

CHAPTER 14

BUILDING CODE

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14.01 SCOPE

The provisions of this Code shall govern the design, construction, alteration, demolition, and moving of all buildings and structure.

14.02 TITLE

These regulations shall be known and cited as "Municipal Building Code" and shall be construed to secure their expressed intent and to ensure public safety, health and welfare insofar as they are dependent upon building construction.

14.03 APPLICATION OF WISCONSIN ADMINISTRATIVE BUILDING CODE AND NATIONAL CODES

The following State and national Codes, as amended from time to time, are hereby adopted by the municipality and become a part of this ordinance used to govern the construction of one- and two-family, commercial, industrial and institutional buildings within the boundaries of the City of Reedsburg; Wisconsin Administrative Code, SPS Chapters, 305, 316, 320-325, 360-366, and 381-387; Wis. Stats. Ch. 101; International Building Code (IBC); ANSI A117.1; Americans Disability Act (ADA) barrier free chapters 1-10; National Electric Code (NEC); National Fire Protection Act (NFPA) chapters 13, 13d, 13r, 20, 24, 25 and 70;

14.04 APPLICATION OF CODE

All buildings and structures hereafter erected, altered, repaired, moved or demolished that are used or designed to be used for the purpose herein defined shall comply in full with the requirements of this Code.

- (1) Zoning Laws. No provision of this Code shall be construed an alternative to any lawful zoning regulations.
- (2) New Buildings. The construction requirements of this Code shall apply to one and two family dwellings, including row houses not exceeding two families, to their accessory structures, and to parts thereof, which are hereafter erected.
- (3) Existing Buildings. This Code shall also apply to buildings and conditions described in this Section.
 - (A) An existing building to be occupied as a one or two family dwelling, which building was not previously so occupied.
 - (B) An existing structure that is altered or repaired, when the cost of such alteration or repair exceeds fifty (50) per cent of the equalized value of the structure, said value to be determined by the assessor of the municipality.
 - (C) Additions and alterations, regardless of cost, made to an existing building, when deemed necessary in the opinion of the Building Inspector, shall comply with the requirements of this Code for new buildings. The provisions of paragraph 4 shall also apply.
 - (D) Roof Coverings. Whenever more than twenty-five (25) per cent of the roof covering of a dwelling is replaced in any twelve-month period, all roof covering shall be in conformity with applicable sections of this Code.
 - (E) Additions and Alterations. Any addition, or alteration, regardless of cost, made to a dwelling, shall be made in conformity with applicable sections of this code.

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- (4) Alterations and Repairs. The following provisions shall apply to buildings altered or repaired.
 - (A) Alterations. When not in conflict with any regulations, alterations to any existing building or structure, accommodating a legal occupancy and use but of nonconforming type of construction, which involves either the structural members of floors or roofs, beams, girders, columns, bearing, or other walls, room, heating and air conditioning systems, arrangement, light and ventilation, changes in location of exit stairways or exits, or any or all of the above, then such existing construction shall be made to conform to the minimum requirements of this Code applicable to such occupancy and use and a given type of construction.
 - (B) 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 effect room arrangement, light and ventilation, access to or efficiency of 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.
 - (C) Alterations When Not Permitted. When any existing building or structure, which for any reason whatsoever does not conform to the regulations of this Code, has deteriorated from any cause whatsoever to an extent greater than fifty (50) per cent of the equalized value of the building or structure, no alterations or moving of such building or structure may be permitted. Any such building or structure shall be considered a menace to public safety and welfare and shall be ordered vacated and thereafter demolished and debris removed from the premises. The site shall then be leveled with clean fill and seeded.
 - (D) Alterations and Repairs Required. When any of the structural members of any building or structure have deteriorated from any cause whatsoever to less than their required strength, the owner of such a building or structure shall cause such structural members to be restored to their required strength, failing in which the building or structure shall be considered a menace to public safety and shall be vacated and thereafter no further occupancy or use of the same shall be permitted until the regulations of this Code are complied with.
 - (E) Extent of Deterioration. The amount and extent of deterioration of any existing building or structure shall be determined by the Building Inspector.
 - (F) Use of Unsanitary Building. It shall be unlawful to occupy or use or permit the occupancy or use of any building or structure that is unsanitary or dilapidated, or deteriorated, or out of repair, thereby being unfit for human habitation, occupancy or use until the regulations of this Code have been complied with.
- (5) Razing of Buildings. The Building Inspector is hereby authorized to act for the municipality under the provisions of Section 66.0413 of the Wisconsin Statutes, relating to the razing of buildings and all acts amendatory thereof and supplementary thereto. The municipal treasurer is authorized to place the assessment and collect the special tax as therein provided.

14.05 BUILDING INSPECTOR

There is hereby created the Department of Building Inspection. The Building Inspector appointed by the municipality shall act as head of this department.

- (1) Duties. The Building Inspector is vested with the authority and responsibility to enforce all laws controlling safe building construction. He shall make periodic inspection of existing public buildings to determine their safety. He shall make inspections at the site of buildings damaged by any cause whatsoever to determine the safety of buildings affected thereby.

