

Ordinance No. 2017-6

**An Ordinance Regarding Minimum Housing and
Property Maintenance Standards**

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

SECTION I. REPEAL AND ADOPTION OF PROVISIONS.

Title 15, Chapter 4 of the Village of Bristol Code of Ordinances regarding minimum housing and property maintenance standards is repealed and re-adopted to read as follows:

Title 15 ► Chapter 4

Minimum Housing & Property Maintenance Code

15-4-1	Title
15-4-2	Intent and Purpose
15-4-3	Rules of Interpretation and Definitions
15-4-4	Minimum Standards for Basic Equipment, Lighting, Ventilation, Heating and Electrical Service
15-4-5	Safe and Sanitary Maintenance of Property
15-4-6	Conditions of Occupancy and Use of Space in Residential Buildings
15-4-7	Responsibilities of Residential Owners, Operators, and Occupants
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15-4-10	Enforcement; Service of Notices and Orders; Hearings
15-4-11	Penalties

Sec. 15-4-1 Title.

This Chapter shall be known as the Village of Bristol Minimum Housing and Property Maintenance Code.

Sec. 15-4-2 Intent and Purpose.

(a) Purpose.

- (1) This Chapter is adopted for the purpose of preserving and promoting the public health, safety, comfort, convenience, prosperity, and general welfare of the people of the Village of Bristol and its environs. This includes, but is not limited to, safety, health, sanitation, aesthetic, and property valuation public policy objectives.
- (2) It is recognized that there presently exists, or may exist in the future, residential buildings and dwelling units (owner-occupied and rental properties), non-residential structures, yards or vacant areas, and combinations thereof, which are so dilapidated, neglected, unsafe, dangerous, unhygienic, inadequately maintained or lacking in basic equipment or facilities, light, ventilation, and heating so as to be detrimental to the

health, safety, and general welfare of the people of the Village of Bristol, or to the economic values of area properties.

- (3) The establishment and subsequent enforcement of this Chapter is deemed necessary and essential to protecting, preserving and promoting the public interest. This Chapter is adopted pursuant to the general police powers conferred on municipalities by the Wisconsin Statutes, and the provisions of this Chapter shall be reasonably and liberally construed to be an exercise of those powers intended to maintain a pleasant, safe and healthful environment within the Village of Bristol.
- (b) **Scope; Conflict of Regulations.**
 - (1) This Chapter shall pertain to all structures in the Village of Bristol, with certain provisions specifically applicable to residential dwellings and dwelling units, including, but not limited to, rental dwelling units.
 - (2) The provisions of this Chapter and the standards herein are minimum standards. In situations where a provision of this Chapter is in conflict with another provision of this Code of Ordinances or a state regulation, the provision which establishes the higher or more restrictive standard for the protection of the public health, safety and welfare shall take precedence and be complied with.
 - (3) The provisions of this Chapter shall not apply to the construction of new buildings, which are subject to other local and state regulations.
- (c) **Validity of Prior Regulations.** Equipment, systems, and safeguards required by a previous state regulation, local ordinance or code effective when a structure was constructed or lawfully altered shall be maintained in good repair and working order. The requirements of this Chapter are not intended to provide the basis for removal or abrogation of fire protection or safety systems in good repair and working order.
- (d) **Historic Buildings.** The provisions of this Chapter shall apply to structures designated and as allowed as federal, state or municipal government-designated historic structures. However, any construction work performed on such historic structures shall also comply with appropriate Village zoning, building code and historic preservation ordinances and the requirements of the Wisconsin Administrative Code.

Cross-Reference: Title 11, Chapter 6, Public Nuisances; Section 10-5-8 Junked Vehicles, Refuse and Appliances; Section 8-1-2 Public Safety and Health Hazards Regulations

Sec. 15-4-3 Rules of Interpretation and Definitions.

