

CHAPTER 30
BUILDING CODE
VILLAGE OF SLINGER, WASHINGTON COUNTY, WISCONSIN

I. GENERAL

ARTICLE 30.00 SCOPE

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

30.01 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.

30.02 APPLICATION OF “WISCONSIN ADMINISTRATIVE BUILDING AND HEATING, VENTILATING AND AIR CONDITIONING CODE”

The 2002 Wisconsin Enrolled Commercial Building Code, Chapters 61-65, Chapters 75-79 and Chapter 70, inclusive of all amendments thereto are hereby made a part of THIS CODE by reference with respect to those classes of buildings to which such provisions apply. A copy of said code is on file in the office of the Building Inspector.

30.025 APPLICATION OF “WISCONSIN UNIFORM DWELLING CODE”

(A) The Wisconsin Uniform Dwelling Code, Chapters 20 – 25, inclusive, and all amendments thereto, are hereby made a part of THIS CODE by reference and shall apply to all one and two family dwellings and alterations and additions thereto, the initial construction of which was commenced after the effective dates of the various Chapters of the Wisconsin Uniform Dwelling Code. A copy of said code is on file in the office of the Municipal Clerk.

30.03 APPLICATION OF “WISCONSIN UNIFORM BUILDING 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.

(A) **ZONING LAWS.** No provision of THIS CODE shall be construed to repeal, modify, or constitute an alternative to any lawful zoning regulations.

- (B) NEW BUILDINGS. The construction requirements of the Wisconsin Uniform Building Code shall apply to all buildings not covered under Sections 30.02 and 30.025.
- (C) EXISTING BUILDINGS. THIS CODE shall also apply to buildings and conditions described in this Section.
 - (1) An existing building to be occupied as a one or two family dwelling, which building was not previously occupied.
 - (2) An existing structure that is altered or repaired, when the cost of such alterations or repair during the life of the structure exceeds fifty (50) percent of the equalized value of the structure, said value to be determined by the assessor of the municipality.
 - (3) Additions and alterations, regardless of cost, made to an existing building shall comply with the requirements of THIS CODE. The provisions of subsection (D) of this Section shall also apply.
 - (4) Roof Coverings. When more than twenty-five (25) percent of the roof covering of a building is replaced in any twelve month period, all roof coverings shall be in conformity with applicable sections of THIS CODE.
- (D) ALTERATIONS AND REPAIRS. The following provisions shall apply to buildings altered or repaired.
 - (1) Alterations. When not in conflict with any regulations, alterations to any existing building or structure, accommodating a legal occupancy and use but of non-conforming 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 given type of construction.
 - (2) 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 affect 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.

- (3) Alterations When Not Permitted. When an 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) percent of the equalized value of the building or structure, no alterations or moving of such building or structure shall 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.
- (4) 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.
- (5) Extent of Deterioration. The amount and extent of deterioration of any existing building or structure shall be determined by the Building Inspector.
- (6) 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.

30.031 APPLICATION OF “WISCONSIN ADMINISTRATIVE PLUMBING AND ELECTRICAL CODE”

All plumbing work shall be done in conformity with the Wisconsin Administrative Plumbing Code then in effect. All electrical work, including the placing of wires and other equipment, shall be done in conformity with the Wisconsin Administrative Electrical Code then in effect.

II. BUILDING, PLUMBING AND ELECTRICAL INSPECTOR AND PERMITS

30.04 BUILDING, PLUMBING AND ELECTRICAL INSPECTOR

There is hereby created the Department of Building, Plumbing and Electrical Inspection. The Inspector appointed by the Municipality shall act as head of this department.

- (A) DUTIES. The Inspector is vested with the authority and responsibility to enforce all laws and controlling safe building construction including issuance of citations for violations of Chapter 5 of the Municipal Code. He shall make periodic inspection of existing public buildings at the site of buildings damaged by any cause whatsoever to determine the safety of buildings effected thereby.
- (B) RIGHTS. The 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.
- (C) RECORDS. There shall be kept in the Department of Building, Plumbing and Electrical Inspection a record of all applications for building permits in a book for such purpose and each permit shall be regularly numbered in the order of issue. Also, a record showing the number, description and size of all buildings erected indicating the kind of materials used and the cost of each building and aggregate cost of all buildings in the various classes, shall be kept. There shall be kept in the Department of Building, Plumbing and Electrical 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 Inspector shall make a written annual report to the governing body of the municipality relative to these matters.
- (D) PLAN REVIEW AND FEE SCHEDULE. Commercial plan review will be performed by a certified commercial building inspector, for new buildings, additions onto existing buildings, or building renovations, when the entire building does not exceed 50,000 cu. Ft. Plan review fees will be consistent with current Wisconsin State fee schedule.

