

ORDINANCE NO. 2013-4

**AN ORDINANCE AMENDING
THE VILLAGE BUILDING CODE**

The Village Board of the Village of Bristol, Kenosha County, Wisconsin, do ordain as follows:

SECTION I. REPEAL AND ADOPTION OF PROVISIONS.

Sections 15-1-1 through 15-1-3 of the Village of Bristol Code of Ordinances are repealed and recreated as follows:

Sec. 15-1-1 Building Code Established.

- (a) **Title.** This Chapter shall be known as the "Building Code of the Village of Bristol" and will be referred to in this Chapter as "this Code," "this Chapter" or "this Ordinance."
- (b) **Purpose.** This Chapter provides certain minimum standards, provisions and requirements for safe and stable design, methods of construction and uses of materials in buildings and/or structures hereafter erected, constructed, enlarged, altered, repaired, moved, converted to other uses or demolished and regulates the equipment, maintenance, use and occupancy of all such buildings and/or structures in the Village of Bristol. Its purpose is to protect and foster the health, safety and well-being of persons occupying or using such buildings and the general public.
- (c) **Scope; Applicability; Statutory Authority.**
 - (1) **Scope.** New buildings hereafter erected in, or any building hereafter moved within or into the Village of Bristol, shall conform to all the requirements of this Chapter except as they are herein specifically exempted from part or all of its provisions. Any alteration, enlargement or demolition of an existing building and any installation therein of electrical, gas, heating, plumbing or ventilating equipment which affects the health or safety of the users thereof or any other persons is a "new building" to the extent of such change. The provisions of this Chapter supplement the laws of the State of Wisconsin pertaining to construction and use and the Zoning Code of the Village of Bristol and amendments thereto to the date this Chapter was adopted and in no way supersede or nullify such laws and the said Zoning Code.
 - (2) **Applicability.** This Building Code applies to all:
 - a. Dwellings;

- b. Commercial buildings/structures;
- c. Agricultural structures;
- d. Swimming pools;
- e. Residential garages, structures, buildings and accessory buildings.

Not included are children's play structures (however, zoning setbacks shall be complied with.

- (3) **Statutory Authority.** These regulations are adopted under the authority granted by Sec. 101.65, Wis. Stats.

- (d) **Definitions.** The following definitions shall be applicable in this Chapter, in addition to the definitions in Section 15-1-3:

- (1) **Addition.** Any new construction performed on any dwelling or building which increases the outside dimensions of said dwelling or building, whether constructed prior to or after June 1, 1980, the effective date of the Wisconsin Administrative Codes set forth in Section 15-1-3.
- (2) **Agricultural Building.** A building on a parcel on which fifty percent (50%) or a significant portion of personal income is derived from farming operations.
- (3) **Alterations.** A substantial change or modification other than an addition or minor repair to a dwelling or building or to the systems (electrical, plumbing or heating) involved within the building.
- (4) **Detached Accessory Buildings.** Detached accessory or agricultural buildings shall mean and include, but not be limited to, barns, sheds, cribs, granaries, and garages, utility sheds, roofed patios and similar structures.
- (5) **Dwelling.** Any building, the initial construction of which is commenced on or after June 4, 1980, and contains one- or two-family dwelling units, and that part of an existing structure, constructed prior to said date, which is used or intended to be used as a one- or two-family dwelling. This definition also includes additions and alterations to a mobile home.
- (6) **Minor Repair.** Any repair with a fair market value of One Thousand Dollars (\$1,000.00), as determined by the Building Inspector, performed for maintenance or replacement purposes on any existing one- or two-family dwelling or public building which does not affect room arrangement, light and ventilation, access to or efficiency of any existing stairways or exits, fire protection, exterior esthetic appearance and which does not increase a given occupancy or use. No building permit is required for work to be performed which is deemed by the Building Inspector to be a minor repair. Roof covering repair, or re-roofing of more than twenty-five percent (25%) of the entire roof area shall require a building permit.
- (7) **One- and Two-Family Dwelling.** A one- or two-family dwelling means any structure which contains one (1) or separate households intended to be used as a home, residence or sleeping place by an individual, or

by two (2) or more individuals maintaining a common household, to the exclusion of all others.