- (a) **Rules of Interpretation.** In the construction and interpretation of this Chapter, the rules and definitions contained in this Section shall be observed and applied, except when the context clearly indicates otherwise:

- (1) Words used in the present tense shall include the future.
 - (2) Words used in the singular number shall include the plural number, and the plural the singular.
 - (3) The word "shall" is mandatory and not discretionary.
 - (4) The word "may" is permissive.
 - (5) The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for," and "occupied for."
- (b) **Definitions.** The following definitions shall be applicable in this Chapter:
- (1) **Adequate.** Shall mean adequate as determined by the Building Inspector under the regulations and standards of this Chapter or adequate as determined by an authority designated by law or this Code of Ordinances. "Adequately" shall mean the same as "adequate."
 - (2) **Apartment.** One (1) or more rooms with provisions for living, cooking, sanitary, and sleeping facilities arranged for use by one (1) family.
 - (3) **Approved.** Approved by the Building Inspector as being in accordance with the regulations of this Chapter, or approved by an authority designated by law, this Chapter, or this Code of Ordinances.
 - (4) **Attractive Appearance.** An appearance which is in accordance with generally accepted professional practices for new construction within the Village of Bristol and which is not likely to adversely affect the values of abutting or neighborhood properties, or of the principal property.
 - (5) **Basement.** A portion of a building located partly or wholly underground and having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.
 - (6) **Bath.** A bathtub or shower stall properly connected with both hot and cold water lines.
 - (7) **Bathroom.** A non-habitable room with a dwelling unit which is used, or intended to be used, primarily for bathing and/or toilet purposes, and which contains a toilet, bathtub or shower facilities.
 - (8) **Bedroom.** A habitable room within a dwelling unit which is used, or intended to be used, primarily for the purpose of sleeping, but shall not include any kitchen or dining room. "Bedroom", however, shall not be interpreted so as to prohibit efficiency apartments.
 - (9) **Boarding House.** See "Rooming House" and "Rooming Unit."
 - (10) **Communal.** Used or shared by, or intended to be used or shared by, the occupants of two (2) or more rooming units or two (2) or more dwelling units.
 - (11) **Compliance Inspection.** An inspection performed in conjunction with a lawful order of the Village Board, Village Administrator, Village Clerk-Treasurer, Zoning Administrator, Building Inspector, Fire Inspector or public health authorities, or designee, for the purpose of verifying the fulfillment of an official requirement listed in a compliance order.

- (12) **Deadbolt Locking Device.** Any keyed, mortised lockset with at least a 3/4 inch bolt capable of being opened from the inside by a single turn of a knob.
- (13) **Dwelling.** A place of abode, a residence, or a house for use by one (1) or more persons, excluding hotels or motels.
- (14) **Dwelling Unit.** One (1) or more rooms with provisions for living, cooking, sanitary, and sleeping facilities arranged and intended for use by one (1) family.
- (15) **Extermination.** The control or elimination of insects, rodents or other pests by eliminating harboring places and removing or making inaccessible materials that may serve as food, and by poisoning, spraying, trapping, fumigation by a licensed fumigator or any other effective elimination procedure.
- (16) **Family.** An individual, or two (2) or more persons related by blood, marriage, or legal adoption, living together as a single housekeeping unit in a dwelling unit, including foster children, and not more than two (2) roomers. For the purpose of this Subsection, "children" means natural or legally adopted children, or a ward as determined in a legal guardianship proceeding. Up to two (2) personal attendants who provide services for family members or roomers who, because of advanced age or physical or mental disability, need assistance with activities of daily living, shall be considered part of the "family." Such services may include personal care, housekeeping, meal preparation, laundry or companionship.
- (17) **Friable Material.** Any material applied on ceilings, walls, structural members, piping, duct work, or any other part of a building which when dry may be crumbled, pulverized, or reduced to powder by hand pressure. The term includes non-friable material after such previously non-friable material becomes damaged to the extent that when dry it may be crumbled, pulverized, or reduced to powder by hand pressure.
- (18) **Garbage.** The animal and vegetable waste resulting from the preparation, handling, cooking and consumption of food.
- (19) **Good Working Condition.** Capable of performing the task for which it was designed and in the manner intended by this Chapter.
- (20) **Habitable Space.** One (1) or more rooms or enclosed floor area in a dwelling used or intended to be used, for living, cooking, sleeping, or dining purposes, excluding bathrooms, foyers, pantries, laundries, closets and storage spaces.
- (21) **Impervious to Water.** Constructed of concrete, cement block, terrazzo, brick, tile, or other material approved by the Building Inspector, and having tight-fitting joints.
- (22) **Infestation.** The sustained presence of detrimental household insects, vermin, rodents or other pests within a dwelling or on the dwelling premises.
- (23) **Inoperable or Nuisance Vehicle.** Any inoperable, unlicensed, unroadworthy, disassembled or wrecked motorized or unmotorized vehicle or trailer in violation of Section 10-5-8.
- (24) **Kitchen.** A habitable room or area used or intended to be used for cooking or the preparation of meals.