30.05 PERMITS

- (A) PERMITS REQUIRED. No building, plumbing or electrical work, or project shall hereafter be built, enlarged, altered or demolished within the municipality or moved into, within or out of the municipality except as hereinafter provided, unless a permit therefor shall first be obtained by the owner or his agent from the Inspector.

Permits required are as follows:

- (1) Building
- (2) Air Conditioning, Section 30.38(A)(2)
- (3) Wrecking or Razing
- (4) Heating
- (5) Moving of Buildings
- (6) Occupancy
- (7) Reroofing and Residing
- (8) Plumbing
- (9) Electrical
- (10) Other permits as required by governing municipality

(B) APPLICATION FOR THE APPROPRIATE PERMIT.

Application for a building permit shall be made in writing upon a blank form to be furnished by the 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 Inspector may require. With such application, there shall be submitted to the Inspector three (3) complete sets of plans, specifications and three (3) copies of a survey.

- (1) 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:
 - (a) Location and dimensions of all buildings on the lot, both existing and proposed.
 - (b) Dimensions of the lot.
 - (c) Dimensions showing all set-backs to all buildings on the lot.
 - (d) Proposed grade of proposed structure, to city or village datum.
 - (e) Grade of lot and or road opposite lot.
 - (f) Grade and set-back of adjacent buildings. If adjacent lot is vacant, submit elevation of nearest buildings on same side of road.
 - (g) Type of monuments at each corner of lot.

(h) Water courses or existing drainage ditches.

(i) Seal and signature of surveyor.

(2) Plans and Specifications. All plans shall be drawn to a scale not less than one-fourth (1/4) 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:

(a) All elevations.

(b) All floor plans.

(c) Complete construction details.

(d) Fireplace details (3/4 inch per foot) showing cross section of fireplace and flues.

(e) 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 Inspector until at least one (1) year after the completion of the building, after which time the Inspector may return the same to the owner, may keep them for public record, or may destroy them.

Application for a plumbing or electrical permit shall be made in writing upon a blank form furnished by the Inspector and supplying the information required on such blank.

(C) WAIVER OF SOME REQUIREMENTS.

At the option of the 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.

(D) 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

fifty (50) 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 Industry, Labor and Human Relations 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 by the architect or engineer, with the Inspector with the application for permit.

(E) DRAINAGE.

- (1) 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 building 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.
- (2) Storm Water Drains. 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.

(F) INSPECTOR TO ISSUE PERMIT.

- (1) If the 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 of the building, except with the written consent of the Inspector filed with such application.

- (2) In case adequate plans are presented, the 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 Inspector from thereafter requiring the correction of errors in said plans and specifications or from preventing building operations being carried thereunder when in violation of any ordinance of the municipality or laws of the State of Wisconsin or lawful orders issued pursuant thereto.
- (3) For the construction of buildings requiring approval of the Department of Industry, Labor and Human Relations of the State of Wisconsin, no permit shall be issued until such approved plans are received by the Inspector.

(G) INSPECTOR MAY REVOKE PERMITS.

- (1) The 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:
 - (a) 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.
 - (b) Whenever the continuance of any construction becomes dangerous to life or property.
 - (c) Whenever there is any violation of any condition or provisions of the application for permit, or of the permit.
 - (d) Whenever, in the opinion of the Inspector, there is inadequate supervision provided on the job site.
 - (e) 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.
 - (f) Whenever there is a violation of any of the conditions of an approval or occupancy given by the Inspector for the use of any

new materials, equipment, methods of construction devices, or appliances.

- (2) 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.
- (3) A revocation placard shall also be posted upon the building, structure, equipment, or premises in question by the Inspector.
- (4) 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 regulations of THIS CODE.

(H) FEES.

- (1) A weatherproof card signed by the 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 Inspector as conforming to the provisions of THIS CODE.
- (2) The building permit shall become void unless operations are commenced within six (6) 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. The period of time may be extended by the Inspector if the delay was due to conditions beyond the control of the applicant.
- (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, all work shall be completed within 18 months from the date of issuance of the permit.
- (4) A schedule of permit fees for Building, Electric & Plumbing shall be set by the Village Board of the Village of Slinger by a duly enacted Resolution and may be changed from time to time.