Sec. 15-1-2 Building Permits and Inspection.

(a) Permit Required.

- (1) **General Permit Requirement.** No building of any kind shall be moved within or into the Village of Bristol and no new 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, except as herein provided, until a permit therefor shall first have been obtained by the owner, or his/her authorized agent, from the Building Inspector or his/her designee, as appropriate. All applicants for a building permit shall also obtain a zoning permit; a building permit shall not be issued unless a zoning permit is first issued. Prior to commencing any of the following work, the owner or his/her agent shall obtain a valid permit for:
- a. New buildings, or where fifty percent (50%) or more of the fair market value of a structure is destroyed and it being repaired or altered.
 - b. Additions that increase the physical dimensions of a building including decks.
 - c. Alterations to the building structure, with cost determinations including market labor value, or alterations to the building's heating, electrical or plumbing systems.
 - d. Any electrical wiring for new construction; a permit is required when electrical service is upgraded.
 - e. Any HVAC for new construction, and which meets pertinent code requirements when replaced, upgraded or remodeled.
 - f. Any plumbing for new construction, and which meets pertinent code requirements when replaced, upgraded or remodeled.
 - g. Handicapped ramp construction.
 - h. Agricultural buildings in properly zoned districts (however, applicable zoning setback requirements shall be complied with).
 - i. Decks, swimming pools and hot tubs.
 - j. Roof covering repair or re-roofing of more than twenty-five percent (25%) of the entire roof area. Unless structural calculations are provided, no more than two (2) layers of roofings shall be installed on a roof.
 - k. Replacement of in-kind major building HVAC equipment including furnaces, central air conditioners, water heaters, other major pieces of equipment, and plumbing, venting, electrical or gas supply systems when altered.

1. Exempt from permit requirements are minor repairs described in Subsection (a)(1)d-g above and electrical, HVAC and plumbing normal repairs, complying with Subsection (a)(2)-(3) below.
- (2) **Building Permit Not Required.** A building permit is not required for the following:
 - a. Window replacement and finishing of interior surfaces, installation of cabinetry, and minor repairs, as determined by the Building Inspector.
 - b. For any interior or exterior improvements or alterations to an existing building which does not affect a structural change.
- (3) **Alterations and Repairs.** The following provisions shall apply to buildings altered or repaired:
 - a. **Alterations.** When not in conflict with any regulations, alterations to any existing building or structure accommodating a legal occupancy and use but of substandard type of construction, which involves either beams, girders, columns, bearing or other walls, room, heating and air condition systems, arrangement, light and ventilation, changes in location of exit stairways or exits, or any or all of the above, then such existing construction shall be made to conform to the minimum requirements of this Chapter applicable to such occupancy and use and given type of construction.
 - b. **Repairs.** 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 or which do not affect room arrangement, light and ventilation, access to or efficiency of any exist stairways, or exits, fire protection, or exterior aesthetic appearance and which do not increase a given occupancy or use, shall be deemed minor repairs and no permit is required.
 - c. **Alterations - When Not Permitted.** When any existing building or structure, which, for any reason whatsoever, does not conform to the regulations of this Chapter, has deteriorated from any cause whatsoever to an extent greater than fifty percent (50%) of the equalized value of the building or structure, no alterations or moving of such building or structure shall be permitted. Any such building or structure shall be considered a menace to public safety and welfare and shall be ordered vacated and thereafter demolished and debris removed from the premises. Such determination will be made by the Building Inspector, who may seek the assistance of the Assessor.
 - d. **Alterations and Repairs Required.** When any of the structural members of any building or structure have deteriorated from any cause whatsoever to less than their required strength, the owner of such a building or structure shall cause such structural members to be restored to their required strength; failing in which the

building or structure shall be considered a menace to public safety and shall be vacated and thereafter no further occupancy or use of the same shall be permitted until the regulations of this Chapter are complied with.

