

TITLE 15

Building Code

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Title 15 ► Chapter 1

Building Code

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Sec. 15-1-1 Building Code Established.

- (a) **Title.** This Chapter shall be known as the "Building Code of the Village of Shiocton" and will be referred to in this Chapter as "this Code," "this Chapter" or "this Ordinance."
- (b) **Purpose.** This Chapter provides certain minimum standards, provisions and requirements for safe and stable design, methods of construction and uses of materials in buildings and/or structures hereafter erected, constructed, enlarged, altered, repaired, moved, converted to other uses or demolished and regulates the equipment, maintenance, use and occupancy of all such buildings and/or structures. Its purpose is to protect and foster the health, safety and well-being of persons occupying or using such buildings and the general public.

(0 Scope.

- (1) New buildings hereafter erected in, or any building hereafter moved within or into the Village, shall conform to all the requirements of this Chapter except as they are herein specifically exempted from part or all of its provisions. Any alteration, enlargement or demolition of an existing building and any installation therein of electrical, gas, heating, plumbing or ventilating equipment which affects the health or safety of the users thereof or any other persons is a "new building" to the extent of such change. The provisions of this Chapter supplement the laws of the State of Wisconsin pertaining to construction and use and the Zoning Code of the Village and amendments thereto to the date this Chapter was adopted and in no way supersede or nullify such laws and the said Zoning Code.
- (2) This Code applies to all dwellings, commercial buildings/structures, swimming pools, garages, structures, buildings, and residential accessory buildings. Not included are children's play structures and agricultural buildings.
- (3) These regulations are adopted under the authority granted by Sec. 101.65, Wis. Stats.

Sec. 15-1-2 Building Permits and Inspection.

(a) Permit Required.

- (1) **General Permit Requirement.** No building of any kind shall be moved within or into the Village and no new building or structure, or any part thereof, shall hereafter be erected, or ground broken for the same, or enlarged, altered, moved, demolished, razed or used within the Village, except as herein provided, until a permit therefor shall first have been obtained by the owner, or his/her authorized agent, from the Building Inspector or his/her designee. Prior to commencing any of the following work, the owner or his/her agent shall obtain a valid permit for:
 - a. New buildings.
 - b. Additions that increase the physical dimensions of a building including decks.
 - c. Alterations to the building structure, cost shall include market labor value, or alterations to the building's heating, electrical or plumbing systems. Permits are required for re-siding.
 - d. Permits are not required for replacement of major building equipment including furnaces, central air conditioners, water heaters, other major pieces of equipment, and plumbing, venting, electrical or gas supply systems when altered.
 - e. Exempted are re-roofing and finishing of interior surfaces, installation of cabinetry, and minor repair as deemed by the Building Inspector. However, unless structural calculations are provided, no more than two (2) layers of roofing shall be installed on a roof.
 - f. Any electrical wiring for new construction or remodeling.
 - g. Any HVAC for new construction or remodeling.

- h. Any plumbing for new construction or remodeling.
 - i. Exempt are normal repairs performed in Subsection (a)(1)e-g.
 - j. Agricultural buildings in properly zoned districts are exempt.
- (2) **Alterations and Repairs.** The following provisions shall apply to buildings altered or repaired:
- a. **Alterations.** When not in conflict with any regulations, alterations to any existing building or structure accommodating a legal occupancy and use but of substandard type of construction, which involves either beams, girders, columns, bearing or other walls, room, heating and air condition 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 Chapter applicable to such occupancy and use and given type of construction.
 - b. **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 exist stairways, or exits, fire protection, or exterior aesthetic appearance and which do not increase a given occupancy or use, shall be deemed minor repairs.
 - c. **Alterations When Not Permitted.** When any existing building or structure, which, for any reason whatsoever, does not conform to the regulations of this Chapter, has deteriorated from any cause whatsoever to an extent greater than fifty percent (50%) 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.
 - d. **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 Chapter are complied with.
 - e. **Extent of Deterioration.** The amount and extent of deterioration of any existing building or structure shall be determined by the Building Inspector.
- (b) **Application.** Application for a building permit shall be made in writing upon a form furnished by the Building Inspector or his/her designee and shall state the name and address of the owner of the land and also the owner of the building if different, the legal description of the land upon which the building is to be located, the name and address of the designer, the use to which said building is to be put and such other information as the Building Inspector may require.

