

CHAPTER 7 - BUILDING CODE

Contents

7.01 BUILDING INSPECTOR 75

7.02 STATE CODES 75

7.03 BUILDING PERMITS AND INSPECTION..... 75

7.04 LOT REQUIREMENTS 77

7.05 VILLAGE NOT LIABLE 78

7.06 PENALTY..... 78

7.07 HOUSE AND BUILDING NUMBERS..... 78

7.08 ELECTRICAL INSPECTION..... 79

7.09 FENCES 79

7.10 BARBED WIRE..... 82

7.01 BUILDING INSPECTOR. (Cr. Jan. 7, 1969) (Am. 1986).

(1) Appointment and Term. The Building Inspector shall be appointed by the Village President, subject to confirmation by the Village Board, and shall hold office until removed by a 3/4 vote of the Village Board.

(2) Duties. The Building Inspector shall have the power and it shall be his/her duty to enforce the provisions of this chapter and all laws and orders relating to building, and for this purpose he/she shall have the right at all times to enter upon any public or private premises and make inspection thereof and may require the production of the permit for any building.

(3) Record. The Building Inspector shall keep a record of all applications for building permits in a book and regularly number each permit in order of issuance.

(4) Interference with Inspector. Any person interfering with the Building Inspector while in the performance of the duties of his office shall forfeit a sum of not less than \$10.00, nor more than \$25.00; and in default in payment thereof shall be imprisoned in the County Jail for a period not exceeding ten (10) days.

7.02 STATE CODES

The following provisions of the State of Wisconsin Administrative Code, including all subsequent amendments and recodifications thereto, are hereby adopted by reference and incorporated in this code as if fully set forth, exclusive of any penalties or enforcement and abatement procedures. Violations of the provisions hereby adopted shall be subject to penalties, enforcement and abatement procedures as set forth in Section 7.05 of this code. This section shall apply to all additions and alterations to existing structures:

(1) Electrical Code, Chapter SPS 316, and SPS 324 Wisconsin Administrative Code as laid out in Section 7.07 of this code

(2) Uniform Dwelling, Chapters SPS 320, 321, 323-325, Wisconsin Administrative Code

(3) Wisconsin Commercial Building Code, Chapters SPS 361-366

(4) Plumbing Code, Chapters SPS 381-387, Wisconsin Administrative Code.

7.03 BUILDING PERMITS AND INSPECTION. (Cr. Jan. 7, 1969) (Am. 1986).

(5) Permit Required. No building or structure, or any part shall hereafter be built, enlarged, altered, moved or demolished within the Village of Ridgeway except as provided in this section, unless a permit shall first be obtained by the owner or their agent from the Building Inspector.

(6) Application. Application for a building permit shall be made in writing upon a blank form furnished by the Building Inspector, and shall state the name and address

of the owner of the building, the location of the building and the purpose for which it is to be used, a plot showing the location of the proposed building with respect to adjoining streets, alleys, lot lines and buildings, and shall contain such other information as the Building Inspector may require.

(7) Plans to be Submitted. With such application there shall be submitted two complete sets of plans and specifications unless this requirement shall be waived by the Building Inspector. Plans for buildings required to comply with the State Building Code shall bear a stamp of approval from the State of Wisconsin.

(8) Approval of Plans. If the Building Inspector determines that the proposed building will comply in every respect with all ordinances of the Village of Ridgeway they shall officially approve and stamp one set of the plans and return it to the owner and shall issue a building permit therefor. After being approved, the plans and specifications shall not be altered in any respect which involves the above-mentioned ordinances, or which involves the location of the building or the safety of the building or occupants, except with the written consent of the Building Inspector. The Village of Ridgeway Building Inspector is not required to verify that the owner or their agent on the permit application has stated that the plans comply with State regulations. It is the duty of the Building Inspector to see that the building location on the lot complies with Village ordinances.

(9) Permit Card. With every permit issued, the Building Inspector shall issue to the applicant a building approval card. It shall be the duty of such applicant to place such card in a conspicuous place on the premises where the building is to be erected, the card to be unobstructed from public view and not more than 10 feet above grade.