- e. **Extent of Deterioration.** The amount and extent of deterioration of any existing building or structure shall be determined by the Building Inspector, who shall make a recommendation to the Village Board.
- (b) **Application; Appropriate Application/Inspection Official.** Application for a building permit shall be made in writing upon a form furnished by the Building Inspector or his/her designee and shall state the name and address of the owner of the land and also the owner of the building if different, contact information (email address and fax, telephone and cellphone numbers), the legal description of the land upon which the building is to be located, the name and address of the designer, the use to which said building is to be put and such other information as the Building Inspector or his/her designee may require.
- (c) **Dedicated Street and Approved Subdivision Required.** No building permit shall be issued unless the property on which the building is proposed to be built abuts a street that has been dedicated for street purposes. If the property is not located on an existing Village street, proof of a recorded ingress/egress shall be provided to the Building Inspector.
- (d) **Non-Residential Buildings; Occupancy Permits.**
 - (1) **Commercial Buildings.** Local permits are required.
 - (2) **Non-Residential Buildings.** Non-residential buildings over one hundred and twenty (120) square feet require all necessary Village of Bristol permits.
 - (3) **Final Inspection/Occupancy Permit.** A final inspection is required. An occupancy permit will be issued upon request.
- (e) **Elevations.** The first floor minimum elevation of a house shall be eighteen (18) inches above the curblin at the high side. The maximum driveway elevation shall be twelve percent (12%) from the flag of the curb to the threshold of the garage door.
- (f) **Submission of Plans.**
 - (1) **Basic Application Information.** Two (2) sets of building plans shall be submitted to the Building Inspector or designee for any work which expands the size of a building, involves a new building, or as required by the Building Inspector. If a new building or building addition is proposed, then a plot plan showing such proposed work and existing buildings and property lines shall be submitted. A third set of plans may be requested at the discretion of the Building Inspector for the Assessor. The Building Inspector may require the owner or contractor to submit plans for any construction, building moving, or demolition project when the Building Inspector determines that it is necessary to review such plans to assure that the proposed project will comply with

all applicable codes. The Building Inspector may require written proof of proper monumentation.

- (2) **Erosion Control Plan.** A construction erosion control plan setting forth proposed information and procedures needed for control of soil erosion, surface water runoff and sediment disposition at the building site shall also be filed if needed for the project.
 - (3) **Scale.** Plans, specifications and plot plans shall be drawn to a minimum scale of one-quarter (1/4) inch to one (1) foot [fireplace details to three-quarters (3/4) inch to one (1) foot].
 - (4) **Filing of Plans.** One (1) set of plans shall be returned after approval as provided in this Chapter. The second set shall be filed in the office of the Building Inspector. Plans for buildings involving the State (Commercial) Building Code shall bear the stamp of approval of the Wisconsin Department of Safety and Professional Services. One (1) plan shall be submitted which shall remain on file in the office of the Building Inspector. All plans and specifications shall be signed by the designer.
 - (5) **Additional UDC Requirements.** Plans for all new one (1) and two (2) family dwellings shall comply with the provisions of Chapter SPS 320.09, Wis. Adm. Code.
 - (6) **Foundation Elevation and Location Confirmation.** The Village shall issue its preliminary building permit as a result of the above submittals, subject, however, to the owner confirming the actual elevations and location of the foundation once it is installed. No further construction work can be completed on the new building until submission of a recertification of the foundation elevations and location, confirming that the foundation elevations and location conform with the original permit and application regulations.
- (g) **Waiver of Plans; Minor Repairs.**
- (1) **Waiver.** If the Building Inspector finds that the character of the work is sufficiently described in the application, he/she may waive the filing of plans for alterations, repairs or moving, provided the cost of such work does not exceed One Thousand Dollars (\$1,000.00) in the case of storm damage.
 - (2) **Minor Repairs.** The Building Inspector may authorize without a building permit minor repairs and alterations costing less than One Thousand Dollars (\$1,000.00), as determined by the Building Inspector, in the case of storm damage or which do not change occupancy area, exterior aesthetic appearance, structural strength, fire protection, exits, natural light or ventilation.
- (h) **Permit Issuance – New Non-UDC Projects.** If the Building Inspector in the case of non-UDC projects determines that the building will comply with all applicable ordinances of the Village and all applicable laws and orders of the State of Wisconsin, the Building Inspector or his/her designee shall issue a building permit which shall state the use to which said building is to be put, 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.