30.07 REGULATIONS FOR MOVING BUILDINGS

- (A) **GENERAL.** No person shall move any building or structure upon any of the public right of ways of the municipality without first obtaining a permit therefor from the Inspector and upon the payment of the required fee. Every such permit issued by the 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.
- (B) **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) percent or more of its equalized value, and no permit shall be granted to repair, alter or move such building within or into the municipality.
- (C) **CONTINUOUS MOVEMENT.** The movement of buildings shall be a continuous operation during all the hours of the day, and day by 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. Lighted lanterns shall be kept in conspicuous places at each end of the building during the night.
- (D) **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 Inspector who shall thereupon in the company of the municipal highway commissioner, 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 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 governing body, 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.
- (E) **CONFORMANCE WITH CODE.** No permit shall be issued to move a building within or into the municipality and to establish it upon a location within the said municipality until the 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. A complete plan of all further repairs, improvements and remodeling with reference to such building shall be submitted to the 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 the 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 municipality to some point outside the boundaries thereof, the provisions with respect to the furnishing of plans and specifications for proposed alterations to such building may be disregarded.

(F) BOND.

(1) Before a permit is issued to move any building over any public way in this municipality, the party applying therefor shall give a bond to the municipality in a sum to be fixed by the Inspector and which shall not be less than \$1000; said bond to be executed by a corporate surety or two personal sureties to be approved by the governing body or designated agent conditioned upon, among other things, the indemnification to the municipality 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 judgement together with the costs and expenses incurred by the municipality in connection therewith, arising out of the removal of the building for which the permit is issued.

(2) Unless the 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 falling into such excavation of children under 12 years of age unlikely, the bond required by (1) shall be further conditioned upon the permittee erecting adequate barriers and within forty-eight (48) hours, filling in such excavation or adopting and employing such other means, devices or methods approved by the Inspector and reasonably adopted or calculated to prevent the occurrences set forth herein.

(G) INSURANCE. The Inspector shall require in addition to said bond above indicated, public liability insurance covering injury to one

person in the sum of not less than \$100,000 and for one accident in a sum not less than \$200,000, together with property damage insurance in a sum not less than \$50,000, or such other coverage as deemed necessary.

(H) PLAN COMMISSION *OR OTHER ASSIGNED BOARD OR COMMISSION.

- (1) No such permit shall be issued unless it has been found as a fact by the Plan Commission* of the municipality by at least a majority vote, after an examination of the application for the permit which shall include exterior elevations of the building and accurate photographs of all sides and views of the same, and in case it is proposed to alter the exterior of said building, plans and specifications of such proposed alterations and after a view of the building proposed to be moved and of the site at which it is to be located, that the exterior architectural appeal and functional plans of the building to be moved or moved and altered, will not be so at a variance with either the exterior architectural appeal and functions plan of the building already contracted or in the course of construction in the immediate neighborhood, or the character of the applicable district established by the zoning ordinances of the municipality, 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. In case the application proposes to alter the exterior of said building after moving the same, he shall submit with his application papers, complete plans and specifications for the proposed alterations. Before a permit shall be issued for a building to be moved and altered, the applicant shall give a bond to the municipality's Plan Commission*, which shall not be less than \$1000 to be executed in the manner provided in subsection (F) hereof to the effect that he will within a time to be set by the Plan Commission*, complete the proposed exterior alterations to said building in the manner set forth in his plans and specifications. This bond shall be in addition to any other bond or surety which may be required by other applicable ordinances of the municipality. No occupancy permit shall be issued for said building until the exterior alterations proposed to be made have been completed.
- (2) Upon application being made to the Inspector, he shall request a meeting of the Plan Commission* to consider applications for moving permits which he has found comply in all respects with all other ordinances of the municipality. The Plan

Commission* may, if it desires, hear the applicant for the moving permit in question and/or the owner of the lot on which it is proposed to locate the building in question, together with any other persons, either residents or property owners, desiring to be heard, giving such notice of hearing as they may deem sufficient. Such hearing may be adjourned for a reasonable length of time, and within forty-eight (48) hours after the close of the hearing, the Plan Commission* shall, in writing, make or refuse to make, the finding required by subsection (H) hereof, and file it in the office of the clerk, who shall send a copy of it to the Inspector.

30.08 RAZING OF BUILDINGS

- (A) RAZING OF BUILDINGS. The Inspector is hereby authorized to act for the municipality under the provisions of Section 66.05 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.
- (B) 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 five days of removal of the structure. Any excavation shall be protected with appropriate fences, barriers and/or lights.