14.05 Building Inspector

- (2) Rights. The Building Inspector or his authorized agent shall have the power and authority at all reasonable hours, for any proper purpose, to enter upon any public or private premises and make inspection thereof and to require the production of the permit for any building, plumbing, electrical or heating work being done or the required license therefor. No person shall interfere with or refuse to permit access to any such premises to the above-described representatives of the municipality while in the performance of their duties.
- (3) Records. There shall be kept in the Department of Building Inspection a record of all applications for building permits. There shall be kept in the Department of Building Inspection, a record of all inspections made, and of all removal and condemnation of buildings, and a record of all fees collected showing the date of their receipt. The Building Inspector shall make a written annual report to the governing body of the municipality relative to these matters.

14.06 PERMITS

- (1) Permits Required. No building or structure or any part thereof shall hereafter be built, enlarged, altered, repaired or demolished within the municipality or moved into, within or out of the municipality except as hereinafter provided, unless a permit thereof shall first be obtained by the owner or his agent from the Building Inspector.

Permits required are as follows:

- (A) Building;
 - (B) Air conditioning;
 - (C) Wrecking or razing;
 - (D) Heating;
 - (E) Moving of buildings;
 - (F) Occupancy.
- (2) Application for Permits. Application for a building permit shall be made in writing upon a blank form to be furnished by the Building Inspector and shall state the name and address of owner of the building and the owner of the land on which it is to be erected, the name and address of the designer, and shall set forth a legal description of the land on which the building is to be located, the location of the building, the house number thereof and such other information as the Building Inspector may require. With such application, there shall be submitted to the Building Inspector two (2) complete sets of plans, erosion control plan, water calculation sheet, energy calculation sheet, specifications and two (2) copies of a survey as needed.
 - (A) Survey. The survey shall be prepared and certified by a surveyor registered by the State of Wisconsin; shall be made in no case prior to one (1) year prior to the issuance of a building permit; and shall bear the date of the survey. The certified survey shall also show the following:
 1. Location and dimensions of all buildings on the lot, both existing and proposed;
 2. Dimensions of the lot;
 3. Dimensions showing all set-backs of all buildings on the lot;
 4. Proposed grade of proposed structure, to city or village datum;
 5. Grade of lot and of road opposite lot;
 6. Grade and setback of adjacent buildings. If adjacent lot is vacant, submit elevation of nearest buildings on same side of road;
 7. Type of monuments at each corner of lot;
 8. Watercourses or existing drainage ditches;
 9. Seal and signature of surveyor.
 - (B) Plans and Specifications. All plans shall be drawn to a scale not less than one-fourth (1/4)

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inch per foot, on paper or cloth in ink, or by some other process that will not fade or obliterate, and shall disclose the existing and proposed provisions for water supply, sanitary sewer connections and surface water drainage. All dimensions shall be accurately figured. Drawings that do not show all necessary detail shall be rejected. A complete set of plans for residential construction shall consist of:

1. All elevations;
2. All floor plans;
3. Complete construction details;
4. Fireplace details (3/4 inch per foot) showing cross-section of fireplace and flues;
5. Plans of garage when garage is to be built immediately, or location of garage when it is to be built at a later date.

All plans shall remain on file in the office of the Building Inspector until the building permit is issued of the building, after which time the Building Inspector may return the same to owner and keep one on file.

- (3) Waiver of Some Requirements. At the option of the Building Inspector, plans, data, specifications and survey need not be submitted with an application for permit to execute minor alterations and repairs to any building, structure or equipment, provided the proposed construction is sufficiently described in the application for permit.
- (4) Seal of Registered Engineer or Architect. All plans, data and specifications for the construction of any building or structure or for any construction in connection with existing buildings and structures, other than one and two family residences, containing more than twenty five (25) thousand cubic feet, total volume, submitted with an application for permit, shall bear the seal of the registered architect or registered engineer. The plans shall also be stamped as approved as required by the Department of Safety and Professional Services of the State of Wisconsin. Such building or structure shall be constructed under the supervision of an architect or engineer who shall be responsible for its erection in accordance with the approved plans. No permit shall be granted for such structure unless such construction will be under the supervision of an architect or engineer, as required by the Wisconsin Statutes. A written statement to this effect shall be filed with the Building Inspector by the architect or engineer along with the application for permit.
- (5) Drainage.
 - (A) Grading of Lots. The plans shall show the present and proposed grades of the lot on which it is proposed to erect the building for which a permit is sought and of the immediately adjoining property in sufficient detail to indicate the surface water drainage before and after the completion of grading. No permit shall be issued if the erection of the building and the proposed grades shall unreasonably obstruct the natural flow of water from the surface of adjoining property or obstruct the flow of any existing ravine, ditch, drain or storm water sewer draining neighboring property, unless suitable provision is made for such flow by means of an adequate ditch or pipe, which shall be shown on the plans and shall be constructed so as to provide continuous drainage at all times.
 - (B) Storm Water Drainage. No dwelling shall be erected, nor shall existing provisions for conveyance of water from the roof of any dwelling be altered or replaced, unless provision is made to convey water from the roof of the dwelling in such a manner that such water will not, directly or indirectly, pass thence into the sanitary sewer system. No storm water or surface water drains may be connected with the sanitary sewer system, whether installed above or below the surface of the ground.

