

**Town of Hammond
St. Croix County
Building Code Ordinance
Revised and Restated
Ordinance Number: 2021-01
Date Adopted: March 8th 2021**

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

1.0 ORDINANCE AMMENDED.

Ordinance #2017-02 is hereby amended as follows:

1.1 AUTHORITY.

The Town Of Hammond, St Croix County adopts these regulations under the authority granted by s. 101.65, WI Statutes and 101.12, WI Statutes.

1.2 PURPOSE.

The purpose of this Ordinance is to promote the general health, safety and welfare of the town residents and to protect property values and to maintain local uniformity with the administrative and technical requirements of the Wisconsin Uniform Dwelling Code and Commercial Building Codes.

1.3 SCOPE.

This Ordinance applies to all dwellings, commercial buildings/structures, swimming pools, garages, structures, pole buildings and residential accessory buildings.

1.4 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 Standards.

- Chs. SPS 360-366 Wisconsin Commercial Building Code
- Chs. SPS 375-379 Building Construction Prior to 1914 Code
- Chs. SPS 316 Electrical
- Chs SPS 381-387 Plumbing

1.5 BUILDING INSPECTOR.

The Building Inspector authorized by the Town to enforce the adopted codes shall be properly certified by the Division of Industry Services.

1.6 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.

1.7 EXCEPTIONS FROM PERMIT REQUIREMENTS.

A. Additions, remodeling, reconstruction enlargement, or alterations to buildings, when the cost of the work, including labor, shall be less than \$2500.00 (in a 12 month period) and does not change occupancy, area, structural strength, fire protection, exits, natural light or ventilation.

B. The restoration or repair of building equipment, such as furnaces, central air conditioning, water heaters and similar mechanical equipment without the alteration or addition to building or structure.

C. Fences or other similar enclosures.

D. Re-roofing projects that do not involve the repair or replacement of any structural elements including sheeting.

E. Outbuildings (not including structures larger than 200 square feet, structures larger than 200 square feet will require a building permit) without a foundation or slab.

F. Restoration or repair of an installation to its previous code-compliant condition as determined by the Building Inspector on a case-by-case bases.

G. Residing, finishing of interior surfaces and installation of cabinetry.

H. Replacement of same size windows or doors.

I. Landscaping (not including decks, decks require a building permit).

1.8 Commercial BUILDING CODE PERMIT REQUIRED.

No person should 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, and regulations of the Town, St Croix County and the State of Wisconsin.

1.9 BUILDING PERMIT, IMPACT FEE AND CERTIFICATE OF OCCUPANCY.

A. Building permit. Fees shall be determined by resolution of the Town Board and collected by the Building Inspector. The building permit fee shall be doubled for any project requiring a permit which is commenced without permit or prior to issuance of a permit.

B. Impact Fee. An impact fee will be added to each new home construction permit or new commercial building permit and collected by the Building Inspector.

C. Certificate of Occupancy. A fee will be assessed at time of permit application and refunded after final inspection and issuance of the Certificate of Occupancy. Provide structure is not occupied before final inspection and issuance of the Certificate of Occupancy.

1.10 APPLICATION PROCESS; ISSUANCE OF PERMIT.

A. Application for a building permit. The application for a new home or commercial building permit shall be made in person with the Town approved Building Inspector. All other permits will be applied for on-line with the Town approved Building Inspector.

B. Plans and Drawings. The building permit applicant shall submit with the application, 1(one) complete set of site plans and specifications, 2(two) sets of blueprints and an erosion control plan.

C. County Permits. The applicant must obtain any permits required by the County and include copies of such permits with the building permit application, including a County Sanitary Permit or County Driveway Permit if necessary.

D. Developers Agreement. The applicant must obtain and present an approved and signed copy of the Town of Hammond Developers Agreement with the building permit application.

E. Driveway Permits. The building permit applicant shall submit with the application a driveway permit, which shall be applied for and obtained from the Town approved Building Inspector. Only 1(one) driveway permitted per residential lot. No shared driveways allowed in the Town. The Town issues permits on Town roads, the County issues permits on County roads and the WI DOT issues permits on State roads.

F. Drainage Easement. The applicant must know the requirements for maintaining and repairing the Drainage Easement if the residential lot is in a sub-division with a plated and recorded Drainage Easement. The applicant should know the H.W.E. (high water elevation) and L.F.E. (low finished elevation) that is on the final plat map.

G. Low Finished Elevation. The applicant must know if the lot being developed has a L.F.E. (low finished elevation) recorded on it and what that elevation is.

H. Property Survey Markers. The applicant must know where the survey markers for the lot being developed are located to insure proper setbacks for the driveway and any structures on the lot.

