

SECTION 8
TOWN OF HUMBOLDT
BUILDING AND MECHANICAL CODE

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1.1 Purpose of Building Regulations

The purpose of this code is to promote the health, safety, and general welfare of our community, to protect property values and provide for orderly, appropriate development and growth of the community.

1.2 Authority

These regulations are adopted under the statutory authority granted to Section 101.65, 101.76 and 101.761 of the Wisconsin State Statutes.

1.3 Scope of Building Inspector

The building inspector shall have, except where otherwise provided, the general management and control of all matters concerning building construction procedures and enforce State Laws and Town of Humboldt Municipal Code provisions.

1.4 Definitions

The following terms have the meaning prescribed herein. Any item not defined herein shall follow the Wisconsin Administrative Code definitions.

1. Building: Any structure erected or constructed of wood, metal, stone, plastic or other materials, which is intended to be used by human beings or animals for the occupancy, livery, commerce, education, cultural activities or other purpose. The term does not include children's play structures.
2. Building Inspector: The individual(s) or firm appointed by the Municipality to exercise all of the powers and duties of a building inspector under Wisconsin State Law and the Department of Safety and Professional Services.
3. Construction: Any part or portion of the activity of installing, locating, siting, erecting or raising a building.
4. Contractor: Any person, firm or entity which undertakes any activity related to the construction of a building other than the mere provisions of supplies and or materials.
5. Demolition: The activity of completely or partially destroying a previously erected or constructed building.

6. Electrical: The trade which relates to the design, installation, maintenance and repair of the mechanical equipment, wiring, fixtures and connections which tie a structure to the power grid of an electric generating utility and distribute the electricity through a structure to end uses, including any work which may be performed by a master electrician licensed by the State of Wisconsin or a person under the supervision of such an electrician.
7. HVAC: An acronym which stands for Heating, Ventilating, and Air Conditioning; the trade which installs mechanical equipment, systems and accessory ducting and gratings for the purpose of warming, purifying, cooling and exchanging air in a building.
8. Occupancy: The act of utilizing a building for human habitation, use, or occupancy. Any use of a building for any activity which is customarily or routinely associated with utilization of a building as a residence, detached residential accessory structure, or commercial use shall constitute occupancy.
9. Owner: The individual, firm or entity which has record title to the real estate on which construction or demolition is taking place.
10. Plumbing: The trade which relates to the design, installation and maintenance or repair of pipes, drains, sinks, basins, hot water heating systems, natural gas pipes, grease traps, floor drains, and all other work for which the individual performing the work may either be a master plumber licensed by the State of Wisconsin or work under the supervision of such a plumber.
11. 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 affect room arrangement, light and ventilation, access to efficiency or 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.
12. Stop work order: A directive issued with respect to a construction project by a building inspector which compels the owner and any contractor or builder of a building to cease any further work or activity on the construction project until the building inspector has authorized the resumption of the construction project.

1.5 Scope of Building Regulations

This Code applies to all 1 & 2 family dwellings, commercial buildings or structures, swimming pools, decks, residential accessory

buildings and agricultural buildings. Notwithstanding this section, this code shall not apply to children's play structures.

1.6 Permit Requirements

No owner or contractor may commence construction of any building, or mechanical system prior to obtaining a valid permit from the municipal building inspector. All building permits shall have a time limitation of two years from issuance before a new permit will be required. Extensions can be applied for prior to the original expiration date. A two-year extension may be obtained for minimum fees of the original permit.

1. The construction which shall require a building permit includes but is not limited to:
 - a). New 1 & 2 family dwellings and Commercial buildings.
 - b). Accessory buildings greater than 200 sq. feet.
 - c) . Decks
 - d). Additions.
 - e). Alterations/ remodeling to building structures.
 - f). Any electrical wiring for new construction or remodeling.
 - g). Any HVAC for new construction or remodeling.
 - h). Any plumbing for new construction or remodeling.
 - i). Any new or re-wired electrical service, including services for agricultural buildings.

2. The following construction activities shall not require a building permit but do require an administrative permit issued by the town or its designee.
 - a) Accessory buildings less than 200 sq. feet.