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- (6) Moving Damaged Buildings. No building shall be repaired, altered or moved within or into the municipality that has deteriorated or has been damaged by any cause, (including such moving and separation from its foundation and service connections in case of moved buildings), fifty (50) per cent or more of its equalized value, and no permit shall be granted to repair, alter or move such building within or into the municipality.
- (7) Building Inspector to Issue Permits.
- (A) If the Building Inspector finds that the proposed building will comply in every respect with this Code, other municipal ordinances, and all laws of the State of Wisconsin, and lawful orders issued pursuant thereto, he shall issue a building permit. After being approved, the plans and specifications shall not be altered in any respect which involves any of the above-mentioned ordinances, laws or orders, or which involves the safety to the building, except with the written consent of the Building Inspector filed with such application.
- (B) In case adequate plans are presented, the Building Inspector, at his discretion may issue a permit for a part of the building before receiving the plans and specifications of the entire building. It shall be unlawful to commence work on any building or alteration before the building permit has been issued. The issuance of a permit upon the plans and specifications shall not prevent the Building Inspector from thereafter requiring the correction of errors in said plans and specifications or from preventing building operations being carried on thereunder when in violation of any ordinances of the municipality or laws of the State of Wisconsin or lawful orders issued pursuant thereto.
- (C) For the construction of buildings requiring approval of Safety and Professional Services, no permit shall be issued until such approved plans are received by the Building Inspector.
- (8) Inspector May Revoke Permits.
- (A) The Building Inspector may revoke any permit, certificate of occupancy, or approval issued under the regulations of this Code and may stop construction or use of approved new materials, equipment, methods of construction, devices, or appliances for any of the following reasons:
1. Whenever there is a violation of any regulation of this Code or of any other ordinance, law, or lawful orders or Wisconsin Statute relating to the same subject matter;
 2. Whenever the continuance of any construction becomes dangerous to life or property;
 3. Whenever there is any violation of any condition or provisions of the application for permit, or of the permit;
 4. Whenever in the opinion of the Building Inspector there is inadequate supervision provided on the job site;
 5. Whenever any false statement or misrepresentation has been made in the application for permit, plans, drawings, data specifications, or certified lot or plot plan on which the issuance of the permit or approval was based;
 6. Whenever there is a violation of any of the conditions of an approval or occupancy given by the Building Inspector for the use of any new materials, equipment, methods or construction devices, or appliances.
- (B) The notice revoking a permit, certificate of occupancy, or approval shall be in writing and may be served upon the applicant for the permit, owner of the premises, and his agent, if any, and on the person having charge of construction.
- (C) A revocation placard shall also be posted by the Building Inspector upon the building, structure, equipment, or premises in question.

- (D) After the notice is served upon the persons as aforesaid and posted, it shall be unlawful for any person to proceed thereafter with any construction operation whatsoever on the premises, and the permit which has been so revoked shall be null and void, and before any construction or operation is again resumed, a new permit, as required by this Code, shall be procured and fees paid therefor, and thereafter the resumption of any construction or operation shall be in compliance with the regulation of this code.

14.07 APPROVED PLANS

- (1) A weatherproof card signed by the Building Inspector indicating the permit has been issued shall be posted at the job site during construction. After issuance of a building permit, the approved plans shall not be altered unless any proposed change is first approved by the Building Inspector as conforming to the provisions of this Code.
- (2) The building permit shall become void unless operations are commenced within four (4) months from the date thereof, or if the building or work authorized by such permit is suspended at any time after work is commenced, for a period of sixty (60) days.
- (3) Before any work is commenced or recommenced after the permit has lapsed, a new permit shall be issued at the regular fee rate. In any event, the work required to construct a one or two family residence shall be completed within 18 months from the date of issuance of the permit.

14.08 REGULATIONS FOR MOVING BUILDINGS

- (1) General. No person shall move any building or structure upon any of the public ways of the City without first obtaining a permit therefore from the Building Inspector and upon the payment of the required fee of \$1,000. Every such permit issued by the Building Inspector for the moving of a building shall designate the route to be taken, the conditions to be complied with, and shall limit the time during which said moving operations shall be continued. The permit application shall be made not less than seven (7) days prior to the intended moving date.
- (2) Conformance With Code. No permit shall be issued to move a building within or into the City and to establish it upon a location within the City until the Building Inspector has made an investigation of such building at the location from which it is to be moved and is satisfied from such investigation that said building is in a sound and stable condition and of such construction that it will meet the requirements of this Building Code in all respects. Should any repairs, improvements, or remodeling be contemplated or required with respect to said building, the same shall be made insofar as possible before the said building is taken from the premises from which it is to be moved. A complete plan of all further repairs, improvements and remodeling with reference to such building shall be submitted to the Building Inspector, and he shall make a finding of fact to the effect that all such repairs, improvements and remodeling are in conformity with the requirements of this Building Code, and that when same are completed, the building as such will so comply with said Building Code. In the event a building is to be moved from the City to some point outside its boundaries and the boundaries of the extraterritorial zone, the provisions with respect to the furnishing of plans and specifications for proposed alterations to such building and placing of the building on a permanent foundation as set forth in subsection (4)(B) below, may be disregarded.
- (3) Review of Application and Criteria.
 - (A) The application shall include exterior elevations of the building and accurate photographs of all sides and views. If the exterior of the building will be altered, the application shall include plans and specifications for the alterations.
 - (B) The Building Inspector shall inspect the building, and the site at which it is to be relocated.

