

# **108 Town of Cross Plains Building Information Permit Ordinance**

## **STATE OF WISCONSIN TOWN OF CROSS PLAINS DANE COUNTY**

### **SECTION I - TITLE AND PURPOSE**

The title of this ordinance is the Town of Cross Plains Building Information Permit Ordinance. The purpose of this ordinance is for the town to have information regarding the type, size, and location of all buildings and structures constructed, reconstructed, remodeled, removed, or demolished after the effective date of this ordinance, and to promote the public health, safety and general welfare of the community and to maintain required local uniformity with the administrative and technical requirements of the Wisconsin Uniform Dwelling and Commercial Building Code.

### **SECTION II - AUTHORITY**

The town board of the town has the authority under s. 60.61, 101.65 Wis. stats., and general authority under its village powers under s. 60.22, Wis. stats., to adopt this ordinance.

### **SECTION III - ADOPTION OF ORDINANCE**

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, requires a town building information permit for all buildings constructed, reconstructed, remodeled, removed, or demolished as provided in this ordinance.

### **SECTION IV - DEFINITIONS**

In this ordinance:

- A. "Building" means any building or structure and any installation constructed, reconstructed, remodeled, enlarged, altered, removed, or demolished for any use within the town, including but not limited to one- and two-family dwellings, manufactured homes, mobile homes, temporary or seasonal dwellings, garages, agricultural structures, and outbuildings.
- B. "Agricultural accessory building" means a building or buildings used in the operation of a farm.
- C. "Owner" means any person having a legal or equitable interest in a building. "Owner" does not include any person whose legal or equitable interest in a building is a security interest derived solely from the extension of credit to permit construction or remodeling of the building or purchase of the building by a third party.
- D. "Town" means the Town of Cross Plains, Dane County, Wisconsin, and includes the town's officers, employees, and agents when appropriate.
- E. "Town board" means the Board of Supervisors for the Town of Cross Plains, or any person designated to act for the town board.
- F. "Town clerk" means the Clerk of the Town of Cross Plains or his or her deputy or agent.
- G. "Wis. stats." means the Wisconsin Statutes, including successor provisions.

### **SECTION V – SUBDIVISION AND NUMBERING OF THIS ORDINANCE**

This ordinance is divided into sections designated by uppercase Roman numerals. Sections may be divided into subsections designated by uppercase letters. Subsections may be divided into paragraphs designated by numbers. Paragraphs may be divided into subdivisions designated by lowercase letters. Subdivisions may be divided into subdivision paragraphs designated by lowercase Roman numerals.

Reference to a "section," "subsection," "paragraph," or "subdivision" includes all divisions of the referenced section, subsection, paragraph, or subdivision.

#### SECTION V. - WISCONSIN UNIFORM DWELLING CODE AND COMMERCIAL BUILDING CODE ADOPTED

The Wisconsin Uniform Dwelling Code, Chs. SPS 320–325 and the Wisconsin Commercial Code, Chs. SPS 361-366, of the Wisconsin Administrative Code, and all amendments and appendices thereto, is adopted and incorporated by reference and shall apply to all buildings within the scope of this ordinance.

#### SECTION VI - BUILDING INSPECTOR.

There is hereby created the position of Building Inspector, who shall administer and enforce this ordinance and shall be certified by the Department of Safety and Professional Services, as specified by Wisconsin Statutes, Section 101.66 (2), 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 and the Commercial Building Code.

#### SECTION VII - REQUIREMENT FOR BUILDING INFORMATION PERMIT

The owner of any building or structure in the town, unless exempt under this ordinance, who constructs, installs, remodels, reconstructs, enlarges, alters, removes, or demolishes any building or structure within the town shall seek and obtain from the town a Town Building Information Permit prior to commencing, or causing the commencement of, any construction, installation, remodeling, reconstruction, enlargement, altering, removing, or demolishing of any building.

