

Village of Sister Bay Code of Ordinances

Chapter 14

Buildings and Building Regulations

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These chapter sections 14.1-14.26 were renumbered and rewritten on August 14, 2012 as Ordinance 196.

08/14/2012

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Sec. 14.1 Authority.

Sec. 14.5 Permit required.

1 BUILDINGS AND BUILDING 2 REGULATIONS

3 *Cross references: Fire prevention and protection,
4 Chapter 22; historic preservation, Chapter 26; signs,
5 Chapter 46; solid waste, Chapter 50; subdivisions,
6 Chapter 54; removal and deposit of debris from con-
7 struction vehicles, § 58-2; utilities, Chapter 62; zoning,
8 Chapter 66.

9 Article I. In General

10 Sec. 14.1 Authority.

11 This chapter is adopted pursuant to the authority grant-
12 ed in Wis. Stats. §§ 61.34, 101.65, 101.76 and 101.761.

13 Sec. 14.2 Fees for building permits and 14 inspections.

15 (a) Payment of fees. At the time the application for
16 a building permit is filed, the applicant shall pay
17 the fees as set forth in subsections (b) and (c) of
18 this section, and any other fees which may be
19 specifically designated by statute or ordinance.

20 (b) Residential – One- and two-family. Fees for res-
21 idential construction shall be as follows:

- 22 (1) New structure:
23 a. On file in the clerk-treasurer's of-
24 fice, per square foot, all area for
25 plan review.
26 b. On file in the clerk-treasurer's of-
27 fice, per square foot, all area for
28 inspection fees.
29 c. Erosion control: On file in the
30 clerk-treasurer's office.

31 (2) Additions: On file in the clerk-treasurer's
32 office, a minimum for the first 600
33 square feet.

34 Erosion control: On file in the clerk-
35 treasurer's office.

36 (3) Remodel: On file in the clerk-treasurer's
37 office, per \$1,000.00 of valuation.

- 38 (4) Accessory structure:
39 a. Up to 150 square feet: On file in
40 the clerk-treasurer's office.
41 b. 150 square feet to 600 square
42 feet: On file in the clerk-
43 treasurer's office.
44 c. Over 600 square feet: Use new
45 structure rates.

46 (5) Occupancy permit: included in fee of
47 subsection (b)(4) of this section.

48 (6) Temporary occupancy permit: On file in
49 the clerk-treasurer's office.

50 (7) Other/extension: On file in the clerk-
51 treasurer's office.

52 (c) Mechanical and miscellaneous. Mechanical and
53 miscellaneous fees shall be as follows:

- 54 (1) Plumbing: On file in the clerk-treasurer's
55 office.

- 56 (2) Electrical: On file in the clerk-
57 treasurer's office.
58 (3) HVAC: On file in the clerk-treasurer's
59 office.
60 (4) Special inspections, complaint inspec-
61 tions, preexisting permit inspections
62 and any other duties shall be at an
63 hourly rate with a minimum of one
64 hour: On file in the clerk-treasurer's of-
65 fice.
66 (5) Permit to start construction of footings
67 and foundation.
68 Residential: On file in the clerk-
69 treasurer's office.
70 (6) Minimum permit fee: On file in the
71 clerk-treasurer's office.
72 a. Re-inspection fee: On file in
73 the clerk-treasurer's office.
74 b. Failure to call for inspection:
75 On file in the clerk-treasurer's
76 office.
77 c. Double fees are due if work
78 started before the permit is is-
79 sued: On file in the clerk-
80 treasurer's office.
81 (7) State seals: On file in the clerk-
82 treasurer's office.

83 Sec. 14.3 Reserved.

84 Sec. 14.4 Scope.

85 This chapter applies to all dwellings, structures, build-
86 ings and residential accessory buildings. Notwith-
87 standing this section, this chapter shall not apply to
88 children's play structures or agricultural buildings.

89 Sec. 14.5 Permit required.

- 90 (a) No owner or contractor may commence con-
91 struction of any building or mechanical system
92 prior to obtaining a valid permit from the
93 building inspector.
94 (b) The construction which shall require a build-
95 ing permit includes, but is not limited to, the
96 following:
97 (1) New buildings, detached structures
98 (decks) and detached accessory build-
99 ings.
100 (2) Additions that increase the physical
101 dimensions of a building including
102 decks.
103 (3) Alterations to the building structure,
104 cost shall include market labor value,
105 or alterations to the building's heating,
106 electrical or plumbing systems.
107 (4) Alteration of plumbing, venting, elec-
108 trical or gas supply systems.
109 (5) Any electrical wiring for new construc-
110 tion or remodeling.
111 (6) Any HVAC for new construction or
112 remodeling.

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Sec. 14.6 Adoption of codes.

Sec. 14.9 Building-HVAC-electrical-plumbing inspector.

- 1 (7) Any plumbing for new construction or
2 remodeling.
3 (8) Any new or rewired electrical service.
4 (c) The following construction activities shall not
5 require a building permit:
6 (1) Re-siding, re-roofing and finishing of in-
7 terior surfaces, installation of cabinetry,
8 and repairs, which are deemed minor by
9 the building inspector. Notwithstanding
10 this section, however, a permit accom-
11 panied by structural load bearing calcu-
12 lations shall be required for re-roofing a
13 building if the proposed re-roofing
14 would constitute a third or more layer of
15 roofing.
16 (2) Normal repairs of HVAC, plumbing and
17 electrical equipment or systems such as
18 replacing switches, receptacles, light fix-
19 tures and dimmers.
20 (3) Agricultural structures.
21 (4) Replacement of major building equip-
22 ment including furnaces and central air
23 conditioners, water heaters and any other
24 major piece of equipment.

Sec. 14.6 Adoption of codes.