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- (C) The Building Inspector shall issue a permit if it is determined that the exterior architectural appeal and functional plan of the building to be moved or moved and altered, will not be so at variance with either the exterior architectural appeal and functional plan of the buildings already constructed or in the course of construction in the immediate neighborhood, or the character of the applicable district established by the zoning ordinances of the City, or any ordinance amendatory thereof or supplementary thereto, as to cause a substantial depreciation in the property values of said neighborhood within said applicable district.
- (4) Continuous Movement.
- (A) The movement of buildings shall be a continuous operation during all the hours of the day and at night, until such movement is fully completed. All of such operations shall be performed with the least possible obstruction to thoroughfares. No building shall be allowed to remain overnight upon any street crossing or intersection, or so near thereto as to prevent easy access to any fire hydrant or any other public facility.
- (B) The building shall be placed on a permanent foundation constructed in conformance with the Building Code within 120 days from the first day that the building is moved from its prior location.
- (5) Street Repair. Every person receiving a permit to move a building shall within one day after said building reaches its destination, report that fact to the Building Inspector who shall thereupon, in the company of the Director of Public Works, inspect the streets and highways over which said building has been moved and ascertain their condition. If the removal of said building has caused any damage to any street or highway, the person to whom the permit was issued shall forthwith place them in as good repair as they were before the permit was granted. On the failure of the said permittee to do so within ten (10) days thereafter to the satisfaction of the City, said body shall repair the damage done to such streets and hold the person obtaining such permit and the sureties on his bond responsible for the payment of same.
- (6) Tree Trimming. If the movement of the building over the City streets and/or alleys requires the trimming of trees, the same shall be done by a business or individual who is regularly engaged in such service and is pre-approved by the Director of Public Works. It shall be the responsibility of said business or individual to clean all trimming debris and replace any trees substantially damaged during the move. On the failure of this business or individual to do so to the satisfaction of the Director of Public Works within ten (10) business days after said move, the City will clean up and/or replace such trees if necessary and hold the person obtaining the permit and the bond responsible for the payment of such expenses.
- (7) Bond.
- (A) Before a permit is issued to move any building over any public way in the City, the party applying therefore shall give a bond to the City in a sum to be fixed by the Building Inspector and which shall not be less than One Thousand (\$1,000.00) Dollars; said bond to be executed by a corporate surety or two personal sureties to be approved by the City Administrator conditioned upon, among other things, the indemnification to the City 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 and expenses incurred by the City in connection therewith, arising out of the removal of the building for which the permit is issued.
- (B) Unless the Building Inspector, upon investigation, shall find it to be a fact that the excavation exposed by the removal of such building from its foundation shall not be so close to a public thoroughfare as to permit the accidental falling therein of travelers or the location, nature and physical characteristics of the premises and the exposed excavation, such as to make intrusion upon the premises and the falling into such excavation of children under 12 years of age unlikely, the bond required shall be further conditioned upon the permittee erecting adequate barriers and within forty-eight (48) hours, filling in

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such excavation or adopting and employing such other means, devices or methods approved by the Building Inspector and reasonably adopted or calculated to prevent the occurrences set forth herein.

- (C) If the applicant proposes to alter the exterior of the building, the applicant shall give a bond in an amount not less than One Thousand (\$1,000.00) Dollars to the effect that the applicant will complete the proposed exterior alterations in the manner set forth in the plans and specifications and by a date certain.
- (8) Insurance. The Building Inspector shall require, in addition to said bond above indicated, public liability insurance covering injury to one person in a sum of not less than One Hundred Thousand (\$100,000.00) Dollars and for one accident in a sum not less than Three Hundred Thousand (\$300,000.00) Dollars, together with property damage insurance in a sum not less than Fifty Thousand (\$50,000.00) Dollars, or such other coverage as deemed necessary.
- (9) Penalty. In addition to those penalties set forth in Section 14.53 of this Chapter, any person violating subsection (4)(B) above shall be upon conviction of such violation, be subject to a forfeiture of \$25.00 for each day beyond the permitted 120 days that the building remains unplaced on a permanent foundation, together with costs of prosecution.

14.09 RAZING OF BUILDINGS

Before a building can be demolished or removed, the owner or agent shall notify all utilities having service connections within the building, such as water, electric, gas, sewer, and other connections. A permit to demolish or to remove a building shall not be issued until it is ascertained that service connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner. Excavations shall be filled with solid fill to match lot grade, within 30 days of removal of the structure. Any excavation shall be protected with appropriate fences, barriers and/or lights.