- (25) **Living Room.** A room used primarily for living, dining, recreational or cooking purposes.
- (26) **Mixed Occupancy.** Occupancy of a building in part for residential use and in part for some other use not accessory thereto. An example would be a building with commercial retail space on the first floor and apartments on the second floor.
- (27) **Nuisance.** For purposes of this Chapter, shall be defined as follows:
 - a. Whatever is dangerous to human life or safety, or is detrimental to health.
 - b. Insufficient ventilation or illumination.
 - c. An attractive nuisance which may be detrimental to children, whether in a building or upon a lot. An attractive nuisance includes, but is not limited to: any abandoned shafts, wells or basements; unprotected basements and excavations; inoperable motor vehicles; structurally unsound structures; or trash, refuse, garbage, lumber, construction debris or vegetation which may prove a hazard for inquisitive minors.
 - d. Inadequate or unsanitary sewerage or plumbing facilities.
 - e. Unsafe or dangerous electrical wiring or natural gas lines.
 - f. Uncleanliness.
 - g. Whatever renders air, food or drink unwholesome or is detrimental to the health of humans.
 - h. Deteriorated, dilapidated or blighted to the extent that doors, windows, plumbing or heating fixtures or appurtenances of the building are damaged or removed.
 - i. As also defined in Sections 8-1-2, 10-5-8 and 11-6-2 of this Code of Ordinances.
- (28) **Occupant.** Any person living, sleeping or eating in, or having actual possession of a dwelling or dwelling/rooming unit.
- (29) **Operator.** Any person who has charge or control of a building or part thereof in which dwelling units or rooming rooms are located or let.
- (30) **Owner.** Any person, firm, partnership, corporation, or business organization of any kind who alone or jointly and severally with others is the legally recorded holder of the title with or without actual possession thereof, or who has charge, care and control of any dwelling or dwelling unit as agent, owner, executor, administrator, trustee or guardian of the estate of the owner. "Owner" shall also include the legally recorded holder of a land contract vendee interest. "Owner" does not include any person whose legal or equitable interest in the building is a security interest derived solely from the extension of credit to permit construction or remodeling of the dwelling or purchase of the dwelling by a third party.
- (31) **Person.** Any individual, firm, corporation, limited liability corporation, association, or partnership.
- (32) **Plumbing.** Shall mean and include the following: all piping, fixtures, appliances, equipment, devices and appurtenances in connection with the water supply, water distribution and drainage systems, including hot water storage tanks, water softeners

and water heaters connected with such water and drainage systems, and also includes the installation thereof or a water pressure system other than the municipal system as provided in Ch. 144, Wis. Stats.