25 The following chapters of the Wisconsin Administrative
26 Codes, as well as all subsequent revisions, are adopted
27 by the Village and shall be enforced by the building in-
28 spector:

- 29
30 (a) SPS Chapter 2.32 Plan Review Fees
31 (b) SPS Chapter 5 Credentials
32 (c) SPS Chapters 16 and 17 Electrical Code
33 (d) SPS Chapters 20--25 Uniform Dwelling Code
34 (e) SPS Chapters 50--64 Commercial Building and
35 Heating, Ventilating and Air Conditioning Code
36 (f) SPS Chapter 66 Uniform Multi-Family
37 Code
38 (g) SPS Chapter 69 Barrier-Free Design
39 (h) SPS Chapter 70 Historic Building Code
40 (i) SPS Chapters 75--79 Existing Building Code
41 (j) SPS Chapters 81--87 Uniform Plumbing Code
42 (k) In addition the NFPA 58 Code relating to Lique-
43 fied Petroleum Gas. This code applies to the
44 storage, handling, transportation and use of LP
45 gas.(Amended by Ordinance 135-121107)

Sec. 14.7 Scope of uniform dwelling code expanded.

46 For the purposes of this chapter, the standards con-
47 tained in the Wisconsin Uniform Dwelling Code shall
48 be expanded to apply as the standards for construction
49 of the following:

- 50
51
52 (a) Additions, alterations and major equipment re-
53 placements for one- and two-family dwellings
54 built prior to June 1, 1980.
55 (b) Detached garages greater than 200 square feet
56 serving one- and two-family dwellings. Grade-
57 beam slabs are required for private, residential

- 58 garages with a continuous floating slab of re-
59 inforced concrete and shall not be less than
60 four inches in thickness. Reinforcement shall
61 be a minimum of six-inch by-six inch, number
62 ten wire mesh. The slab shall be provided with
63 a thickened edge all around, eight inches wide
64 and eight inches below the top of the slab.
65 (Exempted are "frost-free footings" for de-
66 tached residential accessory buildings) Wis.
67 Admin. Code SPS. Chapter 22 shall not apply.
68 (c) With respect to other detached accessory
69 buildings, concrete slabs, frost-free footings
70 and the like are not required, but if they are in-
71 stalled, they shall follow subsection (2) of this
72 section and/or Wis. Admin. Code SPS. Chap-
73 ter 21.

Sec. 14.8 Certified municipality status.

74 The Village has not adopted the certified municipality
75 status as described in Wis. Admin. Code SPS. § 50.21.
76

Sec. 14.9 Building-HVAC-electrical-plumbing inspector.

- 77
78
79 (a) Creation and appointment. There is created the
80 office of building inspector. The building in-
81 spector shall be appointed by the Village. The
82 building inspector shall be certified for inspec-
83 tion purposes by the department in the re-
84 quired categories specified under Wis. Admin.
85 Code SPS. Chapter 5.
86 (b) Subordinates. The building inspector may em-
87 ploy, assign or appoint, as necessary, subordi-
88 nate, mechanical inspectors. Any subordinate
89 hired to inspect buildings shall be certified as
90 defined in Wis. Admin. Code SPS. Chapter 5,
91 by the department.
92 (c) Duties. The building inspector shall administer
93 and enforce all provisions of this section.
94 (d) Powers. The building inspector or an author-
95 ized certified agent of the building inspector
96 may, at all reasonable hours, enter upon any
97 public or private premises for inspection pur-
98 poses. The building inspector may require the
99 production of the permit for any building,
100 plumbing, electrical or heating work. No per-
101 son shall interfere with or refuse to permit ac-
102 cess to any such premises to the inspector or
103 his agent while in the performance of his du-
104 ties. If the inspector is refused access to any
105 such premises, then the inspector is authorized
106 to apply for a special inspection warrant pur-
107 suant to Wis. Stats. § 66.0119.
108 (e) Inspections. In order to permit inspection of a
109 building project at all necessary phases with-
110 out causing delay for the owner, the owner
111 and/or contractor shall request all of the fol-
112 lowing inspections in conformity with the ap-
113 propriate timeframe defined in the Wisconsin
114 Administrative Code or at least 48 hours in

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- 1 advance by the applicant / contractor or property
2 owner as applicable.
3 (1) Footing.
4 (2) Foundation.
5 (3) Rough carpentry, HVAC, electric and
6 plumbing.
7 (4) Drain tile/basement floor.
8 (5) Under floor plumbing.
9 (6) Electric service.
10 (7) Insulation.
11 (8) Final carpentry, HVAC, electric and
12 plumbing.
13 (9) Erosion control.
14 (f) Failure to request inspection. Failure to request
15 any inspection will be the responsibility of the
16 contractor and/or property owner. No construction
17 shall be deemed approved by default or
18 lack of inspection by the building inspector.
19 (g) Responsibility for expenses. The expense of un-
20 covering or exposing any work, which must be
21 inspected, where such work was required by the
22 failure of the owner to request any inspection,
23 will be the responsibility of the contractor
24 and/or property owner.
25 (h) Records. The building inspector shall perform
26 all administrative tasks required by the department
27 under all codes covered in section 14.6. In
28 addition, the inspector shall keep a record of all
29 applications for permits and shall number each
30 permit in the order of its issuance.

31 Sec. 14.10 Submission of plans.

32 The owner or contractor shall, with respect to any proposed
33 construction or demolition, submit two sets of
34 building plans to the building inspector for any work
35 which expands the size of a building, any new building
36 or as required by the inspector. If a new building or
37 building addition is proposed, then a plot plan drawn to
38 scale showing such proposed work and existing buildings
39 and property lines shall be submitted. A third set of
40 plans may be requested at the discretion of the building
41 inspector for the assessor. The building inspector may
42 require the owner or contractor to submit plans for any
43 construction or demolition project when the building
44 inspector determines that it is necessary to review such
45 plans to ensure that the proposed project will comply
46 with all applicable codes.

