

CHAPTER 15
UNIFIED CONSTRUCTION CODE

15.01 TITLE. This Chapter of the City Codes and Ordinances shall be known as, referred to, or cited as "Chapter 15 - UNIFIED CONSTRUCTION CODE, CITY OF HARTFORD, WASHINGTON/DODGE COUNTIES, WISCONSIN".

15.02 AUTHORITY, PURPOSE AND INTENT.

- (1) **AUTHORITY.** These regulations are adopted under the authority granted by s. 101.12, Wis. Stats.
- (2) **PURPOSE AND INTENT.** The purpose of this Chapter shall be to regulate and control the construction, reconstruction, alteration, repair, or demolition of all structures and structural appurtenances in the City. The purpose of this Chapter shall also be to regulate and control construction site, management, stormwater management, and erosion control. These purposes are intended to promote the public health, safety, morals, prosperity, aesthetics, and general welfare of the City.

15.03 STATE AND NATIONAL CODES ADOPTED. This Chapter includes the provisions of the following state and national codes:

- (1) Except as otherwise specifically provided in this Code, the provisions of the Wisconsin Uniform Dwelling Code (Chs. SPS 320-325, Wis. Admin Code) are adopted by reference for new construction and additions to remodeling of buildings constructed prior to the adoption of the Wisconsin Uniform Dwelling Code. Any future amendments or revisions of whatever kind to said Wisconsin Uniform Dwelling Code are incorporated by reference to insure uniform building regulations.
- (2) This Chapter shall include the provisions of Wisconsin Administrative Code (SPS 316) and the provisions of the latest edition of the National Electrical Code as approved by the National Fire Protection Association. All of these codes are hereby adopted and made a part of this code with the same force and effect as though fully set forth herein. Failure to comply with any of the provisions of such codes shall constitute a violation of this Chapter.
- (3) The provisions and regulations of the Wisconsin Administrative Code (SPS 381-387) are hereby made a part of this Chapter by reference, and shall extend over and govern the installation of all plumbing installed, altered or repaired in the City of Hartford.
- (4) The following Wisconsin Administrative Codes, their referenced codes and standards, and subsequent revisions are adopted for municipal enforcement by the building inspector and/or plans examiner, who shall be commercially certified by the WI Division of Industry Services.
 - Ch. SPS 302 Plan review fee schedules
 - Ch. SPS 305 Licenses, Certifications and Registrations
 - Ch. SPS 314 Fire Prevention
 - Ch. SPS 328 Smoke Detectors And Carbon Monoxide Detectors
 - Chs. SPS 360-366 Wisconsin Commercial Building Code
 - Chs. SPS 375-379 Buildings Constructed Prior to 1914 Code

15.04 ADMINISTRATION. (1) Building Inspector Designated. The Offices of Building Inspector, Plumbing Inspector and Electrical Inspector, as required by Chapter 4 of the Municipal Code, shall conduct the duties prescribed by this Chapter.

- a) The Building Inspector of the City of Hartford shall serve as the Electrical Inspector. All reference herein to Electrical Inspector shall refer to the Building Inspector.
- b) The Building Inspector of the City of Hartford shall, in addition to other duties prescribed elsewhere in the Hartford Municipal Code, serve as the Plumbing Inspector. All references herein to Plumbing Inspector shall refer to the Building Inspector in his capacity as Plumbing Inspector.
- c) If the Building Inspector is qualified by the State of Wisconsin he may, and if not so qualified he shall, utilize outside contractors meeting State qualifications to conduct inspections. When outside contractors are engaged, penalties imposed by this Chapter shall be enforced by the Building Inspector.

