

# CHAPTER 14

## BUILDING CODE

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30 **14.01 TITLE AND AUTHORITY.** This chapter shall be known and referred to as the  
31 “Building Code of the Town of River Falls”. The regulations are adopted under the  
32 authority granted by Wis. Stat. §101.65.  
33

34 **14.02 PURPOSE.** The purpose of this chapter is to promote the general health, safety  
35 and welfare of town residents, to protect property values, and to promote the uniformity of  
36 construction standards by regulating construction of new buildings and additions or  
37 alterations to one- and multi-family dwellings and industrial and commercial buildings.  
38

39 **14.03 SCOPE.**  
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41 (1) **INCLUSIONS.** WI Department of Safety and Professional Services is hereinafter  
42 referred to as SPS. Notwithstanding s. SPS 320.05, the scope of this Chapter  
43 includes, but is not limited to, the construction and inspection of alterations and  
44 additions to one-and multi-family dwellings built before June 1, 1980. Because  
45 such projects are not under state jurisdiction, petitions for variance and final  
46 appeals under s. SPS 320.19 and 320.21, respectively, shall be decided by the  
47 Town of River Falls Board of Appeals. Petitions for variance shall be decided per  
48 s. SPS 320.19 so that equivalency is maintained to intent of the rule being  
49 petitioned.  
50

51 (2) This chapter applies to, and a permit and a preliminary site inspection is required  
52 for, construction relating to all outbuildings such as, but not limited to, barns,  
53 sheds, corn cribs, and residential or commercial accessory structures. New  
54 buildings erected in or any building moved within or into the Town shall  
55 conform to all the requirements of this chapter, except as they are herein  
56 specifically exempted from part or all of its provisions. The provisions of this  
57 chapter apply to any alteration, enlargement or demolition of an existing building  
58 and any installation therein of electrical, gas, heating, plumbing or ventilating  
59 equipment which affects the health or safety or the users thereof or any other  
60 persons in a “new building” to the extent of such change. Any existing  
61 building shall be considered a “new building” for the purpose of this chapter  
62 whenever it is used for dwelling, commercial, industrial or agricultural purposes  
63 unless it was being used for such purposes at the time this chapter was enacted.  
64

65 (3) All site plans must be approved by the Plan Commission and the Town Board  
66 under Section 17.035. All wetland or floodplain areas as defined in Chapter 20  
67 must be identified in the site plan.  
68

69 **14.04 ADOPTION OF DWELLING AND ADMINISTRATIVE CODES BY**  
70 **REFERENCE**  
71

72 (1) The Uniform Dwelling Code (UDC), Wisconsin Administrative Code Chapters  
73 SPS 320 to 327, and all amendments thereto are adopted and incorporated in this  
74 chapter by reference and shall apply to all buildings within the scope of this  
75 chapter. A copy of the code is on file with the Town and / or the Town Building

Inspector.

- (2) Adoption of Plumbing, Electrical Codes, and Heating and Ventilating Codes. Chapters SPS 381 to 387, Plumbing Code, Wisconsin Administrative Code, Chapter SPS 316, Electrical Code, Wisconsin Administrative Code; Wisconsin SPS 360-366 of the Wisconsin Commercial Building Code, and all amendments thereto in effect on the date of the adoption of this chapter are hereby adopted and made part of this chapter by reference and are applicable to all those classes of buildings to which said codes apply. Copies of said codes are available online and in the office of the Town Building Inspector.