(i) **Approval of Plans; Permit Issuance for UDC Projects.**

- (1) **Preliminary Foundation Permit.** The Building Inspector shall issue the requested building permit for UDC projects as a preliminary permit to construct the foundation if the owner or contractor demonstrates that all state, county and local submission requirements are satisfied. If a permit card is issued, it shall be posted at the job site in a visible location from the street. A preliminary permit is valid for six (6) months. A preliminary permit may be extended for a specific time frame upon the Building Inspector's approval and payment of appropriate fees.
- (2) **Recertification; Final Building Permit Issuance.** Upon completion of the foundation, the owner or contractor shall submit data identifying setbacks and elevations. Said information shall be submitted to the Building Inspector who shall review it to determine that local setback and elevation requirements are satisfied. If the existing foundation conforms to the local requirements, a final building permit shall be issued and it shall be posted at the job site in a visible location from the street. A final building permit may be extended for a specific time frame upon the Building Inspector's approval and payment of appropriate fees.
- (3) **Right of Inspection Access.** By accepting a permit, the applicant, owner or contractor grants the Building Inspector the right of access to the real estate on which the permitted construction or demolition will occur.
- (4) **Building Permits Conditioned Upon Compliance with Codes.** All permits are issued conditionally on the condition that the owner and/or contractor(s) shall conform to the requirements of all applicable building codes, zoning ordinances and setback requirements on constructing the 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.
- (5) **Partial Building Permit.** In case adequate plans are presented for part of a UDC-classified building only, the Building Inspector, at his/her discretion, may issue a permit for that part of the building before receiving the plans and specifications for the entire building.

(j) **Inspections.**

- (1) **Required Inspections.** The following inspections for UDC projects shall be requested forty-eight (48) hours (business work days) in advance by the applicant/contractor or property owner, to the Building Inspector, as applicable:
 - a. Footing/foundation.
 - b. Rough carpentry, HVAC, electric and plumbing.
 - c. Draintile/basement floor.

- d. Underfloor plumbing/electric service.
- e. Insulation.
- f. Final carpentry, HVAC, electric and plumbing.
- g. Erosion control.

(2) **Failure to Request Inspections.** The requirement to request any inspections is the responsibility of the contractor and/or property owner.

(k) **Permit Lapses.** A building permit shall lapse and be void unless building operations are commenced and completed within six (6) months for additions/remodeling and within twenty-four (24) months for new home construction from the date of issuance thereof. However, if all of the exterior of the building has been completed, the Building Inspector may, for good cause, extend the permit for a period of time not to exceed six (6) months.

(l) **Revocation of Permits.**

(1) **Grounds for Revocation.** The Building Inspector or the Village Board may revoke any building, plumbing, HVAC or electrical permit, certificate of occupancy, or approval issued under the regulations of this Chapter and may stop construction or use of approved new materials, equipment, methods of construction, devices or appliances for any of the following reasons:

- a. Whenever the Building Inspector or other Village authority finds at any time that applicable ordinances, laws, orders, plans and specifications are not being complied with and that the holder of the permit refused to conform after written warning or construction has been issued to the permit holder.
- b. Whenever the continuance of any construction becomes dangerous to life or property.
- c. Whenever there is any violation of any condition or provisions of the application for permit or of the permit.
- d. Whenever, in the opinion of the Building Inspector or other Village authority, there is inadequate supervision provided on the job site.
- e. Whenever any false statement or misrepresentation has been made in the application for permit, plans, drawings, data specifications or certified lot or plot plan on which the issuance of the permit or approval was based.
- f. Whenever there is a violation of any of the conditions of an approval or occupancy given by the Building Inspector for the use of all new materials, equipment, methods or construction devices or appliances.

