

## **CHAPTER 30: BUILDING CODE**

### **SECTION 30.01 BUILDING CODES ADOPTED.**

The Wisconsin Administrative Code Chapters SPS 320 through 388, and all subsequent amendments, additions and recodifications thereto are hereby adopted and incorporated herein by reference, and shall apply to new one- and two-family residential buildings and structures, as well as additions or alterations to all existing one-and two-family residential buildings and structures and to accessory buildings.

### **SECTION 30.02 BUILDING PERMITS REQUIRED.**

#### **A. PERMIT REQUIRED.**

No person shall build, excavate for, erect or construct any building or structure, nor enlarge, remodel, move, convert or demolish any building or structure, or cause the same to occur, without obtaining a building permit therefor from the Building Inspector. This Ordinance shall not be construed to require a building permit for minor repairs (excluding electrical and plumbing) which do not change the size of rooms, size of the building envelope, occupancy, structural strength, fire protection, ventilation, exits or lights of the building or structure.

#### **B. APPLICATION AND PERMIT.**

1. Any person desiring a building permit shall file with the Town Clerk an application therefor in writing on a blank form to be furnished for that purpose. Upon filing, the Town Clerk shall furnish the building permit application to the Building Inspector for processing.
2. Every such application for a permit shall describe the land upon which the proposed building or work is to be done, either by lot or block or tract, tax certificate number and street number, if any, or similar general description that will readily identify and definitely locate the proposed building or work. Every such application shall show the use or occupancy of all parts of the building and such other reasonable information as may be required by the Building Inspector.
3. If the application is for a new one-family or two-family dwelling, the Building Inspector shall utilize the statutory building permit application form.
4. Copies of the plans and specifications and a plot plan showing the location of the proposed building with distances to all property lines as well as every existing building thereon, shall accompany every application for a permit, and shall be filed in duplicate with the Building Inspector. Plans shall be drawn to scale upon substantial paper or cloth and the essential parts shall be drawn to a scale of not less than one-eighth inch to one foot. Plans and specifications shall be of sufficient clarity to indicate the nature and character of the work proposed and to show that the law will be complied with. Computations, strain sheets, stress diagrams and other data necessary to show the correctness of the plans, shall accompany the plans and specifications when required by the Building Inspector.

5. All plans shall bear the name of the architect, engineer, or person responsible for their preparation.

6. The application, plans and specifications filed by an applicant for a permit shall be checked by the Building Inspector and if found to be in conformity with the requirements of this Ordinance and all other laws or Ordinances applicable thereto, the Building Inspector shall, upon receipt of the required fee, issue a permit therefor. When the Building Inspector issues the permit, the Inspector shall endorse in writing, or stamp both sets of plans and specifications "Conditionally Approved." One such conditionally approved set of plans and specifications shall be retained by the Building Inspector as a public record, and one such approved set of plans and specifications shall be returned to the applicant, which set shall be kept on such building or work at all times during which the work authorized thereby is in progress and shall be open to inspection by public officials.

7. Such conditionally approved plans and specifications shall not be changed, modified or altered without authorization from the Building Inspector, and all work shall be done in accordance with the approved plans.

#### **C. POSTING OF PERMIT.**

With every permit issued, the Building Inspector shall issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. 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 available for the Building Inspector to mark.

#### **D. LIMITATION.**

A permit under which no work is commenced within two years after issuance shall expire. This does not preclude the renewal of a permit if the conditions under which the permit was originally issued have remained unchanged and there has been no change in the law that would adversely affect the permit.

#### **E. REVOCATION.**

The Building Inspector may revoke a permit or approval issued under the provisions of this Ordinance in case there have been any false statements or misrepresentation as to a material fact in the application or plans on which the permit or approval was based.