3. The following construction activities shall not require a building permit:
 - a). Replacement of major building equipment including furnaces, central air conditioners, water heaters and nay other major piece of equipment.
 - b). Residing, re-roofing, window replacement (with no structural changes), and finishing of interior surfaces, installation of cabinetry, and which are deemed minor by the Building Inspector. A permit accompanied by structural load-bearing calculations shall be required for re-roofing a building if the proposed reroofing would constitute a third or more layer of roofing.
 - c). Normal repairs of HVAC, plumbing and electrical equipment or systems such as replacing switches, receptacles, dimmers and fixtures.

1.7 Adoption of State Codes

The following Chapters of the Wisconsin Administrative Codes, as well as all subsequent revisions in its entirety, are adopted by the Municipality and shall be enforced by the Building Inspector.

SPS 302.31	Plan Review Fee Schedule
SPS 305	Credentials
SPS 316	Electrical Code
SPS 320-325	Uniform Dwelling Code
SPS 360	Erosion Control, Sediment Control & Storm Water Management
SPS 361-366	Commercial Building Code
SPS 375-379	Building Constructed Prior to 1914
SPS 381-387	Uniform Plumbing Code

1.8 Uniform Dwelling Code Expanded

For the purposes of this Ordinance, the standards contained in the Wisconsin Uniform Dwelling Code shall be expanded to apply as the Standards for construction of the following:

1. Additions and alterations for one- and two-family dwellings built prior to June 1, 1980.

1.9 Detached Accessory. Commercial and Agricultural Buildings

The following will be standard regulations for detached accessory buildings and agricultural buildings.

1. All accessory buildings may or may not have slabs or frost protection.
2. Slabs shall be constructed according to SPS 321, ACI standards
3. Mechanical systems shall follow codes SPS 316, 323,325.

1.10 Certified Municipality Status

1) The Town has adopted the Certified Municipality Status as described in SPS 361.60 of the Wisconsin Administrative Code. The Town shall assume the following responsibilities for the Department of Safety and Professional Services:

- a. Provide inspection of all commercial buildings with certified commercial building inspectors.

- b. Provide plan examination of commercial buildings with certified commercial building inspector containing less than 25,000 cubic feet. Drawings, specifications and calculations for these buildings and structures, 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). Any new building or structure containing less than 25,000 cubic feet of total volume.
 - 2). Any addition to a building or structure where the area of the addition results in the entire building or structure containing less than 25,000 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 space involving less than 100,000 cubic feet of total volume.
 - 5) A certified municipality 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 of Safety and Professional Services for review and approval.
 - 6) 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 certified municipality for reviews and approval.
- c. Plan submission Procedures: All commercial buildings, structures, and alterations require plan submission as follows:
- 1) Building permit application.
 - 2) Application for review- SBD 1 18.
 - 3) Two sets of plans.

1 .11

Building-HVAC-Electrical-Plumbing Inspector

1. Creation and Appointment. There is hereby created the position of Building Inspector. The Building Inspector shall be appointed by the municipality. The Building Inspector shall be certified for inspection purposes by the Department in the required categories specified under SPS 305, Wisconsin Adm. Code, as amended.
2. Assistants. The building inspector may employ, assign, or appoint, as necessary, assistant inspectors. Any assistant hired to inspect buildings shall be certified as defined in SPS 305, Wisconsin Adm. Code.
3. Duties. The Building Inspector shall administer and enforce all provisions of this ordinance.
4. Powers. The Building Inspector or an authorized certified agent of the building inspector may, at reasonable hours, enter upon any public or private premises for inspection purposes. The building inspector 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 his/her agent while in the performance of his/her duties. In the event that the

inspector is refused to any such premises, then the Inspector is authorized to apply for special inspection warrant pursuant to Section 66.0119 Stats.

5. Inspections. In order to permit inspection of a building project at all necessary phases without causing delay for the owner, the owner and/or contractor shall request all of the following inspections in conformity with the appropriate time frame defined in the Wisconsin Adm. Code.
 - a) Footing
 - b) Foundation
 - c) Rough carpentry, HVAC, electric and plumbing
 - d) Drain tile/ basement floor
 - e) Under floor plumbing
 - f) Electric service
 - g) Insulation
 - h) Final carpentry, HVAC, electric, plumbing and erosion
6. Failure to request any inspections will be the responsibility of the contractor and/or property owner. No construction shall be deemed approved by default or lack of inspection by the building inspector.
7. The expense of uncovering or exposing any work which must be inspected, where such work was required by the failure of the owner/ contractor to request any inspections, will be the responsibility of the owner/contractor.
8. Records. The building inspector shall keep a record of all applications for permits and shall number each permit and inspection reports.

1 .12 Submission of Plans

The owner or contractor shall, with respect to any purposed construction, submit two sets of building plans to the building inspector. If a new building or building addition is proposed, then a plot plan drawn to scale showing such proposed work and existing buildings and property lines shall be submitted.

1 .13 Issuance of Permit

1. The building inspector shall issue the requested permit if the owner or contractor demonstrates that all state, county and local submission requirements are satisfied, which may include:
 - a) Approval of local zoning codes.
 - b) One or two sets of plans accordingly.
 - c) Approved plan review.
 - d) A site plan to scale.
 - e) Sanitary permit, when needed.
2. When a permit card is issued, it shall be posted at the job site in a visible location from the street.
3. Permits are valid for two years. Permits may be extended for two years at additional fee of minimum fees.

4. By accepting a permit, the applicant, owner or contractor grants the building inspector the right of access to the real estate on which the permitted construction will occur.

5. Permits are issued conditionally on the condition that the owner and/or contractors shall conform to the requirements of all applicable codes, zoning ordinances and setback requirements in construction of the building.

1.14 Occupancy Permit

If the building inspector, after completing all required inspections, finds that a building has been constructed in accordance with the applicable codes, then the building inspector shall issue an occupancy permit. If the building fails to comply with the code in minor respects which do not threaten the safety, health or welfare of the buildings occupants, the building inspector may issue a temporary occupancy permit for 30 days or a specified term. No person may have occupancy of a building until permit is issued.

1.15 Unsafe Buildings

If the building inspector determines that any building has cause to be dangerous, unsafe, unsanitary or unfit for human habitation, the inspector shall recommend to the Town Board an order to be sent to the owner to raze and remove all or part thereof, or if such structure can be made safe and sanitary by repairs, is at the owner's option. Such orders and proceedings shall be as provided in Section 66.0413, WIS. Stats.

1.16 Razing and Demolition

Demolition Permits are required. No person, firm or entity may cause the demolition of any structure or part of a structure without having first applied for and obtained a demolition permit from the Building Inspector.

1.17 Moving Buildings

No person or entity shall move any building or structure upon any of the public right-of way of this municipality without first obtaining Town approval and then a permit from the Town.

1.18 Violations and Penalties

Every person, firm or entity which violates this code shall, upon conviction, forfeit not less than \$25.00 nor more than \$1000.00 for each day of non-compliance, together with the costs of prosecution and fees incurred.

Violations discovered shall be corrected within 30 days or more at the discretion of the building inspector.

1.19 Stop Work Order

The building inspector may issue a stop work order for a project to prevent further noncomplying work. No person, firm or entity may continue a construction project after a stop work order has been issued. The person, firm or entity may contest the order before the Town Board within seven days. Owner or contractor must show an error in

determining that the construction project violated a provision(s) of the state building codes.

1 .20 Variance Request

The Town Board shall hear requests for variances from the building code to the extent the Town Board has authority to hear and grant variances. The Town Board shall approve, conditionally approve, or deny a requested variance. The Town may grant a variance from a code requirement only if the variance is permitted by state law and if the performance of the proposed variance is equal to or greater than the code requirements.

1 .21 Appeals

Any person feeling aggrieved by an order of the building inspector may within 20 days thereafter, appeal from such order to the Town Board. The Town will follow procedures explained on Wisconsin Statutes Chapter 68. To arrive at a final determination. Final determinations may be reviewed as explained in Wisconsin Administrative Rules SPS 320.21

1 .22 Disclaimer and Non-Liability for Damages

This ordinance shall not be construed as an assumption of liability by the Town or the building inspector for damages because of injuries sustained or property destroyed by any defect in any dwelling or equipment.

1 .23 Severability

If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

This ordinance shall take effect upon its passage and publication or posting as provided by law.

The ordinance was adopted at a regular meeting of the Town Board of the Town of Brown County, Wisconsin on 2 Humboldt, day of May, 2022

Tim Van Pay

Tim Van Pay, Town Chairman

Attest:

Judy Bauerl Town Clerk 5/2/22 Date