(2) Building Inspector Duties. The offices of Building Inspector, Plumbing Inspector, Electrical Inspector shall perform the following duties:

- a) Shall prepare suitable forms for applications and permits required, and shall keep in his office a proper daily record of all transactions of his office.
- b) Supervise and inspect all work requiring a permit, new or alterations or repairs, in the City, and shall faithfully enforce all laws, ordinances and rules in relation thereto.
- c) Keep a complete record of all applications and permits, regularly numbered in the order of their issue.
- d) Shall inform the Common Council of any violations of regulations.
- e) File monthly and annual reports with the Common Council regarding the fees earned and the work performed. The yearly report shall cover the period closing December 31 of each year and shall be filed on or before January 10 next thereafter.
- f) Visit and inspect all buildings and premises and make a thorough examination of all electrical wiring, equipment and devices installed, and when found to be in a dangerous or unsafe condition, he shall notify the person, firm or corporation owning, using, operating or installing the same to place them in a safe condition. Such necessary repairs or changes shall be completed according to the provisions of this Chapter.
- g) Enforce all other provisions of this Chapter.

(3) Certified Municipal Status.

- a) Certified Municipality. The City of Hartford has adopted Certified Municipality Status as described in SPS 361.60 of the Wisconsin Administrative Code.
- b) Responsibilities. The City shall assume the following responsibilities for the State of Wisconsin, Department of Safety and Professional Services:

1. Provide inspection of commercial buildings with certified commercial building inspectors.
 2. Provide plan examination of commercial buildings with certified commercial building inspectors.
- c) Plan Examination. Drawings, specifications and calculations for all the types of buildings and structures, except state-owned buildings and structures, to be constructed within the limits of the City of Hartford, shall be submitted to the City of Hartford Building Inspection Department, if the plans are for any of the following:
1. A new building or structure containing less than 50,000 cubic feet of total volume.
 2. An addition to a building or structure where the area of the addition results in the entire building or structure containing less than 50,000 cubic feet of total volume.
 3. An addition containing no more than 2,500 square feet of total floor area and no more than one floor level provided the largest roof span does not exceed 18 feet and the exterior wall height does not exceed 12 feet.
 4. An alteration of a space involving less than 100,000 cubic feet of total volume.
 5. The Director of Community Development or Building Inspector may waive the City's jurisdiction for the plan review of a specific project or types of projects, or components thereof, in which case plans and specifications shall be submitted to the Department of Safety and Professional Services for review and approval.
 6. The Department of Safety and Professional Services may waive its jurisdiction for the plan review of a specific project, where agreed to by the Director of Community Development or Building Inspector in which case plans and specifications shall be submitted to the City of Hartford Building Inspection Department for review and approval.
- d) Plan Submission Procedures. Building, HVAC, Fire Alarm, and Fire Suppression System plans shall be submitted and reviewed in accordance with the procedures detailed in SPS 361. Applicants for plan review shall submit the following directly to the municipality:
1. Application form SBD-118.
 2. Plan review fee per table SPS 302.31-2. Payment shall be made to the municipality.
 3. Digital or hardcopy plans in accordance with SPS 361.
 4. Plumbing plans shall be submitted and reviewed in accordance with the procedures detailed in SPS 382. Applicants for plan review shall submit the following directly to the municipality:
 5. Application form SBD-6154.
 6. Plan review fee per SPS 302.64. Payment shall be made to the municipality.

7. Digital or hardcopy plans in accordance with SPS Table 382.20-2.

(4) Inspector's Authorization to Discontinue Service. The Electrical Inspector shall have the authority to cause the immediate turning off of all electrical currents to any equipment which is found to be in an unsafe condition, and cut or discontinue electrical service in cases of emergency and where such electrical currents are dangerous to life and property or may interfere with the work of the Fire Department. No person, firm, or corporation shall reconnect any equipment thus cut off until permission is given by the Electrical Inspector. Failure to obey any such order shall subject the person, firm or corporation to the penalties provided for violation of the Hartford Municipal Code.

(5) Inspector's Limitation in Business Conduct. It shall be unlawful for the Electrical Inspector to engage in the business of electrical wiring and construction either directly or indirectly, and he shall have no financial interest in any concern engaged in such business in the City while holding office as Electrical Inspector. Any violation of this subsection by the Electrical Inspector shall be sufficient cause for his dismissal.

