

CHAPTER 456

ESTABLISHING A BUILDING CODE FOR THE CITY OF RICHLAND CENTER

456.01 PURPOSE. The purpose of this Chapter is to provide for the safety, health and welfare through adequate structural strength and stability, means of egress, adequate light and ventilation, and protection to life and property from fire and hazards incident to the design, construction, alterations, removal and demolition of buildings and structures. The purpose is further defined as to provide regulations applicable to all said activities.

456.02 SCOPE OF ORDINANCE. The provisions of this Chapter shall apply to construction, alteration, equipment, use and occupancy, location and maintenance of building structures and appurtenances thereto, hereafter erected and, where especially stated, existing on land or over water, and to buildings, structures, equipment and for the operation thereof, hereafter moved or demolished in the City.

456.03 BUILDING INSPECTOR. The Common Council shall appoint a building inspector who shall have the power and duties to enforce the provisions of this Chapter and of all other ordinances, laws and orders of the state of Wisconsin, which relate to building construction and for these purposes, he shall have the right at all reasonable times to enter buildings and premises. The building inspector may appoint deputy building inspectors and may delegate the above mentioned powers and duties to them, provided however, he shall have the written consent of the Common Council.

456.04 PERMITS AND INSPECTION. No building work shall be performed unless a permit therefore is obtained as required in the provisions of this Chapter. All fees shall be paid to the City Clerk before a building permit shall be issued to the owner or his agent for such work.

If the building inspector shall find, at any time, that any of the requirements of this Chapter, or other City ordinances, plans and specifications, or the requirements of the Industrial Commission of the State of Wisconsin, are not being complied with, and that the holder of the building permit refuses to conform after a written warning or instruction has been issued to him, the building inspector shall revoke the building permit by written notice posted at the site of the work. When such permit is revoked, it shall be unlawful to do any further work thereunder until the permit is reissued, excepting such work as the building inspector may order to be done as a condition precedent to the reissuance of the permit, or as he may require for the preservation of human life and safety or property.

It shall be the duty of all police officers to report at once to the building inspector any building work which is being carried on without a permit as required by this Chapter.

The building inspector shall keep a record of all permits, fees and inspections, and shall make an annual report thereon to the Common Council.

456.05 PERMIT REQUIRED. No building, or any part thereof, shall hereafter be erected within the City, except as herein provided, until a permit therefore shall have first been obtained from the City, by the owner or his authorized agent. The term “building” as used in this Chapter shall include any building or structure, and any enlargement, alteration, heating or ventilating installation, moving or demolishing, or any thing affecting the fire hazard or safety or construction of any building or structure.

Application for a building permit shall be made in writing upon a form furnished by the City Clerk. In addition to the requirements thereon, the application shall contain such other information as the building inspector may require for effective enforcement of this Chapter.

A plot plan showing the location for the proposed building with respect to the adjoining streets, alleys, lot lines and buildings, together with a sketch of the outline of the building, shall accompany the application for a permit. Plans for buildings, required to comply with the State building codes of the industrial Commission of the State of Wisconsin, shall bear a stamp of approval from the Industrial Commission, such plans and specifications shall be submitted to the City, and one set shall be retained by the building inspector. All plans and specifications shall be signed by the building inspector.

In the event the building inspector finds that the character of the work is sufficiently described in the application, he may waive the filing of plans for alterations, repairs or moving.

If the building inspector determines that the proposed building will comply in every respect with all ordinances of the City and all applicable laws and orders of the State of Wisconsin, he shall approve such plans and application and return them to the City Clerk, who shall issue a building permit therefore upon action of the Common Council. After being approved, the plans and specifications shall not be altered in any respect which involves any of the ordinances, laws or orders which involve the safety of the building or occupants, all as set forth herein, except with the written consent of the building inspector.

The builder shall notify the building inspector when ready, and the building inspector shall inspect all buildings upon completion of the foundation form, or before the foundation is laid, and again when ready for lath and plaster or before paneling is applied. After completion, he shall make a final inspection of all new buildings and alterations.

456.06 CONSTRUCTION STANDARDS. All buildings shall be constructed in such a manner so as to be safe and free from hazards and so as to be structurally sound and adequate for the purpose for which the building is erected.

The “minimum property requirements of properties of one or two living units located in the States of Indiana, Michigan, and Wisconsin” as adopted by the Federal Housing Administration, latest revision, are hereby adopted by reference as part of this Chapter,

with respect to all buildings or parts thereof, hereafter constructed in the City. Wherever reference is made therein to the words “the chief underwriter”, the words “the building inspector” shall be substituted therefore, but his authority shall be limited to a factual determination of whether the proposed material or methods meets the conformance to the requirements of this Code.

The chapters IND 51 through IND 57 of the Wisconsin Administrative Code (Wisconsin State Building Code) are hereby adopted and made a part of this Section with respect to those classes of buildings to which said Code specifically applies. Sections IND 52.10 through 52.19 (Fire Prevention) of said Code are hereby adopted and made a part of this Section with respect to all dwellings hereafter erected.

If, in the opinion of the building inspector, provisions of the State Building code shall conflict with the Federal Housing Administration standards, all of which have been adopted by this Chapter, the inspector shall apply the most stringent provisions in determining whether or not the proposed building meets the requirements of this Section.