- (33) **Premises.** A lot together with all buildings and structures thereon.
- (34) **Properly.** As deemed proper by the Building Inspector under the regulations of this Chapter or deemed proper by an authority designated by law or this Chapter.
- (35) **Provided.** Furnished, supplied, paid for or under control of the owner.
- (36) **Residential Building.** A building which is arranged, designed, used, or intended to be used for residential occupancy by one (1) or more families, tenants or lodgers, and which includes, but is not limited to, the following types:
 - a. Single-family dwellings.
 - b. Two (2) family dwellings.
 - c. Multiple-family dwellings (including apartment hotels).
 - d. Rooming houses.
 - e. Any building containing any of the above uses together with other uses shall be considered a residential building.
- (37) **Room.** A partitioned part of the inside of a building. For the purposes of this definition, partition shall mean something that divides interior space, especially an interior dividing wall. A wall is one of the sides of a room or building connecting floor and ceiling and may also include anything which encloses or separates space. A partition or wall which intrudes into the space by more than one-third (1/3) of the least dimension of an existing room may be regarded as creating an additional separate room. The partitioned space shall be considered as a room if privacy is implied; light and ventilation are affected; or a bedroom through a bedroom, bathroom through a bedroom or bedroom through a bathroom situation is created.
- (38) **Roomer.** An occupant of a rooming house who is not a member of the family of the operator of that rooming house, or an occupant of a dwelling unit who is not a member of the family occupying the dwelling unit.
- (39) **Rooming House.** Any dwelling, or that part of any dwelling, containing one (1) or more rooming units, in which space is let by the owner or operator to more than four (4) roomers.
- (40) **Rooming Unit.** Any room or group of rooms forming a single habitable unit in a rooming house used or intended to be used for living and/or operator to more than four (4) roomers.
- (41) **Sleeping Room.** A room used for sleeping purposes.
- (42) **Structure.** Anything constructed or erected, the use of which requires more or less permanent location on the ground, or attached to something having a permanent location on the ground.
- (43) **Structure Unfit for Occupancy.** An unsafe structure; or a structure which is unfit for habitation or occupancy because of the extent to which the structure is dilapidated, in

disrepair or lacks proper maintenance, or a structure which is unsanitary, vermin-infested, is filthy or contaminated, is unsafe, or which lacks adequate ventilation, illumination, sanitary or heating facilities, or other essential equipment required by this Chapter.

- (44) **Supplied.** Furnished, provided by, or under the control of the owner or operator.
- (45) **Unsafe Structure.** A structure that endangers safety for reason that it is in imminent danger of failure or collapse, or a portion of the building has failed or collapsed, or the structure is in a condition of decay or dilapidation.
- (46) **Workmanlike.** Work of such character so as to meet manufacturer's specifications, accepted national standards or recognized trade practices, and intended to provide a durable result ensuring public safety, health and welfare insofar as they are affected by building construction, use and occupancy.

Sec. 15-4-4 Minimum Standards for Basic Equipment, Lighting, Ventilation, Heating and Electrical Service.

- (a) **Purpose.** The purpose of this Section is to establish minimum standards for basic equipment, lighting, ventilation, plumbing, and electrical services for habitable residential buildings and parts thereof to safeguard the public health and safety, promote sanitation, and to obtain the public and private benefits accruing from the provision of such services. A suitable environment for safe and healthy living is encouraged and fostered by having available: adequate water and sanitary facilities; proper storage; proper removal of garbage, recyclables and other refuse; safe means of ingress/egress and ventilation; and adequate provision of light, air, heat, and electrical service.
- (b) **Minimum Standards.** No person shall occupy as owner or let to another for occupancy any space in a residential building or dwelling unit for the purpose of living, sleeping, cooking, or eating therein which does not comply with the following requirements:
 - (1) **Basic Plumbing Requirements.**
 - a. Every dwelling unit shall contain a kitchen sink, a water flush toilet, a lavatory basin, and a bathtub or shower, all in good working condition and properly connected to hot and cold water lines and to an approved water and sewer system.
 - b. The water flush toilet, bathtub or shower, and lavatory basin shall be contained within a separate room, irrespective of the sink required as part of the kitchen facility. The kitchen sink shall be located in the room in which the food is cooked or prepared.
 - c. The room wherein the toilet and bathtub or shower required under this Section are installed shall afford privacy to a person within. The bathtub or shower may be in a room separate from the room housing the toilet and lavatory basin, but shall afford privacy to a person within.