I. Erosion Control. All parcels being developed are required to have Erosion Control in place.

J. Dumpsters and Debris. All parcels being developed are required to have a dumpster in place throughout the project. The Developer/Builder or Applicant are required to insure that debris is not blowing around to surrounding properties occupied or vacant. Fees apply for violations either witnessed by Town Officials or the Town approved Building Inspector.

K. Road Right of Way (ROW). The road ROW is to remain clear of anything required to complete the permitted project (building supplies, dumpsters, porta-poddies, etc.). Fees apply for violations witnessed by Town Officials or the Town approved Building Inspector.

L. Approval of Plans and Issuance of Building Permit. If the Building Inspector determines that the proposed building, addition or alteration will comply in every respect with all the Town Ordinances and all applicable laws and regulations of the State of Wisconsin and is not in violation of the County Subdivision Ordinance or any Town Ordinance, they shall conditionally approve the plans and issue a building permit which shall be valid for 24(twenty four) months. After being approved, the plans and specifications shall not be altered in any respect that involves any of the above mentioned ordinances, laws and regulations or which impact the safety of the building or occupants. 1(one) copy of the approved plan shall be returned to the applicant. The Building Inspector shall retain 1(one) copy.

M. State Uniform Dwelling Code Seal. At such time as a building permit is issued for any dwelling, it shall have affixed to it a State of Wisconsin Uniform Dwelling Code Seal.

N. Fees. Fees shall be submitted to the Building Inspector at the time the application is filed. Fees for plan examination, inspection, driveway permit, culvert, house number (fire number), variance application and issuance of the building permit shall be set by the Town Board.

O. Waiver of plans. If the Building Inspector finds that the character of the work is sufficiently described in the application, they may waive the filing of plans for alterations or repairs provided that the cost of such work does not exceed \$10,000.00.

P. The Town does not allow any temporary housing on any residential lot before, during and after construction of a permanent residence to include but not limited to trailer homes/mobile homes, campers, 5th wheels or any other temporary structure designed to live in.

Q. The Town does not allow trailer homes/mobile homes, campers or 5th wheels as permanent residential structures on any residential lot.

1.11 TIME LIMIT FOR ACTION ON APPLICATION.

Action to approve or deny a building permit application shall be completed within 10(ten) business days of receipt of all the forms, fees, plans and documents required for processing the application. Applicant will be notified by phone or e-mail and permit may be picked up at the Building Inspectors office.

1.12 DISAPPROVAL OF PLANS AND DENIAL OF PERMIT.

A. If the Building Inspector determines that the building permit application or plans do not conform to the provisions of the applicable codes or ordinances or other requirements, approval shall be denied.

B. Denial of application. A copy of the denied application, accompanied by a written statement specifying the reasons for denial, shall be sent, or e-mailed to the applicant within 10(ten) business days of receipt of all the forms, fees, plans and documents required for processing the application.

C. Stamping of plans. Plans and specifications, which do not substantially conform to the provisions of the Building Code, shall be stamped "NOT APPROVED". 1(one) copy shall be returned to the applicant and 1(one) copy retained by the Town.

D. Appeals. The applicant may appeal a denial of an application to the Town Board.

1.13 POSTING OF PERMIT.

The building permit and other permits required by the State, County, Town or other municipalities shall be posted in a conspicuous place at the building site and within view of the adjacent roadway.

1.14 COMPLIANCE WITH PERMIT.

All construction must comply with the building permit and the plans submitted with the building permit application. Any construction that is not authorized on the building permit, blueprints, site plan, or plans, or is not listed on the building permit application is a violation of the permit and subject to the violations and penalties established in this Ordinance.

1.15 REVOCATION OF PERMIT.

A. If the Building Inspector finds at any time that the provisions of this Ordinance are not being complied with and that the holder of the permit refuses to conform after a written warning or instruction has been issued to them, the Building Inspector shall revoke the building permit by written notice posted at the site of the work.

B. When any permit is revoked, no further work shall be done until the permit is re-issued, except such work as the Building Inspector may order as a condition precedent to the re-issuance of the permit or as he may require for the preservation of human life and safety.

1.16 INSPECTIONS.

All inspections for the purpose of administering and enforcing the UDC and Town Building Code Ordinance shall be performed by the Building Inspector who shall conduct inspections according to the respective codes being applied and enforced.

A. Notification. The builder shall give the Building Inspector, for all inspections required by UDC Chapter SPS 320.10, 48(forty eight) hour notice as per UDC.

B. Witness to inspection. It is recommended that a representative of the developer, contractor, builder or owner be present at each required inspection. It shall be the responsibility of the developer, contractor, builder or owner to coordinate inspection times and date with the Building Inspector.