47 Sec. 14.11 Issuance of permit.

- 48 (a) The building inspector shall issue the requested
49 permit if the owner or contractor demonstrates
50 that all state, county and local submission requirements
51 are satisfied. If a permit card is issued, it shall be
52 posted at the job site in a visible location from the
53 street. Permits are valid for two years. Permits may
54 be extended for 30, 90 or up to 180 days with the
55 building inspector's approval and payment of permit
56 fees.
57 (b) By accepting a permit, the applicant, owner or
58 contractor grants the building inspector the right

- 59 of access to the real estate on which the permitted
60 construction or demolition will occur.
61 (c) Permits are issued conditionally on the condition
62 that the owner and/or contractor shall conform to the
63 requirements of all applicable codes, zoning ordinances
64 and setback requirements in constructing the building.
65 (d) No building, plumbing, electrical or HVAC permit
66 shall be issued to any person who is in violation of
67 this Chapter until such violation has been corrected.
68 (e) No building, plumbing, electrical or HVAC permit
69 shall be issued to any person to whom an order has
70 been issued by the Building Inspector.
71 (f) It shall be the responsibility of the installer or
72 contractor to determine if a permit is required and to
73 obtain the same prior to commencing work.
74
75
76
77

78 Sec. 14.12 Reserved.

79 Sec. 14.13 Occupancy permits.

80 If the building inspector, after completing all required
81 inspections, finds that a building has been constructed
82 in accordance with the applicable codes, then the inspector
83 shall issue an occupancy permit. If the building fails to
84 comply with the code in minor respects, which do not
85 threaten the safety, health or welfare of the building's
86 occupants, the building inspector may issue a temporary
87 occupancy permit for 30 days or a specified term. No
88 person may have occupancy of a building until an
89 occupancy permit is issued.

90 Sec. 14.14 Unsafe buildings.

91 Whenever the building inspector determines that any
92 building or structure is so old, dilapidated or has become
93 so out of repair as to be dangerous, unsafe, insanitary
94 or otherwise unfit for human habitation, occupancy or
95 use, and so that it would be unreasonable to repair the
96 building or structure, the inspector shall order the owner
97 to raze and remove all or part thereof, or if such structure
98 can be made safe and sanitary by repairs, is at the owner's
99 option. Such orders and proceedings shall be as provided
100 in Wis. Stats. § 66.0413(1)(i).
101

102 Sec. 14.15 Razing and demolition.

- 103 (a) Demolition permit required. No person may
104 cause the demolition of any structure or part of a
105 structure greater than 400 square feet in area without
106 having first applied for and obtained a demolition permit
107 from the building inspector. No person may undertake
108 any steps to demolish the structure prior to receiving a
109 permit.
110 (b) Application. An application for a permit to
111 demolish all or part of a building shall include the
112 following information:
113 (1) The name and address of the owner of the
114 building on the date of the applica-

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- 1 tion and, if different, on the date of
2 demolition;
3 (2) The name, address and telephone num-
4 ber of the contractor performing the
5 demolition work;
6 (3) The date upon which demolition is to
7 commence;
8 (4) The date by which demolition shall be
9 complete;
10 (5) A list of all hazardous waste and hazard-
11 ous and toxic substances (as defined by
12 Wis. Admin. Code NR Chapter 706, as
13 amended from time to time) contained in
14 the building, a statement as to
15 whether the building contains asbestos
16 (as defined by Wis. Admin. Code NR
17 Chapter 445), and a detailed description
18 of the method to be used in removing,
19 transporting and disposing of any haz-
20 ardous waste, hazardous and toxic sub-
21 stances and asbestos;
22 (6) A detailed description of how and where
23 the waste materials resulting from the
24 demolition will be transported and dis-
25 posed of (including the description of
26 the route to be used by trucks in hauling
27 the waste);
28 (7) A description of the method of demoli-
29 tion to be used;
30 (8) A description in detail of all methods to
31 be used to prevent water runoff and soil
32 erosion from the site to neighboring
33 properties and to prevent releasing un-
34 reasonable amounts of dust from the
35 site; and
36 (9) Along with the application for permit for
37 demolition, the applicant shall present a
38 release from all utilities serving the
39 property, stating that their respective
40 service connections and appurtenant
41 equipment such as meters and regulators
42 have been removed or sealed and
43 plugged in a safe manner.
44 (c) Demolition. The demolition shall be conducted
45 in a manner that is safe and that does not ad-
46 versely affect the environment.
47 (d) Clearing and leveling the site.
48 (1) The site of any demolition shall be
49 properly cleared of debris, rubbish and
50 pavement and shall be properly graded
51 and leveled to conform with the adjoin-
52 ing grade of the neighboring property;
53 and when so graded and leveled, the site
54 shall be seeded, sodded or treated in
55 some other manner acceptable to the
56 building inspector to prevent blowing
57 dust, dirt or sand. Excavations remaining
58 after demolition shall be filled, graded
59 and leveled off, not later than 30 con-
60 secutive days after demolition is com-
61 pleted.