30.09 INSPECTIONS

- (A) NOTIFICATION. Upon notification from the permit holder or his agent, required inspections of the construction of any buildings, structures and equipment shall be made as follows:
 - (1) 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.
 - (2) Inspection to determine if the construction of footings as to thickness, width, placing of reinforced steel, if required, and foundation walls is in compliance with approved plans, data and the terms of the permit.

Recertification of the footings and foundation location and elevation shall be provided to the Inspector prior to pouring concrete.

- (3) 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.
 - (4) Inspection prior to laying concrete for basement floor to inspect subgrade, drain tile, and forms.
 - (5) 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 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.
- (B) 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 an 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.
- (C) CERTIFIED REPORT. The 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 further that such construction work was executed in accordance with accepted architectural and engineering standard procedures.
- (D) BOARD OF APPEALS* OR OTHER ASSIGEND BOARD OR COMMISSION. Any person feeling himself aggrieved by any order or ruling of the 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 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*.

30.10 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 Inspector after satisfactory evidence has been supplied that the violation has been corrected.

30.11 CERTIFICATE OF OCCUPANCY

(A) INSPECTIONS.

- (1) The Inspector shall make a final inspection of all new buildings, additions, and alterations. If no violations of this or any other ordinance be found the Inspector shall issue a certificate of occupancy, stating the purpose for which the building is to be used.
- (2) No building, nor part thereof, shall be occupied until such certificate has been issued, nor shall any building be occupied in any manner which conflicts with the conditions set forth in the certificate of occupancy.

(B) USE DISCONTINUED.

- (1) Whenever any building or portion thereof is being used or occupied contrary to the provisions of THIS CODE, the 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 of make the building or portion thereof comply with the requirements of THIS CODE.
- (2) 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.

- (C) CHANGE. It shall be unlawful to change the use of any building, structure, premises, or part thereof without first obtaining from the Inspector an approval of such change in the occupancy or use, and a certificate of occupancy therefor.
- (D) HARDSHIP. The 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 such cases of hardship as in his judgement and discretion warrant occupancy before final state of completion as set forth in THIS CODE. Before granting such permission, the Inspector shall first examine the premises and determine if it is safe and sanitary. The Inspector shall determine the time within which such building or structure can be completed, such time should not exceed 120 days.

30.12 ACCESS KEY PANEL

All buildings which contain four or more residential dwelling units shall have an access key panel for the fire department. Said panel shall be installed in existing buildings by August 31, 1990.

CHAPTER VII

30.20 PRIVATE SWIMMING POOLS REGULATED

No person shall construct, install or enlarge a residential swimming pool not enclosed in a permanent building in the Village of Slinger, except in accordance with this Ordinance.

30.21 DEFINITION

A swimming pool within the meaning of this Ordinance shall be any depression in the ground, either temporary or permanent, or a container of water, either temporary or permanent, and either above or below the ground in which water of more than 18 inches in depth is contained and which is used primarily for the purpose of bathing or swimming; and such pools shall be constructed to be accessory structures.

30.22 PERMIT REQUIRED

No person shall construct, install, enlarge or alter any private swimming pool unless a building permit has first been obtained from the Building Inspector. Application shall be on forms provided by the Building Inspector, and shall be accompanied by plans drawn to scale showing the following:

- (A) Location of pool on lot, distance from lot lines and distance from structure.
- (B) Location of septic tank, filter bed and sewer lines.
- (C) Pool dimensions and volume of water in gallons.
- (D) Location of fence, type, size and gate location.
- (E) Site plan shall clearly indicate existent overhead wiring relative to proposed pool.

30.225 TEMPORARY SWIMMING POOLS

A temporary swimming pool is defined as any container of water which is used primarily for the purpose of bathing or swimming and is intended to be erected during the summer months and removed during the winter months.

- (A) No temporary swimming pool shall be erected without first obtaining a pool permit from the building inspector. The one-time permit fee will apply. Re-inspection is required at no additional cost provided the swimming pool is installed in the same location, is of the same size and depth, and same material as specified on the original permit.
- (B) A temporary swimming pool with a depth greater, than 18” shall be enclosed by a fence as provided in Section 30.25, unless covered with a full cover that is secured with a draw string or locking mechanism.
- (C) A receptacle that provides power for recirculating pump motor shall be connected to a GFCI outlet that is no closer than 10’ from the pool.
- (D) The location of a temporary pool will follow the provisions of Section 30.22, 30.24, and 2.08 of the Village Zoning Code.

