- a. Notify the Village within forty-eight (48) hours of commencing any land disturbing or land developing activity;
  - b. Notify the Village of completion of any control measures within fourteen (14) days after their installation;
  - c. Obtain permission in writing from the Village prior to modifying the control plan;
  - d. Install all erosion control measures as identified in the approved Erosion Control Plan;

- e. Maintain all road drainage systems, stormwater drainage systems, control measures and other facilities identified in the Erosion Control Plan;
  - f. Repair any siltation or erosion damage to adjoining surfaces and drainageways resulting from land developing or disturbing activities;
  - g. Inspect the construction control measures after each rain of 0.5 inches or more and at least once each week and make needed repairs;
  - h. Allow the Village to enter the site for the purpose of inspecting compliance with the Erosion Control Plan or for performing any work necessary to bring the site into compliance with Erosion Control Plan; and
  - i. Keep a copy of the Erosion Control Plan on site.
- E. Fees. Fees referred to in this Chapter shall be established by the Village Board in a fee schedule and may from time to time be modified by Village Board Resolution. Fees shall be related to costs involved in handling permit applications, reviewing Erosion Control Plans, conducting site inspections, and administering the erosion control program. (Ord. 2008-11-2; Ord. 94-7-3 (part)).

**14.21.100 Inspection.**

The Village shall inspect construction sites at least once a month during the period starting March 1st and ending October 31st and at least two (2) times during the period starting November 1st and ending February 28th to ensure compliance with the Erosion Control Plan. If land disturbing or land development activities are being carried out without a permit, the Village shall enter the land pursuant to the provisions of Sections 66.122 and 66.123, Wisconsin Statutes. (Ord. 94-7-3 (part)).

**14.21.110 Enforcement.**

- A. The Village may post a stop-work order if:
  - 1. Any land disturbing or land developing activity regulated under this Chapter is being undertaken without a permit;
  - 2. The Erosion Control Plan is not being implemented in a good faith manner; or
  - 3. The conditions of the permit are not being met.
- B. If the permittee does not cease the activity or comply with the Erosion Control Plan or permit conditions within twenty-four (24) hours, the Village may revoke the permit.
- C. If the landowner or land user where no permit has been issued does not cease the activity within twenty-four (24) hours, the Village may request the Village Attorney to obtain a cease and desist order.
- D. Forty-eight (48) hours after posting a stop-work order, the Village may issue a notice of intent to the permittee or landowner or land user of the Village's intent to perform work necessary to comply with this Chapter. The Village may go on the land and commence the work forty-eight (48) hours from issuing the notice of intent. The costs of the work performed under the supervision of the Village plus interest at the rate authorized by the Village shall be billed to the permittee or the landowner. In the event a permittee or landowner fails to pay the amount due, the Clerk/Treasurer shall enter the amount due on the tax rolls and collect as a special charge against the property pursuant to Section 66.60(16), Wisconsin Statutes.
- E. In the event of emergency conditions, as deemed by the Village, whatever measures are necessary to bring the site into compliance shall be taken and all costs involved shall be paid by the permittee.
- F. Compliance with the provisions of this Chapter may also be enforced by injunction, citation, abatement of nuisances or other appropriate and available remedy. (Ord. 2008-11-2; Ord. 94-7-3 (part)).

**14.21.120 Appeals.**

- A. Board of Appeals. The Village Board of Appeals, zoning Ordinance (Title 17 of this Code) pursuant to Section 62.25(7)(e) and 68.11, Wisconsin Statutes:
  - 1. Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the Village in administering this Chapter;
  - 2. Upon appeal, may authorize variances from the provisions of this Chapter which are not contrary to the public interest and where owing to special conditions a literal enforcement of the provisions of the Chapter will result in unnecessary hardship; and

3. Shall use the rules, procedures, duties and powers authorized by statute in hearing and deciding appeals and authorizing variances.

B. Who May Appeal. Appeals to the Board of Appeals may be taken by any aggrieved person or by any Officer, department, board or bureau of the Village affected by any decision of the Village within twenty (20) days of such decision. (Ord. 94-7-3 (part)).

**14.21.130 Penalties. 1**

Any person violating any of the provisions of this Chapter shall be subject to a forfeiture of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) and the costs of prosecution for each violation. Each day a violation exists shall constitute a separate offense. (Ord. 2008-11-2; Ord. 94-7-3 (part)).

**1 Cross-reference:** For provisions on citation deposits, forms and enforcement officials for violations of this Section, see Sections 1.12.020 and 1.12.030, respectively, of this Code.

## Chapter 14.22

### GRADING, FILLING AND STORMWATER CONTROL

#### Sections:

**14.22.010 Purpose And Intent.**

**14.22.020 Definitions.**

**14.22.030 Applicability.**

**14.22.040 Permit Application, Control Plan And Permit Issuance.**

**14.22.045 Maintenance Agreement for Stormwater Practice**

**14.22.050 Enforcement.**

**14.22.060 Appeals.**

**14.22.070 Penalties.**

#### **14.22.010 Purpose And Intent.**

The intent of this Chapter is to require grading, filling and stormwater control practices that will protect developed and undeveloped properties from increased water runoff as a result of land development or land disturbance activities. This Chapter applies to all land disturbing construction activities and land development activities within the Village. (Ord. 2008-11-3 (part); Ord. 2000-21-1 (part)).

#### **14.22.020 Definitions.**

A. "Agricultural land use" means use of land for planting, growing, cultivating and harvesting of crops for human or livestock consumption and pasturing or yarding of livestock.

B. "Best management practice" means a practice or combination of practices to control water runoff.

C. "Commercial land use" means use of land for the retail or wholesale sale of goods or services.

D. "Land development activity" means the construction or demolition of utilities, buildings, roads, parking lots, paved storage areas, and similar facilities.

E. "Land disturbing activity" means any man-made change of the land surface, including removing vegetative cover, excavating, filling and grading, but not including agricultural land use, as defined above, such as planting, growing, cultivating and harvesting of crops; growing and tending of gardens; harvesting of trees; and landscaping modifications, except where filling will take place, in which case such filling will meet the minimum requirements of this Chapter.

F. "Landowner" means any person holding title to or having an interest in land.

G. "Land user" means any person operating, leasing, renting, or having made other arrangements with the landowner by which the landowner authorizes use of his or her land.

H. "Runoff" means the rainfall, snow melt, or irrigation water flowing over the ground surface.

I. "Runoff Control Plan" means a written description, including appropriate maps and other pertinent information, which describes the method by which runoff is controlled and allowed to leave the subject site, and which is submitted by the applicant for review and approval by the Village.

J. "Site" means the entire area included in the legal description of the land on which the land disturbing or land development activity is proposed in the permit application.

K. "Village personnel" or "authorized personnel" means employees of the Village of Twin Lakes authorized by the Village Board to implement provisions of this Section of the Municipal Code.

L. "Waters of the state" means all lakes, rivers, streams, springs, ponds, wells, impounding reservoirs, marshes, watercourses, drainage systems and other surface water or groundwater, natural or artificial, public or private, within the state or its jurisdiction.

M. "Working day" means a calendar day, except Saturdays, Sundays, and Village recognized legal holidays. (Ord. 2009-11-3; Ord. 2000-12-1(part)).