(2) **Permit Revocation.** The notice revoking a building, plumbing or electrical certificate of occupancy or approval shall be in writing and may be served upon the applicant of the permit, owner of the premises and his/her agent, if any, and on the person having charge of construction.

(3) **Permit Revocation Placard.** A revocation placard shall also be posted upon the building, structure, equipment or premises in question by the Building Inspector or designee.

- (4) **Construction Unlawful Following Permit Revocation.** After the notice is delivered upon the persons as aforesaid and posted, it shall be unlawful for any person to proceed thereafter with any construction operation whatsoever on the premises, and the permit which has been so revoked shall be null and void, and before any construction or operation is again resumed, a new permit, as required by this Chapter, shall be procured and fees paid therefor, and thereafter the resumption of any construction or operation shall be in compliance with the regulation of this Chapter. However, such work as the Building Inspector may order as a condition precedent to the reissuance of the building permit may be performed, or such work as the Building Inspector may require for the preservation of life and safety.
- (m) **Report of Violations.** Village officers and officials shall report at once to the Building Inspector or Village office any building which is being carried on without a permit as required by this Chapter.
- (n) **Display of Permit.** Building permits shall be displayed in a conspicuous place on the premises where the authorized building or work is in progress at all times during construction or work thereon.
- (o) **Inspection Warrants.** If the Building Inspector is denied access to inspect a property, he/she may request the Village Attorney to seek an inspection warrant pursuant to Sec. 66.0119, Wis. Stats.

Sec. 15-1-3 State Uniform Dwelling Code Adopted.

- (a) **Adoption of Codes.**
- (1) **Wisconsin Administrative Codes Adopted.** The following Wisconsin Administrative Codes and subsequent revisions pertaining to construction activity are adopted by reference for municipal enforcement and incorporated herein:
- | | |
|-------------|--|
| SPS 316 | Electrical Code |
| SPS 320-325 | Uniform Dwelling Code |
| SPS 326 | Manufactured Home Communities |
| SPS 360-366 | Commercial Building, Energy Conservation, and Heating, Ventilating and Air Conditioning Code |
| SPS 367 | Rental Unit Energy Efficiency |
| SPS 375-379 | Buildings Constructed Prior to 1914 |
| SPS 381-387 | Uniform Plumbing Code |
- (2) **Commercial and Pre-1914 Buildings Codes.** Chapters SPS 360 through SPS 366, Wis. Adm. Code (Wisconsin State Commercial Building Code), and SPS 375-379, Wis. Adm. Code (Existing Pre-1914 Buildings Code) are hereby adopted and made a part of this Chapter with respect to those classes of buildings to which this Building Code

specifically applies. Any future amendments, revisions and modifications of said Wisconsin Administrative Code provisions incorporated herein are intended to be made a part of this Code. A copy of said Wisconsin Administrative Code provisions and amendments thereto shall be kept with the Building Inspector.