30.23 PERMIT FEE

A schedule of permit fees for Building, Electric & Plumbing shall be set by the Village Board of the Village of Slinger by a duly enacted Resolution and may be changed from time to time.

30.24 CONSTRUCTION AND MAINTENANCE REQUIREMENTS

- (A) No pool shall be located, erected or constructed unless it is done in accordance with Section 2.08 of the Municipal Zoning Code.

- (B) No connection shall be made to the sanitary sewer or septic system.
- (C) Gaseous chlorination system shall not be made use of as a disinfection method for pool water.
- (D) No above ground pool shall be located less than 15 feet from any septic system.

30.25 FENCES AND GATES

Pools within the scope of the ordinance, or not enclosed within a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the pool and shall be not less than four inches in one dimension. Gates or doors shall be equipped with a self-closing and self-latching device for keeping the gate or door securely closed at all times when not in actual use.

Above ground pools with self-providing fencing to prevent unguarded entry will be allowed without separate additional fencing, provided the self-provided fence is of minimum required height and design as heretofore specified.

Permanent access from grade to above ground pools having stationary ladders, stairs or ramps shall have not less than equal safe guard fencing and gates.

- (A) Location of fencing required shall be subject to all other applicable ordinances.
- (B) In any case:
 - (1) No fence shall be located, erected, constructed or maintained closer to a pool than three feet.
 - (2) The wall of the house or building faced to a pool may be incorporated as a portion of such fence.

30.255 FILL ON LANDS AND/OR OBSTRUCTING DRAINAGE

- A. FILLING OF LANDS. (1) FILL DEFINED. The term “fill” as used in this section shall mean the normal and usual soil resulting from excavating or grading of lands, but shall not include building materials, refuse or any other manufactured articles of any kind whose use as fill is prohibited.
- B. PERMIT REQUIRED. Whenever any party desires to deposit fill in any amount, except any fill used for topsoil dressing on any lands in the Village, such party shall first obtain a fill permit from the Building Inspector. A permit shall not be required for fill deposited at a licensed

landfill site or for any lands for which a valid building permit has been issued or for roadway construction projects. Topsoil placement to maintain or establish a lawn or other landscaping is not considered to be fill provided such topsoil does not exceed a total of four (4) inches in depth.

- C. APPLICATION. The Building Inspector shall provide application forms for fill permits which shall show the following information:
1. Name & Address of applicant.
 2. Place where fill is to be deposited and the owner thereof.
 3. Existing and proposed elevation of area to be filled at a distance of not more than 25 foot intervals.
 4. Existing elevation of adjacent lands within 50 feet of the area to be filled at distance of not more than 25 foot intervals.
 5. A sketch showing the above information and the route to be traveled to the fill site.
 6. Approximate quantity of fill.
 7. Time required for filling.
 8. Party responsible for leveling, seeding or sodding.
 9. Method for erosion control during filling.
- D. ISSUANCE OR DENIAL. If the Building Inspector is satisfied that issuance of a fill permit is not in the best interest of the owners of adjacent lands or of the Village, he shall refuse to issue such fill permit.
- E. FEE. The Building Inspector shall collect the fee set by the Village Board by resolution from time to time before issuance of the fill permit and shall deliver such fee to the Clerk. Failure to obtain a fill permit shall result in the imposition of double fees. Such permit shall be posted on the site where the fill is to be deposited so as to be visible from the public roadway.
- F. LEVELING OF FILL. All fill deposited pursuant to a fill permit shall be leveled within 30 days of the last deposit.
- G. OBSTRUCTION TO DRAINAGE PROHIBITED. The damming, filling, relocating or otherwise interfering with the natural flow of surface water in a natural drainage course, the intended flow of surface water in an approved subdivision or the existing flow between other properties, shall not be permitted, except with the approval of those Village, County and State agencies having jurisdiction.
- H. VIOLATIONS AND PENALTIES. No person shall deposit any fill in the Village without a valid fill permit. In case of any violation of this section, the Building Inspector, Village Board, Village Attorney or Village police

officers, or any neighboring property owner who would be damaged by such violation, may institute appropriate action or proceeding to enjoin a violation of this section. Penalties may be charged in accord with Section 21.

30.26 ELECTRICAL REQUIREMENTS

All electrical installations shall require separate permits and shall be governed by the Village of Slinger Electrical Code or Wisconsin Electrical Code. If overhead flood or other artificial lights are used to illuminate the pool at night, such lights shall be shielded to direct light only on the pool.