#### **14.22.030 Applicability.**

This Section applies to the following sites of land development or land disturbing activities, except where a previously approved grading plan exists, as in a subdivision, or when the activity is performed by municipal, county, state or federal government:

A. Those activities involving grading, removal of protective groundcover or vegetation, excavation, land filling or other land disturbing activity affecting a surface area of one thousand (1000) square feet or more;

B. Those activities involving excavation or filling or a combination of excavation and filling affecting forty (40) cubic yards or more of dirt, sand or other excavation or fill material;

C. Those activities involving street, highway, road or bridge construction, enlargement, relocation or reconstruction;

D. Those activities involving the laying, repairing, replacing or enlarging of an underground pipe or facility for a distance of three hundred (300) feet or more;

E. Those involving grading, removal of protective groundcover or vegetation, excavation, demolition, landfilling or other land disturbing activity on slopes of twelve percent (12%) or more.

(Ord. 2008-11-3; Ord. 2000-12-1 (part)).

#### **14.22.040 Permit Application, Control Plan And Permit Issuance.**

No landowner or land user may commence a land disturbance or land development activity subject to this Chapter without receiving prior approval of a Runoff Control Plan for the site and a permit from the Village. At least one (1) landowner or land user controlling or using the site and desiring to undertake a land disturbing or land developing activity subject to this Chapter shall submit an application for a permit and Runoff Control Plan, and pay an application fee to the Village. By submitting an application, the applicant is authorizing the Village to enter the site to obtain information required for the review of the Runoff Control Plan.

A. Content of the Runoff Control Plan for Land Disturbing and Land Development Activities Covering More Than One (1) Acre.

1. Existing Site Map. A map of existing site conditions on a scale of at least one (1) inch equals one hundred (100) feet showing the site and an immediately adjacent area extending a minimum of one hundred (100) feet in each direction including:

a. Site boundaries and adjacent lands which accurately identify the site location;

b. Lakes, streams, wetlands, channels, ditches, and other watercourses on the site or within one thousand (1000) feet;

c. One hundred (100) year floodplains, flood fringes and floodways;

d. Location of the predominant soil types;

e. Vegetative cover;

f. Location and dimensions of stormwater drainage systems and natural drainage patterns on and immediately adjacent to the site and the size, slope and land cover of upslope drainage areas, peak discharge, velocities, direction, and destination of flows;

g. Locations and dimensions of utilities, structures, roads, highways and paving;

h. Site topography at a contour interval of two (2) feet, if available, but not to exceed five (5) feet;

i. Primary and/or secondary environment corridors or other areas of significance; and

j. Name, address and daytime telephone number of the applicant and the person responsible for maintenance of best management practices.

2. Plan of Final Site Conditions. A plan of Final Site Conditions on the same scale as the existing site map, containing the same information as the existing site map, and showing the site changes. When the plan calls for filling of an area, information must be provided as to the quantity, type, and origin of the fill material.

3. Land disturbing activities affecting a surface area of one (1) acre, or a surface area of less than one (1) acre if part of a larger common plan of development or sale under the jurisdiction of the permittee, shall meet the performance standards of sections NR 151.12, 151.22, and 216.47 of the Wisconsin Administrative Code as they may be amended from time to time.

4. Design criteria, standards and specifications shall be equivalent to the Department of Natural Resources “Post Construction Storm Water Management Technical Standards” (Technical Standards) and “Wisconsin Storm Water Manual” (Storm Water Manual). If any conflict exists between the design criteria, standards, or specifications of the Technical Standards and the Storm Water Manual, the Technical Standards shall take precedence over the Storm Water Manual. (Ord. 2008-11-3)

B. Content of Runoff Control Plan Statement for Land Disturbing and Land Development Activities Covering Up to One (1) Acre. An Runoff Control Plan statement (with simple map) shall be submitted to briefly describe:

1. Property boundaries and area to be disturbed;
2. Topography of property before and after development;
3. Existing and proposed buildings and other improvements;
4. Size of upslope drainage areas;
5. Information as to the quantity, type, and origin of the fill material.
6. Development schedule;
7. When the plan calls for filling of an area, information must be provided as to the quantity, type, and origin of the fill material;
8. Name, address and daytime telephone number of the applicant and the person responsible for maintenance of best management practices.

C. Review of Plans. Within thirty (30) days of receipt of the application, Runoff Control Plan (or Runoff Control Plan statement) and fee, the Village shall review the application and control plan to determine if the requirements of this Chapter are met. The Village may request comments from other departments or agencies. If the requirements of this Chapter are met, the Village shall approve the plan, inform the applicant and issue a permit. If the conditions are not met, the Village shall inform the applicant in writing and may either require needed information or disapprove the plan. Within thirty (30) days of receipt of needed information, the Village shall again determine if the plan meets the requirements of this Chapter. If the plan is disapproved, the Village shall inform the applicant in writing of the reasons for the disapproval. Runoff Control Plans for sites under one (1) acre will usually be reviewed by the Building Inspector. However, at the discretion of the Building Inspector, a plan may be referred to the Village Engineer for review. All plans for sites one (1) acre or over will be referred to the Village Engineer for review. When a plan is referred to the Village Engineer, the applicant shall pay all review costs and shall deposit with the Village an initial sum of one thousand (\$1,000.00) dollars to cover these costs.

D. Permits.

1. Duration. Permits shall be valid for a period of one hundred eighty (180) days from the date of issuance. The Village, at the time of reapplication, may require additional control measures as a condition of approval if they are necessary to meet the requirements of this Chapter.

2. Surety Bonds. As a condition of approval and issuance of the permit, the Village may require the applicant to deposit a surety bond or irrevocable Letter of Credit to guarantee a good faith execution of the approved Runoff Control Plan and any permit conditions, in an amount equal to one hundred fifteen percent (115%) of the amount necessary to implement the approved Runoff Control Plan. Further, the Village may require a road bond in the amount of one thousand five hundred dollars (\$1,500.00) to ensure repair of roads which may be damaged as a result of the proposed work.

3. Permit Conditions. All permits shall require the permittee to:

- a. Notify the Village within forty-eight (48) hours of commencing any land disturbing or land developing activity;
- b. Obtain permission in writing from the Village prior to modifying the Runoff Control Plan;
- c. Maintain all road drainage systems, stormwater drainage systems, control measures and other facilities identified in the Runoff Control Plan;
- d. Repair any damage to adjoining surfaces and drainage ways resulting from land developing or disturbing activities;
- e. Allow the Village to enter the site for the purpose of inspecting compliance with the Runoff Control Plan or for performing any work necessary to bring the site into compliance with Runoff Control Plan.

E. Fees. Fees referred to in this Chapter shall be established by the Village Board in a fee schedule and may from time to time be modified by Village Board Resolution. Fees shall be related to costs involved in handling permit applications, reviewing Runoff Control Plans, conducting site inspections, and administering the runoff control program. (Ord. 2008-11-3; Ord. 2000-12-1 (part)).

#### **14.22.045 Maintenance Agreement for Stormwater Practice**

Permittees under this Chapter shall develop and submit to the Village for its approval a long term maintenance plan for all permitted stormwater control measures, practices, structures or facilities under their control. Such plan shall include, at minimum, a clear program of inspection and maintenance as required for each individual measure, practice, structure or facility. Such program of inspection shall not include any inspections which may be performed by the Village. Permittees shall enter into an agreement with the Village through which the permittee, and his successors and assigns, agrees to implement the long term maintenance plan and through which the Village may undertake implementation of the aforementioned plan at the expense of the permittee or his successors or assigns in cases of default. (Ord. 2008-11-3).

