

# TOWN OF BROOKLYN, GREEN COUNTY, WI

## ORDINANCE # 2.4

Title: Wisconsin Uniform Dwelling Code

Adopted: 03/24/2015

This ordinance supersedes ordinance # 09-11-2000A entitled "Wisconsin Uniform Dwelling Code" with a change in **numbering, format** and **wording** but no change in substance. Authority

- 1.1 Authority
- 1.2 Purpose
- 1.3 Scope
- 1.4 Adoption of Wisconsin Uniform Building Code
- 1.5 Building Inspector
- 1.6 Building Permit Required
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- 1.8 Violation and Penalties
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- 1.10 Effective Date

1.1 AUTHORITY. These regulations are adopted under the authority granted by s. 101.65, Wisconsin Statutes.

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

1.3 SCOPE. The scope of this ordinance includes the construction, alteration or addition, and inspection with respect to one- and two-family dwellings in Chapter Comm. 20-25 of the Wisconsin Administrative Code, whose effective dates are generally June 1, 1980.

### (a) Definitions

(1) Addition - Addition means new construction performed on a dwelling which increases the outside dimensions of the dwelling.

(2) Alteration - Alteration means that a substantial change or

modification other than an addition or minor repair to dwelling or to systems involved within a dwelling.

**1.4 WISCONSIN UNIFORM DWELLING CODE ADOPTED.** The Wisconsin Uniform Dwelling Code, Chs. Comm 20-25 of the Wisconsin Administrative Code, and all amendments thereto, is adopted and incorporated by reference and shall apply to all building within the scope of this ordinance.

**1.5 BUILDING INSPECTOR.** There is hereby created the function of Building Inspector who shall administer and enforce and shall be certified by the Division of Safety and Building, as specified by Wisconsin Statutes, Section 101.66(2), in the category of Uniform Dwelling Code Construction Inspector. Additionally, this or other assistant inspectors shall possess the certification categories of UDC HVAC, UDC Electrical, and UDC Plumbing.

(a) Duties - The Building Inspector shall administer and enforce all provisions of this ordinance and the Uniform Dwelling Code.

(b) 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 the performance of his/her duties.

(c) Records - The Building Inspector shall perform all administrative tasks required by the department under the Uniform Dwelling Code. In addition, the Inspector shall keep a record of all applications for building permits in a book for such purpose 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 one and two-family dwellings shall be turned over to the assessor for taxing purposes. The Building Inspector shall make a written annual report to the Town Board relative to these matters.

**1.6 BUILDING PERMIT REQUIRED.** No person shall alter, in excess of \$3,500.00 value in any twelve (12) month period, build, or add onto 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. Restoration or repair of an installation to its previous code-compliant condition as determined by the building inspector is exempted from permit requirements. Residing, re-roofing, finishing of interior surfaces and installation of cabinetry shall be exempted from permit requirements.

The applicant shall submit two (2) sets of plans for all new or repairs to, or additions to existing one- and two-family dwellings at the time the building permit is filed. If the Building Inspector finds that the proposed building, repair, or addition complies with all Town ordinances and the Uniform Dwelling Code, the Inspector shall officially approve the application and a building permit shall be subsequently issued to the applicant. This issued

building permit shall be posted in a conspicuous place at the building site. A copy of any issued building permit shall be kept on file with the Town Clerk.

**1.7 BUILDING PERMIT FEE.** The building permit fees shall be determined by resolution of the Board. **VIOLATIONS AND PENALTIES.** No person shall erect, use, occupy or maintain any one- or two family dwelling in violation of this ordinance or the Uniform Dwelling Code or cause or permit any such violation to be committed. Any person violating any of the provisions of the ordinance shall, upon conviction, be subject to a forfeiture of not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) together with the costs of prosecution and, if in default of any payment thereof, shall be imprisoned for a period of not less than one (1) day nor more than six (6) months or until such forfeiture and costs are paid.

If an inspection reveals a non-compliance with this ordinance or the Uniform Dwelling Code, the Building Inspector shall notify the applicant and the owner, in writing, of the violation(s) to be corrected. All cited violations shall be corrected within thirty (30) days after written notification unless an extension is granted pursuant to Sec. Ind. 20.10(1)(c) Wisconsin Administrative Code.

If after written notification, the violation is not corrected within thirty (30) days, a stop work order may be served on the owner or his or her representative and a copy thereof shall be posted at the construction site. Such stop work order shall not be removed except by written notice of the Building Inspector after satisfactory evidence has been supplied that the cited violation has been corrected.

Each day that each violation continues after the thirty (30) day written notice period has run shall constitute a separate offense. Nothing in this ordinance shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of this ordinance or the Uniform Dwelling Code.

The Town Board shall provide for the enforcement of the section and all other laws and ordinances relating to buildings by means of the withholding of permits, imposition of forfeitures and injunction action.


**1.8 SEVERABILITY.** The provisions of this ordinance shall be deemed severable and it is expressly declared that the Town Board would have passed the other provisions of this ordinance irrespective of whether or not one or more provision may be declared invalid. If any portion of this ordinance or the applicability thereof to any person or circumstance is held invalid, the remainder of the ordinance and the application of such provisions to other persons or circumstances shall not be affected thereby.

**1.10 EFFECTIVE DATE.** This ordinance shall be effective October 1, 2000, and upon passage and publication as provided by law.

This ordinance was adopted by the Town Board of Supervisors of the Town of Brooklyn at a regular meeting on the 11<sup>th</sup> day of September, 2000, by a vote of 3 aye and

0 nay.

**Revised Format Approved March 24<sup>th</sup>, 2015 by Town Board of Supervisors.**

Chairman:   
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James Scrivner

Dated: 3/26/2015

Attested:   
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Dan Meixelsperger, Clerk