(c) **Dedicated Street and Approved Subdivision Required.** No building permit shall be issued unless the property on which the building is proposed to be built abuts a street that has been dedicated for street purposes. No building permits shall be issued until the subdivision and required improvements are accepted by the Village Board.

(d) **Utilities Required.**

(1) **Residential Buildings.** No building permit shall be issued for the construction of any residential building until sewer, water, grading and graveling are installed in the streets necessary to service the property for which the permit is required and a receipt for payment of electrical hookup is presented to the Building Inspector.

(2) **Non-Residential Building.** No building permit shall be issued for the construction of any building other than residential until contracts have been let for the installation of sewer, water, grading and graveling in the streets necessary to service the property for which the permit is requested.

(3) **Occupancy.** No person shall occupy any building until sewer, water, grading and graveling are installed in the streets necessary to service the property and a certificate of occupancy shall not be issued until such utilities are available to service the property.

(e) **Plans.** With such application, there shall be submitted two (2) complete sets of plans and specifications, including a plot plan showing the location and dimensions of all buildings and improvements on the lot, both existing and proposed, dimensions of the lot, dimensions showing all setbacks of all buildings on the lot, proposed grade of proposed structure (to Village datum), grade of lot and of the street abutting lot, grade and setback of adjacent buildings (if adjacent lot is vacant, submit elevation of nearest buildings on same side of street), type of monuments at each corner of lot, water courses or existing drainage ditches, easements or other restrictions affecting such property, seal and signature of surveyor or a certificate signed by the applicant and a construction erosion control plan setting forth proposed information and procedures needed for control of soil erosion, surface water runoff and sediment disposition at the building site. Plans, specifications and plot plans shall be drawn to a minimum scale of one-quarter (1/4) inch to one (1) foot [fireplace details to three-quarters (3/4) inch to one (1) foot]. One (1) set of plans shall be returned after approval as provided in this Chapter. The second set shall be filed in the office of the Building Inspector. Plans for buildings involving the State Building Code shall bear the stamp of approval of the State Department of Commerce. One (1) plan shall be submitted which shall remain on file in the office of the Building Inspector. All plans and specifications shall be signed by the designer. -Plans for all new one (1) and two (2) family dwellings shall comply with the provisions of Chapter COMM 20.09(4), Wis. Adm. Code.

(f) **Waiver of Plans; Minor Repairs.**

(1) **Waiver.** If the Building Inspector finds that the character of the work is sufficiently described in the application, he/she may waive the filing of plans for alterations, repairs or moving, provided the cost of such work does not exceed Two Thousand Dollars (\$2,000.00).

(2) **Minor Repairs.** The Building Inspector may authorize minor repairs or maintenance work on any structure or to heating, ventilating or air conditioning systems installed therein with a fair market value of less than One Thousand Dollars (\$1,000.00), as determined by the Building Inspector, including market value of labor, which do not change the occupancy area, exterior aesthetic appearance, structural strength, fire protection, exits, light or ventilation of the building or structure without issuance of a building permit.

(g) Approval of Plans.

(1) If the Building Inspector determines that the building will comply in every respect with all Ordinances and orders of the Village and all applicable laws and orders of the State of Wisconsin, he/she shall issue a building permit which shall state the use to which said building is to be put, which shall be kept and displayed at the site of the proposed building. 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 or the occupants, except with the written consent of the Building Inspector.

(2) In case adequate plans are presented for part of the building only, the Building Inspector, at his/her discretion, may issue a permit for that part of the building before receiving the plans and specifications for the entire building.

(h) Inspections.

(1) The following inspections shall be requested forty-eight (48) hours (business work) in advance by the applicant/contractor or property owner as applicable:

- a. Footing/foundation.
- b. Rough carpentry, HVAC, electric and plumbing.
- c. Draitile/basement floor.
- d. Underfloor plumbing/electric service.
- e. Insulation.
- f. Final carpentry, HVAC, electric and plumbing.
- g. Erosion control.

(2) Failure to request any inspection will be the responsibility of the contractor and/or property owner.

(i) Permit Lapses. A building permit shall lapse and be void unless building operations are commenced within six (6) months or if construction has not been completed within twenty-four (24) months from the date of issuance thereof.

(j) Revocation of Permits.

(1) The Building Inspector or the Village Board may revoke any building, plumbing or electrical permit, certificate of occupancy, or approval issued under the regulations of this Chapter 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 the Building Inspector shall find at any time that applicable ordinances, laws, orders, plans and specifications are not being complied with and that the

holder of the permit refused to conform after written warning or construction has been issued to him/her.