15.05 LICENSES REQUIRED. (1) Plumbers License. No person shall engage in or work at plumbing within the City without first having obtained a plumber's license as provided for in Chapter 145 of the Wisconsin Statutes and without first procuring a City permit for such work as hereinafter provided.

(2) Electrician License. No person shall install, repair or maintain electrical wiring unless the person holds a license or registration issued by the Department of Safety and Professional Services as described in sec. SPS 305.40, Wis. Admin Code.

15.06 PERMITS REQUIRED. (1) Building Permits. No construction, reconstruction, alteration, repair, or demolition of any structure or structural appurtenance shall be done in the City without a permit having been issued therefor by the Building Inspector and the payment of the proper fees as hereinafter required.

a) Application for Permit. Application for a building permit shall be filed with the Building Inspector on forms furnished by him, and when requested by the Inspector shall be accompanied by a plan or sketch showing in detail the work to be done. The Inspector shall issue to the applicant a statement showing the fee to be paid for the permit applied for.

b) Deposit Fee. To assure that no damage or destruction to private or public property or installed public improvements occurs, nor that there are any violations of the City's standard specifications manual or municipal code construction-related provisions, no building permit for new residential principal structure construction or for new commercial or industrial principal structure construction or for an industrial/ commercial addition or accessory structure of 5,000 square feet or more shall be granted without payment of a fee as determined in Chapter 42 of the Municipal Code. The City Engineer shall determine whether the person obtaining the building permit is responsible for any violation, necessitating repair or replacement by the City. The City shall be entitled to retain from the deposit the actual cost for any such repair or reconstruction of public improvements, landscaping, utility appurtenances, or any related damage due to the permittee's construction activity. Provided no violation occurs, all but a processing fee as determined in Chapter 42 will be refunded upon issuance of an unconditional occupancy permit. (CREATED 7/25/00-- ORDINANCE NO. E-439)

c) Schedule of Fees. The City fees for building permits shall be as determined in Chapter 42 of the Municipal Code for the following categories:

- Minimum permit fee for all permits
- Residence - One and Two Family, Accessory buildings and garages
- Residences - Apartments, Three Family and over, Row housing, Multiple Family dwellings, Institutional
- Residences - Additions
- Manufactured dwellings (factory built) for site constructed elements of the building (basements, garage, etc.)
- Local business, office buildings or additions thereto
- Manufacturing or Industrial (office areas to be included above)
- Permit to start construction of footings and foundations
- Agricultural buildings
- All other buildings, structures, alterations, residing, re-roofing, repairs where cubic contents cannot be calculated
- Heating and incinerator units
- Commercial/Industrial exhaust hoods and exhaust systems
- Air conditioning - other than wall units
- Permanently installed wall units
- Wrecking or razing - building inspector may waive fee if structure is condemned
- Moving buildings over public ways
- Re-inspections
- Plan Examination:
 - One and two family residence
 - Apartments, three family residence, row housing, multiple family buildings (NOTE: Heating plans submitted separately)
 - Commercial - Industrial and additions
 - Additions, alterations to 1 and 2
 - Accessory buildings, 240 square feet or more
- Special Inspections
- Wisconsin Uniform Building Permit Seal
- Note 1: Permits may be obtained individually or on one form in the categories of construction, heating, ventilation and air conditioning, electrical and plumbing
- Note 2: An additional fee for plan review may be assessed at the time of application for renewal of the permit
- Occupancy Permit - Residential and Commercial Industrial
- Pools - Inground/above ground/spas
- Erosion Control
 - One and two family lots
 - Multi-family units
 - Commercial lots
 - Industrial lots
 - Institutional lots
 - Other
- Satellite Dish
- Fence

In determining costs, all construction shall be included with the exception of heating, air conditioning, electrical or plumbing work.

- d) Issuance of Permits. Upon approval of the Building Inspector of the application and upon payment by the applicant of the required fees, a permit shall be issued by the supervisor for the work set forth in the application.
- e) Posting of Permits. No work of building shall be started or continued without the permit therefor being posted in a conspicuous place on the premises.
- f) Expiration of Permit. If work under any permit is not started within thirty days after the issuance of the permit, then such permit shall be void unless an extension of time has been granted by the Building Inspector. No permit fees shall be refunded after ninety days following the issuance of a permit.
- g) Refusal of Permit. The Building Inspector is authorized to refuse any application for a building permit to any person who has not complied with a lawful order of the Building Inspector. The issuing and approving of a building permit may be withheld until such time as a lawful order has been complied with. The person refused such a permit may appeal within ten days to the State Building Inspector whose decision in the controversy shall govern.

(2) Plumbing Permits. No plumbing shall be done in the City, except removal of stoppages and minor repairs as provided in this Chapter, without a permit having been issued therefor by the Plumbing Inspector and the payment of the proper fees as hereinafter required. Such permits may be issued only to persons duly licensed as master plumbers under the laws of Wisconsin; except that a permit may be issued to a person for work to be done by him in a single family residence owned and occupied by him as his home, in which case the provisions of this section shall not apply.

- a) Application for Permit. Application for a plumbing permit shall be filed with the Plumbing Inspector on forms furnished by him, and when requested by the Inspector shall be accompanied by a plan or sketch showing in detail the work to be done. The Inspector shall issue to the applicant a statement showing the fee to be paid for the permit applied for.
- b) Schedule of Fees. The schedule of permit fees to be paid shall be determined in Chapter 42 of the Municipal Code for the following:
 - For each connection with the main sewer, lateral at the curb, or private sewage treatment or disposal system.
 - For re-laying an existing sewer or water service.
 - For each water service, or connection with a private well.
 - For each roughed-in waste opening.
 - For each domestic water heating system.
 - For each water softener.
 - For any appliance requiring a water or waste connection.
 - For final inspection of a completed plumbing installation.
 - For additional inspections as the result of incorrect work.
- a) Excavation. No excavation in any street, alley or other public way to repair, alter or install plumbing shall be commenced prior to the issuance of a permit.

- b) Issuance of Permits. Upon approval of the Plumbing Inspector of the application and upon payment by the applicant of the required fees, a permit shall be issued by the supervisor for the work set forth in the application.
- c) Posting of Permits. No work of plumbing shall be started or continued without the permit therefor being posted in a conspicuous place on the premises.
- d) Expiration of Permit. If work under any permit is not started within thirty days after the issuance of the permit, then such permit shall be void unless an extension of time has been granted by the Plumbing Inspector. No permit fees shall be refunded after ninety days following the issuance of a permit.
- e) Refusal of Permit. The Plumbing Inspector is authorized to refuse any application for a plumbing permit to any person who has not complied with a lawful order of the Plumbing Inspector. The issuing and approving of a plumbing permit may be withheld until such time as a lawful order has been complied with. The person refused such a permit may appeal within ten days to the State Plumbing Inspector whose decision in the controversy shall govern.

(3) Electrical Permits. No alterations or additions shall be made in the existing wiring of any building nor shall any building be wired for the placing of any electrical lights, motors, heating devices or any apparatus requiring the use of electrical currents, nor shall any alterations be made in any electrical appliance or the wiring in any building after inspection without first notifying the Electrical Inspector and securing a permit therefor as herein provided.

Such permits may be issued only to duly licensed master electricians, except that a permit may be issued to a person for work to be done by him in a single-family residence owned and occupied by him as his home.

- a) Exceptions. No permit shall be required for minor repair work, such as repairing flush and snap switches, replacing fuses, changing lamp sockets and receptacles, taping bare joints and repairing drop cords.
- b) Application for Permit. Application for permit to install electrical wires and appliances shall be made to the Electrical Inspector by the person, firm, or corporation making such installation of wires and appliances or ordering such installation to be made.
- c) Schedule of Fees. The minimum application fee shall be as determined in Chapter 42 of the Municipal Code for each of the following permits:
 - Switches and outlets
 - Incandescent light fixtures
 - Mercury, sodium, MI, vapor lighting
 - Fluorescent lamps per tube (including relamp) ballast
 - Dishwasher, disposal, sump pump, etc.
 - Residential whirlpool, tub, jacuzzi
 - Range, ovens, cook top, clothes dryer
 - Water heater, furnace, boiler, etc.
 - Air conditioners sleeve
 - Central air to three ton
 - Cost per ton after three ton (max fifty ton)