#### **14.22.050 Enforcement.**

A. The Village may post a stop-work order if:

1. Any land disturbing or land developing activity regulated under this Chapter is being undertaken without a permit;

2. The Runoff Control Plan is not being implemented in a good faith manner; or

3. The conditions of the permit are not being met.

B. If the permittee does not cease the activity or comply with the Runoff Control Plan or permit conditions within twenty-four (24) hours, the Village may revoke the permit.

C. If the landowner or land user where no permit has been issued does not cease the activity within twenty-four (24) hours, the Village may request the Village Attorney to obtain a cease and desist order.

D. Five (5) business days after posting a stop-work order, the Village may issue a Notice of Intent to the permittee or landowner or land user of the Village's intent to perform work necessary to comply with this Chapter. The Village may go on the land and commence the work forty-eight (48) hours from issuing the Notice of Intent. The costs of the work performed under the supervision of the Village plus interest at the rate authorized by the Village shall be billed to the permittee or the landowner. In the event a permittee or landowner fails to pay the amount due, the Clerk/Treasurer shall enter the amount due on the tax rolls and collect as a special charge against the property pursuant to Section 66.60(16), Wisconsin Statutes.

E. In the event of emergency conditions, as deemed by the Village, whatever measures are necessary to bring the site into compliance shall be taken and all costs involved shall be paid by the permittee.

F. The Village may act to implement the provisions of a Long Term Maintenance Agreement created in compliance with this Chapter with the full cost of such actions to be borne by the permittee or his successors or assigns.

G. Compliance with the provisions of this Chapter may also be enforced by injunction, citation, abatement of nuisances or other appropriate and available remedy. (Ord. 2008-11-3 (part); Ord. 2000-12-1(part)).

#### **14.22.060 Appeals.**

A. The Village Board:

1. Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the Village in administering this Chapter;

2. Upon appeal, may authorize variances from the provisions of this Chapter which are not contrary to the public interest and where, owing to special conditions, a literal enforcement of the provisions of the Chapter will result in unnecessary hardship; and

3. Shall use the rules, procedures, duties and powers authorized by statute in hearing and deciding appeals and authorizing variances.

B. Who May Appeal. Appeals to the Village Board may be taken by any aggrieved person or by any Officer, department, board or bureau of the Village affected by any decision of the Village within twenty (20) days of such decision. (Ord. 2008-11-3; Ord. 2000-12-1(part)).

**14.22.070 Penalties.**

Any person violating any of the provisions of this Chapter shall be subject to a forfeiture of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) and the costs of prosecution for each violation. Each day a violation exists shall constitute a separate offense. (Ord. 2008-11-3; Ord. 2000-12-1(part)).



## Chapter 14.24

### FOOTINGS AND FOUNDATIONS

#### Sections:

- 14.24.010 Generally.**
- 14.24.020 Footing Construction And Dimensions.**
- 14.24.030 Pier And Column Footings.**
- 14.24.040 Chimney Footings.**
- 14.24.050 Drain Tiles.**
- 14.24.060 Stepped Footings.**
- 14.24.070 Foundations Generally.**
- 14.24.080 Foundation Wall Thickness.**
- 14.24.090 Pilasters.**
- 14.24.100 Girder Bearing.**
- 14.24.110 Dampproofing.**
- 14.24.120 Storage Of Materials.**

#### **14.24.010 Generally.**

For construction details of a typical house Section see Section 14.64.110.  
(Part of Ord. passed 10/3/73: prior Code § 30.18 (part)).

#### **14.24.020 Footing Construction And Dimensions.**

A. Concrete footings for load bearing walls shall be of adequate dimensions to distribute the load. Minimum thickness shall be eight (8) inches. Footing width shall extend six (6) inches on each side of the wall above. All footings shall be cast in forms upon undisturbed earth, unless the design of the footings and foundation is approved by the Building Inspector.

B. Footings for any building or structure shall be constructed of concrete or reinforced concrete and shall in all cases extend below the adjoining grade a minimum of four (4) feet. Masonry units used in foundation walls shall be laid in Portland cement mortar. (Part of Ord. passed 10/3/73: prior Code § 30.18(1)(a)).

#### **14.24.030 Pier And Column Footings.**

Concrete footings for piers and columns shall be a minimum of two (2) feet square and a minimum thickness of twelve (12) inches, and shall be designed to carry the superimposed load. Columns shall be centered on column footings. (Part of Ord. passed 10/3/73: prior Code § 30.18(1)(b)).

#### **14.24.040 Chimney Footings.**

Concrete chimney footings shall have a minimum projection six (6) inches beyond the chimney foundation and a minimum thickness of twelve (12) inches, and shall be designed to carry the superimposed load.  
(Part of Ord. passed 10/3/73: prior Code § 30.18(1)(c)).

#### **14.24.050 Drain Tiles.**

All foundation walls of basements, cellars or other occupied spaces where soil conditions warrant, shall have drain tiles on each side of such walls. (See Section 14.28.040C for basementless spaces.) Bleeder tiles shall be placed in the foundation footing at not more than eight (8) foot centers. Tiles shall be connected to a sump pit provided with a pump to discharge the water at grade or be connected to the storm sewer house drain. Drain tiles shall be covered with twelve (12) inches of #2 washed stone or other approved porous material. Tile and stone shall be in place prior to starting the fourth foundation block course.  
(Part of Ord. passed 10/3/73: prior Code § 30.18(2)).

**14.24.060 Stepped Footings.**

Where variations of the elevations of the bottom of wall footings are necessary, the vertical connection between the footings at the step shall be constructed of concrete eight (8) inches thick and of the same width as the footing, if there is less than two (2) foot difference in elevation; if over two (2) foot difference in elevation, span with an approved lintel. (Part of Ord. passed 10/3/73: prior Code § 30.18(3)).

**14.24.070 Foundation Generally.**

A. Foundation walls shall be continuous under all habitable areas of principal buildings. Overhanging bays and projecting floors are permitted providing that such cantilevered floors are adequately returned to sustain such loads as they may carry.

B. The top of foundation walls of any building or structure of wood frame construction shall be at least four (4) inches above lot grade at all exterior walls and no exterior wood construction shall be exposed less than three (3) inches above grade. Where the elevation of the lot grade adjoining the exterior walls of such buildings or structure varies and the four inch requirement above such grade cannot be maintained, the joist skirt shall be protected with waterproof building paper or flashing.

C. In no case shall joists be lower than the grade. All footings shall set at least twenty-four (24) hours before foundation wall or wall forms shall be built. (Part of Ord. passed 10/3/73: prior Code § 30.19(1)).

**14.24.080 Foundation Wall Thickness.**

A. Foundation walls for one and two story frame buildings and which are constructed of brick and solid or hollow concrete masonry units shall be of the following thickness:

**TABLE B**

Foundation Wall Construction	Maximum Height Unbalanced Fill in Feet*	Minimum Thickness (in.)	
		Frame	Masonry or Masonry Veneer
Masonry	3	10	10
	5	10	12
	7 ½	10	12
Plain Concrete	3	8	8
	5	8	10
	7 ½	8	10

\* When foundation wall is balanced with fill on both sides, foundation wall thickness may be reduced by two (2) inches but shall not be less than eight (8) inches in thickness. All masonry foundation walls shall be capped with solid masonry units.