- 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 Building 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 Building Inspector for the use of all new materials, equipment, methods or construction devices or appliances.
- (2) The notice revoking a building, plumbing or electrical certificate of occupancy or approval shall be in writing and may be served upon the applicant of the permit, owner of the premises and his/her 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 Building 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 Chapter, shall be procured and fees paid therefor, and thereafter the resumption of any construction or operation shall be in compliance with the regulation of this Chapter. However, such work as the Building Inspector may order as a condition precedent to the reissuance of the building permit may be performed, or such work as he/she may require for the preservation of life and safety.
- (k) **Report of Violations.** Village officers shall report at once to the Building Inspector any building which is being carried on without a permit as required by this Chapter.
- (1) **Display of Permit.** Building permits- shall be displayed in a conspicuous place on the premises where the authorized building or work is in progress at all times during construction or work thereon.

Sec. 15-1-3 State Uniform Dwelling Code Adopted.

(a) **Adoption of Codes.**

- (1) The following Wisconsin Administrative Codes and subsequent revisions are adopted for municipal enforcement:

Chs. COMM 16-17	Electrical Code
Chs. COMM 20-25	Uniform Dwelling Code
Ch. COMM 26	Inspection Certification
Chs. COMM 50-64	Commercial Building and Heating, Ventilating and Air Conditioning Code
Chs. COMM 66	Multi-Family Code
Chs. COMM 67	Rental Unit Energy Efficiency
Chs. COMM 69	Barrier Free Design
Ch. COMM 70	Historic Building Code
Chs. COMM 81-86	Uniform Plumbing Code
Chs. ILHR 75-79	Existing Building Code

(2) Any act required to be performed or prohibited by an Administrative Code provision incorporated herein by reference is required or prohibited by this Chapter. Any future amendments, revisions or modifications of the Administrative Code provisions incorporated herein are intended to be made part of this Chapter to secure uniform statewide regulation of one (1) and two (2) family dwellings in this Village. A copy of these administrative code provisions and any future amendments shall be kept on file in the Village Clerk-Treasurer's Office.

(b) **Scope of Uniform Dwelling Code Expanded.** For the purposes of this Chapter, the provisions of the Wisconsin Uniform Dwelling Code are the standards for construction of the following:

(1) **Additions.** Additions, alterations and major equipment replacements for one and two family dwellings built prior to June 1, 1980.

(2) **Detached Garages.** Detached garages greater than two hundred (200) square feet serving one and two family dwellings. Grade beam slabs are required for private, residential garages with a continuous floating slab of reinforced concrete and shall not be less than four (4) inches in thickness. Reinforcement shall be a minimum of six by six (6 x 6) inch, number ten (10) wire mesh. The slab shall be provided with a thickened edge all around, eight (8) inches wide and eight (8) inches below the top of the slab. (Exempted are "frost free footings" for detached residential accessory buildings) COMM 22, Wis. Adm. Code, shall not apply.

(3) **Other Detached Accessory Buildings;** *Concrete* slabs, frost free footings, etc. are not required, but if they are installed they shall follow Subsection (2) above and/or COMM 21, Wis. Adm. Code.

(c) **Existing Buildings.** The "Wisconsin Uniform Dwelling Code" shall also apply to buildings and conditions where:

(1) An existing building to be occupied as a one (1) or two (2) family dwelling, which building was not previously so occupied.

(2) An existing structure that is altered or repaired, when the cost of such alteration or repair during the life of the structure exceeds fifty percent (50%) of the equalized value of the structure, said value to be determined by the Village Assessor.

- (3) Additions and alterations, regardless of cost; made to an existing building when deemed necessary in the opinion of the Building Inspector shall comply with the requirements of this Chapter for new buildings. The provisions of Section 15-1-2 shall also apply.
- (4) Roof Coverings — Whenever more than twenty-five percent (25%) of the roof covering of a building is replaced in any twelve (12) month period, all roof covering shall be in conformity with applicable Sections of this Chapter.
- (5) Additions and alterations — Any addition or alteration, regardless of cost, made to a building shall be made in conformity with applicable Sections of this Chapter. (d)

Definitions. The following definitions shall be applicable in this Chapter:

- (1) **Addition.** New construction performed on a dwelling which increases the outside dimensions of the dwelling.
- (2) **Alteration.** A substantial change or modification other than an addition or minor repair to a dwelling or to systems involved within a dwelling.
- (3) **Department.** The Wisconsin Department of Commerce, formerly the Department of Industry, Labor and Human Relations.
- (4) **Dwelling.**
 - a. Any building, the initial construction of which is commenced on or after the effective date of this Chapter which contains one (1) or two (2) dwelling units;
 - Or**
 - b. An existing structure, or that part of an existing structure, which is used or intended to be used as a one (1) or two (2) family dwelling.
- (5) **Minor Repair.** Repair performed for maintenance or replacement purposes on any existing one (1) or two (2) family dwelling which does 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 does not increase a given occupancy and use. No building permit is required for work to be performed which is deemed minor repair.
- (6) **One (1) or Two (2) Family Dwelling.** A building structure which contains one (1) or separate households intended to be used as a home, residence or sleeping place by an individual or by two (2) or more individuals maintaining a common household to the exclusion of all others.
- (7) **Person.** An individual, partnership, firm or corporation.
- (8) **Uniform Dwelling Code.** Those' Administrative Code Provisions and any future amendments, revisions or modifications thereto, contained in the following chapters of the Wisconsin Administrative Code:

Wis. Adm. Code Chapter COMM 20 — Administrative and Enforcement

Wis. Adm. Code Chapter COMM 21 — Construction Standards

Wis. Adm. Code Chapter COMM 22 — Energy Conservation Standards

Wis. Adm. Code Chapter COMM 23 — Heating, Ventilating and Air Conditioning

Wis. Adm. Code Chapter COMM 24 — Electrical Standards

Wis. Adm. Code Chapter COMM 25 — Plumbing and Potable Water Standards

(e) **Method of Enforcement.**

- (1) **Certified Inspector to Enforce.** The Building Inspector and his/her delegated representatives are hereby authorized and directed to administer and enforce all of the provisions of the Uniform Dwelling Code. The Building Inspector shall be certified for inspection purposes by the Department in each of the categories specified under Sec. COMM 26.06, Wis. Adm. Code.
- (2) **Subordinates.** The Building Inspector may appoint, as necessary, subordinates as authorized by the Village Board.
- (3) **Duties.** The Building Inspector shall administer and enforce all provisions of this Chapter and the Uniform Dwelling Code.
- (4) **inspection Powers.** The Building Inspector or an authorized certified agent 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 to permit access to any such premises to the Building Inspector or his/her agent while in performance of his/her duties.
- (5) **Records.** The Building Inspector shall perform all administrative tasks required by the Department under the Uniform Dwelling Code. In addition, the Building Inspector shall keep a record of all applications for building permits in a book for such purposes and shall regularly number each permit in the order of its 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 one (1) and two (2) family dwellings shall be kept.

Sec. 15-1-4 Construction Standards; Codes Adopted.

- (a) **Portions of State Building Code Adopted.** Chapters COMM 50 through COMM 64, Wis. Adm. Code (Wisconsin State Building Code) are hereby adopted and made a part of this Chapter with respect to those classes of buildings to which this Building Code specifically applies. Any future amendments, revisions and modifications of said Chs. 50 to 64 incorporated herein are intended to be made a part of this Code. A copy of said Chs. 50 to 64 and amendments thereto shall be kept on file in the office of the Village Clerk-Treasurer.
- (b) **State Plumbing Code Adopted.** The provisions and regulations of Ch. 145, Wis. Stats., and Wis. Adm. Code Chs. H 81, H 82, H 83 and COMM 25 are hereby made a part of this Chapter by reference and shall extend over and govern the installation of all plumbing installed, altered or repaired in the Village. Any further amendments, revisions and modifications of said Wisconsin Statutes and Administrative Code herein are intended to be made part of this Chapter.
- (c) **State Electrical Code Adopted.**
 - (1) Wis. Adm. Code COMM 24 is hereby adopted by reference and made a part of this Chapter and shall apply to the construction and inspection of new one (1) and two (2)

family dwellings and additions or modifications to existing one (1) and two (2) family dwellings.

- (2) Subject to the exceptions set forth in this Chapter, the Electrical Code, Volume 1, and Rules of Electrical Code, Volume 2, of the Wisconsin Administrative Code are hereby adopted by reference and made a part of this Section and shall apply to all buildings, except those covered in Subsection (1) above.
- (d) **Conflicts.** If, in the opinion of the Building Inspector and the Village Board, the provisions of the State Building Code adopted by Subsection (a) of this Section shall conflict with the provisions of the Federal Housing Administration standards in their application to any proposed building or structure, the Inspector and/or the Village shall apply the most stringent provisions in determining whether or not the proposed building meets the requirements of this Section.