- Motors per horsepower or fraction thereof
- Fans - bath, kitchen to 1/2 hp, etc.
- Low voltage systems, doorbell, switching system
- Refrigeration compressors to three ton
- Cost per ton after three ton (max fifty ton)
- Electric heat per KW
- Electric heat per thermostat
- Fuel pumps per product dispense at island
- Wireway, bus bar, bus duct
- Generator, transformer, capacitor
- Incandescent sign
- Fluorescent sign
- Neon and like
- Plus transformers
- Service new or change - per meter (includes temporary service)
 - 0-100 amp
 - 101-150 amp
 - 151-200 amp
 - 201-400 amp
 - per 100 amps
- Feeders and subfeeders #6 and larger
- Power outlets above 120 volts/20 amp
- Swimming pool including above ground, in ground grounding grid, direct wire pump, motor and circuit, and light fixture
- Failure to call for final inspection
- Rewiring or alterations

- d) Temporary Service Permits. The Electrical Inspector will issue permits for temporary service where power and light are needed to complete the erection of a building. (Temporary services will be provided at actual costs billed to the customer by the Electric Utility.)
- e) Issuance of Permits. Upon approval of the Electrical Inspector of the application and upon payment by the applicant of the required fees, a permit shall be issued by the supervisor for the work set forth in the application.
- f) Posting of Permits. No electrical work shall be started or continued without the permit therefor being posted in a conspicuous place on the premises.
- g) Expiration of Permit. Electrical Permits shall expire as set forth in SPS 316.012.
- h) Refusal of Permit. The Electrical Inspector is authorized to refuse any application for an electrical permit to any person who has not complied with a lawful order of the Electrical Inspector. The issuing and approving of an electrical permit may be withheld until such time as a lawful order has been complied with. The person refused such a permit may appeal within ten days to the State Electrical Inspector whose decision in the controversy shall govern.

(4) Failure to Receive Permit Prior to Work. Upon failure to obtain a permit before work has been started, except in emergency cases, the total fee shall be double the fee which would have been charged had a permit been applied for in a timely manner.

(5) Interference with Inspector. No person shall interfere with the Inspector or his representatives while in the performance of their duties. The Inspector shall have authority to enter all buildings in the City in the performance of his duties. Any person who shall willfully or knowingly resist or obstruct him in the performance of his duties shall be deemed guilty of a violation of this Chapter.

15.07 INSPECTIONS REQUIRED. (1) Notification of Inspection Readiness, Building Permits. The permittee or an authorized representative shall, in writing or orally, request inspections at appropriate times, but in no case more than ten days after the completion of the work requiring a permit. Failure to notify the Inspector of completion of work shall result in penalties as outlined in Chapter 42 of the Municipal Code.

(2) Notification of Inspection Readiness, Plumbing Permits. It shall be the duty of the plumber in charge to notify the Plumbing Inspector whenever any work is ready for inspection (i.e., soil, vent, underground drain, final inspection). All plumbing work shall be left exposed until such time as the Inspector has completed his examination and inspection. When in the opinion of the Inspector a test is necessary he may require a water or air test on the entire installation or any part thereof.

(3) Notification of Inspection Readiness, Electrical Permits. No electrical wires shall be covered up or concealed in any manner whatsoever before the Electrical Inspector has been notified and given 48 hours in which to make the required inspection, nor shall any electric wiring, following a determination by the Inspector that it is installed in violation of this section, be covered up or concealed until the necessary corrections have been made and approved by the Electrical Inspector.

No electrical wiring or equipment shall be connected to the electrical service nor shall the current be turned on unless the Electrical Inspector has been notified of the completion of the installation and given 48 hours in which to make the required inspection. Nor shall any electric wiring or equipment be connected to the electrical service if the Electrical Inspector upon inspection finds it to be installed in violation of this section.