- 62 (2) Excavations from demolished build-
63 ings or structures shall not be filled
64 with any materials subject to deteriora-
65 tion. The building inspector, upon noti-
66 fication by the permit holder, the own-
67 er or his agent, in writing and upon
68 forms provided by the building inspec-
69 tor for that purpose, shall within 72
70 hours inspect each excavation, or part
71 thereof, before the filling of any exca-
72 vation.
73 (3) It shall be unlawful to fill any such ex-
74 cavation without inspection and ap-
75 proval of the building inspector. Voids
76 in filled excavations shall not be per-
77 mitted. In the event of the unavailabil-
78 ity of the building inspector to conduct
79 an inspection within the 72 hours after
80 written notice, the permit holder, own-
81 er or his agent may retain the services
82 of a certified, qualified municipal in-
83 spection service to obtain an opinion
84 that approves the filling of the excava-
85 tion. Such opinion shall be deemed a
86 sufficient approval by the Village pro-
87 vided that a written copy of the opinion
88 is delivered to the clerk-treasurer at
89 least 48 hours before any filling of the
90 excavation commences.
91 (e) Removal and disposal. Removal, transporta-
92 tion and disposal of all hazardous wastes, haz-
93 ardous and toxic substances and asbestos shall
94 be conducted in compliance with all applica-
95 ble state, federal and local statutes, ordinances
96 and regulations. The permit holder shall give
97 the building inspector 72 hours written notice
98 prior to any removal, transportation or dispos-
99 al of hazardous wastes, hazardous and toxic
100 substances and asbestos.

Sec. 14.16 Moving buildings.

- 101 (a) Generally. No person shall move any building
102 or structure upon any public rights-of-way of
103 the Village without first obtaining a permit
104 therefore from the building inspector and upon
105 the payment of a required fee. Every such
106 permit issued by the building inspector for the
107 moving of a building shall designate the route
108 to be taken, the conditions to be complied with
109 and shall limit the time during which such
110 moving operations shall be continued. This
111 section shall not apply to manufactured homes
112 as defined by the Federal Fair Housing Act.
113 (b) Moving damaged buildings. No building shall
114 be repaired, altered or moved within or into
115 the Village that has deteriorated or has been
116 damaged by any cause (including such moving
117 and separation from its foundation and service
118 connections in the case of moved buildings)
119 50 percent or more of its equalized value. No
120 permit shall be granted to repair, alter or move
121

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1 such building within or into the Village. Fur- 62
2 thermore, if the equalized assessed value of the 63
3 building is not within 20 percent of the sur- 64
4 rounding buildings within 1,000 feet of the par- 65
5 cel where the building is proposed to be moved 66
6 to, no permit shall be granted unless the build- 67
7 ing is improved so that its equalized value is 68
8 within 20 percent of the lowest equalized value 69
9 of any of the surrounding buildings. 70

10 (c) Continuous movement. The movement of build- 71
11 ings shall be a continuous operation during all 72
12 the hours of the day, and day by day until such 73
13 movement is fully completed. All of such opera- 74
14 tions shall be performed with the least possible 75
15 obstruction to thoroughfares. No building shall 76
16 be allowed to remain overnight upon any street 77
17 crossing or intersection, or so near thereto as to 78
18 prevent easy access to a fire hydrant or any oth- 79
19 er public facility. Lighted lanterns shall be kept 80
20 in conspicuous places at each end of the build- 81
21 ing during the night. 82

22 (d) Street repair/inspection. Every person receiving 83
23 a permit to move a building shall, prior to mov- 84
24 ing the building, accompany the building in- 85
25 spector and Village Administrator on an inspec- 86
26 tion of the route the building will travel within 87
27 the Village limits. The applicant shall, within 88
28 one day after such building reaches its destina- 89
29 tion, report the fact to the building inspector 90
30 who shall thereupon, in the company of the Vil- 91
31 lage Administrator, inspect the streets and 92
32 highways over which such building has been 93
33 moved and ascertain the condition. If the re- 94
34 moval of such building has caused any damage 95
35 to any street or highway, the person to whom 96
36 the permit was issued shall forthwith place them 97
37 in good repair as they were before the permit 98
38 was granted. On the failure of the permittee to 99
39 repair such damage within ten days thereafter to 100
40 the satisfaction of the Village board, the Village 101
41 board shall repair the damage done to such 102
42 streets and hold the person obtaining such per- 103
43 mit and the sureties on his bond responsible for 104
44 payment of bond. 105

45 (e) Conformance with Code. No permit shall be is- 106
46 sued to move a building within or into the Vil- 107
47 lage and to establish it upon a location within 108
48 the Village until the building inspector has made 109
49 an investigation of such building at the location 110
50 from which it is to be moved and is satisfied 111
51 from such investigation that such building is in 112
52 a sound and stable condition and of such con- 113
53 struction that it will meet the requirements of 114
54 the Building Code in all respects. A complete 115
55 plan of all further repairs, improvements and 116
56 remodeling, with reference to such building, 117
57 shall be submitted to the building inspector, and 118
58 he shall make a finding of fact to the effect that 119
59 all such repairs, improvements and remodeling 120
60 are in conformity with the requirements of the
61 Building Code and that when such repairs, im-

provements and remodeling are completed, the building, as such, will comply with the Building Code. If a building is to be moved from the Village to some point outside of the boundaries thereof, the provisions, with respect to the furnishing of plans and specifications for proposed alterations to such building, may be disregarded.

(f) Cash deposit.

(1) Before a permit is issued to move any building over any public way in this Village, the party applying for such permit shall make a cash deposit to the Village in a sum, to be fixed by the Village, which sum shall not be less than \$5,000. The cash deposit shall be held for indemnification of the Village for any costs or expenses incurred by it in connection with any claims for damages to any persons or property, and the payment of any judgment, together with the costs or expenses incurred by the Village in connection therewith, arising out of the removal of the building for which the permit is issued. The cash deposit shall be refunded if after the building is moved and the building inspector and supervisor of public works have found the permit was complied with and no damages were caused by the move.