Sec. 15-1-5 Electrical Permits and Inspections.

- (a) **State Code Adopted.** All electrical work, including the placing of wires and other equipment, shall conform to the Wisconsin State Electrical Code. A copy of such code shall be kept on file in the office of the Village Clerk-Treasurer.
- (b) **Permit.** No electric wiring or other equipment shall be installed or altered without first securing a permit therefor from the Building Inspector, except that repairs or replacements of broken or defective sockets, switches or base receptacles may be made without a permit. The application for such permit shall be on a form furnished by the Building Inspector and shall state clearly the work planned, alterations to be made and equipment and materials to be used. All later deviations from such plan shall be submitted to and approved by the Building Inspector.
- (c) **Inspection of Work.** After roughing in the wiring of any building and before any such work is covered up or upon completion of any outside wiring construction work, the person doing such work shall notify the Building Inspector who shall at once inspect the same. Upon completion of such wiring, the Building Inspector shall be notified and shall inspect the finished work. If he/she finds that the work conforms to the State Electrical Code, he/she shall issue a certificate of compliance which shall contain the date and an outline of the result of such inspection, a duplicate of which shall be filed in the office of the Building Inspector. No such electrical equipment shall be used until such certificate has been issued.

Sec. 15-1-6 Plumbing Permits and Inspections.

- (a) **Plumbing Defined.** For the purpose of this Chapter, "plumbing" is defined as follows:
- (1) As defined in Sec. 145.01(1)(a), (c), (d) and (e), Wis. Stats.
 - (2) The construction, connection to or alteration of any drain, soil or waste pipe to carry domestic sewage, stormwater or industrial waste from a point three (3) feet outside

of the foundation walls of any building to the sewer lateral at the curb or other disposal terminal including the private sewage disposal or treatment plant. This definition does not include minor repairs to faucets and the removal of stoppages in soil or waste pipes.

(b) Inspectors. The plumber in charge shall notify the Plumbing Inspector whenever any work is ready for inspection. All plumbing work shall be left exposed until the Inspector has completed his/her examination and inspection. When, in the opinion of the Plumbing Inspector, a test in addition to the provisions of COMM 82.21, Wis. Adm. Code, is necessary, he/she may require a water or air test on all or part of the installation.

(c) Applications and Permits.

(1) Application. No plumbing shall be installed in the Village without first filing an application and receiving a permit. This shall apply to any building located outside the limits of the Village before such building may be connected to the Village sewer or water system. Each application shall be approved by the Plumbing Inspector before a permit to install plumbing may be issued. Only licensed master plumbers may receive such permits, except that a permit may be issued to a property owner to install plumbing in a single family residence which is owned and occupied by such owner as his/her home.

(2) Permit. A permit shall be applied for and received before excavating in any street, alley or other public way to repair, alter or install plumbing. No charge shall be made for such permit, but the applicant shall furnish a bond when street excavations are involved, pursuant to Title 6, Chapter 2 of this Code of Ordinances.

Sec. 15-1-7 New Methods and Materials.

(a) All materials, methods of construction and devices designed for use in buildings or structures covered by this Section and not specifically mentioned in or permitted by this Section shall not be so used until approved in writing by the Wisconsin Department of Commerce (formerly the State Department of Industry, Labor and Human Relations) for use in buildings or structures covered by the Wisconsin State Building Code, except sanitary appliances, which shall be approved in accordance with the State Plumbing Code.

(b) Such materials, methods of construction and devices, when approved, must be installed or used in strict compliance with the manufacturer's specifications and any rules or conditions of use established by the Wisconsin Department of Commerce (formerly the State Department of Industry, Labor and Human Relations). The data, test and other evidence necessary to prove the merits of such material, method of construction or device shall be determined by the Wisconsin Department of Commerce (formerly the State Department of Industry, Labor and Human Relations).

Sec. 15-1-8 Unsafe Buildings.

Whenever the Building Inspector or Village Board find any building or part thereof within the Village of Shiocton to be, in their judgment, so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human occupancy or use and so that it would be unreasonable to repair the same, they shall order the owner to raze and remove such building or part thereof or, if it can be made safe by repairs, to repair and make safe and sanitary, or to raze and remove at the owner's option. such order and proceedings shall be as provided in Sec. 66.05, Wis. Stats.

Sec. 15-1-9 Disclaimer on Inspections.