#### **14.05 BUILDING INSPECTOR.**

- (1) APPOINTMENT AND GENERAL POWERS. There is hereby created the position of Building Inspector, appointed by the Town Board, who shall administer and enforce this chapter and shall be certified by the Wisconsin Department of Safety and Professional Services (SPS), as specified by Wis. Stat. §101.66(2). The Building Inspector shall possess the certification categories of UDC, HVAC, UDC Electric, UDC Plumbing, UDC Construction, and Commercial Building Inspector.
- (2) The Building Inspector shall have the power and duty to see that the construction, reconstruction, and alteration of dwellings and commercial buildings in the Town conform to the laws of the State of Wisconsin, the orders, rules and regulations laid down by the Department Safety and Professional Services of the State of Wisconsin and the ordinances, rules and regulations of the Town and County and to make all inspections as required.
- (3) DEPUTIES. With the consent of the Town Board the Building Inspector may appoint one or more persons, who shall be certified with the same qualifications as required in Section 14.05(1) of this chapter, as deputy building inspectors and may delegate to them the above mentioned powers and duties.
- (4) COMPENSATION. The Building Inspector shall be compensated for services in an amount from time to time determined by the Town Board.

#### **14.06 BUILDING PERMITS AND INSPECTION.**

- (1) PERMIT REQUIRED. No person shall build or cause to be built any new one- or multi-family dwelling or industrial or commercial building, or any addition or alteration to an existing one- or multi-family dwelling, industrial or commercial building, or inground swimming pool, without first obtaining a State uniform building permit or a Town building permit for such dwelling, structure, commercial building, etc., as determined by the Building Inspector.
- (a) Restoration or repair of an installation to its previous code-compliant

121 condition as determined by the permit issuer is exempt from permit  
122 requirements.

123  
124 (b) Re-siding, re-roofing, finishing of interior surfaces and installation of cabinetry  
125 are exempt from the permit requirements.

126  
127 (2) APPROVAL OF PERMITS: All Land Use and Building permits must be reviewed  
128 by the Town Plan Commission and approved by the Town Board.

129  
130 **14.07 FINES FOR NONCOMPLIANCE.** In addition to the penalty set forth in Section  
131 14.23, in the event construction commences without issuance of a permit, the Town may  
132 seek and obtain injunctive relief to stop construction and to seek removal of the non-  
133 permitted structure and for an order requiring restoration of the premises. In addition,  
134 should a permit thereafter be sought, and the application found to be in compliance with  
135 this chapter and thereupon granted, the fee for issuance of the permit shall be the original  
136 fee plus a surcharge four (4) times the fee established under Section 14.08(7).

137  
138 **14.08 APPLICATION PROCESS AND ISSUANCE OF PERMITS.**

139  
140 (1) Application for a building permit shall be made in writing using the Building  
141 Permit Form. The appropriate building requirements of the Town and, where  
142 applicable, of the County or the State, for the contemplated improvement shall be  
143 provided to the permit applicant by the Building Inspector at or before the  
144 submission of an application for a building permit.

145  
146 (2) Plans and drawings. The building permit applicant shall submit, along with the  
147 application, two complete sets of site plans and specifications, one set of blueprints  
148 and an erosion control plan.

149  
150 (3) County permits. Copies of required County permits shall be submitted with the  
151 building permit application.

152  
153 (a) A septic permit is required by Pierce County.

154  
155 (b) If the driveway exits to a County road, a County driveway permit is required.

156  
157 (4) Driveway permits. The building permit applicant shall submit a driveway permit  
158 along with the application. Driveway permits that exit onto Town and private roads  
159 are obtained from, and issued by, the Town Zoning Administrator. The state DOT  
160 issues the permits for driveways that exit onto State roads.

161  
162 (5) Approval of plans and issuance of building permit. If the Building Inspector  
163 determines that the proposed building, addition or alteration will comply in every  
164 respect with all the ordinances of the Town and all applicable laws and regulations  
165 of the State of Wisconsin and is not in violation of the County Subdivision  
166 Ordinance or any applicable Town ordinance, he shall conditionally approve the

plans and issue a building permit which shall be valid for 24 months. After being approved, the plans and specifications shall not be altered in any respect that involves any of the above-mentioned ordinances, laws or regulations or which involves the safety of the building or occupants. One copy of the approved plan shall be returned to the applicant. The Town shall retain one copy.

(6) State Uniform Dwelling Code Seal. Once a building permit is issued for one- or multi-family dwellings, it shall have affixed to it a State of Wisconsin Uniform Dwelling Code Seal.