(10) Minor Repairs. This section shall not be construed to require a permit for any repairs or minor alterations which do not change the occupancy, area, structural strength, fire protection, exits, light, ventilation or roof line of the building.

(11) Fees. The following fees shall be paid for the permits indicated:

(a) (Am. June 5, 1985) New construction of any type, \$2.00 per 100 square feet, with a minimum of \$150.00. The square foot area is to be figured on the ground floor only, but is to include all portions of the building or structure which are covered by a roof, including, but not limited to, car ports, breeze ways, garages and etc.

(b) For wrecking buildings, either partially or completely, a permit shall be required but no fee charged therefor except as hereafter stated. Should the fire department be requested to attend the intentional destruction of any such building by fire, the fee therefor shall be \$35.00.

(c) For moving buildings, a fee of \$10.00 plus deposit of \$15.00 to cover possible damage done by reason of said moving or charges made for street occupancy as hereafter described. Following the moving, this deposit is to be returned to the

depositor upon notification from the Director of Public Works that no damage was done or fee for street occupancy incurred.

(d) The fee for relocating a moved building within the Village of Ridgeway limits shall be the minimum building permit fee of \$10.00.

(e) (Cr. June 2, 1987) The Village of Ridgeway will hereby require a building permit for all remodeling or alterations done on your property in the Village of Ridgeway. Such a permit will be issued without payment for all remodeling or alterations done for under \$500.00.

(f) (Am. June 5, 1985) For street occupancy, the sum of \$6.00 per day while such occupancy continues shall be charged. The term "street occupancy" is hereby defined as either the partial or complete blocking of any street, alley or other thoroughfare during the "nighttime" as the same is defined in the Wisconsin Statutes. A permit shall be required under this section for all such street occupancy.

(g) All fees shall be to the Village of Ridgeway, given to the Building Inspector, who will turn the same over to the Village Treasurer for deposit to the Village General Fund.

(12) Double Fee. In case a permit is not obtained before work on a building has been started, except in emergencies as certified to by the Building Inspector, the total fees for such permit shall be double the fees charged in subsection 7 of this code. For the purpose of this subsection, work on the construction of a building shall be deemed to have started upon either the commencement of excavation or of the construction of forms for concrete work. The collection of a fee pursuant to this section shall not be a bar to prosecution for a violation of any of the provisions to this chapter.

(13) Inspection of Work. The owner or builder shall notify the Building Inspector when the building has been staked-out and again upon completion of the foundation forms or before the foundation is laid.

(14) Report of Violation. It shall be the duty of all police officers and other Municipal employees to report at once to the Building Inspector any building work which is being carried on without a permit as required by this chapter.

7.04 LOT REQUIREMENTS. (Cr. Jan. 7, 1969) (Am. 1986).

(1) Lot Area Per Family. Every building hereafter erected or structurally altered shall provide a lot area of not less than 8,000 square feet per single family residence unit and no such lot shall be less than 80 feet in width. A lot of record at the time of passage of this chapter shall not be affected hereby.

Chapter 7 Building Code

(2) Building Location. Buildings hereafter erected or structurally altered which are to be used as a single family residence shall have total required side yards of not less than 20 feet and no single side yard shall be less than 8 feet in width. They shall also have a minimum setback from the street of at least 30 feet or, in the alternative, of the average of the existing setbacks of the occupied frontage and they shall have a rear yard having a minimum depth of 25 feet. A lot of record at the time of passage of this ordinance shall not be affected thereby. Accessory buildings which are not part of the main building shall not occupy more than 30% of the area of the required rear yard, and shall not be more than 12 feet high, and shall not be nearer than 6 feet to any lot line.

7.05 VILLAGE NOT LIABLE. (Cr. Jan. 7, 1969) (Am. 1986).

No part of this chapter shall be construed so as to make the Village of Ridgeway liable to anyone injured, or for any damage to any property, by any defect in any building or equipment.

