

Chapter 198

BUILDING CONSTRUCTION

ARTICLE I General Provisions

- § 198-1. Purpose.
- § 198-2. Scope.
- § 198-3. Building permit; inspections.

ARTICLE II Uniform Dwelling Code

- § 198-4. Adoption of Administrative Code provisions.
- § 198-5. Definitions.
- § 198-6. Duties of Building Inspector.

- § 198-7. State building permit.
- § 198-8. Enforcement.
- § 198-9. Severability.

ARTICLE III Additional Standards

- § 198-10. New methods and materials.
- § 198-11. Unsafe buildings.

[**HISTORY:** Adopted by the Village Board of the Village of Endeavor at time of adoption of Code (see Ch. 1, General Provisions, Art. II). Amendments noted where applicable.]

GENERAL REFERENCES

Numbering of buildings — See Ch. 203.
Fair housing — See Ch. 230.
Fences — See Ch. 236.
Housing standards — See Ch. 261.
Sewers — See Ch. 360.

Comprehensive Plan — See Ch. 450.
Floodplain zoning — See Ch. 455.
Subdivision of land — See Ch. 470.
Zoning — See Ch. 480.

ARTICLE I General Provisions

§ 198-1. Purpose.

In order to protect and foster the health, safety, and well-being of the general public and the persons affected by this chapter, the Village Board has adopted these provisions for the construction/remodeling, use of materials, and requirements of structures and/or buildings.

§ 198-2. Scope.

All buildings hereafter erected in or moved within the Village shall conform to all the requirements of this chapter, except as they may be exempted. Any existing building, alteration, enlargement or demolition of an existing building and any installation therein of electrical, gas, heating, plumbing or ventilation equipment which affects the health or safety

of the users thereof or any other persons shall conform to this chapter. The provisions contained herein supplement the laws of the State of Wisconsin pertaining to the construction and use of buildings and structures and in no way supersede or nullify such state laws or any other Code provision of the Village.

§ 198-3. Building permit; inspections.

- A. Permit. No building of any kind shall be moved within or into the Village and no 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 until a permit therefor shall first have been obtained by the owner, or his authorized agent, from the Building Inspector.
- B. Application. Application for a building permit shall be made in writing upon a form furnished by the Village and/or its approved contractor.
- (1) Such application shall provide for, among other items, 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 located, and the name and address of the person who shall be conducting the construction, remodeling and/or alterations.
 - (2) Dedicated street and approved subdivision. No permit shall be issued unless the property on which the building rests or which it will occupy abuts a street that has been dedicated for street purposes. Furthermore, no permit shall be issued until the subdivision and required improvements are accepted by the Village Board.
- C. Plans. With such application there shall be submitted a complete set of plans and specifications and any other information required by this chapter or any other Village Code section. Plans for buildings involving the State Building Code shall bear the stamp of the State Department of Commerce. Plans for all new one- and two-family dwellings shall comply with the provisions of the Wisconsin Administrative Code.
- D. 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 shall issue a building permit, 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 discretion, may issue a permit for that part of the building before receiving the plans and specifications for the entire building.

- E. Fees. The building permit fee schedule shall be adopted by resolution by the Village Board and is incorporated herein by reference. A copy of the fee schedule is on file at the office of the Village Clerk-Treasurer.
- F. The builder, or owner, shall notify the Building Inspector when ready for inspections, and the Building Inspector shall inspect within 48 hours of notice all buildings at the following stages of construction:
- (1) Footing and foundation.
 - (2) General framing, rough electrical, plumbing, and heating.
 - (3) Insulation.
 - (4) Final inspection.
- G. Issuance and revocation of permit. No building shall be occupied or otherwise used prior to the issuance of an occupancy permit. The building permit may be revoked at the discretion of the Building Inspector upon 30 days' notice to the user or owner of the building.
- H. Lapses. A building permit shall lapse and be void unless building operations are commenced substantially within six months or if construction has not been completed within one year, or two years for new construction, from the date of issuance thereof.
- I. Revocation. If the Building Inspector shall find at any time that the applicable ordinances, laws, orders, plans and specifications are not complied with, and that the holder of the permit refused to conform after written warning or instruction has been issued to him, he shall revoke the building, electrical, or plumbing permit by written notice posted at the site of the work. When any such permit is revoked, it shall be unlawful to do any further work thereunder until the permit is reissued, except such work as the Building Inspector may order to be done as a condition precedent to the reissuance of the permit or as he may require for the preservation of human life and safety.
- J. Report of violations. The Chief of Police or his/her designee or other 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.