14.10 FEES

Before receiving a building permit, the owner or his agent shall pay the fee specified in Chapter 32. In applying the provisions of this Code in respect to new work existing buildings, alterations and repairs, the physical value of the work shall be determined by the Building Inspector on the basis of current costs, or as otherwise provided in the local ordinances.

14.11 UNUSUAL CONSTRUCTION

When applications for unusual technical design or magnitude of construction are filed, the Building Inspector may refer such plans and specifications to the Department of Safety and Professional Services, State of Wisconsin, for analysis and recommendations as to the safety of design in compliance with this Code.

14.12 INSPECTIONS

- (1) Notification. Upon notification from the permit holder or his agent, required inspections of the construction of any buildings, structures or equipment shall be made as follows:
 - (a) Inspection to determine if the location on the premises is in compliance with approved certified lot or plot plan of the premises and the terms of the permit;
 - (b) Inspection to determine if the construction of footings as to thickness, width, placing of

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reinforced steel, if required, and foundation walls is in compliance with approved plans, data and the terms of the permit;

- (c) Inspection of all wall, floor and roof framing, fire stopping, and bracing when completed, and of all pipes, chimneys, ventilating and other ducts, shafts and equipment when in place, but before any such work is covered, enclosed or concealed by other construction;
 - (d) Inspection prior to laying concrete for basement floor to inspect subgrade, drain tile, and forms;
 - (e) Final Inspection. Upon the completion of any building, structure, equipment, or construction for which a permit was issued and before the same is occupied or used, a final inspection shall be made by the Building Inspector, and until such building, structure, or equipment is in compliance with all the requirements of this Code and terms of the permit, no occupancy shall be maintained. If the construction conforms to the requirements of this Code a certificate of occupancy shall be issued.
- (2) **Coordinated Inspections.** All provisions of the laws and regulations of the municipality, and of legally adopted rules of local fire and health officials in respect to the operation, equipment, housekeeping, fire protection, handling and storage of flammable materials, liquids and gases and the maintenance of safe and sanitary conditions of use in occupancy in all buildings shall be strictly enforced by the administrative officials to whom such authority is delegated. Whenever inspection by any authorized enforcement officer discloses any violation of the provisions of this Code, or of any other rules, regulations, or laws, he shall immediately notify the administrative officer having jurisdiction of the violation.
- (3) **Certified Report.** The Building Inspector may require a certified report of all required inspections, as regulated by this Code, from the registered architect or registered engineer supervising the construction of any building, structure, or equipment requiring their supervision. Such certified report shall state in detail that all construction work has been executed in accordance with all of the regulations of this Code, approved plans, specifications, terms of the permit, and data filed with the application for permit; and further that such construction work was executed in accordance with accepted architectural and engineering standard procedures.
- (4) **Appeal.** Any person feeling himself aggrieved by any order or ruling of the Building Inspector may appeal from such ruling to the Board of Appeals within twenty (20) days after written notice of such ruling shall have been delivered to him. Such appeal is to be in writing, setting forth the order appealed from, and the respects in which said person feeling himself aggrieved claims that said order or ruling is erroneous or illegal. Said notice of appeal shall be filed with the Clerk who shall thereupon notify the Building Inspector of said appeal, and the appeal shall be heard at the next meeting of the Board of Appeals. The said Board of Appeals, after consideration thereof, shall affirm, reverse or modify said ruling as is just in the premises. The ruling or order of the inspection shall be enforced until changed by said Board of Appeals.

14.13 STOP-WORK ORDER

Whenever the provisions of this Code or of the plans approved thereunder are not complied with, a stop-work order shall be served on the owner or his representative and a copy thereof shall be posted at the site of the construction. Such Stop-work order shall not be removed except by written notice of the Building Inspector after satisfactory evidence has been supplied that the violation has been corrected.

14.14 CERTIFICATE OF OCCUPANCY

- (1) Inspections.
 - (a) The Building Inspector shall make a final inspection of all new buildings, additions, and

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alterations. If no violations of this or any other ordinance be found, the Building Inspector shall issue a certificate of occupancy, stating the purpose for which the building is to be used.