30.27 GENERAL

No pool shall be so operated as to create a nuisance, a hazard, an eyesore, or otherwise result in a substantial adverse effect on neighboring properties.

30.28 PENALTIES

Any person violating any of the provisions of this Ordinance shall be subject to a fine of not less than \$50.00 nor more than \$500.00. Each day a violation continues shall constitute a separate offense. Such deposits of \$50.00 and \$500.00 shall be added to Chapter 21.09(C) of the Village Code of Ordinances.

30.47 IDENTIFICATION OF PRODUCTS

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

30.48 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 as adjudged, and the rest of this Code shall remain valid and effective.

30.49 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. Any person violating any of the provisions of this Code shall, upon conviction, be subject to a forfeiture of not less than one dollar (\$1.00) or more than two hundred dollars (\$200.00) together with the costs of prosecution and in default of payment thereof, shall be imprisoned for a period of not less than one (1) day or more than six (6) months or until such forfeiture and costs are paid. It shall be the responsibility of the

offender to abate the violation as expeditiously as possible, and each day that such violation is permitted to continue shall constitute a separate offense.

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 Inspector constitute a defense.

30.50 FAILURE TO OBTAIN PERMIT

It shall be unlawful to commence work prior to obtaining a permit therefor. Double fees shall be charged if work is commenced prior to the issuance of a permit.

30.51 PAYMENT OF BUILDING, PLUMBING and ELECTRICAL INSPECTOR

The Inspector shall be paid an amount for each building, electric and plumbing permit and this amount will be set by the Village Board and may change from time to time.

30.52 ELECTRICAL CONTRACTOR'S LICENSES

- (A) **REQUIRED.** No person shall perform the work of an electrical contractor unless licensed by the Village.
- (B) **QUALIFICATIONS.** Any applicant for such license shall have had 5 years experience as a journeyman, plus full time apprenticeship training or its equivalent in training in a school or college recognized by the State Department of Industry, Labor and Human Relations. A credit of 500 hours for such training in the armed forces shall be given an applicant, provided he furnishes proof of completing such training. In the absence of school, college or armed forces training, the applicant shall have completed an additional 2 years of journeyman's service.
- (C) **APPLICATION: ISSUANCE RENEWALS.** Applications and renewals for an electric license shall be made to the Village of Slinger on forms provided by the Village.
- (D) **FEES.** The fee for an electrical contractor's license shall be \$30.00 for the initial license and \$30.00 for each subsequent renewal of the license, provided such renewal fee is paid by January 31st of the next year. Licenses not renewed by January 31st will be \$40.00. No license fees shall be prorated.
- (E) **TERM OF LICENSE.** All electrical licenses shall expire on December 31 next following the date of issuance unless sooner revoked.

(F) REVOCATION AND SUSPENSION OF LICENSES.

- (1) Authority of the Village Board. The Village Board may suspend or revoke any electrical contractor's license issued hereunder upon proof that such license was obtained by fraud or misrepresentation or through gross error, or upon proof that the holder thereof is incompetent or has been guilty of any dishonest practices in connection with his work as such licensee; provided before any license is suspended or revoked, the holder thereof shall be given a written notice enumerating the charges and specifying a date, not less than 10 days after the service of such notice, on which the holder shall be given a hearing before the Village Board. The findings of the Village Board shall be final, provided any license holder who feels aggrieved therewith may further prosecute his case before any court of competent jurisdiction.
- (2) Effect of Suspension. A license may be suspended for not more than one year. Whenever a license has been so suspended, the former holder thereof shall have the same status as a person not previously licensed.
- (3) Election not to be Governed by Chapter 68. The Village elects not to be governed by Chapter 68, Wisconsin Statutes as to this subsection.

30.53 FENCES

- (A) FENCES AND GATES. No person shall construct, install, enlarge or alter a fence, except in accordance with this ordinance.
- (B) PERMIT REQUIRED. No person shall construct, install, enlarge, or alter any private fence unless a building permit has first been obtained from the building inspector. Application shall be on forms provided by the inspector and shall be accompanied by plans drawn to scale showing the following:
 - (1) Location of the fence on the lot and distance from lot lines.
 - (2) Type, size, height of fence and materials to be used in construction and gate locations.
 - (3) All fences must comply with Section 7.02(c) and Section 7.02(d) of the Village Zoning Ordinance.

(C) PERMIT FEE. A schedule of permit fees for Building, Electric & Plumbing shall be set by the Village Board of the Village of Slinger by a duly enacted Resolution and may be changed from time to time.