The purpose of the inspections under this Chapter is to improve the quality of housing in the Village of Shiocton. The inspections and the reports and findings issued after the inspections are not intended as, nor are they to be construed, as a guarantee. In order to so advise owners and other interested persons, the following disclaimer shall be applicable to all inspections under this Chapter: "These findings of inspection contained herein are intended to report conditions of noncompliance with code standards that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of the mechanical systems or the closed structural and nonstructural elements of the building and premises. No warranty of the operation, use or durability of equipment and materials not specifically cited herein is expressed or implied."

Sec. 15-1-10 Garages.

(a) **Definitions.** As used in this Chapter:

- (1) **Attached Private Garage.** A private garage attached directly to the principal building, or attached by means of an enclosed or open breezeway, porch, terrace, or a private garage so constructed as to form an integral part of the principal building.
- (2) **Detached Private Garage.** A private garage entirely separated from the principal building.
- (3) **One-Hour Fire Resistive Construction.** Construction which shall include the following assemblies and materials.
 - a. Two (2) inch brick or stone veneer.
 - b. Metal lath or perforated rock lath and three-fourths (3/4) inch of plaster.
 - c. Five-eighths (5/8) inch of vermiculite plaster board.
 - d. Five-eighths (5/8) inch fire code gypsum plaster board.

(b) **Locations.**

- (1) Unless otherwise regulated under applicable zoning, detached garages of wood frame construction shall be located not less than ten (10) feet from any residence building,

except that such distance may be reduced to not less than five (5) feet when the interior walls of such garage adjacent to a residence building are protected with not less than one (1) hour fire resistive construction.

- (2) Garages of masonry wall construction shall not be located less than five (5) feet from any residence building.

(c) **Footings and Foundations.**

- (1) **Detached Garage.** Detached private garages, six hundred (600) square feet or more in floor area, shall have footings and foundation walls to the established frost line.

Detached private garages of less than six hundred (600) square feet may be constructed on a reinforced concrete slab not less than four (4) inches in thickness.

- (2) **Attached Garages.** Attached private garages shall be provided with the same type footings and foundations as required herein for the principal building.

- (3) **Floor Surface.** The floor in all private garages shall be of concrete construction. No openings or pits in the floor shall be permitted, except for drainage.

(d) **Construction.**

- (1) **All Private Garages.** Private garages shall be constructed as follows:

a. Load bearing foundation walls and piers', masonry walls, and partitions shall be constructed as regulated herein except as stated above.

b. Detached private garages of wood frame construction shall be constructed with the following minimum requirements:

1. Studs may have a maximum spacing of twenty-four (24) inches on centers.
2. Diagonal corner bracing may be applied on the inside surface of studs.
3. Corner posts may consist of two (2) two by four (2 x 4) inch studs or a single four by four (4 x 4) inch stud.
4. Horizontal bracing and collar beams may be two by six (2 x 6) inch with a maximum spacing of four (4) foot on centers.

c. Attached private garages shall be of the same type of construction as that of the principal building and as further regulated in this Code.

- (2) **Attached Private Garages.** Private garages may be attached to or made a part of residence buildings when in compliance with the following regulations:

a. All walls in common with a principal building on attached private garage shall be of not less than one (1) hour fire resistive construction on garage interior.

b. An attached private garage may have a door connecting directly into the principal building, provided that the floor of that garage is at least eight (8) inches below the floor of such principal building. Such door shall be a self-closing metal clad door or solid wood door not less than one and three-quarter (1-3/4) inches in thickness.

Sec. 15-1-11 Regulation and Permit for Razing Buildings.

- (a) **Demolition Permit Required.** All persons who demolish or cause to be demolished any structure or part of a structure larger than four hundred (400) square feet within the Village

of Shiocton shall apply for and obtain a demolition permit from the building inspection prior to undertaking any steps to demolish the structure.

(b) **Application.** An application for a permit to demolish all or part of a building shall include the following information:

- (1) The name and address of the owner of the building on date of application and, if different, on date of demolition;
- (2) The name, address and telephone number of the contractor(s) performing the demolition work;
- (3) The date upon which demolition is to commence;
- (4) The date by which demolition shall be complete;
- (5) A list of all hazardous waste and hazardous and toxic substances (as defined by NR 181.12 and 158.03(4), Wis. Adm. Code as amended from time to time) contained in the building, a statement as to whether the building contains asbestos [as defined by Sec. 140.04(1)(a), Wis. Stats.], and a detailed description of the method to be used in removing, transporting and disposing of any hazardous waste, hazardous and toxic substances, and asbestos;
- (6) A detailed description of how and where the waste materials resulting from the demolition will be transported and disposed of (including the description of the route to be used by trucks in hauling the waste);
- (7) A description of the method of demolition to be used; and
- (8) A description in detail of all methods to be used to prevent water runoff and soil erosion from the site to neighboring properties and to prevent releasing unreasonable amounts of dust from the site;
- (9) Along with the application for permit for demolition, the applicant shall present a release from all utilities serving the property, stating that their respective service connections and appurtenant equipment such as meters and regulators have been removed or sealed and plugged in a safe manner.