- (b) No building nor part thereof shall be occupied in any manner which conflicts with the conditions set forth in the Certificate of Occupancy. No Certificate of Occupancy shall be issued unless all applicable fees under Chapter 32 have been paid.
- (2) Use Discontinued.
 - (a) Whenever any building or portion thereof is being used or occupied contrary to the provisions of this Code, the Building Inspector shall order such use or occupancy discontinued and the building or portion thereof vacated, by notice served on any person using or causing such use or occupancy to be continued and such person shall vacate such building or portion thereof within ten (10) days after receipt of the notice or make the building or portion thereof comply with the requirements of this Code.
 - (b) Any building, structure, or premises, or any part thereof, hereafter vacated or damaged by any cause whatsoever so as to jeopardize public safety or health, shall not hereafter be occupied or used under an existing certificate of occupancy or without the same, until an application has been filed and a new certificate of occupancy issued. This Subsection (b) shall not apply to buildings used entirely for dwelling purposes.
- (3) Change. It shall be unlawful to change the use of any building, structure, premise, or part thereof without first obtaining from the Building Inspector an approval of such change in the occupancy or use, and a certificate of occupancy therefor.
- (4) Hardship. The Building Inspector shall have the authority and power to permit the occupancy of any building or structure in the municipality, prior to issuance of an occupancy certificate, in all cases of hardship as in his judgment and discretion warrant occupancy before final stage of completion as set forth in the Code. Before granting such permission, the Building Inspector shall first examine the premises and determine if it is safe and sanitary. The Building Inspector shall determine the time within which such building or structure can be completed, such time should not exceed one hundred twenty (120) days.

14.15 GENERAL DEFINITIONS

For the purpose of this Code, the following words and phrases shall have the meanings assigned to them in this Section, unless already defined in SPS 320. Words and phrases not herein otherwise defined, shall have the meanings accepted by common usage.

- (1) Accessory Building. A part of a principal building, or a supplemental building located on the same lot with a principal building and generally used for storage, private garage, or other use customarily incident to a residence use.
- (2) Addition. Any new construction whereby an existing building or structure, or building or structure in course of construction, is increased in area, or cubical content.
- (3) Adjoining Lot Line. The line between adjoining lots, plots of land, or parcels of land of different or same ownership.
- (4) Alley. A right-of-way which affords a secondary means of vehicular access to abutting properties. A street shall not be considered an alley.
- (5) Alteration. Any change or modification in construction or occupancy.
- (6) Apartment. A room or suite of rooms which is occupied or which is intended or designed to be occupied by one family for living and sleeping purposes.
- (7) Approved. As to materials and types of construction, refers to approval by the State or a licensed building engineer as the result of investigation and tests conducted by said association

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- or by reason of accepted principles or tests conducted by said association or by reason of accepted principles or tests by national authorities or technical or scientific organizations.
- (8) Area. As applied to dimensions, means the maximum horizontal projected area of a building, structure, room, apartment or open space, not including overhangs.
 - (9) Bearing. That area of any structural unit of a building or structure which is in direct contact with the supports which receive the loads from that unit.
 - (10) Building. Any structure built for the support, shelter or enclosure of persons, animals, chattels, or property of any kind.
 - (11) Building, Existing. A building erected prior to the adoption of this Code or one for which a legal building permit has been issued.
 - (12) Building Inspector. The officer charged with the administration and enforcement of this Code or his regularly authorized deputy. Same for Building Official.
 - (13) City. Any political subdivision which adopts this Code for regulation within its jurisdiction.
 - (14) Cubic Contents. The actual cubic space enclosed within the outer surfaces of the outside or enclosed walls, outer surfaces of the roof and the finished surfaces of the lowest floors of a building or structure. Does not include the contents of courts that are open to the sky.
 - (15) Dwelling. A building which is designed or used or which is intended to be used as a residence or place of abode.
 - (16) Equipment. As specifically regulated by this Code, includes heating, cooling, air conditioning, and ventilating systems; plumbing and sanitary systems; electric light and power systems; telephone, electronic and radio signal and annunciator systems; dry cleaning, dyeing and washing machines; elevators and dumb waiters; gas pipe systems; standpipes; sprinkler systems; fire protection apparatus, fire extinguishers, and pumps; oil burners, stokers, and conveyors; refrigerating systems; devices, machinery and apparatus of every description; furnaces, boilers, high or low pressure steam systems; gasoline pumps; all movable or portable containers of every description; all air pressure or other tanks; and all other self-contained systems used in conjunction with buildings or structures.
 - (17) Established Grade. The grade of the street, as established by ordinance, at the center line of the street.
 - (18) Existing. A building, structure, equipment, or premises completed or in course of construction, or used or occupied, and for which a legal permit has been issued prior to the effective date of this Code.
 - (19) Floor Area. The net area of any floor space, enclosed by exterior walls, firewalls, or absolute fire separation exclusive of open spaces.
 - (20) Footings. That portion of the foundation of a structure that spreads and transmits loads directly to the soil or the piles.
 - (21) Lintel. The beam or girder placed over an opening in a wall that supports the wall construction above.
 - (22) Lot. A parcel of land in a single ownership occupied or to be occupied by not more than one principal or main building and the accessory buildings or uses customarily incident to it, including such open spaces as are required by this or other Codes, and having its principal frontage upon a street.
 - (23) Lot Line. A line or lines dividing one lot; plot of land, or parcel of land from an adjoining lot, plot of land, or parcel of land.
 - (24) Nonconforming Building, Etc. A lawfully existing building, premises, structure, use, materials, or equipment which do not conform to the requirements of this Code.
 - (25) Occupancy or Use. The purpose for which a building, structure, equipment, materials or premises or part thereof is used or intended to be used as regulated by this Code.
 - (26) Person. The word "person" shall mean any individual, persons, partnerships, firm,