(2) The cash deposit required by subsection (f)(1) of this section shall be further conditioned upon the permittee erecting adequate barriers and within 48 hours, filling in such excavation or adopting and employing such other means, devices or methods approved by the building inspector and reasonably adopted or calculated to prevent the occurrences set forth in this subsection. The building inspector may waive the timelines in this subsection if the building inspector, after investigation, determines that the excavation exposed by the removal of such building from its foundation is not so close to a public thoroughfare as to constitute a hazard to persons, particularly, children under 12 years of age.

(g) Insurance. The building inspector shall require, in addition to the cash deposit indicated in subsection (f) of this section, public liability insurance covering injury to one person in the sum of not less than \$500,000 and for one accident, aggregate not less than \$1,000,000, together with property damage insurance in a sum not less than \$500,000, or such other coverage as deemed necessary.

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- 1 (h) Village examination of application.
2 (1) Before any permit to relocate a building
3 may be issued, the Plan Commission
4 shall examine the application for the
5 permit and approve the application.
6 (2) The application shall include exterior el-
7 evations of the building at its proposed
8 new location; accurate photographs of
9 all sides and views of the building; in
10 case it is proposed to alter the exterior of
11 such building, plans and specifications
12 of such proposed alterations, and a site
13 plan showing the location of the building
14 on the final resting site.
15 (3) The Village Administrator shall not grant
16 a permit unless the Plan Commission has
17 taken a view of the building proposed to
18 be moved and of the site at which it is to
19 be located.
20 (4) The Village Administrator may not issue
21 a permit for relocation of a building un-
22 less he/she finds that the exterior ap-
23 pearances and design of the building to
24 be moved, or moved and altered, will be
25 consistent with the exterior appearance
26 and design of the buildings already con-
27 structed or in the course of construction
28 in the immediate neighborhood, or with
29 the character of the applicable district
30 established by the zoning ordinances of
31 the Village. No permit shall be granted if
32 the relocation will cause a substantial
33 depreciation of the property values of
34 the neighborhood to which the building
35 is proposed to be relocated.
36 (5) In case the applicant proposed to alter
37 the exterior of such building after mov-
38 ing the building, he shall submit, with
39 his application papers, complete plans
40 and specifications for the proposed al-
41 terations. Before a permit shall be issued
42 for a building to be moved and altered,
43 the applicant shall deposit a cash deposit
44 of not less than \$5,000.00 with the Vil-
45 lage to secure the timely completion of
46 all proposed exterior alterations to such
47 building, as set forth in the plans and
48 specifications. This cash deposit shall be
49 in addition to any other bond or surety,
50 which may be required by other applica-
51 ble ordinances of the Village. The cash
52 deposit shall be refunded after the exte-
53 rior alterations are completed and the
54 building inspector has found the build-
55 ing exterior complies with the approved
56 plans and within the timeframe set by
57 the Plan Commission. The deposit shall
58 be forfeited if the exterior of the build-
59 ing does not comply with the approved
60 plans or if the timeframe for completing
61 the work is not adhered to.

- 62 (6) No occupancy permit shall be issued
63 for such building until the exterior al-
64 terations proposed to be made have
65 been completed.
66 (7) Whenever an application for relocation
67 of a building is made to the building
68 inspector, he shall request a meeting of
69 the Plan Commission to consider the
70 application. The building inspector
71 shall inform the Plan Commission
72 whether or not the application com-
73 plies, in all respects, with all other or-
74 dinances. The Plan Commission may,
75 if it desires, hold a public hearing on
76 the permit.

Sec. 14.17 Exterior finish required.

77 All buildings shall have a weather-resistant, uniform
78 and neighborhood-compatible exterior finish. Tar pa-
79 per or similar material is not acceptable.
80

Sec. 14.18 Maintenance of yards.

81 Yards shall be kept free of weeds, trash and open stor-
82 age of more than one non-licensed or disabled vehi-
83 cle. Contractors and owners shall use their best efforts
84 to prevent soil erosion, diversion of surface water or
85 damage to adjoining property.
86

Sec. 14.19 Payment of fees.

87 At the time of building permit application issuance,
88 the applicant shall pay fees as established periodically
89 by the Village. If work commences prior to permit is-
90 suance, the permit fee shall double.
91

Sec. 14.20 Violations and penalties.

- 92 (a) No person may construct, remodel or repair
93 any building or otherwise use or maintain
94 property in a manner, which violates any pro-
95 vision of this chapter.
96 (b) Every person who violates this chapter shall,
97 upon conviction, forfeit not less than \$100.00
98 nor more than \$1,000.00 for each day of non-
99 compliance, together with the costs of prose-
100 cution.
101 (c) Violations discovered by the building inspec-
102 tor shall be corrected within 30 days, or more
103 if allowed by the inspector, after written notice
104 is given. Violations involving life safety issues
105 shall be corrected in a reasonable timeframe
106 established by the building inspector.
107 (d) Compliance with the requirements of this
108 chapter is necessary to promote the safety,
109 health and well-being of the community and
110 the owners, occupants and frequenters of
111 buildings. Therefore, violations of this chapter
112 shall constitute a public nuisance that may be
113 enjoined in a civil action.
114

Village of Sister Bay Code of Ordinances

Sec. 14.21 Stop work order.

The building inspector may issue a stop work order for a project to prevent further non-complying work. No person may continue a construction project after a stop work order has been issued. The person that receives such a stop work order may contest the validity of the stop work order by requesting a hearing before the Village. The Village shall hear the appeal within seven days. The Village shall affirm the stop work order unless the owner or contractor shows that the building inspector erred in determining that the construction project violated a provision of the state building codes.

Sec. 14.22 Variance.

The Village board shall hear requests for variances from the building code to the extent the Village has authority to hear and grant variances. The Village board shall approve, conditionally approve or deny a requested variance. The Village board may grant a variance from a code requirement only if the variance is permitted by law and if the performance of the proposed variance is equal to or greater than the code requires.

