

**ORDINANCE 2023-002**

**AN ORDINANCE AMENDING CHAPTER 70 OF THE TOWN OF PLEASANT SPRINGS MUNICIPAL BUILDING CODE.**

**WHEREAS**, there have been recent changes in state law regarding plan reviews and inspections concerning commercial buildings, and these changes require that the Town’s building code be updated; and

**WHEREAS**, the building inspector recommends that the building code be updated to reflect these changes, and additional updates and corrections should be made to the current code.

**NOW, THEREFORE**, the Town Board of Pleasant Springs, Wisconsin, does ordain as follows:

**Section 1.** Chapter 70 of the Town of Pleasant Springs Municipal Code is amended to read as follows:

Chapter70

**BUILDING CONSTRUCTION**

§70-1. Statutory authority.

§70-2. Purpose.

§70-3. Scope.

§70-4. Permit required; exceptions.

§70-5. Adoption of codes.

§70-6. Scope of Uniform Dwelling Code expanded.

§70-7. Building Inspector.

§70-8. Submission of plans.

§70-9. Issuance of permit; posting Term.

§70-10. Completion deposit required.

§70-11. Occupancy.

§70-12. Exterior finish.

§70-13. Maintenance of buildings.

§70-14. Maintenance of yards.

§70-15. Fees.

§70-16. Violations and penalties.

§70-17. Stop-work order.

§70-18. Liability for damages.

§70-19. Certified Municipality Status.



§ 70-1. Statutory authority.

This chapter is adopted under the authority granted by Chs. 59, 60, 61, 62, 66 and 101, Wis. Stats.

§70-2. Purpose.

The purpose of this chapter is to promote the health, safety and welfare of the residence of the Town of Pleasant Springs.

§70-3. Scope.

This chapter applies to all dwellings, commercial building, apartment buildings, swimming pools, garages and other buildings. Exempted are outbuildings used exclusively for agricultural purposes and children's play structures, dog kennels and storage sheds of less than 120 square feet in area.

§70-4. Permit required; exceptions.

- A. No owner or contractor may commence construction of any building, structure or mechanical system prior to obtaining a valid permit from the Building Inspector. A building permit shall be obtained prior to the commencement of construction for any of the following:
- (1) All new building construction including, but not limited to, residential dwellings, commercial buildings, garages, agricultural buildings, and sheds over 120 square feet in area.
  - (2) All building additions that increase the physical dimensions of an existing building, including, but not limited to, decks, porches and garages.
  - (3) All alterations to the interior and/or exterior structure of an existing building including, but not limited to, kitchen remodeling, bath remodeling, remodeling an attic and/or basement for living space, window replacement, changes in exterior finish such as brick facade, clapboard or vinyl siding, and roof replacement and repair. No more than three layers of roofing shall be installed on any roof.
  - (4) All alterations to the heating, electrical or plumbing systems of an existing structure.
  - (5) Replacement of major building equipment, including furnaces and air conditioners. Water heater replacement shall require a permit if the plumbing, venting, electrical or gas supply system is altered.
  - (6) Demolition of all existing structures. This includes all agricultural structures, such as silos, chicken houses, tobacco sheds, etc.
- B. Prior to commencing any of the following work, the owner or agent shall obtain a valid Access Damage Deposit and Permit for each of the following, and any combination of the following:
- (1) All construction, demolition, or landscaping that requires material and/or equipment weighing twelve or more tons (24,000 pounds) including delivery vehicle weight.
  - (2) All debris dumpsters that weighs and/or requires equipment weighing twelve or more tons (24,000 pounds) including delivery vehicle weight. No dumpster shall be placed on public property.
- The Building Inspector shall not issue any building permit without the necessary damage deposit and permit.
- C. As determined by the Building Inspector, minor repair of an existing installation to its previous code-complaint condition is exempt from permit requirements.

§70-5. Adoption of codes.

The following Wisconsin Administrative Codes and subsequent revisions are adopted for enforcement by the Town.

Ch. SPS 302.31	Plan Review Fee Schedule
Ch. SPS 305	Credentials
Ch. SPS 316	Electrical Code
Chs. SPS 320-325	Uniform Dwelling Code
Ch. SPS 327	Campgrounds
Chs. SPS 361-366	Commercial Building Code
Chs. SPS 375-379	Buildings Constructed Prior to 1914
Chs. SPS 381-387	Uniform Plumbing Code

§70-6. Scope of Uniform Dwelling Code expanded.

For the purposes of this chapter, the scope of the Uniform Dwelling Code is revised to include:

- A. Additions, alterations and major equipment replacement for one-and two-family homes built prior to June 1, 1980.
- B. Detached garages serving one-and two-family dwellings.
- C. Residential shed of over 120 square feet in area.

§70-7. Building Inspector.

- A. Creation and appointment. There is hereby created the office of Building Inspector. The Building Inspector shall be appointed by the Town Board of Supervisors. The Building Inspector shall be certified for inspection purposes as required under state law.
- B. Subordinates. The Building Inspector may appoint, as necessary, subordinate inspectors. Any subordinate retained to inspect buildings shall be certified by the state as necessary.
- C. Duties. The Building Inspector shall administer and enforce all provisions of this chapter.
- D. Powers. The Building Inspector, or an authorized agent of the Building Inspector, may at all reasonable hours enter upon any public or private premises for inspection purposes and may require the production of the permit for any building, plumbing, electrical or heating work. No person shall interfere with or refuse to permit access to any such premises to the Building Inspector while in the performance of his/her duties. In the event that the Building Inspector is refused access to any such premises, then the Inspector is authorized to apply for a special inspection warrant pursuant to state law, and may issue a stop work order.
- E. Records. The Building Inspector shall keep copies of all building permit applications, plans, permits, notices and all other relevant records created or submitted by or to the Building Inspector, and shall keep a copy of all such records with the Town Clerk.