(4) Re-inspection. In case the permittee shall install defective materials or perform defective installation, which the Inspector shall order corrected, the re-inspection fee shall be as determined in Chapter 42 of the Municipal Code.

(5) Certificates of Inspection. When final inspection has been made, and provided all construction and appurtenances have been found to be fully in compliance with the requirements of this Chapter, the Inspector shall issue a certificate of inspection. Where applicable such certificate shall also authorize the connection to the electric service and turning on of the current.

15.08 CONSTRUCTION REQUIREMENTS. (1) Plumbing. In addition to codes and standards adopted by this code, the following additional construction requirements shall apply:

b) Sewer and Water Lateral Installation. The owner of any building used for human habitation located adjacent to a sewer or water main or in a block through which one or both of these systems extend, may be required by the Building Inspector to construct and install all necessary sewer and water laterals to serve the property.

2. Notice from the City. In the event any property owner fails to construct sewer and water laterals within thirty days after service upon them of a notice given by the Board of

Health or Board of Public Works requiring them to do so, the Common Council, under the provisions of Wis. Stats. 144.06 shall cause the sewer and water laterals to be constructed and the costs and expenses thereof shall be assessed as a special tax against the lot or parcel of land.

3. Property Owner Option. The property owner may, within thirty days after the completion of the work, file a written option with the Municipal Clerk stating that he or she cannot pay the amount in one sum and asking that it be levied in no more than five equal annual installments with interest at a rate not to exceed 15% per year from the completion of the work, the unpaid balance to be a special tax lien pursuant to Wis. Stats. Section 144.06.

b) Materials.

1. Water Service Pipes. All water pipes or lines laid underground shall comply with SPS 384.30.
2. House Sewers. All house sewers shall be constructed in compliance with SPS 384.30. All sewer installations shall be made in accordance with the State Plumbing Code of the State of Wisconsin, provided however, all house sewer connections shall be made to the main sewer at or above the spring line of the main sewer pipe and such house sewer connections shall not discharge into a sanitary sewer manhole unless permission shall have first been obtained from the City Engineer or the Common Council. House sewer connections shall be made to the main sewer at or above the spring line of the main sewer pipe and such house sewer connections shall not discharge into a sanitary sewer manhole unless permission shall have first been obtained from the City Engineer or the Common Council.
3. Garage Floor Drains. Garage floor drains shall be constructed to drain to the sanitary sewer only.

- c) Cesspools Regulated. No person shall construct or maintain any cesspool, privy vault, or other receptacle for filthy water or for sewage upon any lot, part of a lot or parcel of land in the City abutting upon any street or alley in which the sanitary sewer and water mains are laid to serve such lot or parcel of land.

- d) Malicious Damage to Plumbing. Any person who shall intentionally, willfully, or maliciously injure or obstruct any sewer, house drain, cesspool, catch basin or any plumbing fixture or apparatus, pipes or other part of any plumbing in actual use, or any sewer, water or gas pipes or any parts or apparatus connected therewith, laid or constructed in the streets, alleys or other public places or under any sidewalks of the city, shall be subject to the penalty provided for violation of this code.

(2) Electrical. In addition to codes and standards adopted by this code, the following additional construction requirements shall apply:

a) Approved Materials.

1. No electrical materials, devices or appliances shall be used or installed in the City unless they are in conformity with the provisions of this code, the Wisconsin Statutes and the rules and regulations issued by the State Department of Safety and Professional Services, and the Public Service Commission.

2. The maker's name, trademark or other identification symbol and voltage and ampere rating shall be placed on all electrical material, devices and appliances used or installed under this code.

15.09 BASEMENT WETNESS AND FLOODING PREVENTION STANDARDS.

(1) The lowest building floor elevation must be two feet above the 100-year flood elevation.

(2) All buildings must have a setback of 50 feet from a wetland storm water pond, or internally drained area unless a water stop is provided.