(c) **Demolition.** The demolition shall be conducted in a manner that is safe and that does not adversely affect the environment.

(d) **Clearing and Leveling the Site.**

- (1) The site of any demolition shall be properly cleared of debris, rubbish and pavement and shall be properly graded and leveled to conform with the adjoining grade of the neighboring property; and when so graded and leveled, the site shall be seeded, sodded or treated in some other manner acceptable to the Building Inspector so as to prevent blowing dust, dirt, or sand. Excavations remaining after demolition shall be filled, graded and leveled off, not later than thirty (30) consecutive days after demolition is completed.
- (2) Excavations from demolished buildings or structures shall not be filled with any materials subject to deterioration. The Building Inspector, upon notification by the permit holder, the owner or his/her agent, in writing and upon forms provided by the

Building Inspector for that purpose, shall within seventy-two (72) hours inspect each excavation, or part thereof, before filling any excavation.

- (3) It shall be unlawful to fill any such excavation without inspection and approval of the Building Inspector. Voids in filled excavations shall not be permitted. In the event of the unavailability of the Building Inspector to conduct an inspection within the seventy-two (72) hours after written notice; the permit holder, owner or his/her agent may retain the services of a certified, qualified municipal inspection service to obtain an opinion that approves filling of the excavation. Said opinion shall be deemed a sufficient approval by the Village provided that a written copy of the opinion is delivered to the Village Clerk-Treasurer at least forty-eight (48) hours before filling of the excavation commences.

(e) Removal and Disposal. Removal, transportation and disposal of all hazardous waste, hazardous and toxic substances, and asbestos shall be conducted in compliance with all applicable state, federal and local statutes, ordinances and regulations. The permit holder shall give the Building Inspector seventy-two (72) hours written notice prior to any removal, transportation or disposal of hazardous waste, hazardous and toxic substances, and asbestos.

(f) Miscellaneous Provisions.

- (1) A snow fence or other approved barricade shall be provided as soon as any portion of the building is removed and shall remain during razing operations.
- (2) Razing permits shall lapse and be void unless the work authorized thereby is commenced within six (6) months from the date thereof or completed within thirty (30) days from the date of commencement of said work. Any unfinished portion of work remaining beyond the required thirty (30) days must have special approval from the Building Inspector.
- (3) All debris must be hauled away at the end of each week for the work that was done on that week. No combustible material shall be used for backfill, but shall be hauled away. There shall not be any burning of materials on the site of the razed building.
- (4) If any razing or removal operation under this Section results in, or would likely result in, an excessive amount of dust particles in the air creating a nuisance in the vicinity thereof, the permittee shall take all necessary steps, by use of water spraying or other appropriate means, to eliminate such nuisance.
- (5) The permittee shall take all necessary steps, prior to the razing of a building, through the employment of a qualified person in the field of pest control or by other appropriate means, to treat the building as to prevent the spread and migration of rodents and insects therefrom during and after the razing operations.

Sec. 15-1-12 Basements; Excavation.

- (a) **Basement Subflooring.** First floor subflooring shall be completed within sixty (60) days after the basement is excavated.