The term “dwelling” as used in this Section includes every building occupied exclusively as a residence by not more than two families.

456.07 NEW METHODS AND MATERIALS. All materials, methods of construction and devices designed for use in buildings or structures covered by this Chapter and not specifically mentioned in or permitted by this Chapter shall not be so used until approved in writing by the Industrial Commission of Wisconsin for use in buildings or structures covered by the Wisconsin State building code, except sanitary appliances, which shall be approved in accordance with the State Plumbing code issued by the State Board of Health. Such materials, methods of construction and devices, when approved, must be installed or used in strict compliance with the manufacturer’s specifications and any rules or conditions of use established by the Industrial Commission. The data, tests and other evidence necessary to prove the merits of such material, method of construction or device shall be determined by the Industrial Commission.

456.08 UNSAFE BUILDINGS. Whenever the building inspector finds any building or part thereof within the City to be in his judgment so old, dilapidated or so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use, and so that it would be unreasonable to repair the same, he shall order the owner to raze and remove such building or part thereof, or if it can be made safe by repairs, to repair and make safe and sanitary or to raze and remove at the owner’s option. Such order and proceedings shall be as provided in s. 66.05(5) of the Wisconsin Statutes.

456.09 VIOLATIONS AND PENALTIES. Any person, firm or corporation who violates, disobeys, neglects, omits or refuses to comply with or who resists the enforcement of any of the provisions of this Chapter, shall be upon conviction thereof forfeit not less than \$25.00 nor more than \$400.00 together with the costs of prosecution and any applicable penalty assessment, and in case such forfeiture, costs and assessment

are not paid, such person or any officer or officers of such corporation shall upon order of the Circuit Court be imprisoned in the Richland County Jail until forfeiture, costs and assessment are paid, but not to exceed 90 days. Every day of that a violation exists shall constitute a separate offense.

456.10 CONFLICTING PROVISIONS. The provisions of this chapter shall control over all ordinances or parts of ordinances in conflict with any of the provisions of this Chapter.

456.11 EFFECTIVE DATE. This Chapter shall be in full force and effect from and after July 17, 1967, except where a specific effective date is set forth for any specific section, such specific date shall control.

456.12 WISCONSIN UNIFORM DWELLING CODE ADOPTED. (1) Pursuant to the authority delegated by section 101.65 Wisconsin Statutes 1977, the City of Richland Center does hereby adopt and incorporate Wisconsin Administrative code Chapters IND 22 Energy Conservation, effective December 1, 1978; IND 20 Administration Standards; IND 24 Electrical Standards; and IND 25 Plumbing and Portable Water Standards, all of which are effective June 1, 1980, as the same may be amended from time to time. The aforesaid six chapters of the Wisconsin Administrative Code may collectively be referred to as the Wisconsin Uniform Dwelling Code.

(2) The provisions of the Wisconsin Uniform Dwelling Code shall apply to all construction in the City of Richland Center according to the terms of said Code.

(3) The Building Inspector, when certified by the Department of Industry, Labor and Human Relations of the State of Wisconsin, is hereby authorized and directed to administer and enforce all of the provisions of the Wisconsin Uniform Dwelling Code.

(4) In the event of conflict of any provision of the Wisconsin Uniform Dwelling Code and any existing ordinance of the City of Richland Center, it is intended that the provision or provisions of the Wisconsin Uniform Dwelling Code shall control.

(5) No person shall build or cause to be built any one-family or two-family dwelling within the City of Richland Center without first obtaining a Wisconsin Uniform Building Permit for such dwelling. Such building permit, if granted, shall be furnished by the City of Richland Center, and a copy of such permit shall be filed with the Building Department of said City.

(6) The fee for such building permit shall be determined by the Common Council of said City.

(7) The Common Council shall provide for the enforcement of the Wisconsin Uniform Dwelling Code and all other laws and ordinances relating to buildings by withholding building permits, institution of actions for injunctive relief, or by the bringing of actions for forfeitures in the Circuit Court for Richland County, as said Common Council may

see fit. Any person, firm, corporation, partnership or other entity which violates any of the provisions of the Wisconsin Uniform Dwelling Code as herein adopted shall be liable to forfeit to the City of Richland Center not less than \$25.00 nor more than \$500.00, together with the costs of the action, and in the event of failure to pay such forfeiture any individual or individual member of any firm, association or partnership or any officer or director of any corporation liable to pay such forfeiture shall be subject to be imprisoned in the County Jail of Richland County, Wisconsin, until such forfeiture and costs are paid but not to exceed 90 days.

(8) Richland Center City Ordinance No 536 is hereby repealed.

(9) Section 456.12 shall be in full force and effect from and after June 1, 1980.

456.13 SEVERABILITY. The provisions of Chapter 456 are hereby declared to be severable, and if any section, subsection, clause or provisions of this Chapter or of any of the chapters of the Wisconsin Administrative Code incorporated by reference herein are adjudged to be illegal, unconstitutional or unenforceably by a court of competent jurisdiction, all other portions of this Chapter are declared to be unaffected thereby and to remain in full force and effect.

(History: Ord 456, 549)