### **SECTION 30.03      INSPECTIONS.**

#### **A. INSPECTIONS.**

Inspections required under the provisions of this Ordinance shall be made by the Building Inspector. The Building Inspector, upon notification from the permit holder or agent, shall cause to be made the following inspections of buildings and either approve that portion of the construction which has been completed or shall notify the permit holder or agent wherein the construction fails to comply with

the law, regulations or orders, and it shall be the duty of the permit holder, or the permit holder's agent, to notify the Building Inspector when ready for such inspections. The Building Inspector then shall make such inspections as soon as possible and within two (2) business days after notification, unless delayed by weather or other circumstances beyond the control of the Building Inspector. Inspections shall be made of all new one- and two-family dwellings, additions and alterations and of other buildings covered under this ordinance. Normally, inspection will be made as follows:

1. Footing Inspection. Footing Inspection is to be made when the necessary forms have been erected and all reinforcing steel, when necessary, is in place and the materials for the footing have been delivered on the job.
2. Foundation Inspection. Foundation Inspection is to be made after the foundation is in place, foundation drain tile is in place, but before the backfill is placed or the superstructure is placed thereon.
3. Frame and Mechanical Rough-in Inspection. Framing and Rough-in Inspection is to be made after the roof, all framing, fire blocking, and bracing is in place and all pipes, chimneys and vents are complete. No lath or plaster-base of any kind or any insulation between the studs shall be applied to any building until the frame inspection, electrical inspection, plumbing inspection, heating and ventilating inspections have been made and the work approved. Where Wall Board is used in place of Sheeting, no siding shall be placed until the application of such substitution for wood sheeting is approved.
4. Final Inspection. Final Inspection is to be made after the building is completed and is ready for occupancy. The permit holder or agent shall make written application to the Building Inspector for Final Inspection.
5. The Building Inspector may require further inspections when, due to topography or the materials used in construction, special circumstances exist which make such further inspections necessary.

## **SECTION 30.04 PERMIT FEES.**

### **A. FEES MUST BE PAID**

No permit shall be issued by the Building Inspector until fees hereinafter prescribed have been paid. Each permit shall show the Owner's name, the location of the premises, the operations involved, and a receipt for the total amount paid. The fees to be paid for permits shall be as follows:

1. Building Permits. The fee for a building permit for new buildings, alterations or additions for residential and commercial construction shall be set forth in a Permit Fee Schedule on file with the Town Clerk's office after approval by the Town Board by Resolution.
2. Reissuance of Permit or Extra Inspections. The fee for the reissuance of a permit for additional inspections required because of failure of the applicant to meet the permit conditions shall be set forth in a Permit Fee Schedule on file with the Town Clerk's office after approval by the Town Board by Resolution

3. Double Fees. The above permit fees shall be double when construction is commenced before a permit is issued.

4. Fee Determination. In determining fee costs, all construction shall be included, with the exception of heating, air conditioning, electrical, or plumbing work.

## **SECTION 30.05 ENFORCEMENT.**

### **A. WORK STOPPAGE.**

Whenever the Building Inspector determines that any construction of a building or structure is occurring without the prior issuance of a building permit or contrary to the terms of a building permit previously issued, the Building Inspector shall order the work stopped by written notice served on any person engaged in doing such work or causing such work to be done. Such person shall immediately stop such work until authorized by the Building Inspector to proceed with the work. The issuance or granting of a permit or approval of plans or specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this Ordinance. No permit presuming to give authority to violate, or to fail to comply with provisions of this Ordinance shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors shall be discovered in the application, plans, specifications or execution of the work, the Building Inspector may require the correction of said errors in said application, plans, specifications or construction and may rescind the building permit and prevent further building operations in violation of this ordinance or any other laws or Ordinances applicable thereto.

### **B. FORFEITURE.**

Any person violating any of the provisions of the Township of Baraboo Building Permit Ordinance, the Building Permit Fee Ordinance, the Building Inspector Ordinance or any of the State Building Codes adopted by referenced by the Township of Baraboo shall, upon conviction thereof, forfeit not less than \$50.00 nor more than \$200.00 for each violation, and shall also pay all costs and expenses incurred in the case. Each day that such violation continues to exist shall constitute a separate and distinct offense. Collection of such forfeitures shall conform to Wis. Stats. Chap. 778.

### **C. ALTERNATIVE PROCEDURES.**

The options set forth in A and B above are alternative procedures. The Town may elect to proceed on any particular violation under A, B, or both, or may assess the penalty set forth in sec. 30.04 of this Ordinance, as the case may be.