7.06 PENALTY. (Cr. Jan. 7, 1969) (Am. 1986).

In addition to the revocation provisions herein, the penalty for violation of any provision of this chapter shall be as provided by this code, under chapter 12.

7.07 HOUSE AND BUILDING NUMBERS. (Cr. Sept. 4, 2012).

(1) House Numbers. All house and building numbers are to be visible from the street for emergency or delivery personnel.

(2) Cost. The cost of the numbers and the installation to be paid by the owner of the property.

(3) Numbers To Be Easily Seen. The numbers shall be not less than three inches. The numbers shall be conspicuously placed immediately above, on, or at the side of the PROPER DOOR of each building so that the number can be seen from the street. A property owner may use any style number; it must be at least three inches large and visible from the street.

(4) Numbers Not Meeting This Standard. If a property has a number that doesn't meet this standard, the Owner will be notified to improve the visibility of the property number or be penalized.

(5) Multi Family Buildings. Where only one number can be assigned to any house or building, the owner or agent of such house or building shall use distinctive numbers for the upper and lower portion of any such house or building, or for any part of such house or building fronting on any street, may use the suffix "A", "B" or "-1", "-2", or "1/2", etc. as would designate separate dwellings.

(6) Authority of Village Clerk. It shall be the duty of the Village Clerk to inform any party applying therefor of the number or numbers belonging to or embraced within the limits of said lot or property.

(7) Violation; Report By Law Enforcement Officer. It shall be the duty of all law enforcement officers of the Village to report the violation of any provision of this ordinance.

(8) Notice. If the owner or occupant of any building required to be numbered by this ordinance shall neglect for more than 30 days to duly attach and maintain the proper number of such building, the Village Clerk shall cause to be served upon the Owner the notice requiring such Owner to properly number the same, and if he/she neglects to do so within ten days after the serving of such notice, he/she shall be deemed to have violated this ordinance. Upon conviction thereof, he/she shall be subject to a penalty as provided by Paragraph Nine of Chapter Seven.

(9) Penalty. Upon conviction of this section, persons shall forfeit not less than \$50 together with the costs of prosecution and in addition to the forfeitures that may be levied for violations of this ordinance, the cost of and the installation of the house number by Village Personnel and shall be charged to the property under sec. 66.0701, Wis. Stat.

7.08 ELECTRICAL INSPECTION. (Cr. Nov. 12, 2019).

(1) SPS 324. The provisions of Wis. Admin. Code ch. SPS 324 are hereby adopted by reference and made a part of this chapter and shall apply to the construction and inspection of new one- and two-family dwellings and additions or modifications to existing one- and two-family dwellings.

(3) SPS 316. The Electrical Code, Wis. Admin. Code ch. SPS 316, is hereby adopted by reference and made a part of this chapter and shall apply to all buildings, except one- and two-family dwellings.

7.09 FENCES. (Cr. Oct. 1, 2002).

(1) Building Inspector Approval. Plans and site design for the construction of fences, or planting of shrubs, hedges, trees, or landscaping being used as a fence or screen shall be reviewed by the Building Inspector prior to the issuance of a building permit. The Building Inspector may require that moneys be placed in escrow for a period not to exceed one (1) year to insure replacement of any landscaping should it perish with one (1) year.

(2) Maintenance. Any fencing or landscaping erected or planted under this Chapter shall be maintained in good order to achieve the objective of this Chapter. Failure to maintain fencing or permitting shrubs or landscaping to die without replacing it shall be considered a violation of this division.

(3) Definitions. For the purposes of this Section, the following definitions shall apply:

- (a) Fences. A barrier greater than 1 foot tall made of wood, iron, stone or other material
- (b) Hedge. A barrier greater than 18 inches tall consisting of natural or artificial vegetation.

(4) Fence Permit. No person shall erect a fence or plant a boundary hedge in the Village unless the owner or his agent first obtains a permit from the building Inspector. Upon application for the permit, a fee will be charged at a rate of Ten Dollars (\$10.00) per first one hundred (100) feet of fence or hedge and an additional Five Dollars (\$5.00) for every one hundred (100) feet. The Building Inspector has the right to waive the enforcement of this Ordinance at his or her discretion in case of decorative fencing, hedges, or barriers.