- (3) **Adoption of Additional Codes.** By virtue of adopting SPS 361.05, Wis. Adm. Code, the following codes are also adopted and incorporated by reference:
 - a. **IBC.** The *International Building Code*®, subject to the modifications specified in SPS 361-362, Wis. Adm. Code.
 - b. **IECC.** The *International Energy Conservation Code*®, subject to the modifications specified in SPS 363, Wis. Adm. Code.
 - c. **IMC.** The *International Mechanical Code*®, subject to the modifications specified in SPS 364, Wis. Adm. Code.
 - d. **IFGC.** The *International Fuel Gas Code*®, subject to the modifications specified in SPS 365, Wis. Adm. Code.
- (4) **Violations; Amendments.** Any act required to be performed or prohibited by a Wisconsin Administrative Code provision incorporated herein by reference is required or prohibited by this Chapter. Any future amendments, revisions or modifications of the Wisconsin Administrative Code provisions incorporated herein are intended to be made part of this Chapter to secure uniform statewide regulation of one (1) and two (2) family dwellings in the Village of Bristol. A copy of these administrative code provisions and any future amendments shall be kept on file in the Building Inspector's Office.
- (b) **Existing Buildings.** The "Wisconsin Uniform Dwelling Code" shall also apply to buildings and conditions where:
 - (1) An existing building to be occupied as a one (1) or two (2) family dwelling, which building was not previously so occupied.
 - (2) An existing structure that is altered or repaired, when the cost of such alteration or repair during the life of the structure exceeds fifty percent (50%) of the equalized value of the structure, said value to be determined by the Village Assessor.
 - (3) Additions and alterations, regardless of cost, made to an existing building when deemed necessary in the opinion of the Building Inspector shall comply with the requirements of this Chapter for new buildings. The provisions of Section 15-1-2 shall also apply.
 - (4) Additions and alterations — Any addition or alteration, regardless of cost, made to a building shall be made in conformity with applicable Sections of this Chapter.
- (c) **Definitions.** The following definitions shall be applicable in this Chapter:
 - (1) **Addition.** New construction performed on a dwelling which increases the outside dimensions of the dwelling.
 - (2) **Alteration.** A substantial change or modification other than an addition or minor repair to a dwelling or to systems involved within a dwelling.

- (3) **Building Inspector.** The State-certified inspector who performs inspections in the Village of Bristol. For purposes of this Chapter, the title shall also include the official performing plumbing, electrical and HVAC plan reviews and inspections.
- (4) **Department.** The Wisconsin Department of Safety and Professional Services.
- (5) **Dwelling.**
 - a. Any building, the initial construction of which is commenced on or after the effective date of this Chapter which contains one (1) or two (2) 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 (1) or two (2) family dwelling.
- (6) **Minor Repair.** A repair performed for maintenance or replacement purposes on any existing one (1) or two (2) 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. No building permit is required for work to be performed which is deemed minor repair.
- (7) **One (1) or Two (2) Family Dwelling.** A building structure which contains one (1) or separate households intended to be used as a home, residence or sleeping place by an individual or by two (2) or more individuals maintaining a common household to the exclusion of all others.
- (8) **Person.** An individual, partnership, firm or corporation.
- (9) **Wisconsin Uniform Dwelling Code (UDC).** Those Administrative Code Provisions and any future amendments, revisions or modifications thereto, contained in the following chapters of the Wisconsin Administrative Code:

SPS 320	Administration and Enforcement
SPS 321	Construction Standards
SPS 322	Energy Conservation
SPS 323	Heating, Ventilating and Air Conditioning
SPS 324	Electrical Standards
SPS 325	Plumbing

(d) **Method of Enforcement.**

- (1) **Certified Inspector to Enforce.** The Building Inspector and his/her 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 Wisconsin Department of Safety and Professional Services in each of the categories specified under SPS 326.06, Wis. Adm. Code.

- (2) **Subordinates.** The Building Inspector may appoint, as necessary, subordinates as authorized by the Village Board.
- (3) **Duties.** The Building Inspector shall administer and enforce all provisions of this Chapter and the Uniform Dwelling Code.
- (4) **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/her agent while in performance of his/her duties.
- (5) **Records.**
 - a. The Building Inspector shall perform all administrative tasks required by the State under the Uniform Dwelling Code. In addition, the Building Inspector shall keep a record of all applications for building permits in a book for such purposes and shall regularly number each permit in the order of its issue.
 - b. 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 (1) and two (2) family dwellings shall be kept.
 - c. The Building Inspector shall provide the Village Board with a monthly report of permits issued.

SECTION II. REPEAL AND ADOPTION OF PROVISIONS.

Section 15-1-13 of the Village of Bristol Code of Ordinances is repealed and recreated as follows:

Sec. 15-1-13 Penalties and Violations.

