

# Revised ORDINANCE NO. 2021 - 1

## TOWN OF SALEM

Pierce County

### An Ordinance Amending the Town Building Inspection and Permit Ordinance

The Town Board of the Town of Salem does ordain as follows:

#### 1.0 ORDINANCE AMENDED

Ordinance #2004-1 is hereby amended as follows:

1.1 AUTHORITY. The Town of Salem, County of Pierce adopts these regulations under the authority granted by s. 101.65, Wisconsin Statutes and 101.12, Wisconsin Statutes.

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

#### 1.3 DEFINITIONS:

**Building:** Includes but is not limited to a structure having a roof supported by columns or walls used or intended to be used for the shelter or enclosure of persons, animals, equipment, machinery, materials or any type of vehicles or semi-tractor-trailers.

**Commercial Building/Structure:** A building whose primary purpose is for retail, commercial or industrial use.

**Dwelling:** Includes but is not limited to a building or sections of a building or other residential structure devoted to the shelter of one family or a detached building containing two separate dwelling (or living) units designated for occupancy by not more than two families.

**Garage:** A building or portion thereof in which a motor vehicle containing gasoline, distillate, or other volatile flammable liquid in its tank is stored, repaired or kept.

**Residential Accessory Building:** Any building other than, and not attached to, the principal residential structure on a lot. Any structure attached to the principal residential structure shall be deemed part of that structure and shall not be an accessory building. Any accessory building shall not be used as a dwelling or residence.

**Structure:** Includes but is not limited to erection or construction such as buildings, towers, masts, poles, decks, booms, signs, permanent decoration, carports, stationary machinery and equipment and sight barriers.

**Swimming Pool:** Includes but is not limited to all swimming pools (both above-ground and in-ground), spas and hot tubs that require ground to be broken and/or excavation for their installation and/or those that exceed 5,000 gallons.

1.4 SCOPE. This chapter applies to all dwellings, commercial buildings/structures, swimming pools, garages, structures, buildings, and residential accessory buildings.

1.5 ADOPTION OF CODES. The Wisconsin Uniform Dwelling Code, Chs. SPS 320-325, and its successors, of the Wisconsin Administrative Code, and all amendments thereto, is adopted and incorporated by reference and shall apply to all buildings within the scope of this ordinance.

The following Wisconsin Administrative Codes, their referenced codes and standards, and subsequent revisions are adopted for municipal enforcement by the building inspector, who shall be commercially certified by the WI Division of Industry Services.

Chs. SPS 360-366	Wisconsin Commercial Building Code
Chs. SPS 375-379	Buildings Constructed Prior to 1914 Code
Chs. SPS 316	Electrical
Chs. SPS 381-387	Plumbing
Chs. SPS 327	Camping Units

1.6 BUILDING INSPECTOR. The building inspector authorized by the municipality to enforce the adopted codes shall be properly certified by the Division of Industry Services.

1.7 RESIDENTIAL BUILDING PERMIT REQUIRED. No person shall alter, build, add onto or alter any building within the scope of this ordinance without first obtaining a building permit for such work from the building inspector. Any structural changes or major changes to mechanical systems that involve extensions shall require permits.

#### 1.8 EXEMPTIONS FROM PERMIT REQUIREMENT

1.8.1 Additions, remodeling, reconstruction, enlargement, or alterations to buildings, when the cost of the work, including labor, shall be less than \$12,000 (in a 12-month period) and does not change occupancy, area, structural strength, fire protection, exits, natural light or ventilation

1.8.2 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 building or structure

1.8.3 Fences or other similar enclosures

1.8.4 Re-roofing projects that do not involve the repair or replacement of any structural elements

1.8.5 Restoration or repair of an installation to its previous code-compliant condition as determined by the building inspector on a case-by-case basis

1.8.6 Re-siding, finishing of interior surfaces and installation of cabinetry

1.8.7 Replacement of same size windows and doors

1.9 COMMERCIAL BUILDING CODE PERMIT REQUIRED. No person shall build or cause to be built any new public building or place of employment or any alteration or addition to an existing public building or place of employment without first obtaining a commercial building permit from the building inspector. This permit shall be issued after receipt of State of Wisconsin approved plans, where required, and sanitary permits, if applicable, and a determination has been made of compliance with, zoning, setbacks, ordinances, Town of Salem Comprehensive Plan and regulations of the Town of Salem, the County of Pierce, and the State of Wisconsin.

1.10 BUILDING PERMIT FEE. The building permit fees shall be determined by resolution. The building permit fee shall be doubled for any project requiring a permit which is commenced without a permit or prior to issuance of a permit.

1.11 EXPIRATION OF PERMIT. Work to be done pursuant to the permit must be commenced within six months of the date of issuance or the permit shall expire notwithstanding work pursuant to SPS 316 which shall expire within one year

of the date of issuance if work has not been commenced. All other permits shall expire two years from date of issuance or in accord to SPS 320.09(9) (a) 5 for dwellings.

1.12 OCCUPANCY PERMITS. No single-family dwelling or multiple family dwelling or commercial structure may be occupied by any person or party until an occupancy permit has been issued. An occupancy permit will be issued only after all inspections have been satisfactorily completed, all required fees associated with this ordinance paid, and all required terms of the ordinance have been met.

1.13 RIGHT OF ENTRY. The building inspector may, at all reasonable hours, enter upon any public or private premises for inspection purposes, and may require the production of the permit for any building, plumbing, electrical, or heating work. No person shall interfere with, or refuse access to any such premises, the building inspector while in the performance of his duties.

1.14 UNSAFE BUILDINGS. Whenever the building inspector finds any building or part thereof within the Town of Salem to be, in his judgment, so old, dilapidated, or out of repair as to be dangerous, unsafe, unsanitary, unreasonable to repair or otherwise unfit for human habitation, occupancy, or use, he shall order the owner to raze and remove such building or part thereof if agreed to by the Town Board. If a building or part thereof can be made safe by repairs, the owner shall make it safe and sanitary. The owner shall perform the remedial action in a timely fashion at his own expense.

1.15 APPEALS. Any person feeling aggrieved by an order or a determination of the Building Inspector may appeal such order or determination to the Town Board. Those procedures customarily used to effectuate an appeal to the Town Board shall apply.

1.16 PENALTIES. The enforcement of this section and all other laws and ordinances relating to WI State Building Codes shall be by means of the withholding of building permits, imposition of forfeitures and injunctive action. Forfeitures shall be not less than \$25.00 nor more than \$1,000.00 for each day of noncompliance.

1.17 EFFECTIVE DATE. This ordinance shall replace Ordinance 2004-1 and be effective immediately upon passage and publication as provided by law.

Adopted by the Town Board this 9<sup>th</sup> day of November, 2021.



Board Chairperson

Attest:



Ruth Kay, Clerk

Published: 11-10-21