Sec. 14.23 Appeals.

Any person feeling aggrieved by an order of the building inspector may, within 20 days thereafter, appeal from such order to the Village board. The Village will follow procedures explained on Wis. Stats. Chapter 68, to arrive at a final determination. Final determinations may be reviewed as explained in Wis. Admin. Code SPS. § 20.21.

Sec. 14.24 Disclaimer and non-liability for damages.

This chapter shall not be construed as an assumption of liability by the Village or the building inspector for damages because of injuries sustained or property destroyed by any defect in any dwelling or equipment.

Sec. 14.25 Definitions.

As used in this chapter, the following terms have the meaning prescribed in this section. Any item not defined in this section shall follow the Wisconsin Administrative Code definitions.

Building means any structure erected or constructed of wood, metal, stone, plastic or other materials, which is intended to be used by human beings or animals for occupancy, livery, commerce, education, cultural activities or other purpose. The term "building" does not include children's play structures, agricultural barns, agricultural sheds or agricultural accessory buildings.

Building inspector means the individual or firm appointed by the Village to exercise all of the powers and duties of a building inspector under law.

Construction means any part or portion of the activity of installing, locating, siting, erecting or raising a building.

Contractor means any person, firm or entity, which undertakes any activity related to the construction of a building other than the mere provision of supplies or materials.

Demolition means the activity of completely or partially destroying a previously erected or constructed building.

Electrical means the trade which relates to the design, installation, maintenance and repair of the mechanical equipment, wiring, fixtures and connections which tie a structure to the power grid of an electric generating utility and distribute the electricity through a structure to end uses, including any work which may be performed by a master electrician licensed by the state or a person under the supervision of such an electrician.

Garage, private, means a garage where private vehicles are kept for storage purposes only and wherein such use is accessory to the residential use of the property on which it is stored. A carport is considered a private residential garage.

Garage, public, means any building or premises, other than a private or a storage garage, where motor-driven vehicles are equipped, repaired, serviced, hired or sold or stored for monetary gain as a business.

HVAC is an acronym, which stands for heating, ventilating and air conditioning; the trade, which installs mechanical equipment, systems and accessory ducting and gratings for the purpose of warming, purifying, cooling and exchanging air in a building.

Occupancy means the act of utilizing a building for human habitation, use or occupancy. Any use of a building for any activity, which is customarily or routinely associated with utilization of a building as a residence, detached residential accessory structure, or commercial use shall constitute occupancy.

Owner means the individual, firm or entity which has record title to the real estate on which construction or demolition is taking place.

Plumbing means the trade which relates to the design, installation and maintenance or repair of pipes, drains, sinks, basins, hot water heating systems, natural gas pipes, grease traps, floor drains and all other work for which the individual performing the work may either be a master plumber licensed by the state or work under the supervision of such a plumber.

Repairs means 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. Repairs which do not affect room arrangement, light and ventilation, access to or efficiency of any

Village of Sister Bay Code of Ordinances

Secs. 14.26 – 14.60 Reserved.

Secs. 14.26 – 14.60 Reserved.

1 exit stairways or exits, fire protection or exterior
2 esthetic appearance and which do not increase a
3 given occupancy and use, shall be deemed mi-
4 nor repairs.

5 Stop work order means a directive issued with respect
6 to a construction project by a building inspector,
7 which compels the owner, and any contractor or
8 builder of a building to cease any further work
9 or activity on the construction project until the
10 building inspector has authorized the resumption
11 of the construction project.

12 Cross references: Definitions generally, § 1.2.

13 **Secs. 14.26 – 14.60 Reserved.**

14

15

Village of Sister Bay Code of Ordinances

Secs. 14.26 – 14.60 Reserved.

Secs. 14.26 – 14.60 Reserved.

1 **This page reserved.**

2

Village of Sister Bay Code of Ordinances

Sec. 14.61 Purpose.

Sec. 14.69 Plan Review.

1 **Repealed 06-17-14**

2 **ARTICLE II. AUTOMATIC FIRE**
3 **SPRINKLER SYSTEM**

4
5 ~~*Cross references: Fire prevention and protection,~~
6 ~~Chapter 22.~~

7 **Sec. 14.61 Purpose.**

8 Pursuant to Wisconsin State Statutes § 61.34(1), the in-
9 tent of this article is to protect lives and provide an in-
10 stantaneous and automatic response to a fire outbreak.
11 This instant response is intended to provide a minimum
12 of 15 minutes of water directed at the source of the fire.
13 ~~Automatic sprinkler systems shall be installed and~~
14 ~~properly maintained in all new construction and loca-~~
15 ~~tions hereafter set forth with installation costs to be~~
16 ~~borne by the building owner.~~

17 **Sec. 14.62 Installation.**

18 In all buildings, the installation of any automatic fire
19 sprinkler system shall be in accordance with NFPA 13
20 (commercial), "Installation of Sprinkler Systems," or
21 NFPA 13R (multi-family residential), "Installation of
22 Sprinkler Systems in Residential Occupancies up to
23 Four Stories in Height."

24 **Sec. 14.63 Monitoring Requirements.**

25 All automatic sprinkler systems installed under this arti-
26 cle shall be monitored by a central monitoring service
27 or an agency approved by the Fire Department.

28 **Sec. 14.64 Maintenance and Annual**
29 **Inspection.**

30 All automatic sprinkler systems shall be properly main-
31 tained for efficient service as specified in NFPA 25,
32 "Inspection, Testing and Maintenance of Water-Based
33 Fire Protection Systems." Maintenance shall be the re-
34 sponsibility of the building owner. Copies of inspection
35 and maintenance reports shall be provided to the Fire
36 Department upon request.

