

Ordinance 2015-06
Amendment to Ordinance 2011-01 - Building Information Permit Ordinance

The Town Board of the Town of Wascott, Douglas County, Wisconsin, do ordain as follows changing the title of Section VII to read: **Section VII – Exemptions from Town Permit Requirement – Also see Section VIII.**

SECTION I - TITLE AND PURPOSE

The title of this ordinance is the Town of Wascott Building Information Permit Ordinance. The purpose of this ordinance is for the town to have information regarding the type, size, and location of all buildings and structures constructed, reconstructed, remodeled, removed, or demolished after the effective date of this ordinance.

SECTION II - AUTHORITY

The town board of the town has the authority under s. 60.61, Wis. stats., and general authority under its village powers under s. 60.22, Wis. stats., to adopt this ordinance.

SECTION III - ADOPTION OF ORDINANCE

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, requires a town building information permit for all buildings constructed, reconstructed, remodeled, removed, or demolished as provided in this ordinance.

SECTION IV - DEFINITIONS

In this ordinance:

A. "Building" means any building or structure and any installation constructed, reconstructed, remodeled, enlarged, altered, removed, or demolished for any use within the town, including but not limited to one- and two-family dwellings, manufactured homes, mobile homes, temporary or seasonal dwellings, garages, agricultural structures, and outbuildings.

B. "Owner" means any person having a legal or equitable interest in a building. "Owner" does not include any person whose legal or equitable interest in a building is a security interest derived solely from the extension of credit to permit construction or remodeling of the building or purchase of the building by a third party.

C. "Town" means the Town of Wascott, Douglas County, Wisconsin, and includes the town's officers, employees, and agents when appropriate.

D. "Town board" means the Board of Supervisors for the Town of Wascott, or any person designated to act for the town board.

- E. "Town clerk" means the Clerk of the Town of Wascott or his or her deputy or agent.
- F. "Wis. stats." means the Wisconsin Statutes, including successor provisions.

SECTION V - SUBDIVISION AND NUMBERING OF THIS ORDINANCE

This ordinance is divided into sections designated by uppercase Roman numerals. Sections may be divided into subsections designated by uppercase letters. Subsections may be divided into paragraphs designated by numbers. Paragraphs may be divided into subdivisions designated by lowercase letters. Subdivisions may be divided into subdivision paragraphs designated by lowercase Roman numerals. Reference to a "section," "subsection," "paragraph," or "subdivision" includes all divisions of the referenced section, subsection, paragraph, or subdivision.

SECTION VI - REQUIREMENT FOR BUILDING INFORMATION PERMIT

The owner of any building or structure in the town, unless exempt under this ordinance, who constructs, installs, remodels, reconstructs, enlarges, alters, removes, or demolishes any building or structure within the town shall seek and obtain from the town a Town Building Information Permit prior to commencing, or causing the commencement of, any construction, installation, remodeling, reconstruction, enlargement, altering, removing, or demolishing of any building.

SECTION VII - EXEMPTIONS FROM TOWN PERMIT REQUIREMENT-Also see Section VIII.

The requirement in Section VI to obtain a Town Building Information Permit shall not apply to any of the following:

- A. Buildings and structures owned by the town of Wascott.
- B. Additions, remodeling, reconstruction, enlargement, or alterations to buildings, when the cost of the work, including labor, shall be less than \$5000 within a 12-month period.
- C. The restoration or repair of building equipment, such as furnaces, central air conditioners, water heaters, and similar mechanical equipment without the alteration or addition to the building or structure.
- D. Minor repairs performed for maintenance or replacement purposes in or on an existing building which does not involve the structural portions of the building or structure, or which does not affect room arrangement, light and ventilation, access to or efficiency of any exit stairways or exit, fire protection and which does not increase a given occupancy or use (Example: window and door replacement if it does not affect structure).
- E. Residing, re-roofing, the finishing of interior surfaces (Example: painting and wallpapering) and the installation of cabinetry.

F. Fences or other similar enclosures.

G. Portable buildings or buildings less than 200 square feet.

SECTION VIII - OTHER REQUIREMENTS REMAIN APPLICABLE

The issuance of this Town Building Information Permit does not relieve the owner from any of the following:

- A. Obtaining any permit that may be required by any other state law or local ordinance, including but not limited to any of the following:
 - 1. County sanitary permits.
 - 2. Town, county or state driveway permits.
 - 3. State one- and 2-family dwelling code permits.
 - 4. Any other applicable permit under town or county ordinance or state law.
- B. Complying with any other requirement, ordinance, or law, including, but not limited to, those governing zoning, subdivision, land division, and setbacks.

SECTION IX - TOWN BUILDING PERMIT FORM, ISSUANCE, AND FEE

- A. The town board has approved a form for application for a Town Building Information Permit form, which shall be available from the town clerk.
- B. The applicant for a Town Building Information Permit shall submit to the town clerk a completed application with the appropriate non-refundable fee of \$25.

SECTION X - PENALTIES

The Town Board shall issue a written warning, to be signed by the Town Board or its designee and the offender and kept on file with the Town Clerk, to any person who fails to comply with the provisions of this Ordinance. Within 10 days of receipt of a written warning, failure of the offender to obtain a permit and immediately stop construction, exterior remodeling, enlarging, or altering any building that is not exempt, shall result in a penalty fee of \$200 payable to the Town of Wascott.

Any person that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than \$25 nor more than \$100, plus the applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.

SECTION XI - SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION XII - EFFECTIVE DATE

This ordinance is effective on publication or posting.

The town clerk shall properly publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this 7th day of July, 2015.

Town Board:

Greg Jensen, Town Chairperson

Robert Fritzke, Town Supervisor

Janice Newsome, Town Supervisor

Lynn Koalska, Town Supervisor

Bill Stapp, Town Supervisor

Attest: _____
Jeannette Atkinson, Town Clerk