B. Foundation walls of poured monolithic concrete shall be eight inches thick whether reinforced or not. If the superstructure is to be of solid brick or masonry construction, the foundation wall shall be ten (10) inches thick.

C. Poured concrete foundation walls shall have expansion joints spaced not to exceed forty (40) feet in one (1) plane. (Part of Ord. passed 10/3/73: prior Code § 30.19(2)).

**14.24.090 Pilasters.**

A. When a girder whose span exceeds twelve (12) feet frames into a masonry wall, pilasters of a minimum size of four by twelve (4 x 12) inches built integrally with the wall shall be provided.

B. Pilasters shall be required where the unsupported length of any foundation wall exceeds thirty (30) T, where T is the thickness of the foundation wall. Such pilasters shall be not less than sixteen (16) inches wide and at least one and one-third (1 1/3) times the thickness of the wall of which it is a part. Except pilasters shall not be required in poured monolithic plain or reinforced concrete foundation walls of buildings. (Part of Ord. passed 10/3/73: prior Code § 30.19(3)).

**14.24.100 Girder Bearing.**

Four (4) inches of end bearing shall be provided for girders framing into foundation walls and when wood girders are used, an air space shall be provided between the foundation walls and the ends and sides of the girder. (Part of Ord. passed 10/3/73: prior Code § 30.19(4)).

**14.24.110 Damp Proofing.**

Masonry foundation walls of basements and crawl spaces shall be made damp proof by the application to the exterior surfaces thereof of a continuous cast of three-eighths (3/8) inch thick waterproof cement mortar or Portland cement mortar plus a coat of bituminous damp proofing material over the paring ?? from top of stone to final grade. One coat of bituminous damp proofing material shall be applied to concrete foundation walls from top of stone to finish grade. (Part of Ord. passed 10/3/73: prior Code § 30.19(5)).

**14.24.120 Storage Of Materials.**

Cement and aggregates shall be stored in such a manner as to prevent deterioration or the intrusion of foreign matter. Any material which has deteriorated or which has been damaged shall be removed completely from the premises. (Part of Ord. passed 10/3/73: prior Code § 30.19(6)).

## Chapter 14.28

### MASONRY AND CONCRETE CONSTRUCTION

#### Sections:

- 14.28.010 Building brick.**
- 14.28.020 Hollow building units.**
- 14.28.030 Basements generally.**
- 14.28.040 Basementless spaces.**
- 14.28.050 Slab construction.**
- 14.28.060 Concrete building material specifications.**
- 14.28.070 A.S.T.M. designations.**
- 14.28.080 Air-entrained cement.**
- 14.28.090 Masonry walls, generally.**
- 14.28.100 Masonry veneer requirements.**
- 14.28.110 Mortar and concrete mixes.**
- 14.28.120 Mass concrete proportions.**
- 14.28.130 Lintels and arches.**
- 14.28.140 Corbeling, projecting masonry, pilasters and piers.**
- 14.28.150 Erection precautions.**

#### **14.28.010 Building Brick.**

- A. By building brick is meant a structural unit of burned clay or shale, sand lime or concrete.
- B. All building brick shall be free from cracks, laminations or other defects which may interfere with proper laying of the brick or impair the strength or permanence of the structure.
- C. Concrete building brick shall be manufactured from a mixture of Portland cement and approved aggregates, such as sand, gravel, crushed stone, bituminous or anthracite cinders, burned clay or shale or blast furnace slag.
- D. All building brick shall be of a distinctive design or appearance, or marked so that the identity of the manufacturer may be known at any time.
- E. The strength and absorption of all building brick manufactured from burned clay or shale shall conform to the minimum requirements of Section Ind. 53.05(5)(a) of the Wisconsin Administrative Building Code. (Part of Ord. passed 10/3/73: prior Code § 30.20(1)).

#### **14.28.020 Hollow Building Units.**

- A. Hollow tile are the product of surface clay, shale, fireclay or admixtures thereof, moulded to permanent hollow form for use as masonry units in building construction.
- B. Hollow concrete masonry units are the products of Portland cement and suitable aggregates such as sand, gravel, crushed stone, bituminous or anthracite cinders, burned clay or shale or blast furnace slag, moulded to permanent hollow form for use as masonry units in building construction.
- C. All hollow concrete masonry units and all hollow tile shall conform to the provisions of Ind. 53.06 of the Wisconsin Administrative Code. (Part of Ord. passed 10/3/73: prior Code § 30.20(2)).

#### **14.28.030 Basements Generally.**

- All basements/cellars shall be provided with a minimum of three (3) inch concrete floor placed on a minimum of three (3) inches of three-quarter (3/4) inch crushed road gravel. An inspection shall be called for and made prior to laying concrete to construct the basement floor.  
(Part of Ord. passed 10/3/73: prior Code § 30.21(1)).

#### **14.28.040 Basementless Spaces.**

Basementless spaces may be used or constructed according to the following specifications:

- A. The ground level shall be at least two (2) feet below any part of the wood construction.
- B. In such spaces all debris, sod, tree stumps, and other organic materials shall be removed and smooth surface free of pockets shall be provided. A minimum two (2) inches thick concrete slab shall be installed.
- C. Where the floor level within the foundation walls is below the outside grade, drain tile shall be provided around the exterior of the walls, and connected to the house drain tile.
- D. Foundation wall vents shall be provided located near the corner of such space. Such vents shall have an aggregate free ventilating area equal to two (2) square feet per one hundred (100) lineal feet of wall enclosing such space, or a minimum aggregate area of two (2) square feet. All basementless spaces shall be provided with a minimum access opening of four (4) square feet. If access opening is in basement wall and is kept clear and open except for screening which allows for air movement, this opening may be substituted for the above required ventilation area. (Part of Ord. passed 10/3/73: prior Code § 30.21(2)).

#### **14.28.050 Slab Construction.**

The entire area shall consist of a base of three (3) inches in thickness of gravel or other approved material well tamped in place, over which there shall be placed a vapor barrier covered with a layer consisting of four (4) inches in thickness of concrete. (Part of Ord. passed 10/3/73: prior Code § 30.21(3)).

#### **14.28.060 Concrete Building Material Specifications.**

All building materials shall be of good quality conforming to general accepted standards, including the following:

- A. Portland cement shall conform to the “Standard Specifications for Portland Cement” (A.S.T.M. Designation C 150-62). Air-entraining Portland cement shall conform to “Standard Specifications for Air-Entraining Portland Cement” (A.S.T.M. Designation: C 175-61).
- B. Concrete aggregates, except light weight aggregates shall conform to the “Tentative Specifications for Concrete Aggregates” (A.S.T.M. Designation C33-61T), including the methods of sampling and testing.
- C. Lightweight aggregate for concrete shall conform to the “Tentative Specifications for Light Weight Aggregates for Concrete” (A.S.T.M. Designation C330-60T), including the methods of sampling and testing.
- D. The maximum size of the aggregates shall not be larger than one-fifth (1/5) of the narrowest dimension between sides of the forms of the member for which the concrete is to be used nor larger than three-fourths (3/4) of the minimum clear spacing between reinforcing bars.
- E. Water used in mixing concrete shall be clean, and free from injurious amounts of oil, acid, organic matter or other harmful substances.
- F. Metal reinforcements shall conform to the requirements of the “Tentative Specifications for Billet-Steel Bars for Concrete Reinforcement” (A.S.T.M. Designation A15-62T), or for “Tentative Specification for Rail-Steel Bars for Concrete Reinforcement” (A.S.T.M. A16-62T). (Part of Ord. passed 10/3/73: prior Code § 30.22(1)).