37 **Sec. 14.65 Where Required.**

38 ~~Automatic sprinkler systems shall be installed and~~
39 ~~maintained in operable condition in the following new~~
40 ~~construction and locations:~~
41 (e) ~~Any building that is of Class 1 or Class 2 fire~~
42 ~~resistant construction and is 10,000 square feet~~
43 ~~or more in total area.~~
44 (f) ~~Any building that is of Class 3, 4, 5 non fire re-~~
45 ~~sistant construction and is 4,800 square feet or~~
46 ~~more in total area.~~
47 (g) ~~All commercial transient lodging establishments~~
48 ~~identified by the State of Wisconsin.~~

49 (h) ~~Any building for public assembly designed for~~
50 ~~simultaneous occupancy of over 100 persons.~~
51 (i) ~~Any building of three interior stories or more~~
52 ~~in height regardless of total square foot area.~~
53 (j) ~~Any building housing a health care facility in-~~
54 ~~cluding hospital facility, nursing home and ex-~~
55 ~~tended care facility, group care facility or~~
56 ~~CBRF. Automatic sprinklers shall be installed~~
57 ~~throughout such buildings regardless of size or~~
58 ~~type of construction.~~

59 **Sec. 14.66 High Hazard Occupancy.**

60 An automatic sprinkler system may be required for
61 any proposed new building by reason of its construc-
62 tion or combustible occupancy if it is deemed a severe
63 life or property hazard by the Fire Chief, Building In-
64 spector or the State of Wisconsin.

65 **Sec. 14.67 Exceptions.**

66 Automatic sprinkler systems are not required if the
67 Fire Chief determines that the use of water as a fire
68 extinguishing agent would increase the hazard. How-
69 ever, an automatic fire suppression system using an
70 extinguishing agent other than water shall be installed
71 in addition to an automatic smoke detection system.
72 An automatic fire sprinkler system shall not be re-
73 quired in any single family or duplex residential
74 unit(s) or buildings exempted by the State of Wiscon-
75 sin Building and/or Fire Prevention Codes in effect at
76 the time of plan submittal.

77 **Sec. 14.68 Building in Areas without**
78 **Municipal Water Supply.**

79 Any building of a size or use that falls within this arti-
80 cle erected within an area not served by the municipal
81 water system shall be constructed to allow for the fu-
82 ture installation of a sprinkler system. Once municipal
83 water is available, the building owner shall have nine-
84 ty (90) days to install an automatic sprinkler system,
85 which conforms to this article in effect at that time.
86 Buildings that meet the requirements of this article
87 shall install a Knox box prior to occupancy regardless
88 of the availability of a municipal water system. (See
89 Section 66.1009(a)(14) of the Zoning Code for relat-
90 ed fire hydrant requirements.)

91 **Sec. 14.69 Plan Review.**

92 No automatic sprinkler equipment shall be installed or
93 altered in any building until plans have been submit-
94 ted to and approved by the Fire Department. Four
95 copies of the plans and specifications shall be submit-
96 ted to the Fire Department at the time of building
97 permit application. Conditionally reviewed plans shall
98 be stamped with the date of review. Review does not
99 constitute compliance. One copy shall be returned to
100 the owner, one copy retained by the Fire Department
101 for file use, one copy provided to the Building Inspe-
102 ctor and one copy retained by the Village. Failure of
103 the Fire Department to respond with findings from the
104 review within 45 days shall be considered a statement

Village of Sister Bay Code of Ordinances

Sec. 14.70 Calculations.

Sec. 14.100 Notice of Violations/Order for Correction.

1 of no objection by the Fire Department to the proposed
2 plans.

55 any key by persons other than Fire Department per-
56 sonnel shall be considered a violation of this article.

3 **Sec. 14.70 Calculations.**

57 **Sec. 14.75 Reserved.**

4 Calculations shall be submitted with all plans. If a pipe
5 schedule is used, a written report with verified pressure
6 information shall be submitted. The engineer complet-
7 ing such calculations shall stamp and sign the report.

58 **Sec 14.76 Additions to Sprinklered 59 Buildings.**

60 In the event an owner/developer wishes to construct
61 an addition to a building that is currently sprinklered,
62 the owner/developer shall be required to extend the
63 existing sprinkler system into the addition. The sprin-
64 kler system shall meet the criteria as outlined above.

8 **Sec. 14.71 Installation And Inspection 9 Services Required.**

65 **Sec 14.77 Additions to Non-Sprinklered 66 Buildings.**

67 In the event an owner /developer of a building in the
68 Village that is currently not protected by an automatic
69 sprinkler system seeks to construct an addition to the
70 building the following shall apply:

10 (a) The installation of underground piping shall be
11 inspected and approved by the Fire Department
12 or Utility Department prior to being covered.

13 (b) The installation of the sprinkler system shall be
14 inspected by the Fire Department prior to the
15 enclosing of wall and ceiling spaces.

16 (c) A hydrostatic test meeting NFPA requirements
17 shall be conducted on the system in the presence
18 of the Fire Department representative along
19 with a total final inspection prior to placing the
20 system into service.

21 (d) The installer shall provide a minimum of a 24-
22 hour advance notice for any required installation
23 inspections.

71 (e) The building shall be evaluated based on its
72 total proposed size (existing and proposed addi-
73 tion combined), and proposed occupancy.

74 (f) In the event different construction types are
75 used the building shall be evaluated on its
76 least fire resistive construction.

77 (g) If the total proposed building size and/or con-
78 struction type fall within this article the entire
79 building must be sprinklered, or if the own-
80 er/developer desires to only sprinkle the addi-
81 tion then the addition must be separated from
82 the existing building by no less than a three (3)
83 hour fire wall.