§70-8. Submission of plans.

A set of building plans shall be submitted to the Building Inspector for any work valued over

\$5,000, any work that expands the size of the building, any new building, or as required by the Building Inspector. If a new building or building addition is proposed, then a plot plan showing such proposed work and existing buildings and property lines shall be submitted.

§70-9. Issuance of permit; posting; term.

The Building Inspector shall issue the requested permit after all state, county and local submission requirements are satisfied. If a permit card is issued, it shall be posted at the job in a visible location. Permits are valid for only 24 months from the date of issuance.

§70-10. Completion/Occupancy Permit required.

A Completion/Occupancy Permit is required for all activities as described in §70-4(A) and (B) prior to occupancy or use. If the Building Inspector finds that a building or structure is code compliant, then the Building Inspector shall issue a Completion/Occupancy Permit. No driveway access damage deposit shall be returned until a Completion Permit and/or Occupancy Permit has been issued, the Public Works Department has examined the roadway for damage, and the Town Board has acted to approve return of the deposit.

§70-11. Occupancy.

If the Building Inspector finds that a building or structure is code compliant, then the Building Inspector shall allow occupancy. If minor noncompliances, other than health and safety items, are in existence, the Building Inspector may allow temporary occupancy for a specified term. Occupancy may not be taken until occupancy is allowed by the Building Inspector and a permit is issued.

§70.12. Exterior finish.

All buildings shall have a weather-resistant, uniform and neighborhood-compatible exterior finish. Tar paper and similar material is not acceptable.

§70.13. Maintenance of buildings.

All buildings shall be maintained so they do not lose their value or become noncomplying with applicable codes.

§70.14. Maintenance of yards.

Yards shall be kept free of weeds, trash, open storage or nonlicensed or disabled vehicles.

§70.15. Fees.

At the time of building Permit application, the applicant shall pay fees as established periodically by the Town Board. If work commences prior to permit issuance, double fees may be charged by the Building Inspector.

§70.16. Violations and penalties.

Violations of any building code shall be corrected within 30 days after written notice is given. Upon failure to correct the violation within said 30 days, violators of this chapter shall, upon conviction, be subject to a forfeiture of not less than \$25 nor more than \$1,000 for each day of noncompliance, together with the cost of prosecution. Per-day fees will be set from time to time by the Town Board. All other violation of this chapter, including but not limited to

commencing work without a required period, violating a stop work order or other order by the building inspector, and taking occupancy without approval, shall result in a forfeiture of not less than \$25 nor more than \$1,000 for each day of noncompliance, together with the cost of prosecution. Notices under this chapter may be given by any of the following means: Upon mailing by First Class mail, posting on the property, or by personal service on the owner or permittee, or agent of the same.

§70.17. Stop-work order.

The Building Inspector may issue a stop-work order against a project to prevent further noncomplying work.

§70.18. Liability for damages.

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

§70.19. Certified Municipality Status.

The Town adopts the Certified Municipality Status as described in SPS 361.60 of the Wisconsin Administrative Code.

- A. Responsibilities. The Town shall assume the following responsibilities for the Department of Safety and Professional Services (Department):
  - (1) Provide inspection of commercial buildings with certified commercial building inspectors.
  - (2) Provide plan examination of commercial buildings with certified commercial building inspectors.
- B. Plan Examination. Drawings, specifications, and calculations for all the types of buildings and structures specified in SPS 361.30, except state-owned buildings and structures, to be constructed within the limits of the town shall be submitted, if the plans are for any of the following:
  - (1) Provide inspection of commercial buildings with certified commercial building inspectors.
  - (2) A new building or structure containing less than 50,000 cubic feet of total volume.
  - (3) 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.
  - (4) 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.
  - (5) An alteration of a space involving less than 100,000 cubic feet of total volume.
  - (6) The Town may waive its 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 for review and approval.
  - (7) The Department may waive its jurisdiction for the plan review of a specific project, where agreed to by a certified municipality, in which case plans and specifications shall be submitted to the Town for review and approval.
- C. Plan Submission Procedures. All commercial buildings, structures, and alterations, including new buildings and additions less than 25,000 cubic feet, require plan submission as follows:

- (1) Building permit application.
- (2) Application for review - SBD-118, or equivalent.
  - a. Fees per Table SPS 302.31-2 and SPS 302.31.
  - b. Fees apply to commercial projects.
- (3) Four sets of plans.
  - a. Signed and sealed per SPS 361.31.
  - b. One set of specifications.
  - c. Component and system plans.
  - d. Calculations showing code compliance.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

TOWN OF PLEASANT SPRINGS

By

\_\_\_\_\_  
Town Chair

By

\_\_\_\_\_  
Town Supervisor

By

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Town Supervisor

By

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Town Supervisor

By

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Town Supervisor

ATTEST:

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Maria P. Hougan, Town Clerk/Treasurer

Approved:

Posted: