

CHAPTER 4

BUILDING REGULATIONS¹

- 4.01 Authority
- 4.02 Purpose
- 4.03 Scope
- 4.04 Wisconsin Uniform Dwelling Code Adopted
- 4.05 Building Inspector
- 4.06 Building Permit Required
- 4.07 Building Permit Fees
- 4.08 Razing and Demolition
- 4.09 Moving Buildings
- 4.10 Penalties

4.01 Authority

These regulations are adopted under the authority granted by §§61.34 and 101.65, Wisconsin Statutes, and Wisconsin Administrative Code, Ch. Comm 20.

4.02 Purpose

The purpose of this ordinance is to promote the general health, safety and welfare and to maintain required local uniformity with the administrative and technical requirements of the Wisconsin Uniform Dwelling Code.

4.03 Scope

- A. General. The scope of this ordinance includes the construction and inspection of one- and two-family dwellings built since June 1, 1980.
- B. Dwellings Built Before June 1, 1980. Notwithstanding §Comm. 20.05, the scope also includes the construction and inspection of alterations and additions to one- and two-family dwellings built before June 1, 1980. Because such projects are not under state jurisdiction, petitions for variance and final appeals under §§Comm 20.19 and 20.21, respectively, shall be decided by the Village Board of Appeals. Petitions for variance shall be decided per §Comm 20.19(Intro) so that equivalency is maintained to the intent of the rule being petitioned. As the Board of Appeals approves petitions for variance, the Building Inspector is granted the power to apply the results to similar circumstances by precedent.
- C. Detached Garages and Accessory Buildings. Notwithstanding §Comm 20.05, the scope also includes the construction and inspection of detached garages serving one and two family dwellings, and accessory building with more than forty square feet (40 ft) of floor area. The building and related systems shall comply with the Uniform Dwelling Code. Petitions for variance and appeals shall be handled as in the previous paragraph.

¹ Adopted December 11, 2006, Vol. 17, pg. 1466

4.04 Wisconsin Uniform Dwelling Code Adopted

The Wisconsin Uniform Dwelling Code, Chs. Comm 20-25 of the Wisconsin Administrative Code, and all amendments thereto, is adopted and incorporated by reference and shall apply to all buildings within the scope of this ordinances.

4.05 Building Inspector

The Village Building Inspector shall administer and enforce this Chapter and shall be certified by the Division of Safety & Buildings, as specified by §101.66(2), Wis. Stats., in the category of Uniform Dwelling Code Construction Inspector. Additionally, this or other assistant inspectors shall possess the certification categories of UDC HVAC, UDC Electrical, and UDC Plumbing.

4.06 Building Permit Required

If a person builds a new building, or alters, expands, or remodels an existing building in excess of \$1,000.00² in value in any twelve month period within the scope of this ordinance, they shall first obtain a building permit for such work from the Building Inspector. Any structural changes or major changes to mechanical systems that involve extensions shall require permits if over the foregoing threshold. Restoration or repair of an installation to its previous code-compliant condition as determined by the Building Inspector is exempted from permit requirements. Re-siding, re-roofing and installation of cabinetry shall be included in the permit requirements. Regardless of cost, a building permit will be required for all attached and detached garages and accessory building with more than forty (40) square foot of floor area.

4.07 Building Permit Fees

The building permit fees shall be as set forth in the attached fee schedule (Table 4.1).

4.08 Razing and Demolition

- A. Permit Required. No person, firm, or entity may cause or commence the demolition of any structure or part of a structure greater than four hundred square feet (400 ft) in area without having first applied for and obtained a demolition permit from the Building Inspector.
- B. Application. An application for a permit to demolish all or part of a structure shall include the following information:
 - 1. The name and address of the owner of the structure on the date of application and, if different, on the date of demolition;
 - 2. The name, address and telephone number of the contractor(s) performing the demolition work;
 - 3. The date upon which demolition is to commence;
 - 4. The date by which demolition shall be complete;
 - 5. A list of hazardous waste and toxic substances [as defined by the Wisconsin Administrative Code], contained in the structure, a statement as to whether the structure contains asbestos, and a detailed description of the method to be used in removing, transporting, and disposing of any hazardous waste, hazardous and toxic substances, and asbestos;
 - 6. A detailed description of how and where the waste materials resulting from the demolition will be transported and disposed of (including the description of the route to be used by trucks in hauling the waste);
 - 7. A description of the method of demolition to be used; and

² Adopted December 10, 2012, Effective 1/1/2013. Vol. 22, page 1730.

8. A description in detail of all methods to be used to prevent water runoff and soil erosion from the site to neighboring properties and to prevent releasing unreasonable amounts of dust from the site;
- C. Utilities. Along with the permit application the applicant shall present a release from all utilities serving the property stating that their respective service connections and appurtenant equipment such as meters and regulators have been removed or sealed and plugged in a safe manner.
- D. Demolition. The demolition shall be conducted in a manner that is safe and that does not adversely affect the environment.
- E. Clearing, Filling and Grading the Site.
 1. The site of any demolition shall be cleared of debris, rubbish, and pavement; graded and leveled to conform with the adjoining grade of neighboring properties; and seeded, sodded, or treated in some other manner acceptable to the Building Inspector so as to prevent blowing dust, dirt, or sand. Excavations remaining after demolition shall be filled, graded, and covered within thirty (30) days after demolition was commenced.
 2. Excavations shall not be filled with any materials subject to deterioration.
 3. It shall be unlawful to fill any such excavation without inspection and approval of the Building Inspector, who shall be notified at least seventy-two (72) hours in advance.
- F. Removal and Disposal. Removal, transportation, and disposal of all hazardous waste, hazardous and toxic substances, and asbestos shall be conducted in compliance with all applicable State, federal and local statutes, ordinances and regulations.

4.09 Moving Buildings

- A. General. No person shall move any building or structure upon any public street or right-of-way of the Village without first obtaining a moving permit from the Building Inspector and paying the required fee. Such moving permit shall designate the route to be taken, the conditions to be complied with, and shall limit the time during which moving operations may occur.
- B. Continuous Movement. The movement of buildings or structures shall be a continuous operation during all hours of the day and night until such movement is fully completed. Such operations shall be performed with the least possible obstruction to thoroughfares.
- C. Street Repair. Every person receiving a moving permit shall, within 24 hours after said building or structure reaches its destination, report the fact to the Building Inspector who shall thereafter inspect the streets over which the moving took place and ascertain their condition. If the moving causes any damage to any street or highway, the permit holder shall immediately place them in good repair as they were before the permit was granted. Should the permit holder fail to do so within ten (10) days thereafter to the satisfaction of the Building Inspector, the Village shall repair the streets and hold the permittee and the sureties on his bond responsible for payment of same.
- D. Conformance with Code. No person shall be issued a permit to move a building or structure within or into the Village and to establish it upon a location within the Village until the Building Inspector has made an investigation of the same at the location from which it is to be moved and is satisfied from such investigation that it is in a sound and stable condition and of such construction that it will meet the requirements of this building code in all respects. A complete plan of all further repairs, improvements, and remodeling with reference to such structure shall be

submitted to the Building Inspector, who shall ensure that all such repairs, improvements, and remodeling are in conformity with the requirements of this building code and that when the same are completed, the structure as such will so comply with said building code.

- E. Bond. Before a moving permit is issued, the applicant shall make a cash deposit to the Village in an amount fixed by the Building Inspector, which shall be at least Five Thousand Dollars (\$5000.00). Said cash deposit shall be held for identification of the Village 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 or expenses incurred by the Village in connection therewith arising out of the moving of the structure for which the permit is issued.
- F. Insurance. The Building Inspector shall also require the applicant to obtain and provide proof of general liability and property damage insurance of at least \$500,000 per occurrence and \$1,000,000 in the aggregate, or such other coverage as is deemed necessary.

4.10 Penalties

The enforcement of this chapter and all other laws and ordinances relating to building shall be by means of the withholding of building 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.

VILLAGE OF OOSTBURG – DEVELOPMENTAL CODE

Table 4.1: Building Permit and Related Fees

Building			
	NEW HOME CONSTRUCTION	\$0.16 per square foot of finished living space	
		Administration Fee - \$.03 per square foot of finished living space (Due to Dept. of Commerce)	
		State Stamp Fee (Due to Dept of Commerce)	\$25.00
		Sewer Connection Fee - \$2,000.00 per unit	
	ADDITIONS AND REMODELING	First \$5,000.00	\$25.00
		Each Additional \$1,000.00 up to \$10,000.00	\$5.00 per \$1,000.00
		Each Additional \$1,000.00 over \$10,000.00	\$1.00 per \$1,000.00
Razing/Demolition Permit (Wrecking)			\$20.00
Electrical	NEW HOME CONSTRUCTION	Single Family Residence	\$60.00
		Two Family Residence	\$95.00
		Apartments (per dwelling unit)	\$25.00
	ADDITIONS OR REMODELING		
		New Services	\$25.00
		First \$1,000.00 up to \$10,000.00	\$10.00
		Each Additional \$1,000.00	\$5.00 per \$1,000.00
Plumbing & HVAC			
	New Construction, Additions & Remodeling	First \$2,000.00	\$10.00
		Each Additional \$1,000.00 up to \$10,000.00	\$4.00 per \$1,000.00
		Each Additional \$1,000.00 over \$10,000.00	\$1.00 per \$1,000.00
Other			
	ALL CONSTRUCTION	Late Permit Fee (Work started before permit issuance)	Double Permit Fee plus first offense fine of \$50.00 and second offense fine of \$100.00
	ALL CONSTRUCTION	Footing & Foundation (Early Start Permit)	\$50.00
Moving Permit		(Cash Deposit & Proof of Insurance Required)	\$20.00

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