ARTICLE II Uniform Dwelling Code

§ 198-4. Adoption of Administrative Code provisions.

The Administrative Code provisions described and defining regulations with respect to one- and two-family dwellings in the Wisconsin Administrative Code are hereby adopted by reference and made a part of this chapter as if fully set forth herein. Any act required to be performed or prohibited by Administrative Code provisions incorporated herein by reference is required or prohibited by this chapter. Any further 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- and two-family dwellings in this

Village. A copy of these Administrative Code provisions and any future amendments shall be kept on file in the Village office.

§ 198-5. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

ADDITION — New construction performed on a dwelling which increases the outside dimensions of the dwelling.

ALTERATION — A substantial change or modification, other than an addition or minor repair, to a dwelling or to systems involved within a dwelling.

DEPARTMENT — The Department of Commerce.

DWELLING —

- A. Any building, the initial construction of which is commenced on or after the effective date of this chapter, which contains one or two 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- or two-family dwelling.

MINOR REPAIR — Repair performed for maintenance or replacement purposes on any existing one- or two-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.

ONE- OR TWO-FAMILY DWELLING — A building structure which contains one or separate households intended to be used as a home, residence or sleeping place by an individual or by two or more individuals maintaining a common household, to the exclusion of all others.

PERSON — An individual, partnership, firm or corporation.

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:

- A. Chapter Comm 20, Administration and Enforcement.
- B. Chapter Comm 21, Construction Standards.
- C. Chapter Comm 22, Energy Conservation.
- D. Chapter Comm 23, Heating, Ventilating and Air Conditioning.
- E. Chapter Comm 24, Electrical Standards.
- F. Chapter Comm 25, Plumbing.

§ 198-6. Duties of Building Inspector.

- A. Building Inspector to enforce. The Building Inspector and his 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 Ch. Comm 5, Wis. Adm. Code, and in the category of plumbing.
- B. Subordinates. The Building Inspector may appoint, as necessary, subordinates, which appointments shall be subject to confirmation by the Board. Any subordinate hired to inspect buildings shall be certified under Ch. Comm 5, Wis. Adm. Code, by the Department.
- C. Duties. The Building Inspector shall administer and enforce all provisions of this chapter and the Uniform Dwelling Code.
- D. 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 agent while in performance of his duties.
- E. 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 all one- or two-family dwellings, shall be kept.

§ 198-7. State building permit.

No person shall undertake or cause to be undertaken any work as described above without first obtaining a state uniform building permit for such dwelling. Such building permit shall be furnished by the Village or contracted Building Inspector. A copy of such permit issued shall be filed with the Village Clerk-Treasurer.

§ 198-8. Enforcement.

The Board shall provide for the enforcement of this chapter and all other laws and ordinances relating to building by means of the withholding of building permits, imposition of forfeitures and injunctive action [according to § 62.23(9), Wis. Stats.].

§ 198-9. Severability.

In any section, clause, provision or portion of this chapter or chapters of the Wisconsin Administrative Code applicable hereto is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall not be affected.

ARTICLE III
Additional Standards

§ 198-10. New methods and materials.

All materials, methods of construction and devices designed for use in buildings or structures covered by this Code and not specifically mentioned in or permitted by this Code shall not be so used until approved in writing by the Department of Commerce of Wisconsin 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 issued by the Department of Commerce. 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 Department of Commerce. The data, tests and other evidence necessary to prove the merits of such material, method of construction, or device shall be determined by the Department of Commerce.

§ 198-11. Unsafe buildings.

Whenever the Building Inspector finds any building or part thereof within the Village to be in his judgment so old, dilapidated or so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation, occupancy or use, and so that it would be unreasonable to repair the same, he 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 § 66.0413, Wis. Stats.