(7) Fees.

(a) Fees for plan examination; inspection, driveway permit, variance application and issuance of the building permit shall be set from time to time by the Town Board.

(b) Land Use, driveway permit and variance fees shall be paid to the Town Board before the building permit is issued.

(c) Inspection, plan examination and building permit fees shall be submitted to the Building Inspector at the time the application is filed.

(d) House numbers are assigned by Pierce County and the fees are paid to Pierce County.

(8) Waiver of plans. If the Building Inspector determines that the character of the work is sufficiently described in the application, the inspector may waive the filing of plans for alterations or repairs, provided that the cost of such work does not exceed the limit established by the Town Board.

#### **14.09 EXCEPTIONS TO PERMIT REQUIREMENT**

(1) Minor repairs are alterations which cost less than the limit established from time to time by resolution of the Town Board and which do not change occupancy area, structural strength, fire protection, exits, natural light or ventilation.

(2) Replacement or repair of roofing, siding, or replacement of doors and windows of same size.

(3) Landscaping, not including decks.

(4) These exemptions do not apply for installations provided under SPS 316.012.

#### **14.10 DISAPPROVAL OF PLANS AND DENIAL OF PERMIT**

(1) If the Building Inspector determines that the building permit application or plans

213 do not conform to the provisions of applicable codes, ordinances, this chapter or  
214 other requirements, approval shall be denied.  
215

216 (2) Denial of application. A copy of the denied application, accompanied by a written  
217 statement specifying the reasons for denial, shall be sent to the applicant and/or to  
218 the owner as specified on the application. A copy of the written denial shall be  
219 sent to the Town Board.  
220

221 (3) Stamping of plans. Plans and specifications, which do not substantially conform to  
222 the provisions of the Building Code, shall be stamped "Not approved." One copy  
223 shall be returned to the applicant and one copy retained by the Town.  
224

225 (4) Appeals. The applicant may appeal a denial of an application to the Town Board in  
226 writing within 30 days of receipt of the written denial.  
227

#### 228 **14.11 TIME LIMIT FOR ACTION ON APPLICATION; POSTING OF PERMIT.**

229

230 (1) Time for permit issuance. Action to approve or deny a building permit application  
231 shall be completed within 10 business days following receipt of all forms, fees,  
232 plans and documents required for processing the application.  
233

234 (2) Posting of permit. The building permit and other permits required by the Town,  
235 County, State or other municipalities shall be posted in a conspicuous place at the  
236 building site and within view of the adjacent roadway.  
237

238 **14.12 COMPLIANCE WITH PERMIT.** All construction must comply with the  
239 building permit and the plans submitted with the building permit application. Any  
240 construction not authorized on the building permit, blueprint, site plan, or plans, or is not  
241 listed on the building permit application is a violation of the permit and subject to the  
242 violations and penalties established in this chapter.  
243

#### 244 **14.13 REVOCATION OF PERMIT.**

245

246 (1) In the event of non-compliance with the provisions of this chapter the Building  
247 Inspector shall issue written warning to the permittee. If the non-compliance is not  
248 corrected within that period specified by the Building Inspector, the Inspector shall  
249 revoke the building permit by written notice posted at the work site or delivered to  
250 the owner.  
251

252 (2) Following permit revocation, all work at the site shall cease until the permit is  
253 reissued. The only exception shall be such work as the Building Inspector orders  
254 as a precondition to the re-issuance of the permit or as required for the protection  
255 of human life and safety.  
256

257 **14.14 LAPSE OF PERMIT.** Work to be done pursuant to the permit must commence  
258 within six months of the date of issuance or the permit shall expire. Notwithstanding the

foregoing, work pursuant to SPS 316 shall expire within one year of the date of issuance if work has not commenced. All work to be done pursuant to the permit under SPS 316 must be completed within two years of the date of issuance; permits shall expire two years from the date of issuance.