A. The construction which shall require a building permit includes, but is not limited to:

1. New buildings, including agricultural accessory buildings. The designation of a building as 'agricultural' shall be reviewed by the Town Plan Commission, which shall forward a recommendation to the Town Board. Final designation shall be determined by the Town Board based on the zoning of the parcel, assessment category of the land, and consideration of the Commission recommendation. Agricultural accessory buildings with no electrical, plumbing or heating mechanism shall require a plan inspection only with the permit application and do not require an on-site inspection.
2. Additions that increase the physical dimensions of a building including decks.
3. Alterations to the building structure and/or any remodeling costing \$ 1,000.00 or more (cost shall include market labor value).
4. Replacement of major building equipment, including furnaces, and central air conditioners, water heaters and any other major piece of equipment shall require a permit and inspection. Such work may be performed without a permit on an emergency basis, but a permit must be obtained within 14 days of the installation.
5. Alteration of plumbing, venting, electrical or gas supply systems.
6. Any electrical wiring for new construction or remodeling
7. Any plumbing for new construction or remodeling

B. The following construction activities shall NOT require a building inspection but do require a building permit:

1. Re-siding, re-roofing, replacement of existing windows, and finishing of interior surfaces, installation of cabinetry, and repairs which are deemed minor by the Building Inspector. Notwithstanding this section, however, a permit accompanied by structural load-bearing calculations shall be required for re-roofing a building if the proposed re-roofing would constitute a third or more layer of roofing.
2. Normal repairs of HV/AC, plumbing and electrical equipment or systems
3. Buildings with no footings that are less than 100 square feet in area.

#### SECTION VIII - EXEMPTIONS FROM PERMIT REQUIREMENT

The requirement in Section VI to obtain a Town Building Information Permit shall not apply to any of the following:

- A. Buildings or structures owned by the town.
- B. Additions, remodeling, reconstruction, enlargement, or alterations to buildings, when the cost of the work, including the fair market cost of labor, shall be less than \$ 1,000.00 within a 12-month period, if the activities are not among those listed in Section VI. A. of this ordinance.
- C. The restoration or repair of building equipment, such as furnaces, central air conditioners, water heaters, and similar mechanical equipment without the alteration or addition to the building or structure.
- D. Fences or other similar enclosures.

#### SECTION IX - OTHER REQUIREMENTS REMAIN APPLICABLE

The issuance of this Town Building Information Permit does not relieve the owner from any of the following:

- A. Obtaining any permit that may be required by any other state law or local ordinance, including but not limited to any of the following:
  1. County sanitary permits.
  2. Town, county, or state driveway permits.
  3. State one- and 2-family dwelling code permits.
  4. Any other applicable permit under town or county ordinance or state law.
- B. Complying with any other requirement, ordinance, or law, including, but not limited to, those governing zoning, subdivision, land division, and setbacks.

#### SECTION X - TOWN BUILDING PERMIT FORM, ISSUANCE, AND FEE

The town board is authorized to approve by resolution a Town Building Information Permit form, designate the person or persons authorized to issue the permits, and establish a fee for issuance of the permits and any required inspections. The building inspector(s) shall keep a log of all inspections completed.

#### SECTION XI - PENALTIES

The enforcement of this section 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. Any person that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than \$25 nor more than \$1000, plus the applicable surcharges, assessments and costs for

each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.

SECTION XII - SEVERABILITY

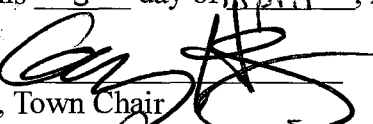
If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

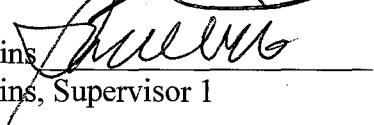
SECTION XII - EFFECTIVE DATE

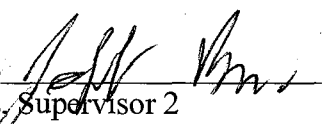
This ordinance is effective on publication or posting.

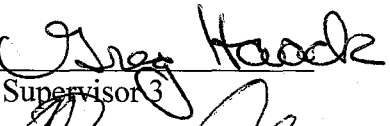
The town clerk shall properly publish this ordinance as required under s. 60.80, Wis. stats.

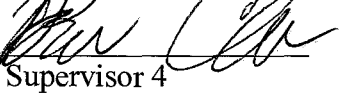
Adopted this 8 day of April, 2019.

Greg Hyer   
Greg Hyer, Town Chair


Patricia Mullins   
Patricia Mullins, Supervisor 1

Jeff Baylis   
Jeff Baylis, Supervisor 2

Greg Haack   
Greg Haack, Supervisor 3

Paul Correll   
Paul Correll, Supervisor 4

ATTEST:

Nancy Meinholz   
Nancy Meinholz, Town Clerk

Adopted: April 8, 2019

Published: April 18 2019

Posted: April 10, 2019