- (a) **Violations.** Any building or structure in the Village of Bristol erected, enlarged, altered or repaired or any use hereafter established in violation of the provisions of this Chapter shall be deemed an unlawful building, structure or use. The Building Inspector shall promptly report all such violations to the Village Board and Village Attorney who shall bring an action to enjoin the erection, enlargement, alteration, repair or moving of such building or structure or the establishment of such use of buildings in violation of this Chapter or to cause such building, structure or use to be removed and may also be subject to a penalty as provided in general penalty provisions of Section 1-1-6 of this Code of Ordinances. In any such action, the fact that a permit was issued shall not constitute a defense, nor shall any error, oversight or dereliction of duty on the part of the Building Inspector

or other Village officials constitute a defense. Compliance with the provisions of this Chapter may also be enforced by injunctive order at the suit of the owner or owners of any real estate within the jurisdiction of this Chapter.

(b) **Compliance; Penalties.**

- (1) **Notice of Noncompliance.** If an inspection reveals a noncompliance with this Chapter or the Uniform Dwelling Code, the Building Inspector shall notify the applicant and the owner, in writing, of the violation to be corrected. All cited violations shall be corrected within thirty (30) days after written notification unless an extension of time is granted pursuant to SPS 320.10, Wis. Adm. Code.
- (2) **Stop-Work Orders.** If, after written notification, the violation is not corrected within thirty (30) days, a stop-work order may be served on the owner or his or her representative and a copy thereof shall be posted at the construction site. Such stop-work order shall not be removed except by written notice of the Building Inspector after satisfactory evidence has been supplied that the cited violation has been corrected.
- (3) **Each Day a Separate Offense.** Each day each violation continues after the thirty (30) day written notice period has run shall constitute a separate offense. Nothing in this Chapter shall preclude the Village of Bristol from maintaining any appropriate action to prevent or remove a violation of any provision of this Chapter or the Uniform Dwelling Code.
- (4) **Double Permit Fees for Violations.** If any construction or work governed by the provisions of this Chapter, the Uniform Dwelling Code, or other applicable Codes adopted and incorporated in this Chapter is commenced prior to the issuance of a permit, double fees shall be charged.

(c) **Appeals.**

- (1) **UDC Appeals.** Any person feeling aggrieved by an order or determination of the Building Inspector on a matter governed by the Wisconsin Uniform Dwelling Code may only appeal such an order to the Wisconsin Department of Safety and Professional Services for a UDC interpretation.
 - (2) **Board of Appeals Review.** Any person feeling aggrieved by an order or a determination of the Building Inspector and/or other Village official administering this Chapter may appeal from such order or determination to the Board of Appeals. Those procedures customarily used to effectuate an appeal to the Board of Appeals shall apply.
- (d) **Liability.** Except as may otherwise be provided by the Statute or Ordinance, no officer, agent or employee of the Village of Bristol charged with the enforcement of this Chapter shall render himself/herself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his/her duties under this Chapter. Any suit brought against any officer, agent or employee of the Village as a

result of any act required or permitted in the discharge of his/her duties under this Chapter shall be defended by the legal representative of the Village until the final determination of the proceedings therein.

SECTION III. SEVERABILITY.

If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid or unconstitutional provisions or applications.

SECTION IV. CONFLICTING PROVISIONS REPEALED.

All Ordinances in conflict with any provision of this Ordinance are hereby repealed.

SECTION V. EFFECTIVE DATE.

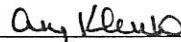
This Ordinance shall take effect upon passage and publication as provided by law.

ADOPTED this 11th day of February, 2013.

VILLAGE OF BRISTOL, WISCONSIN



Village President



Village Clerk-Treasurer

INTRODUCED: 2/11/13

PUBLISHED: 2/28/13

PASSED: 2/11/13

State of Wisconsin:
County of Kenosha:

I hereby certify that the foregoing ordinance is a true, correct, and complete copy of an ordinance duly and regularly passed by the Bristol Village Board on the 11th day of February, 2013 and that said ordinance has not been repealed or amended and is now in full force and effect.

Dated this 21st day of February, 2013

Ang Vento
Village Clerk-Treasurer