- d. Plumbing systems shall be maintained in a sanitary and functional condition. Leaking pipes or broken fixtures shall be considered unsanitary.
- (2) **Water Supply.**
 - a. Every required kitchen sink, lavatory basin, bathtub and shower shall be properly connected with both hot and cold potable water, and every flush toilet shall be properly connected to a supply of water adequate in volume and pressure for flushing purposes.
 - b. Water pressure shall be available at all fixtures as specified in the Wisconsin Administrative Code.
- (3) **Water Heating Facilities.** Every residential building shall have supplied water heating facilities which are properly installed, are maintained in safe and good working condition, are properly connected with the hot water lines required hereunder and are capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at any required kitchen sink, lavatory basin, bathtub or shower at a temperature of not less than one hundred twenty (120°) degrees Fahrenheit.
- (4) **Refuse and Garbage Receptacles and Storage.** Each owner of any residential building shall be responsible for supplying every dwelling unit with garbage/refuse receptacles large enough to store garbage, refuse and recyclable materials generated by that residential unit. Such receptacles shall be maintained in serviceable condition and comply with the standards established by the municipality and/or its designated collection service, specifically, but not limited to: Title 8, Chapter 3 "Recycling" of this Code of Ordinances.
- (5) **Ingress/Egress in One- and Two-Family Dwellings; Stairways; Multi-Family Dwellings.**
 - a. Every one and two-family dwelling unit and rooming unit shall have direct access to at least two (2) accessible unobstructed means of egress/ingress leading to a safe and open public street, alley, or court connected to a street. Exterior stairways or exit platforms, or a combination thereof, will be permitted as second exits, provided the platform or stairways terminate at a point not more than ten (10) feet above the grade directly below the lowest platform.
 - b. All stairs in one and two-family dwellings shall terminate at grade or a platform. Platforms shall have a minimum area of fourteen (14) square feet with a minimum dimension of three (3) feet in depth. All stairways and platforms shall be protected with handrails and guardrails as specified in SPS 321.04, Wis. Adm. Code, and shall be equipped with treads and risers reasonably uniform. Guardrails in place at the time of the adoption of this Chapter are not required to be replaced until such time as the guardrails are:
 - 1. Not in a sound structural condition;
 - 2. Deteriorated;
 - 3. No longer functional; or
 - 4. Unsafe.

- c. Stairways and porches in multi-family dwellings shall comply with the appropriate provisions of the Wisconsin Uniform Dwelling Code, as may be amended from time to time.
 - d. Every inside and outside stairway, porch, guardrail and appurtenance thereto shall be so constructed and maintained as to be safe to use and capable of supporting the load that normal use would be caused to be placed thereon, and shall be kept in good repair and in sound condition. Stairways shall be kept free of refuse or stored material which could pose a threat to the safety of users.
- (6) **Rooming House Plumbing.**
- a. Each rooming house shall provide at least one (1) water flush toilet, lavatory basin, and bathtub or shower, properly connected to an approved water and sewer system and in good working condition for each seven (7) persons or fraction thereof residing therein, including members of the operator's family wherever they share the use of said facilities.
 - b. All such rooming house facilities shall be located on the floor occupied by persons sharing such facilities or the floor directly above or below and shall be accessible from a common hall or passageway. Every lavatory basin and bathtub or shower shall be supplied with hot water at all times.
- (7) **Natural Gas Ranges.** When used or provided in any dwelling unit, natural gas or LP gas ranges, ovens and oven/range combination units of any such type shall be installed, maintained and operated in a safe and non-hazardous manner, pursuant to any state or national codes and regulations and the manufacturer's specifications. If such an appliance is determined to be unsafe, no person shall use, or permit others to use, the appliance until all appropriate repairs have been made.
- (8) **Smoke Detector Alarms; Carbon Monoxide Detector Alarms.**
- a. All occupied or vacant dwelling units shall be provided with a functioning, listed and labeled smoke detector alarm in the basement and on each floor of the dwelling, excluding the attic, garage and storage areas of said dwellings, as required by Sec. 101.645, Wis. Stats., and SPS 328.03, Wis. Adm. Code. Alarms shall be certified by Underwriters Laboratories.
 - b. Smoke detector alarms may be separate or combination units powered by batteries, except in the case of new dwellings constructed after June 1, 1980, smoke detectors shall be directly powered by the dwelling's electrical system, with battery backup power.
 - c. Owners are responsible for smoke detector and carbon monoxide alarm installations and battery replacement as necessary. Tenants shall be responsible for notifying the owner in writing of any smoke detector or carbon monoxide alarm malfunction, including the need to replace batteries. Owners shall repair or replace a smoke detector or carbon monoxide alarm within five (5) days of written notice from a tenant or an inspector. The property owner shall replace