#### **14.28.070 A.S.T.M. Designations.**

All A.S.T.M. designations or other standards mentioned in this title shall mean that standard or its current succeeding standards or designation. (Part of Ord. passed 10/3/73: prior Code § 30.22(2)).

#### **14.28.080 Air-entrained cement.**

Air-entrained cement shall be used when concrete is to be exposed to the elements. (Part of Ord. passed 10/3/73: prior Code § 30.22(3)).

#### **14.28.090 Masonry Walls, Generally.**

All masonry walls above grade shall be of the type as specified in Wisconsin Administrative Code, Building Code, Section Ind. 5303 through and including Section Ind. 53.07. (Part of Ord. passed 10/3/73: prior Code § 30.23(1)).

**14.28.100 Masonry Veneer Requirements.**

A. Materials used for masonry veneering shall have minimum dimensions as shown in the following table:

**TABLE C**

<b>Materials</b>	<b>Minimum Dimension in Inches</b>
Stone .....	3
Celular Architectural Terra Cotta .....	3
Architectural Terra Cotta Slabs .....	1 ¼
Brick (Clay, concrete or sand-lime) .....	2 ¼
Cast Stone .....	1 ½
Structural Clay Tile .....	1 ¾
Other Approved Masonry or Thin Veneers .....	As approved by the Building Inspector.

B. In no case shall any type of veneering be considered a part of the required thickness of any masonry wall or be considered a part of the wall in computing the strength of bearing walls. Masonry veneer shall carry no weight except its own.

C. Such veneering on masonry shall be bonded into the masonry backing by a full header for every three hundred (300) square inches of wall surfaces, or by approved substantial noncorrodible metal ties spaced no farther apart than fifteen (15) inches vertically, and thirty-two (2/3) inches horizontally. When sheathing, other than wood is used, the ties shall be secured through to the studs. When veneering is used, special care shall be taken to fill all joints flush with mortar around all openings.

D. No veneering in masonry walls shall exceed a height of thirty-five (35) feet above foundation walls or other approved support. (Part of Ord. passed 10/3/73: prior Code § 30.23 (2)).

**14.28.110 Mortar And Concrete Mixes.**

A. General. All masonry shall be laid up in mortar with cement, lime and aggregates mixed to a workable consistency in the proportions by volume herein specified. Materials used in preparing gypsum mortar shall be measured by weight.

B. Cement Mortar. Cement mortar shall be composed of one part masonry cement to three parts of approved sand aggregates, or one part of approved Portland cement and a maximum of three (3) parts of approved sand aggregates to which may be added hydrated lime or lime putty not to exceed fifteen percent (15%) of the cement content by volume. All foundations and other masonry in contact with the ground and cavity walls shall be laid up in cement mortar or masonry mortars approved for this purpose.

C. Cement-Lime Mortar. Cement-lime mortar shall be composed of one part of approved Portland cement to not more than one (1) part of approved lime putty or hydrated lime and a maximum of six (6) parts of approved sand aggregate, or shall be an approved masonry mortar.

D. Lime Mortar. Lime mortar shall be composed of one (1) part of approved lime putty or hydrated lime and a maximum of three(3) parts of approved aggregate. Cement may replace equal volumes of lime in lime mortar; provided the cement gaging is uniformly distributed by approved methods of mixing. Lime mortar may be used in bearing walls not more than thirty-five (35) feet in height.

E. Gypsum Mortar. Gypsum mortar shall be composed of one (1) part of unfibered calcined neat gypsum plaster, and not more than three (3) parts of approved sand aggregate. Gypsum mortar shall be used in all gypsum block masonry partitions. (Part of Ord. passed 10/3/73: prior Code § 30.24).

**14.28.120 Mass Concrete Proportions.**

Concrete for all construction shall contain as a minimum five (5) bags of cement per cubic yard of concrete mix or design to produce a minimum compressive strength of three thousand (3000) pounds per square inch at twenty-eight (28) days. Concrete exposed to weathering elements shall be air-entrained. Concrete shall

conform to the latest edition of "Guide Specification for Ready-Mixed Concrete Section of Concrete Specifications" as developed by the Construction Specifications Institute, Inc., Milwaukee, Wisconsin. (Part of Ord. passed 10/3/73: prior Code § 30.25).

#### **14.28.130 Lintels And Arches.**

All openings in masonry walls shall be spanned by plain or reinforced arches, steel lintels or other approved noncombustible supports with not less than four-inch (4") bearing on the wall at each end. Plain stone lintels shall not be used on spans greater than four (4) feet nor to support load concentrations on the wall less than two (2) feet above the top of the lintel unless supplemented by structural lintels or arches. All lintels shall be sufficient strength to support the superimposed load with a deflection of not more than one (1) three-hundred and sixtieth inch (300/60<sup>th</sup>) of clear span; and arches shall be designed to support the load with provision to resist the lateral thrust. (Part of Ord. passed 10/3/73: prior Code § 30.26).

#### **14.28.140 Corbeling, Projecting Masonry, Pilasters And Piers.**

A. Limiting Projections. No masonry wall less than twelve (12) inches thick shall be corbeled except to support fire-stopping around combustible door framing. The maximum horizontal projection of corbels shall be not more than one-third (1/3) the thickness of the wall nor shall the projection of any single course of masonry exceed one-third (1/3) the height of the masonry unit.

B. Hollow Walls. Corbeling of hollow masonry or masonry built of hollow units shall be supported on one full course of solid masonry not less than twelve (12) inches deep.

C. Change in Block Size. In hollow masonry construction, if the size of the masonry unit is decreased as the wall is constructed, the block course supporting the smaller unit must be solid or filled with concrete.

D. Pilasters and Piers. All wall pilasters and piers shall be built into the wall with a masonry bond.

1. Isolated piers shall be not less than twelve (12) inches square nor more than twelve (12) times the least dimension in height when of solid masonry construction nor more than four (4) times the least dimension when of hollow masonry unless filled solidly with approved concrete.

2. Isolated masonry piers shall be bonded as required for solid walls of the same thickness and shall be provided with a cap stone or bearing plate of the full dimension of the pier or with other adequate means for distributing the load on the top.

3. Pilasters shall be not less than four (4) inches thicker than the supported wall.

E. Bearing and Anchorage of Structural Members. All structural beams and girders producing concentrated loads shall have a bearing on solid masonry of not less than four (4) inches thickness and shall project not less than four (4) inches into masonry walls with adequate wall bearing plates provided.

(Part of Ord. passed 10/3/73: prior Code § 30.27).

#### **14.28.150 Erection Precautions.**

All masonry shall be protected against freezing for not less than forty-eight (48) hours after installation and shall not be constructed below twenty-eight degrees Fahrenheit (28°) on rising temperatures or below thirty-six degrees Fahrenheit (36°) on falling temperatures without temporary heated enclosures or without heating materials or other approved precautions necessary to prevent freezing. No frozen materials shall be used or shall frozen materials be built upon. In warm weather, all clay or shale units of high absorption characteristics shall be thoroughly wet before laying in the wall. All other masonry units, except gypsum units, laid in other than lime mortar, shall be wetted before laying in the wall if the absorption resulting from partial immersion in one-eighth (1/8) inch of water for one (1) minute is less than one percent (1%). All masonry construction shall be adequately braced and supported to insure its stability during construction.