- (b) Fencing of Excavations.** The owner of any premises on which there exists an opening or excavation (including for sewer and water lateral excavations) which is located in close proximity to a public sidewalk or street right-of-way as to constitute a hazard to pedestrian or vehicular traffic shall erect a fence, wall or railing at least four (4) feet high between such opening or excavation and the public right-of-way before workers leave the job site.
- (c) Closing of Abandoned Excavations.** Any excavation for building purposes or any uncovered foundation which shall remain open for more than three (3) months shall be deemed abandoned and a nuisance and the Building Inspector shall order that unless the erection of the building or structure on the excavation or foundation shall commence or continue forthwith suitable safeguards shall be provided to prevent accidental injury to children or other frequenters or that the excavation or foundation be filled to grade. Such order shall be served upon the owner of record or the owner's agent, where an agent is in charge of the premises, and upon the holder of an encumbrance of record in the manner provided for service of a summons in the circuit court. If the owner or the holder of an encumbrance of record cannot be found, the order may be served by posting it on the premises and make publication in the official newspaper for two (2) consecutive publications at least ten (10) days before the time for compliance stated in the order commences to run. Such time [shall. be](#) not less than fourteen (14) nor more than twenty (20) days after service. If the owner of the land fails to comply with the order within the time required, the Building Inspector shall cause the excavation or foundation to be filled to grade. The cost of such abatement shall be- charged against the real estate and entered on the next succeeding tax roll as a special charge and shall bear interest at a rate established by the Village Board from the date of the report by the Building Inspector on the cost thereof, pursuant to the provisions of Sec. 66.0627, Wis. Stats.
- (d) Fill Dirt.** Fill dirt used at a site shall be graded within four (4) weeks.

Sec. 15-1-13 Discharge of Clear Waters.

- (a) Discharge. No** person shall cause, allow or permit any roof drain, surface drain, subsoil drain, drain from any mechanical device, gutter, ditch, pipe, conduit, sump pump or any other object or thing used for the purposes of collecting, conducting, transporting, diverting, draining or discharging clear water from any. part of any private premises owned or occupied by said person to discharge into a sanitary sewer.
- (b) Nuisance.** The discharge into a sanitary sewer from any roof drain, surface drain, subsoil drain, drain from any mechanical device, gutter, ditch, pipe, conduit, sump pump or any other object or thing used for the purposes of collecting, conducting, transporting, diverting, draining or discharging clear water from any part of any private premises is hereby declared to be a public nuisance and a hazard to the health, safety and well-being of the residents of the Village and to the protection of the property.

- (c) **Groundwater.** Where deemed necessary by the Building Inspector, every house shall have a sump pump installed for the purpose of discharging clear waters from foundation drains and ground infiltration and where the building is not serviced by a storm sewer shall either discharge into an underground conduit leading to a drainage ditch, gutter, dry well or shall discharge onto the ground surface in such other manner as will not constitute a nuisance as defined herein.
- (d) **Storm Water.** All roof drains, surface drains, drains from any mechanical device, gutters, pipe, conduits or any other objects or things used for the purpose of collecting, conducting, transporting, diverting, draining or discharging storm waters shall be discharged either to a storm sewer, a dry well, an underground conduit leading to a drainage ditch or onto the ground surface in such other manner as will not constitute a nuisance as defined herein.
- (e) **Sump Pump Discharge.**
- (1) All sump pumps installed for the purpose of discharging clear water from foundation drains, basement drains and ground infiltration shall within sixty (60) days of installation discharge into a storm sewer wherever available. Storm sewers shall be considered "available":
 - a. In existing streets with storm sewers when storm sewer laterals are installed.
 - b. In non-existing streets and in existing streets without storm sewers when storm sewers are installed.
 - (2) Storm sewers shall not be considered "available" in existing streets with storm sewers until such time as sewer laterals are installed. If no storm sewer is available sump pumps shall discharge into an underground conduit leading to a drainage ditch, gutter, drywell or onto the ground at a point which is not less than three (3) feet from the building and is above permanent grade.
 - (3) No sump discharge shall be allowed to flow on or across a public sidewalk. Sump discharge shall be directed to flow to the backyard in all cases commencing November 15 and continuing until April 15 each year.
 - (4) The provisions contained herein shall be in addition to those required and imposed by the State Plumbing Code, Chapters H81, H82 and H83, Wis. Adm. Code, and Chapter 145, Wis. Stats., and shall not amend or alter the provisions therein except insofar as is necessary for the application and enforcement of this Subsection.
- (f) **Conducting Tests.** If the Building Inspector or his/her designated agent suspects an illegal clear water discharge as defined by this Chapter or by any other applicable provision of the Wisconsin Administrative Code as it may, from time to time, be amended, he/she may, upon reasonable notice and at reasonable times enter the private premises where such illegal clear water discharge is suspected and conduct appropriate tests to determine whether such suspected illegal clear water discharge actually exists.

Sec. 15-1-14 Duplex and Multi—Service Connections.

- (a) A duplex structure shall be allowed a common water service to the curb stop, but each unit of said duplex shall have a separate outside curb stop for the purpose of shutting water off in one (1) unit without disturbing the second unit.