(5) Property Boundary Determinations. Fences and hedges shall be erected on owner's property and responsibility for establishing the property line shall rest with the property owner erecting the fence or planting the hedge or upon mutual agreement with the adjoining property owner.

(6) Construction and Maintenance. Every fence shall be constructed and shall be maintained and repaired. No fence or hedge shall be allowed to deteriorate into an unsightly or hazardous condition. The finished side of the fence shall be faced to the outside of the property lines.

(7) Prohibited Construction Materials. The use of barbed wire, electric wire, or double or triple strand wire shall not be used in the construction of a fence, except as specifically allowed under the appropriate provisions of this Section. Wooden and plastic snow fence may not be used except as a temporary fence between November 1 and April 1.

(8) Nonconforming Fences and Hedges. All fences and hedges which exist on the enacted date of this ordinance November 4, 2002 and do not conform to this division may be maintained; however, no alteration, modification or improvement of such nonconforming fence or hedge shall be permitted unless said conforming fence has been destroyed by an act of God or by the criminal acts of another person.

(9) Residential Fences and Hedges. Fences and hedges in a residential district shall conform to the following conditions:

- (a) All side yard fences shall not exceed six (6) feet in height:

- (b) All rear yard fences shall not exceed eight (8) feet in height;
- (c) No front yard fences will be permitted:

(d) For a property at the intersection of multiple streets, the front yard shall be defined as the side of the house that the address corresponds to. On these properties, ALL FENCES must be at least three (3) feet from any and all sidewalks, curbs, or other features marking the edge of the roadway or public right of way.

(10) Business and Thoroughfare Commercial Fences and Hedges. In a business of thoroughfare commercial zone, a fence consisting of chain links without barbed wire shall be allowed in the rear of the yard, front yard and side yards; however, the fence shall not exceed eight (8) feet in height. Any fence constructed of other materials shall abide by the regulations of residential fences and hedges.

(11) Industrial Fences. In an industrial zone, a chain link fence not exceeding eight (8) feet in height with two (2) barbed wires tilting into the inside of the property will be permitted in the rear yard, front yard and side yards. The fencing material requirements and fencing/Hedge requirements of the other zoned areas shall also be permitted in the industrial zone.

(12) Public Zone Fences. In a public zone, a chain link fence not exceeding eight (8) feet will be permitted. Any fence or hedge constructed of other materials shall comply with site plan approval of the Plan Commission or Zoning Committee (whichever is in effect at the time).

(13) Rural Development Zone Fences. In a rural development zone barbed wire, electric wire of double, or triple strand wire shall be allowed for agricultural and farming purposes. Residential, business, thoroughfare commercial and industrial uses shall meet the requirements of the respective zoning, district when built in a rural development zone.

(14) Appeals. Upon appeal to the Zoning Board of Appeals, an aggrieved property owner can receive a variance to the terms of this Section in order to avoid unreasonable or impractical application of the strict interpretation of the law due to unique characteristics of the site.

(15) Special Exception; Property Owner Agreement. Upon written agreement between the property owner who erects the fence or hedge and the property owner who immediately about the fence or hedge a special exception to the terms of this Section is granted provided that such exception does not allow the dimensional requirements of this Section be exceeded by more than twenty (20%). The property owner erecting the fence or hedge shall file the agreement with the Building Inspector and shall record the agreement with the Iowa County Register of Deeds in order to provide constructive notice to future owners of the properties. The special agreement between property owners shall not superseded any existing or future requirements or prohibitions mandated by the Village due to the concern for public health, safety, and morals.

7.10 BARBED WIRE. (Cr. Nov. 1, 1954).

The placing, affixing or maintaining of barbed wire or barbed wires on, in or upon any fence along side of and within four (4) feet of any sidewalk in any public street or alley of this Village is hereby declared to be a common and public nuisance.