

ORDINANCE NO. 2020-1
TOWN OF FOREST
SAINT CROIX COUNTY, WISCONSIN

CONSTRUCTION AND INSPECTION ORDINANCE

WHEREAS, the Town Board finds that the Town's current ordinances implementing the Uniform Dwelling Code, Ordinance No. 97-01 and Ordinance No. 2004-1, are outdated and need to be updated to be consistent with Wisconsin Statutes and Administrative Regulations relating to the Uniform Dwelling Code, Electrical Code, and related building codes,

NOW THEREFORE, The Town Board hereby ordains that Ordinance No. 97-01 and Ordinance No. 2004-1, shall be repealed and replaced upon Town Board adoption and publication of this Ordinance No. 2020- / as required by law.

1. **AUTHORITY.** These regulations are adopted under the authority granted by Wis. State Statute Chapter 101.65 to exercise jurisdiction over the construction and inspection of new dwellings, Chapter 101.76 to exercise jurisdiction over the installation of modular homes, Chapter 101.86 to exercise jurisdiction over electrical wiring and inspection of electrical wiring; Wis. Administrative code SPS327.06 to exercise jurisdiction over the construction and inspection of new camping units,
2. **PURPOSE.** The purpose of this ordinance is to promote the uniformity in construction standards for the general health, safety and welfare of the community and to maintain required local uniformity with the administrative and technical requirements of the Wisconsin Administrative Codes and adopted standards.
3. **SCOPE.** The scope of this ordinance includes the construction and inspection of one- and two- family dwellings built since June 1, 1980 and new camping units as defined in Wis. Admin. Code §327.08 (9).

Notwithstanding s. SPS 316.002 or any other exemptions of the State electrical code, the scope of this ordinance also includes all new electrical wiring installations, reconstructions, alterations, extensions and inspection thereof.

Notwithstanding s. SPS 320.05 or any other exemptions of the Uniform Dwelling Code, the scope of this ordinance also includes the construction and inspection of alterations and additions to one- and two-family dwellings. Because such projects are not under state jurisdiction, petitions for variance and final appeals under ss. SPS 320.19 and 320.21, respectively, shall be decided by the municipal board of appeals. Petitions for variance shall be decided per s. SPS 320.19(Intro) so that equivalency is maintained to the intent of the rule being petitioned.

Notwithstanding s. SPS 320.05 or any other exemptions of the Uniform Dwelling Code, the scope of this ordinance also includes the construction and inspection of detached structure serving one- and two- family dwellings. The structure and any HVAC, electrical or plumbing systems shall comply with the requirements of the Uniform Dwelling Code, other than for smoke alarms, carbon monoxide alarms and frost protection of footings, which shall be determined by the code official. Petitions for variance and appeals shall be handled by this municipality.

4. DEFINITIONS.

Building – Includes but is not limited to a structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals, equipment, machinery, materials or any type of vehicles or semi-tractors-trailers.

“Dwelling” means any building that contains one or two dwelling units

“Dwelling unit” means a structure or that part of a structure which is used or intended to be used as a home, residence or sleeping place by one person or by 2 or more persons maintaining a common household, to the exclusion of all others.

Structure – Includes but is not limited to erection or construction such as a building, towers, masts, poles, decks, booms, signs, carports, meter pedestal, electrical equipment

5. WISCONSIN UNIFORM DWELLING CODES ADOPTED. The Wisconsin Uniform Dwelling Code, Chapters SPS 320 through 325 and SPS 327 and its successors, of the Wisconsin Administrative Code, and all amendments hereto, is adopted in full and incorporated by reference.
6. WISCONSIN PLUMBING CODES ADOPTED. The Wisconsin administrative codes, Chapters SPS 381 through 391 and its successors, and all amendments hereto, is adopted in full and incorporated by reference.
7. WISCONSIN ELECTRICAL CODES ADOPTED. The Wisconsin administrative codes, Chapters PSC 114 and SPS 316 and its successors, and all amendments hereto, is adopted in full and incorporated by reference.
8. BUILDING PERMIT REQUIRED. If a person alters or adds onto a building or builds or installs a new building, within the scope of this ordinance, in excess of \$5,000 value in any twelve month period, they shall first obtain a building permit for such work from the building inspector. Any structural changes or changes to mechanical and electrical systems that involve extensions shall require permits. Restoration or repair of an installation to its previous code- compliant condition as determined by the building inspector is exempted from permit requirements. Residing, re-roofing, finishing of interior surfaces and installation of cabinetry

shall be exempted from permit requirements.

9. **ELECTRICAL PERMIT REQUIRED.** If a project involves the installation of new or an addition to any electrical service, feeder, or branch circuit serving any of the following: 1. A farm. 2. A public building, structure, or premises. 3. A place of employment. 4. A campground. 5. A manufactured home community. 6. A public marina, pier, dock, or wharf. 7. A recreational vehicle park, they shall first obtain an electrical permit for such work from the designated inspection agency.