(3) Basement floor elevations must be constructed to be at least one foot above the highest anticipated seasonal ground water level. Soil borings taken on the lot in the building envelope may be required by the City.

(4) All construction shall comply with the Basement Wetness and Flooding Prevention Standards in the latest edition of the Standardized Development Specification Manual of the City of Hartford.

15.11 ENFORCEMENT. The Building Inspector shall notify the permit holder or any other person violating the provisions of this Chapter, in writing, of any said violation(s), including but not limited to those violations for which the Building Inspector is responsible under Section 15.04. The written notice shall be hand delivered to the permit holder or to the alleged violator or sent by certified mail and shall describe the violation, remedial action(s) needed, a schedule for all remedial action to be completed, and additional enforcement action that may be taken. The Building Inspector is authorized to use the following methods of enforcement in any combination:

(1) Forfeiture. Violators shall be subject to forfeiture as provided by Chapter 42 of the Municipal Code. Each day that a violation exists shall constitute a separate offense.

(2) Stop Work Order. Any violator is subject to an order to stop all work except that which is needed as a corrective action to bring the site into compliance, or the City Attorney may be requested to obtain a temporary restraining order and such other remedial court orders as shall be necessary to ensure compliance.

(3) Permit Revocation. The Building Inspector may revoke a permit issued under this chapter if the Building Inspector determines that the permit holder is not making a good faith effort to comply with the conditions of the permit. Upon loss of the permit, all construction shall cease and the site shall be stabilized, with any costs incurred by the City of Hartford to be charged against any financial guarantee.

(4) Emergency Action. The Building Inspector may enter upon the property and take any necessary emergency action if the Building Inspector determines that the site in violation is an immediate threat to public health, safety, welfare, the environment or downstream property, or if the permit holder or other violator refuses to take the corrective action as ordered by the Building Inspector. Any cost incurred by the City as a result of this action shall be billed to the owner of

the title to the property and/or subtracted from any financial guarantee provided by the permit holder. Failure to pay said costs on a timely basis shall constitute a violation of this chapter.

Any enforcement measures shall continue until compliance is achieved or as ordered by the court.

15.12 NONLIABILITY OF CITY. This Chapter shall not be construed to relieve from or lessen the responsibility or liability of any party owning, operating, controlling or installing any electrical equipment from damages to anyone injured or any property destroyed by any defect therein, nor shall the City be held as assuming any such liability by reason of inspections made as herein provided.

15.13 VIOLATIONS. In addition to the imposition of double permit fees for failure to obtain a permit, any person violating the provisions of this Chapter may be subject to a municipal forfeiture in an amount within a range as shown in Chapter 42 of the Municipal Code.

15.14 DEFINITIONS.

Addition - Addition for the purpose of this Chapter means and includes:

- (1) A structure added to original structure at some time after the completion of the original.
- (2) An extension or increase in floor area or heights of a building or structure.

Agricultural Crops - Any plant grown for the purpose of harvest to support a business.

Best Management Practice - A practice, technique or measure that is an effective, practical means of preventing or reducing soil erosion and water pollution from runoff both during and after land development activities. These can include structural, vegetative or management practices.

Building - Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials of any kind.

Building Inspector - The individual designated by the appointing authority to enforce the provisions of the building code; also referred to as the construction official.

Building Permit - Written permission issued by the proper municipal authority for the construction, repair, alteration, or addition to a structure.

Certificate of Compliance - A document issued by the proper authority that the plans for a proposed use meet all applicable codes and regulations.

Construction Site Erosion Control - Prevention or reduction of soil erosion and sedimentation from a land disturbing activity.

Cubic Contents - The volume of the building enclosed by the outer surface of the exterior walls from the top of the footing to the average height of the roof.

Environmentally Sensitive Area - Any area that, due to the natural resources present or the lack of filtering capacity, is significantly more susceptible to the negative impacts of sedimentation and other pollutants associated with urban runoff. Examples include direct hydrologic connections to lakes, stream, wetlands, or other water resources, very coarse or shallow soils to groundwater or bedrock, or areas inhabited by endangered resources.