24 **Sec. 14.72 Alarm Bell Requirements.**

25 All required building automatic sprinkler systems shall
26 include alarm bells or horns. Alarm bells or horns shall
27 be installed on all systems. One bell or horn shall be in-
28 stalled on the inside of the building and a second bell or
29 horn installed on the outside of the building, the external
30 bell or horn shall also incorporate an external visual
31 signaling device. The external alarm shall be located
32 above the Fire Department Connection (FDC) subject
33 to approval of the Fire Department. The sprinkler alarm
34 shall be wired into the building alarm system in any
35 building equipped with a local alarm system.

84 **Sec. 14.100 Notice of Violations/Order for 85 Correction.**

86 (h) Following the inspections made pursuant to
87 Section 22.4 of the Municipal Code, the Fire
88 Chief shall provide written notices to the own-
89 ers of buildings inspected of any violations of
90 this Chapter, including violations of the Wis-
91 consin Administrative Code, and shall order
92 such violations to be removed or corrected.

93 (i) The owners of such buildings shall cause the
94 violations to be eliminated or corrected as des-
95 ignated by the Fire Chief within the time set
96 forth by the Fire Chief.

97 (j) The service of written orders for the correction
98 of such violations shall be made upon the
99 owner either by delivering a copy of the writ-
100 ten orders to the owner or any person in
101 charge of the premises, or by mailing such or-
102 ders to the owner by certified mail, return re-
103 ceipt requested. This subsection shall in no
104 manner preclude the Fire Chief from issuing
105 oral orders in such manner as deemed appro-
106 priate under the circumstances.

36 **Sec. 14.73 Fire Department Hookup.**

37 The building's internal sprinkler system shall be pro-
38 vided with a Fire Department Connection (FDC) locat-
39 ed on the outside of the building in an area accessible to
40 fire equipment. This connection and its location must
41 be installed per NFPA 13, and must have the approval
42 of the Fire Department for final location and termina-
43 tion connection. This connection is necessary to allow
44 the building's sprinkler system to be charged via a hose
45 connection from a pumper truck. (See Section 66.1009
46 (a) (14) of the Zoning Code for related fire hydrant re-
47 quirements.)

107 (k) When requested the Fire Chief, shall provide
108 copies of the written notices and citations to
109 the Sister Bay & Liberty Grove Fire Board,

48 **Sec. 14.74 Lockbox Required.**

49 A building equipped with an automatic sprinkler system
50 shall be provided with a standard lockbox of a type ap-
51 proved by the Fire Chief, who shall also approve the
52 location of the lockbox. Properly identified keys to gain
53 access to the building and building automatic sprinkler
54 system shall be maintained in the lock box. Removal of

Village of Sister Bay Code of Ordinances

Sec. 14.101 Enforcement.

1 the Zoning Administrator, Village Attorney and 57 real estate, and shall be assessed and collected
2 the representative of the firm performing build- 58 as a special tax.
3 ing inspections for the Village.

59

4 **Sec. 14.101 Enforcement.**

5 ~~(l) This article may be enforced by the issuance of~~
6 ~~a citation to any violator of this article by the~~
7 ~~Fire Chief, by an authorized designee of the Fire~~
8 ~~Chief, by the sheriff, or deputy sheriff of the~~
9 ~~county, by any state officer with police powers~~
10 ~~or any other duly appointed law enforcement of-~~
11 ~~ficer of the Village.~~

12 ~~(m) In the alternative, any forfeiture imposed by this~~
13 ~~article may be sued for and recovered pursuant~~
14 ~~to Wisconsin State Statutes Chapter 778 in the~~
15 ~~name of the Village.~~

16 ~~(n) In addition to any enforcement by forfeiture ac-~~
17 ~~tion, the Village may obtain injunctive relief to~~
18 ~~prevent, enjoin, abate or remove the violation~~
19 ~~and may take such other action as is necessary~~
20 ~~to abate, correct or remove any violations.~~

21 ~~(o) The Fire Chief may call upon the Village Attor-~~
22 ~~ney to assist in the prosecuting of violations of~~
23 ~~this article of the Municipal Code.~~

24 **Sec. 14.101 Penalties for noncompliance.**

25 ~~(p) Any person who fails to correct the violation~~
26 ~~complained of by the Fire Chief, within the pe-~~
27 ~~riod of time set forth by the Fire Chief, in viola-~~
28 ~~tion of Section 14.100 of the Municipal Code,~~
29 ~~may be required to forfeit not less than \$100.00,~~
30 ~~nor more than \$500.00.~~

31 ~~(q) A separate offense shall be deemed committed~~
32 ~~on each day during or on which a violation oc-~~
33 ~~urs or continues.~~

34 ~~(r) Each violation listed in the order for elimination~~
35 ~~or correction shall constitute a separate viola-~~
36 ~~tion.~~

37 ~~(s) In the event of a default of payment of such for-~~
38 ~~feiture, the Village has the right to impose a lien~~
39 ~~against the property of the violator for an~~
40 ~~amount equal to the forfeiture. In addition,~~
41 ~~compliance with this article may also be en-~~
42 ~~forced by injunction order at the suit of the Vil-~~
43 ~~lage.~~

44 **Sec. 14.103 Costs of abatement, removal or** 45 **correction.**

46 ~~(t) Any and all costs incurred by the Village in the~~
47 ~~performance of the abatement or correction of~~
48 ~~any violation of this article, including costs of~~
49 ~~injunctive relief, shall be charged to the owners,~~
50 ~~occupant, person in control of or person respon-~~
51 ~~sible for such violation.~~

52 ~~(u) In case of a failure to pay these costs, a state-~~
53 ~~ment of such costs shall be filed with the Clerk-~~
54 ~~Treasurer, and any and all costs thereof shall be~~
55 ~~charged against the real estate upon which the~~
56 ~~violation was located, shall be a lien upon the~~