1.17 ROAD DAMAGE DEPOSIT

A. The applicant shall present an irrevocable Letter of Credit for road damage to be held by the Town prior to the issuance of the permit. If the project is completed, final inspection conducted, the structure has not been occupied, no violation with a fee assessed and no road damage accessing the building site (including posted road restrictions, not including DOT fines) shall be refunded to the applicant.

B. Any damage to Town roads due to the project shall be repaired by the Town and charged against the Letter of Credit. Any unpaid balance remaining shall be paid by the applicant within 30(thirty) days of a written invoice from the Town. Any amount not paid within that time frame shall be charged against the property and placed on the tax roll pursuant to WI Stats. Sec. 66.0627.

1.18 EXPIRATION OF PERMIT.

Work to be done pursuant to the permit must commence within 6(six) months of the date of issuance or the permit shall expire notwithstanding work pursuant to SPS 316 which shall expire within 1(one) year of the date of issuance if work has not been commenced. All work to be done pursuant to the permit must be completed within 2(two) years of the date of issuance; permits shall expire 2(two) years from the date of issuance. The Town allows a 1(one) time 12(twelve) month extension of a lapsed building permit for 1/2(half) the original fee with a minimum of \$50.00 and a maximum of \$250.00 to be paid to the Building Inspector. At the end of this re-issue period if the building has not been started or completed, a new building permit will have to be issued, before any work can be started or continued.

1.19 CERTIFICATE OF OCCUPANCY.

A. No family dwelling or commercial structure may be occupied by any person or party until a Certificate of Occupancy has been issued. A Certificate of Occupancy will only be issued after all inspections have been satisfactorily completed, all required fees associated with this Ordinance paid, and all required terms of this Ordinance have been met.

B. The Building Inspector for the Town shall issue the Certificate of Occupancy.

C. The prepaid fee will not be refunded if a family dwelling or commercial structure is occupied prior to issuance of a Certificate of Occupancy.

1.20 RIGHT OF ENTRY.

A. The Building Inspector may, at all reasonable hours, enter any private or public premises for inspection purposes, and may require the production of the permit for any building, plumbing, electrical, or heating work.

B. No person shall interfere with, or refuse access to any such premises, to the Building Inspector while in the performance of their duties.

1.21 RECORDS AND REPORTS.

A. The Building Inspector shall maintain a record of all permits issued, which shall be kept on file.

B. The Building Inspector shall make a monthly and annual written report to the Town Board of all building permits issued, driveway permits issued, Certificate of Occupancy issued, violations noted and fees collected.

1.22 UNSAFE BUILDINGS.

Any structure that the Building Inspector determines should be razed, or removed must be approved by the Town Board. The Town Board will make the decision on these structures.

1.23 PETITIONS FOR VARIANCE.

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

1.24 PENALTIES.

The enforcement of this Ordinance and all other laws or ordinances relating to Wisconsin 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.

1.25 NON-LIABILITY OF THE TOWN.

This Ordinance shall not be construed as creating or assuming any liability on the part of the Town or any official or employee thereof for damages to anyone injured or for any property destroyed by any defect in any structure or equipment or plumbing or electrical wiring.

1.26 SEVERABILITY.

If any section, clause, provision or portion of this Ordinance or Wisconsin Administrative Code chapters are adjudged unconstitutional or invalid by a court of competent jurisdiction the remaining provisions shall not be affected thereby.

1.27 EFFECTIVE DATE.

This Ordinance shall replace any previous Ordinance and be effective upon adoption and publication or posting, as provided by law.

Adopted by the Town Board this 8th day of March, 2021

Voted for 4 Voted against 0 Not voting 1

Signed: Paul Wreep
Town Chair

Attested: Jonda Aune
Town Clerk/Treasurer

Date Published: mm/dd/yy 3-10-21
Date Effective: mm/dd/yy 3-11-21

Supervisors:
Kent Wynveen
Paulette Anderson
Bob Aune
Joe Miller

DEVELOPER/BUILDERS/APPLICANT: FEE SCHEDULE

Impact fee:	\$1500.00 to be paid with building permit application.
Road damage:	Actual cost of repair to damaged road. \$5000.00 deposit require with building permit application.
Certificate of Occupancy:	\$1000.00 to be paid with building permit application, refundable if guidelines are followed.
Erosion control:	Stop work order will be issued if needed erosion control is not in place.
Building material:	\$100.00 per incident when building material and equipment are stored in R.O.W. after work hours.
Dumpster:	\$100.00 per incident when dumpster is not present at job site.
Debris:	\$100.00 per incident when debris is blowing around job site or neighboring properties.