(Part of Ord. passed 10/3/73: prior Code § 30.28).

## Chapter 14.32

### FRAME CONSTRUCTION

#### Sections:

- 14.32.010 Generally.**
- 14.32.020 Lumber Grades And Sizes.**
- 14.32.030 Span Stress And Loading Requirements.**
- 14.32.040 Design Authority.**
- 14.32.050 Working Stresses.**
- 14.32.060 Bridging.**
- 14.32.070 Cutting And Notching.**
- 14.32.080 Connections And Fastenings.**
- 14.32.090 Plates And Ribbon Boards.**
- 14.32.100 Roof Rafters.**
- 14.32.110 Multiple Joists And Rafters.**
- 14.32.120 Bearing And Anchorage.**
- 14.32.130 Joints In Girders And Beams.**
- 14.32.140 Hung Ceiling.**
- 14.32.150 Joist Headers And Trimmers.**
- 14.32.160 Walls, Partitions And Posts.**
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- 14.32.180 Framing Of Openings.**
- 14.32.190 Wood Sheathing.**
- 14.32.200 Other Sheathing.**
- 14.32.210 Sheathing Paper.**
- 14.32.220 Roof Decking.**
- 14.32.230 Subflooring.**

#### **14.32.010 Generally.**

Wood frame construction shall be of either balloon, post and beam, platform or other approved system. See Section 14.64.110. (Part of Ord. passed 10/3/73: prior Code § 30.29 (part)).

#### **14.32.020 Lumber Grades And Sizes.**

All lumber and timber used in local bearing members shall be sound, free from rot and large or loose knots, and damaging diagonal or spiral grain; and shall be of the structural grade corresponding to the stresses used in design. When the grade of lumber is not identified in accordance with national design specifications for stress grade lumber, the maximum allowable working stress for the species of lumber used shall not exceed the lowest stress value given for that specie. All lumber sizes herein specified are nominal sizes; and American Standard Lumber for dress sizes shall be accepted as the corresponding minimum net dimensions on which all structural designs shall be based. Except as herein provided for composite or built-up integrated units, or when approved after test as specified in Section Ind. 50.12 of the Wisconsin Administrative Building Code, no wood floor beam, roof beam, joist, rafter or framing timber shall be less than two (2) inches in nominal thickness. (Part of Ord. passed 10/3/73: prior Code § 30.29(1)).

A. For ordinary conditions of use and live loads, the spans of joists and rafters shall be limited by Tables J-1, J-4, R-8, R-10, Sections 14.64.050 through 14.64.080.

B. Allowable Stresses. Allowable lumber stresses used in construction shall not exceed the allowable stresses as established by the Department of Industry, Labor and Human Relations.



C. Live Loads. The following live loads shall be used in the design of structural members for one and two-family residential construction:

Floor joists .....	40 pounds per sq. ft.
Rafters .....	30 pounds per sq. ft. (slope 3 in 12 or less)
	20 pounds per sq. ft. (slope over 3 in 12)

D. Structural members shall not be spliced between bearing points. Where structural strength is impaired by cutting, drilling or inherent defects, such members shall be reinforced in a manner acceptable to the Building Inspector.

E. Girders. Girders may be of structural steel, reinforced concrete, solid wood or built-up wood members. Joints of girders shall be made over pier or column supports only. Girder spans shall be not more than that allowed in Table No. 5, Section 14.64.100. (Part of Ord. passed 10/3/73: prior Code § 30.29(2)).

**14.32.040 Design Authority.**

The information contained in "Span Tables for Joists and Rafters," American Softwood Lumber Standard sizes, PS 20-70, by National Forest Products Association, Washington, D.C., is an acceptable design authority under the provisions of this Code. (Part of Ord. passed 10/3/73: prior Code § 30.29(3)).

**14.32.050 Working Stresses.**

Working stresses must conform to those established by the Department of Industry, Labor and Human Relations, State of Wisconsin. (Part of Ord. passed 10/3/73: prior Code § 30.29(4)).

**14.32.060 Bridging.**

In all ceilings, floors, attic, and flat roof joist framing, there shall be not less than one (1) line of bridging for each eight (8) feet of span and the bridging shall not be less than one by three-inch (1" x 3") lumber double-nailed at each end, or equivalent metal lateral bracing of equal rigidity secured at the intersections. A line of bridging shall also be required at supports where adequate lateral stiffness is not otherwise provided. Solid bridging is also acceptable. Where two by six inch (2" x 6") ceiling joists are used, a minimum two by four inch (2" x 4") stay-lathe may be substituted for required bridging. Such stay-lathe shall be spiked securely at each joist and at each end to either stud or rafter. (Part of Ord. passed 10/3/73: prior Code § 30.29(5)).

**14.32.070 Cutting And Notching.**

Bore holes in joists, girders or beams shall be no greater than two and one-half (2 1/2") inches in diameter, and shall be located in the end one quarter (1/4) of span, and shall not be more than one quarter (1/4) the joist depth. The top or bottom edges of joists may be notched in the outer one quarter (1/4) of the length not to exceed one-sixth (1/6) of the joist depth. Notching the top or bottom edge of joists will not be permitted in the middle half of the length of any joist. In studs of walls or partitions, holes and notches made to receive piping or duct work, or for other fabrication purposes, shall be cut not more than one-half (1/2) the depth of the stud. No more than two (2) successive studs shall be so cut or bored unless they are doubled or otherwise reinforced as required by the Building Inspector. (Part of Ord. passed 10/3/73: prior Code § 30.29(6)).

**14.32.080 Connections And Fastenings.**

All structural members shall be connected and fastened at their junctions with connectors, bolts, lag screws, spikes, nails, straps or other approved devices or by approved gluing and in accordance with the recommended nailing schedule in Table No. 4, Section 14.64.090. (Part of Ord. passed 10/3/73: prior Code § 30.29(7)).

**14.32.090 Plates And Ribbon Boards.**

All walls shall be provided with a single bottom plate and double top plate. Top plates shall be lapped no closer than thirty-two (32") inches and at all intersecting walls and corners. Plates shall be of the same width as the supporting stud and each not less than two (2) inches thick. Plates shall be spliced above studs. Ribbon

boards which support floor or roof joists shall not be less than one by four (1" x 4") inches in size, and shall be notched into the studs and nailed thereto as required by the nailing schedule.

(Part of Ord. passed 10/3/73: prior Code § 30.29(8)).

#### **14.32.100 Roof Rafters.**

A. Roof rafters shall be vertically supported at the ridge when the slope of the roof is less than four (4) inches per foot. When the slope is more than four (4) inches per foot roof rafters shall be vertically supported at the ridge or shall be adequately trussed or tied together with not less than one by six (1 x 6 ) inch collar beams spaced not more than thirty-two (32) inches on centers, and each rafter shall be fastened to the wall plate or special plate provided. Roof rafters shall be framed opposite each other at the ridge.

B. When collar beams are above the lower third of the rafters and ties are not provided at the plate line provision shall be made for tying the lower end of the rafters to ceiling or wall construction.

C. Ridge Boards. The depth of ridge boards shall not be less than the cut end of the rafter.

D. The depth of valley or hip rafters shall not be less than the cut end of the rafter. The thickness of valley or hip rafters shall not be less than two (2) inches.