the battery at the beginning of a new lease or tenancy, or on an annual basis. The owner shall provide the tenant at the start of a new lease or tenancy written notice of the responsibilities of the tenant and the obligations of the owner regarding smoke detector and carbon monoxide alarms, including maintenance and battery replacement.

- d. All residential structures, new and existing, shall have functioning carbon monoxide detectors on every floor near sleeping areas, as required by SPS 321 and SPS 326, Wis. Adm. Code and Sec. 101.647, Wis. Stats. Newly constructed dwellings shall have carbon monoxide detectors which are directly powered by the dwelling's electrical service; owners of existing homes may install battery-powered or plug-in detectors. Owners of multi-family dwellings shall comply with the rules for alarms in the Wisconsin Commercial Building Code as prescribed in SPS 361-366, Wis. Adm. Code, specifically SPS 362.1200, Wis. Adm. Code.
- e. A person may apply for a waiver to smoke detector and carbon monoxide alarm requirements provided the standards of Sec. 101.648, Wis. Stats., can be met.

(9) **Windows, Doors and Ventilation.**

- a. Every living, sleeping, kitchen or bathroom shall have available natural light and ventilation complying with Sec. SPS 321.05, Wis. Adm. Code, as dictated by the occupancy of the building. Generally every habitable room shall be provided with openable door and/or window areas equal to a minimum of four percent (4%) of the floor area, except mechanical ventilation can be provided in a kitchen in lieu of doors/windows when the ventilation system is designed and installed according to accepted engineering practices or manufacturer's specifications.
- b. Exhaust ventilation shall be installed in all toilet rooms, except those having only one (1) fixture [toilet or one (1) urinal] and in which the window area is greater than four (4) square feet and more than two (2) square feet is openable directly to the exterior of the building. The volume of air exhausted shall not be less than two (2) cubic feet per minute per square foot of floor area.
- c. Existing habitable rooms without openable windows shall be provided with a mechanical ventilation system producing one (1) air change per hour. All required exhaust vents shall terminate outside the structure.
- d. Exterior entry/exit doors shall be of a solid construction and capable of providing security with a locking device.
- e. In providing natural lighting, every habitable room shall be provided with window areas equal to at least eight percent (8%) of the floor area.
- f. All openings to a residential building which might provide an entry for rodents shall be effectively protected at all times so as to prevent rodent entry.

(10) **Electrical Service.**

- a. Every dwelling unit and all public and common areas in multiple dwellings shall be supplied with electrical service, outlets, and fixtures which shall be properly

installed, maintained in good and safe working conditions, and be connected to a source of electric power in a manner prescribed by the Wisconsin Electrical Code or in this Subsection, whichever is more restrictive.