#### **14.15 INSPECTIONS.**

- (1) All inspections required for the purpose of administering and enforcing the UDC and Town Building Code chapter shall be performed by a certified inspector who shall conduct inspections according to the respective codes being applied and enforced.
- (2) Notification. The building general contractor shall give the Building Inspector 48-hours' notice for all inspections required by UDC Chapter SPS 320.10.
- (3) Witness to inspection. It is recommended that a representative of the developer, contractor, builder or owner be present at each required inspection. It shall be the responsibility of the developer, contractor, builder or owner to coordinate inspection times and dates with the Building Inspector.
- (4) Re-inspections. Any re-inspections necessary due to incomplete work or non-complying conditions shall be subject to an additional fee per inspection to be paid in full prior to the issuance of the occupancy permit.

#### **14.16 UNSAFE AND REPURPOSED BUILDINGS.**

- (1) Should the Building Inspector find any building or part thereof within the Town to be, in his/her judgment, so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary, unreasonable to repair or otherwise unfit for human habitation, occupancy or use, the Building Inspector shall notify the Town Board in writing for their further action. If a building or part thereof can be made safe by repairs, the owner may make it safe and sanitary or raze it at his own option and expense. The Town Board shall determine final action. Such order and proceedings shall be as provided in Wis. Stat. §66.0413.
- (2) Buildings not previously used for residential, commercial or industrial purposes shall not be used for such purposes without first obtaining, from the Building Inspector, a certificate stating that the water supply and plumbing facilities contained therein or adjacent thereto are adequate to safeguard the health and welfare of the occupants or users, and that the installation thereof complies with the provisions of this chapter and all applicable County and State laws.

#### **14.17 ENFORCEMENT; RIGHT OF ENTRY.**

- (1) Except where otherwise provided in this chapter, the Building Inspector shall have the general management and control of all matters pertaining to building inspection

and shall enforce all state laws, town ordinances and lawful orders relating to the construction, alteration, repair, removal and safety of buildings and other structures, dwellings, public buildings and places of employment in the Town.

- (2) The Building Inspector shall have the power and authority, at all reasonable hours, for any proper purpose, to enter upon any public or private premises and make inspection and to require the production of the permit for any building work being done or the required license. An application for a permit shall be deemed consent to such entry for purpose of building inspection and enforcement of this chapter. No person shall interfere with or refuse to permit access to any such premises to the above described representatives of the town while in the performance of their duties. Any person who shall willfully or knowingly resist or obstruct the inspector in the performance of his/her duty shall be guilty of a violation of this chapter.

#### **14.18 RECORDS AND REPORTS.**

- (1) The Building Inspector shall maintain a record of all permits issued, which are the property of the Town and shall be made available to the Town Board upon request.
- (2) Copies of all permits issued shall be provided to the Town Zoning Administrator within one month of issuance.
- (3) The Building Inspector shall make a monthly and annual written report to the Town Board of all permits issued, violations noted and fees collected.

#### **14.19 OCCUPANCY PERMITS.** The Building Inspector shall issue occupancy permits on behalf of the Town of River Falls.

- (1) All inspections shall have been satisfactorily completed, the well construction report shall have been received, all required fees shall have been paid and all required terms of this chapter shall have been met before an occupancy permit will be issued.
- (2) No single- or multiple-family dwelling may be occupied by any person or party until an occupancy permit has been issued.
- (3) Copies of all occupancy permits shall be provided to the Town Zoning Administrator within one month of issuance.
- (4) In addition to the penalties provided in Section 14.23, the Town Board shall establish from time to time by resolution a further penalty to be assessed as a forfeiture against a violator where a dwelling is occupied prior to issuance of an occupancy permit. The Town may seek injunctive relief to prohibit occupancy of a dwelling prior to issuance of an occupancy permit.