E. Where dormers or gables are over six (6) feet in width the valley rafters shall run through to the ridge of the main roof. Where the ridge of the dormer or gable is below the ridge of the main roof, one valley rafter shall run through to the ridge of the main roof.

F. Factory constructed trusses approved by the State of Wisconsin, Department of Industry, Labor and Human Relations may be used as an approved roof framing system. The building plans shall indicate the approval number assigned by the Department of Industry, Labor and Human Relations.

G. The maximum spacing of trusses shall be two (2) feet on centers. Roof sheathing shall be as specified in Sections 14.32.190 through 14.32.210. Ceiling finish shall be as specified in Sections 14.40.010 and 14.40.020. (Part of Ord. passed 10/3/73: prior Code § 30.29(9)).

#### **14.32.110 Multiple Joists And Rafters.**

Floor joists under terrazzo, tile, bathtubs or other unusual loading conditions shall be doubled or otherwise reinforced to support the load. Floor joist under partitions running parallel thereto shall be doubled or formed of built-up Sections or may be replaced by a solid Section of adequate strength to support the loads. Dormer windows and other openings in roofs shall be framed with double rafters and headers. Valley rafters on spans over twelve (12) feet, measured horizontally shall be doubled.

(Part of Ord. passed 10/3/73: prior Code § 30.29(10)).

#### **14.32.120 Bearing And Anchorage.**

Floor joists framing into walls or girders shall be anchored, tied or nailed to secure continuity. The ends of all beams or joists resting on walls or girders shall bear not less than four (4) inches or shall be supported in approved metal stirrups or on wood clips or ribbon strips not less than two by two (2 X 2) inches in size. Beams or joists framing from opposite sides shall either lap not less than six (6) inches nor more than twelve (12) inches and be securely bolted or spiked together. When framing end to end, all joists, beams and girders shall be secured together by approved metal ties, strap or scabs. Anchorage of wood joist into masonry walls shall be in accordance with Ind. 53.28 Wisconsin State Building Code.

(Part of Ord. passed 10/3/73: prior Code § 30.29(11)).

#### **14.32.130 Joints In Girders And Beams.**

The joints of solid or built-up beams or girders shall be made over columns or pier supports. (Part of Ord. passed 10/3/73: prior Code § 30.29(12)).

#### **14.32.140 Hung Ceiling.**

Ceiling joists when parallel to roof joists shall be two by four (2 X 4) inches at the same spacing as the joists above and hung by not less than one by four (1 X 4) inch hangers spaced at not more than six (6) feet. Ceiling joists, when at right angles to roof joist, shall be two by four ( 2 X 4 ) inches spaced sixteen (16)

inches on center and hung by not less than two by two ( 2 X 2 ) inch hangers spaced at not more than six (6) feet. (Part of Ord. passed 10/3/73: prior Code § 10.29(13)).

**14.32.150 Joist Headers And Trimmers.**

All joist headers more than four (4) feet in length and their trimmers shall be doubled. All tail beams or joists which are more than six (6) feet in length shall be hung, in approved joist or beam hangers, or shall be fastened by approved metal connectors. All double trimmer joists shall be spiked together. A minimum two by two (2 X 2) inch ledger strip may be used in lieu of hangers or connectors.

(Part of Ord. passed 10/3/73: prior Code § 10.29(14)).

**14.32.160 Walls, Partitions And Posts.**

A. The load-bearing value of the frame walls and partitions or isolated post or struts shall be limited by "Wood Structural Design Data," N.L.M.A. All wood posts used in basements or cellars shall have concrete bases which extend not less than three (3) inches above the finished floor and bear directly on the post footing. In cellars or basements, all wall plates or stair stringers shall rest on top of the finished concrete floor.

B. Studs. All walls and partitions shall be constructed using studs of continuous length. Such studs shall not be less than two by four ( 2 x 4 ) inches in size, nor more than twenty (25) feet in length and not more than sixteen (16) inches on center and a minimum two (2) inch fire stopping shall be provided for every eight (8) feet of height or at all floor levels. Nonbearing partitions only may be constructed with the smaller dimension perpendicular to the wall. Studs cut so as to impair their structural strength shall be reinforced as required by the Building Inspector. (Part of Ord. passed 10/3/73: prior Code § 10.29(15)).

**14.32.170 Bracing.**

Corner posts shall be the equivalent of not less than three (3) pieces of two by four (2 x 4 ) inch studs braced with not less than one (1) piece of one by four (1 x 4 ) inch diagonal let into the studs. Diagonal bracing may be omitted when one-half (1/2) inch plywood sheathing is provided in four by eight (4 x 8 ) foot sheets, or when one (1) inch board sheathing is placed diagonally. (Part of Ord. passed 10/3/73: prior Code § 10.29(16)).

**14.32.180 Framing Of Openings.**

A. All windows and door openings shall have double studs for the full height of the door opening at jambs, with double headers or truss construction over the opening, or by other approved methods or connection devices to support the superimposed loads. The jamb studs shall be minimum two by four (2 x 4 ) inch studs double with the inner stud extending in one (1) piece from header to bearing securely spiked to the outer stud.

B. Lintels over openings in bearing walls or partitions shall consist of double joists on edge not less than herein specified or truss construction bearing on jack studs or other approved construction affording adequate strength.

Spans less than four feet.....	two (2" x 4")
Spans four feet to five ft. six in.....	two (2" x 6")
Spans five ft. six in. to seven feet.....	two (2" x 8")
Spans seven ft. to eight ft. six in.....	two (2" x 10")
Spans eight ft. six in. to ten feet.....	two (2" x 12")

C. Where headers support greater or lesser uniform or concentrated loads, or are subject to other unusual loading conditions, calculations shall be submitted to prove acceptable performance.

(Part of Ord. passed 10/3/73: prior Codes § 10.29(17)).

**14.32.190 Wood Sheathing.**

Except as otherwise regulated herein the outside of all exterior wall and roof structural framing of all buildings and structures shall be covered with wood board sheathing one inch in thickness and not more than eight (8) inches wide, over studs and rafters spaced not more than sixteen (16) inches on centers. Wider

sheathing may be used if triple nailed to studs and rafters. All joints of such wood sheathing shall be centered on studs and rafters unless end matched, tongued and grooved wood sheathing is used, in which case no two (2) vertical joints of adjoining boards shall occur in the same space between studs or rafters. All boards shall be applied with tight joints except that under wood shingles one by three (1 x 3) inch or one by four (1 x 4) inch board spaced center to center according to shingle exposure may be used. Boards shall be tongue and groove, shiplapped or square edge with ends cut parallel to and over center of studs, rafters or roof joists with not more than two (2) adjacent boards breaking joints over the same support except at ends and at openings. (Part of Ord. passed 10/3/73: prior Code § 30.30(1)).