14.15 General Definitions

- organization, association or corporation, their agents, heirs or assigns.
- (27) Principal Building. A single main building or structure on a lot for specific use or occupancies.
 - (28) Required. Mandatory by provisions of this Code.
 - (29) Room. A space within a building or structure completely enclosed with walls, partitions, floor, and ceiling except for necessary openings for light, ventilation, ingress and egress.
 - (30) Shall. As used herein is mandatory. Same for must.
 - (31) Stairway. Three or more risers shall constitute a stairway.
 - (32) Story. The space in a building included between the surface of any floor and the surface of the next above or below, or roof next above.
 - (33) Structure. As specifically regulated by this Code, anything which is constructed, erected, and framed of component parts and which is fastened, anchored, or rests on a permanent foundation or on the ground for any occupancy or use whatsoever, excluding fencing.
 - (34) Walls. Walls shall be defined as follows:
 - (a) Bearing Wall. A wall which supports any load in addition to its own weight.
 - (b) Cavity Wall. Wall built of masonry units or of plain concrete, or a combination of these materials, so arranged as to provide an air space within the wall and in which the facing and backing (inner and outer parts) of the wall are tied together with metal ties.
 - (c) Curtain Wall. A nonbearing wall between columns or piers.
 - (d) Exterior Wall. An outer enclosing wall of a building or structure.
 - (e) Faced Wall. A wall in which the masonry facing and backing are so bonded as to exert common action under load.
 - (f) Nonbearing Wall. A wall that supports no load other than its own weight.
 - (g) Panel Wall. A nonbearing wall in skeleton construction, built between columns or piers and wholly supported at each story.
 - (h) Partition. An interior vertical structure usually of light construction serving to enclose an area, room, space, or division, extended from floor to ceiling, and having wall surfaces of approved materials as permitted by this Code.
 - (i) Retaining Wall. Wall used to resist laterally imposed pressures.
 - (j) Veneered Wall. Wall having masonry facing which is attached to the backing but not so bonded as to exert common action under load; also having outer facing for the purpose of providing ornamentation, protection, or insulation.
 - (35) Square Footage of Building. The actual area in square feet enclosed by the exterior perimeter of the building walls on each separate floor level.
 - (36) Unusual Construction. Any construction methods or materials not covered in this code.

14.16 GENERAL DESIGN

See detail (a) Typical House Section.

- (1) Application. All one and two family dwellings shall conform to the requirements of this Chapter. A building which contains a use of occupancy other than one and two family units shall follow the applicable requirements of the IBC as adopted by the State.
- (2) Repairs. Every building and all parts thereof shall be kept in good repair and the roof shall be maintained to prevent leakage. All rainwater shall be so drained and conveyed therefrom to prevent dampness in the walls and ceilings.
- (3) Cleanliness. Every building shall be kept reasonably clean and shall also be kept reasonably free from any accumulation of dirt, filth, rubbish, garbage, or other matter in or on the same, or in the yards, courts, passages, areas or alleys connected with or belonging to the same.

14.17 Garages

- (4) **Street Exposure.** Every building shall front on at least one street, unless otherwise permitted by local regulations.
 - (a) Existing buildings not fronting on a street shall be provided with an unobstructed fire access lane, not less than fifteen (15) feet in width, from a public thoroughfare to the building.

14.17 GARAGES. GENERAL REQUIREMENTS (SEE DETAIL (A))

- (1) **FOUNDATIONS AND FOOTINGS.** Attached private garages shall be provided with the same type footings and foundations as required herein for the principal building. Detached private garages may be built with a continuous floating slab of reinforced concrete not less than four (4") inches in thickness.
- (2) **FLOOR SURFACE.** The floor in all private garages shall be of concrete construction. No openings or pits in the floor shall be permitted, except for drainage.
- (3) **CONSTRUCTION.** Private garages shall be constructed as follows: (See detail (c) for detached garages.)
 - (a) Load bearing foundation walls and piers, masonry walls, and partitions shall be constructed as regulated herein except as stated above.
 - (b) Detached private garages of wood frame construction shall be constructed with the following minimum requirements.
 1. Studs may have a maximum spacing of twenty-four (24") inches on centers.
 2. Diagonal corner bracing may be applied on the inside surface of studs.
 3. Corner posts may consist of two (2) two by four (2" X 4") inch studs or a single four by four (4" X 4") inch stud.
 4. Horizontal bracing and collar beams may be two by six (2" X 6") inch with a maximum spacing of four (4') foot on centers.
 - (c) Attached private garages shall be of the same type of construction as that of the principal building and as further regulated in this Code.

14.18 NEW MATERIALS AND METHODS

All new materials, methods of construction, devices, and equipment shall be approved by the building inspector for use in buildings by the procedure herein provided when they are proved to be the equal of those specifically required by this code; or he may adopt the recommendations and approvals of the Department of Safety and Professional Services, State of Wisconsin, through structural or engineering analysis, or such other committee as may be established by this or other local ordinances.