#### **14.20 ROAD DAMAGE DURING CONSTRUCTION.** All applicants for building



permits shall be required to protect the Town from road damage caused by the contemplated construction. If damage occurs during construction, the expense of repairs shall be the joint responsibility of the general contractor, and the subcontractor or material provider who caused or contributed to the damage, and the property owner. If the damage caused by the construction is not repaired to the Town's standards and satisfaction, the property owner shall be liable to the Town for the damages, which shall be a lien on the owner's property, collectable in the manner provided by law.

#### **14.21 MOVING BUILDINGS.**

(1) BOND. Before any building is moved within or into the Town, a moving permit must first be obtained from the permit issuer. Before a permit to move any building is granted, the party applying may be asked to give a bond in the sum set by the Town Board with good and sufficient sureties, conditioned among other things that such party will save and indemnify judgments, costs and expenses which may in any way accrue against the Town and will save the Town harmless against all liabilities, judgments, costs and expense in consequence of granting of such permit.

(2) CONTENTS OF PERMIT; REGULATIONS. Every permit to move a building shall state all conditions to be complied with, designate the route to be taken and limit of time for removal. The removal of a building shall be continuous during all hours of the day and night, if the Town Board shall so order, until completed, with the least possible obstruction to thoroughfares. Lighting shall be kept in conspicuous places on all sides of the building during the night.

(3) INSPECTION AND REPAIR OF STREETS AND HIGHWAYS. Every person receiving a permit to move a building shall notify the Town Chair or designated representative of the date and time of the move. After the building has reached its destination the permittee shall report that fact to the Town Chair or designated representative. The Town representative shall inspect the streets and highways involved in the move before and after the building has been moved. If the removal of such building has caused any damage to the streets or highways, the Town shall repair the damage done to such streets and highways and hold the sureties of the bond given by the permittee responsible for the payment of the same. If the surety bond is not sufficient to pay for the road damages caused by the move, the moving company and the property owner shall be jointly responsible to the Town for the excess, which shall be a lien on the owner's property, collectable in the manner provided by law.

(4) ADDITIONAL REQUIREMENTS. In addition to the foregoing, the following procedures and requirements shall also be complied with:

(a) Once an application for a moving permit has been made, the Zoning Administrator shall bring it to the Plan Commission and the Town Board. The

396 Zoning Administrator shall ensure the permit complies with all ordinances of  
 397 the Town. The permit application will be placed on the agendas of the Plan  
 398 Commission and the Town Board. The Town shall make a determination and  
 399 submit it in writing to the Town Clerk, who shall send a copy of it to the  
 400 Building Inspector and the applicant.  
 401

402 (b) The site plan shall include exterior elevations of the buildings and accurate  
 403 photographs of all sides and views of the building. In case the applicant  
 404 proposes to alter the building, he/she shall submit complete plans and  
 405 specifications of the proposed alterations with the application papers.  
 406

407 (c) Where the applicant proposes to move and alter a building, the Town Board  
 408 shall designate a time within which the alterations must be completed and  
 409 failure to complete the alterations shall be a violation of this chapter with each  
 410 day that the alterations remain uncompleted as a separate violation.  
 411

412 (d) Once the Town Board approves the application, the Zoning Administrator shall  
 413 issue the permit on the terms specified by the Town Board, upon the  
 414 execution of the required forms and payment of the fee.  
 415

416 (e) The moving permit shall be prominently displayed at all times on the building to  
 417 be moved (or to be moved and altered) until all conditions established by  
 418 the Town Board have been complied with. The moving permit shall only be  
 419 good for the period set by the Town Board.  
 420

421 (f) The moving permit fee shall be set from time to time by the Town Board.  
 422

423 **14.22 NONASSUMPTION OF LIABILITY.** This chapter shall not be construed as  
 424 assuming any liability on the part of the Town or any official or employee thereof for  
 425 damages to anyone injured or for any property destroyed by any defect in any building  
 426 or equipment or in any plumbing or electric wiring or equipment.  
 427

428 **14.23 PENALTIES.** Except as otherwise provided, any person found to be in violation  
 429 of any provision of this chapter shall be subject to a penalty as provided in Section  
 430 25.04 of the General Code.