**14.32.200 Other Sheathing.**

In lieu of wood board sheathing on exterior walls and roofs of buildings and structures as herein regulated, materials as shown in Tables D and E may be used:

**TABLE D - Walls**

<b>Exterior Wall Sheathing</b>	<b>Min. Thickness (inches)</b>	<b>Maximum Stud Spacing on Centers (inches)</b>
(No edge blocking required.) Plywood	3/8	16
Approved Fiber Board	1/2	16
Gypsum	1/2	16
Expanded Polystyrene	1	16

**TABLE E - Roofs**

<b>Roof Covering and Type of Roof</b>	<b>(No edge blocking required.)</b>	
	<b>Plywood Roof Sheathing Min. Thickness (inches)</b>	<b>Maximum Rafter Spacing on Centers (inches)</b>
Wood and Asphalt Shingles	1/2	16
Slate, Tile and Asbestos Cement Shingles	1/2	16
Flat Roofs (under 2 ½ : 12 pitch)	5/8	16
Truss Roofs (over 2 ½ : pitch)	1/2	16

(Part of Ord. passed 10/3/73: prior Code § 30.30(2)).

**14.32.210 Sheathing Paper.**

Building paper shall be used on all sheathing not water resistant, including plywood, wood boards and gypsum. All water resistant sheathing shall be identified with the manufacturer's label on each board and shall be approved by the Building Inspector. In all cases sheathing papers, such as minimum fifteen (15) pounds saturated felt or paper, or other approved water resistant material shall be applied over all exterior surfaces of exterior wall sheathing. Sheathing papers of high vapor resistance shall not be used as a covering on exterior walls unless a material of high vapor resistance is used on the inside of such exterior walls. Building papers shall be applied with a lap of four (4) inches. (Part of Ord. passed 10/3/73: prior Code § 30.30(3)).

**14.32.220 Roof Decking.**

A. Wood roof decking requirements are as follows:

1. Planks shall be tongue and groove or splined, minimum thickness shall be two (2) inches. Maximum width shall be eight (8) inches.

2. Planks shall be continuous over at least two (2) spans. All joints shall be cut parallel to and over center of roof beams with not more than two (2) adjacent planks breaking joints over the same support except at ends and at openings.

3. Maximum span of two (2) inch plank shall not exceed the following:

a. Planks continuous over two (2) supports, eight (8) feet;

b. Planks over single span, six (6) feet;

c. Other spans or thicknesses may be used when calculated according to standard engineering practice.

Deflection shall be limited to  $\frac{1}{240}$  or span.

4. Tongue and groove planks having end matched end joints may be used to break joints between roof beams provided:

a. Each plank bears upon at least two (2) supports;

b. End joints between supports shall not occur in adjacent planks.

5. Roof deck shall be blind and face nailed to roof beams in accordance with the nailing schedule, Table No. 4, Section 14.64.090.

6. When roof deck is also the finished ceiling surface, an approved vapor barrier shall be installed between deck and roof insulation.

B. Fiberboard roof deck requirements are as follows:

1. Thickness and joist spacing shall comply with manufacturer's specifications and be designed in accordance with roof loads designated herein.

2. End joint shall be staggered and shall occur over supports at least three (3) inches in width. Side joints shall be supported at eaves, ridge and openings. Nails shall penetrate supporting member at least one and one-half ( $\frac{1}{2}$ ) inches and shall be spaced maximum five (5) inches apart.

(Part of Ord. passed 10/3/73: prior Code § 30.31).

#### **14.32.230 Subflooring.**

A. Requirements for boards supporting wood strip flooring are as follows:

1. Minimum thickness, one (1) inch (nominal) for joists spaced a maximum of sixteen (16) inches o.c.;

2. Maximum width, eight (8) inches;

3. Subfloor may be installed diagonal to or at right angles to joists. If installed at right angles to joists, finish floor shall be installed across subfloor;

4. Board shall have ends cut parallel to and over center of joists with not more than two (2) adjacent boards breaking joints on same joist except at ends and at openings. End matched T and G boards may break joints between joists provided two (2) end joints do not occur in same joist space in adjoining boards and each board bears on at least two (2) joists;

5. Where header joist is not used, install blocking between ends of joists at wall for nailing ends of diagonal subfloor. Blocking shall also be provided where subfloor is cut away for plumbing and heating;

6. Provide at least one-half ( $\frac{1}{2}$ ) inch clearance between subflooring and masonry or concrete walls.

B. Requirements for boards supporting other flooring are as follows:

1. Subfloor used as a base for wood block flooring applied by nailing shall comply with subsection A of this Section.

2. Subfloor used as a base for ceramic tile applied over concrete setting bed shall comply with subsection A of this Section. Floor joists may be beveled and ledger strips used to support subfloor as support for concrete setting bed;

3. Resilient flooring, wood block flooring applied by adhesive and ceramic tile applied by adhesive shall be installed over an underlayment in compliance with subsection D of this Section. Board subfloor when use shall comply with subsection A of this Section.

C. Requirements for plywood subflooring are as follows:

1. Material shall be at least Structural-Interior C-D or Exterior C-C sheathing grade. Exterior type shall be used when any surface or edge is exposed to weather;

2. Minimum thickness and maximum joist spacing shall comply with Table F. (Exterior C-C or Structural Interior C-D sheathing grades only.)

3. Plywood shall be installed with outer plies at right angles to joists, and be staggered so that end joints in adjacent panels break over different joists;
4. Provide at least one-half inch clearance between subfloor and masonry or concrete wall.

**TABLE F**

<b>Species of Plywood</b>	<b>Minimum Thickness (inches)</b>	<b>Maximum Joist Spacing (Inches 0.0)</b>	<b>Woodstrip and block flooring with T&amp;G edges</b>	<b>Woodstrip and block flooring w/square edges and resilient flooring</b>
Douglas fir, Western Larch, Southern Pine and Groups 1, 2, 3, Western Softwood	1/2 Minimum 5 Ply	16	16	16

D. Requirements for underlayment for resilient flooring are as follows:

1. Underlayment shall be minimum one-half (1/2) inch structural-interior type or exterior type plywood or hard-board. Other materials may be used as underlayment when determined suitable by the Building Inspector;
2. Top ply of plywood shall be at least "C plugged" grade;
3. Hardboard shall be installed with smooth surface up;
4. Nail to subfloor using the type of nail and spacing recommended by the underlayment manufacturer.

E. Requirements for plank subfloor are as follows:

1. Planks shall be T and G or splined; minimum thickness, two (2) inches; maximum width, eight (8) inches. Square edge planks may be used where strip flooring with T and G edges is installed at right angles to plank or where a separate underlayment is provided;

2. Where practicable, planks shall be continuous over at least two (2) spans. All joints shall be cut parallel to and over center of floor beams with not more than two (2) adjacent planks breaking joints over same support except at ends and at openings;

3. Maximum span of two (2) inch plank deck shall not exceed the following:

- a. Planks continuous over two (2) spans, seven feet,
- b. Planks over single span only, five (5) feet,
- c. Other spans may be used when calculated according to standard engineering practice. Deflection shall be limited to 1/360 of span;

4. Plank deck shall be blind and face nailed to floor beams in accordance with the nailing schedule, Table 4, Section 10.64.090;

5. Loads from bearing partitions, interior columns, or other concentrated loads shall be supported independent from plank deck.

F. Finished Floor. Subfloor shall be covered with a minimum one-half (1/2) inch thick approved finished flooring material.

G. Combination Subfloor-Underlayment. Plywood designed for a single floor system, three quarters of an inch thick may be used under the following conditions:

1. Stamp indicating use of exterior glue;
2. Tongue and groove provided;
3. Nailing as per Code schedule;
4. Maximum joist spacing sixteen inches on center;
5. Outer plies laid at right angle to joists. (Part of Ord. passed 10/3/73: prior Code § 30.32).