14.19 TESTS

Unless based on accepted engineering desiring, all new building materials, appliances, equipment, systems, or methods of construction not provided for in this code shall be subjected to tests that stimulate the actual conditions which occur in normal use. Such tests shall be made at the expense of the applicant at an independent testing laboratory and copies of the test results shall be kept on file in the office of the building inspector.

The Building Inspector may accept duly authenticated reports from recognized authoritative sources in respect to the use of any new materials, methods, or systems of construction complying with applicable specifications and standards of accepted engineering practices or any such new materials, methods, or systems of construction approved by the Department of Safety and Professional Services,

State of Wisconsin.

14.20 PREFABRICATED DWELLINGS OR ACCESSORY BUILDINGS

Prefabricated assemblies not capable of design by accepted engineering analysis shall be subjected to tests. When prefabricated assemblies are not readily accessible for inspection at the site, a registered engineer or architect of the State in which the assembly is manufactured shall furnish a certified report of inspection. All tests and inspection records shall be accessible to the building inspector at all times during fabrication and erection to the building or assembly unit or such records as he may designate shall be filed with him.

14.21 IDENTIFICATION OF PRODUCTS

All materials shall be identified by the approved label, the grade mark, the trademark, or by other approved manufacturer's identification.

14.22 INVALIDITY OF PART

If any section, subsection, paragraph, clause or provision of this code shall be adjudged invalid, such adjudication shall apply only to the provisions so adjudged, and the rest of this code shall remain valid and effective.

14.23 ONE AND TWO FAMILY DWELLING CODE

- (1) (Reserve For Future Use.)
- (2) The Building Inspector, as certified by the Department of Safety and Professional Services is hereby authorized and directed to administer and enforce all of the provisions of the Wisconsin Uniform Dwelling Code.
- (3) No person shall build or cause to be built any one- or two- family dwelling without first obtaining a state uniform building permit for such dwelling. Such building permit shall be furnished by the City. A copy of such permit issued shall be filed with the City Building Department. Fees as set forth in Chapter 32 shall be paid prior to the issuance of a permit.
- (4) (Reserve For Future Use.)

14.24 MANUFACTURED HOMES

- (1) Definitions: For the purpose of this section, "Manufactured Home" means a structure which complies with the standards set forth in 24 CFR Part 3280, designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning and electrical systems contained therein.
- (2) Permits: No Manufactured Home may be placed in the City of Reedsburg without first obtaining from the Building Inspector a building permit. Said permit shall cover all on-site activities including, where applicable, the following: foundation; electrical hook-up; connection to water and sewer systems; installation of exit platforms and stairs; and any additions or garages that will be constructed on-site. Fees for the permit shall be according to Chapter 32 of this Code.
- (3) Conformance to Code: All on-site construction related activities pertaining to a Manufactured Home for which a building permit is issued shall conform to the applicable requirements of the

14.23 One and Two Family Dwelling Code

Wisconsin Administrative Code, SPS Chapters 320-325.

- (4) Exits: Every Manufactured Home for which a permit is issued shall have at least one exit door which has a system of landings and stairs which meet the requirements of Section SPS 321.04. Every other exterior door, whether 1 or more, shall have, at a minimum, a landing which complies with Section SPS 321.04.
- (5) Occupancy: No Manufactured Home may be occupied until the Building Inspector is satisfied that the requirements of this section have been met and has issued a Certificate of Occupancy stating such.
- (6) Modifications: No alteration or modification may be made to a Manufactured Home or its systems which is not in compliance with the standards set forth in 24 CFR Part 3280.
- (7) Extent of Inspector's Authority: Nothing in this section shall be construed to imply that the local Building Inspector is to inspect any part of the Manufactured Home or its mechanical systems which was installed by the manufacturer and in place prior to placement of the structure at the site.

14.25 VIOLATIONS

It shall be unlawful for any person to erect, use, occupy or maintain any building or structure in violation of any provisions of this code or to cause, permit or suffer any such violations to be committed, or fail to obtain a Building Permit. Any violation shall be subject to forfeiture as set forth in Section 25.04 and shall also be subject to the payment of double permit fees. If, in any action, a permit was issued, it shall not constitute a defense, nor shall any error, oversight or dereliction of duty on the part of the building inspector constitute a defense.

14.26 FAILURE TO OBTAIN PERMIT

Any person who commences work prior to obtaining a "Building Permit" shall be subject to forfeiture as set forth in Section 14.25 and shall also be subject to the payment of double permit fees.

14.27 STREET NUMBERS REQUIRED

The owner of any building within the City of Reedsburg shall prominently display the street number(s) for each separate business facility and/or living space in such a manner that it shall be visible and legible to emergency vehicles from the street. Street numbers shall be displayed using numerals, no less than three inches (3") in height, and shall be affixed to the building in the vicinity of the main entrance. Residential dwellings may display the street numbers in the vicinity of the garage door if the main entrance door is not visible from the street; street numbers displayed in this manner shall be able to be illuminated. All numbers that are not directly or indirectly illuminated must be made of a reflective medium so that they can clearly be identified by use of a flashlight from the adjoining street.