10. **PERMIT APPLICATION.** For a NEW one- and two- family dwelling, the building permit application shall be submitted electronically on the Department of Safety and Professional Services (DSPS) online building permit system website and a set of required plans and specifications shall be submitted electronically to the inspection agency. If hard copies are also provided, then there shall be two sets of plans and specifications as required by code. The required plans shall be legible and drawn to scale or dimensioned and shall include all items required under §SPS 320.09(5), (6) and (7), as applicable. The Wisconsin uniform building permit shall not be issued nor shall the permit information be submitted electronically to the department prior to the receipt of all completed forms, fees, plans, and documents required to process the application and completion of other local prerequisite permitting requirements.

For ALL other work requiring a permit, the application for a permit shall be submitted electronically in writing on a form prescribed by the inspection agency and available from the building inspector. The permit shall not be issued prior to the receipt of all completed forms, fees, plans, and documents required to process the application and completion of other local prerequisite permitting requirements.

11. **FEES.** The fees shall be determined by the Inspector or inspection agency and approved by the Town Board. Fees in general shall be posted on the Town's or the Inspector's website.
12. **LAPSE OF PERMIT.** A UDC building permit shall expire twenty-four (24) months after issuance if the dwelling exterior has not been completed and an Electrical Permit shall expire twelve (12) month after issuance, if the installation of the electrical wiring has not commenced.
13. **ISSUANCE AND POSTING OF PERMIT.** Action to approve or deny a permit application shall be completed within ten (10) business days of receipt of all forms, fees, plans and documents required to process the application, and completion of other local prerequisite permitting requirements. The Wisconsin permit shall be issued if the requirements for filing and fees are satisfied and the plans have been conditionally approved. The Wisconsin permit shall be posted in a conspicuous place at the dwelling or project site.

14. INSPECTOR. There is hereby created the position of Building Inspector, who shall administer and enforce this ordinance and shall be certified by the Division of Industry Services, as specified by Wisconsin Statute, Section 101.66(2), in the category of Uniform Dwelling Code Construction Inspector. Additionally, this or other assistant inspectors shall possess the certification categories of UDC HVAC inspector, UDC Electrical inspector or Commercial Electrical inspector, and UDC Plumbing inspector or Commercial Plumbing inspector as required by the state code. The Municipality may appoint a WI certified independent inspection agency to provide WI certified inspector(s).

15. INSPECTIONS. The Inspector or an authorized agent may at all reasonable hours enter upon any public or private premises for inspection purposes and may require the production of the permit for any building, plumbing, electrical or heating work. No person shall interfere with or refuse to permit access to any such premises to the Inspector or the agent while in the performance of their duties. The Inspector(s) shall keep a log of all inspections completed.

Per SPS 316.013 Unless exempted by State Statute, Electrical wiring installations shall be subject to inspection. The building owner or their agent shall notify the inspection agency to provide electrical inspections when the wiring installation is ready for inspection. Except as allowed by code, electrical wiring shall remain accessible and exposed for inspection purposes and may not be energized. Electrical service may not be energized until inspected.

Per SPS 320.10 The applicant or an authorized representative shall request 'construction' inspections from the inspection agency. Except as allowed by code, construction may not proceed beyond the point of inspection until the inspection has been completed.

16. LICENSED PLUMBER. Wisconsin State Statute 145.06 All plumbing work shall be done only by a plumber licensed by the Department of Safety and Professional services, unless exempted under State Statute, provided that a permit is issued, and the work is done in compliance with the provisions of this ordinance.

17. LICENSED ELECTRICIAN. Wisconsin State Statute 101.862 All electrical work shall be done only by an electrician licensed by the Department of Safety and Professional services, unless exempted under State Statute, provided that a permit is issued, and the work is done and inspected in compliance with the provisions of this ordinance.

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

19. REVOCATION OF PERMIT. If the Inspector finds at any time that the provisions of this ordinance or of the Uniform Dwelling Code, or other applicable codes related to the work performed, are not being complied with and that the holder of the permit refuses to conform after a written warning or instruction has been issued to him, the Inspector shall revoke the permit by written notice posted at the site of the work.

When any permit is revoked, no further work shall be done until the permit is reissued except such work as the Inspector may order as a condition precedent to the reissuance of the permit or as the Inspector may require for the preservation of human life and safety.

20. REPEAL OF ORDINANCES NO. 97-1 AND ORDINANCE NO. 2004-1.
Ordinance No. 97-01 and 2004-1 shall be repealed upon adoption of this ordinance and publication of this ordinance as required by law.
21. EFFECTIVE DATE. This ordinance shall be effective upon passage and publication as provided by law.

This Ordinance was adopted by the Town Board at a properly noticed Town Board Meeting held on 5/19/2020, by a vote of 3 in favor and 0 opposed and 0 not voting.

Town of Forest:

By: _____

Jaime Junker, Town Chairperson

Attest By: _____

Anne Johnston, Town Clerk

Approved: _____

5/19/2020

Published: _____

5/27/2020

Posted: _____

5/20/2020