Final Grading - The placement of topsoil over disturbed areas.

Impervious Surface - Any land cover that prevents rain or melting snow from soaking into the ground, such as roofs (including overhangs), roads, sidewalks, patios, driveways, and parking lots. For purposes of this chapter, all road, driveway or parking surfaces, including gravel, shall be considered impervious, unless specifically designed to encourage infiltration and approved by the administering authority.

Infiltration - The process by which rainfall or runoff seeps into the soil.

Intercept Soil Transport - The process of trying to prevent delivery of sediment by installing a silt fence or some other form of sediment trap in the flow path to slow flows and settle the suspended soil particles.

Land Disturbing Activity - Any construction related activity that exposes soil to the erosive forces of wind, rain, and snow melt. Land disturbing activities include removing vegetative cover, grading, excavating, and filling. It does not include the planting, growing, and harvesting of agricultural crops or mining activity that is otherwise regulated through a local mine reclamation ordinance.

Land Development Activity - Any construction related activity that results in the addition or replacement of impervious surfaces such as rooftops, roads, parking lots, and other structures.

No Appreciable Off-Site Impact - The impact of any land disturbing or land development activity on downstream property or natural resources would be negligible due to site conditions, such as internal drainage or a very large vegetative buffer area surrounding a small building project.

Occupancy Permit - A required permit allowing the use of a building or structure after it has been determined that all the requirements of applicable ordinances have been met.

Occupant - The individual, individuals, or entity in actual possession of a premises.

Permanent Best Management Practices - Any best management practice that is designed to remain in place after the development is complete. They are designed to stabilize the site or to permanently manage storm water runoff.

Plumbing - Plumbing for the purpose of this Chapter means and includes:

- (1) All piping, fixtures, appliances and appurtenances in connection with the water supply and drainage systems within a building and to a point from three to five feet outside the building.
- (2) The construction, connection to or alteration of any drain, soil, or waste pipe to carry domestic sewage, storm water or industrial waste from a point three feet outside of the

foundation walls of any building to the sewer lateral at the curb or other disposal terminal, including the private sewage disposal or treatment plant. This definition does not include minor repairs to faucets, valves and appliances, and the removal of stoppages in soil or waste pipes.

- (3) The water service piping from a point within three to five feet outside of the foundation walls of any building to the mains in the street, alley or other terminal and the connecting of domestic hot water storage tanks, water softeners, and water heaters with the water supply system.
- (4) The water pressure system other than municipal systems as provided in Chapter 144, Wisconsin Statutes.
- (5) A plumbing and drainage system so designed and vent piping so installed as to keep the air within the system in free circulation and movement, and to prevent with a margin of safety unequal air pressures of such force as might blow, siphon or affect trap seals, or retard the discharge from plumbing fixtures, or permit sewer air to escape into the building.

Practical - Compliance with a specific requirement does not cause undo hardship, and specific conditions do not exist which are beyond the control of the applicant and would prevent compliance.

Remodel - To construct an addition or alter the design or layout of a building or make substantial repairs or alterations so that a change or modification of the entrance facilities, toilet facilities, or vertical access facilities is achieved.

Runoff - Any rain or melting snow that flows over the ground surface. (Also referred to as stormwater runoff).

Stormwater Management - Any measures taken to permanently reduce or minimize the negative impacts of stormwater runoff quantity and quality from urban areas after land development activities.

Stormwater Management Facility - Any structural best management practice, such as a retention pond, infiltration basin or other physical structure, that is designed to collect and permanently manage the quantity and/or quality of stormwater runoff.

Structure - A combination of materials to form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.

Watershed - The total area of land where runoff drains to a specific point on the landscape.

(CHAPTER 15 REPEALED AND RECREATED 8/26/97--ORDINANCE NO. E-377; AMENDED 10/14/97--ORDINANCE NO. E-383; AMENDED 10/14/97--ORDINANCE NO. E-385; REPEALED AND RECREATED 05/11/2021 – ORDINANCE 1435)