- b. Every habitable room shall contain a minimum of two (2) separate wall electric convenience outlets or one (1) such wall convenience outlet and one (1) ceiling-type or wall-type electric fixture.
- c. Every toilet compartment, furnace room, laundry room, and public hall shall contain a minimum of one (1) ceiling or wall-type electric fixture. Every bathroom shall contain one (1) wall electric convenience outlet or one (1) wall or ceiling light fixture.
- d. In every building containing two (2) or more dwelling units using the same corridors and stairways, adequate lighting shall be provided in such corridors and stairways when needed, by the following means:
 - 1. Corridor light switches: Conveniently located light switches.
 - 2. Stairway light switches: At least the equivalent of a three-way light switch system located at the bottom and top of all stairways.
 - 3. Any automatic type of operation which will maintain adequate lighting at all times, either natural or artificial.
- e. Exterior lighting shall be required to illuminate exterior entry/exit steps leading to dwelling units.
- f. All cords and temporary wiring not in compliance with NEC Article 400-A, and all exposed abandoned wiring, shall be removed immediately upon the direction of the Building Inspector or Fire Inspector.
- g. Electrical service panels shall be readily accessible to all occupants in a dwelling without passing through another dwelling unit, as required by the Wisconsin Electrical Code

(11) **Heating.**

- a. Every dwelling shall have heating equipment which is capable of adequately and safely heating all habitable rooms and bathrooms to a minimum temperature of sixty-five (65°) degrees Fahrenheit when the outdoor temperature is (0°) degrees Fahrenheit, absent the wind-chill factor, and a minimum temperature of sixty (60°) degrees Fahrenheit shall be maintained in all habitable rooms and bathrooms when the outdoor temperature is zero (0°) degrees Fahrenheit or lower, absent the wind-chill factor. The outdoor temperature for the Village for compliance purposes shall be the temperature as reported by the National Weather Service.
- b. The occupant of a room or an apartment may voluntarily maintain a lesser temperature than is specified above as long as it does not affect the temperature in other habitable residential areas of the building.

- (12) **Lighting.**
 - a. Illumination shall be provided at all intersections of passageways, at all exits, and at the head, foot, and landings of every stairway in all buildings accommodating transients, three (3) or more apartments, and rooming houses. The illumination shall be provided during a period one (1) hour before sunset to one (1) hour after sunrise.
 - b. Every residential building that will accommodate transients, three (3) or more families, or twenty (20) persons shall have lights at the emergency exit doors or other places as may be necessary to direct an occupant to the exit doorways. The lights shall be red and accompanied by a sign bearing the word "EXIT" in plain letters five (5) inches high, or a red illuminated translucent exit sign may be employed on the premises.
- (13) **Emergency Work Contact Information.** Every owner of a multi-family dwelling shall make available to the occupants the names of two (2) or more persons that may be called to arrange for emergency work. Such names, with their telephone numbers and email addresses, shall be revised periodically as necessary to maintain accurate information at all times.
- (c) **Optional KNOX Box Requirement.** When ordered as necessary by the Building Inspector or Fire Inspector, a KNOX box shall be installed on the exterior of a multi-family dwelling with six (6) or more dwelling units to gain non-destructive entry to the structure for fire and other public safety emergency responses. The cost of the KNOX box and installation shall be the responsibility of the property owner.

Sec. 15-4-5 Safe and Sanitary Maintenance of Property.

- (a) **Purpose.** The purpose of this Section is to recognize the private and public benefits resulting from the safe, sanitary, and attractive maintenance of residential buildings, yards, or vacant areas in residential districts. Attractive and well-maintained property will enhance the neighborhood and Village of Bristol and provide a suitable environment for enhancing physical and monetary property values.
- (b) **Exterior Premises and Structural Maintenance Requirements.** Every owner, operator, occupant or tenant shall properly maintain all property under his/her control, including but not limited to residential property (owner-occupied and rental), to comply with the following minimum requirements:
 - (1) **Drainage.** All courts, yards, or other areas on the premises shall be properly graded to divert water away from the residential building. Adjacent ground surface shall be sloped away from the structure with a grading of at least one-half (1/2) inch per foot for a minimum of five (5) feet where possible or by other means such as eaves troughs, downspout extensions or rain gardens.

- (2) **Weeds and Excessive Vegetation Growth.** All exterior property areas shall be kept free from noxious weeds and excessive growth of vegetation as required by Sections 8-1-3, 8-1-4 and 8-1-5 of this Code of Ordinances and the Wisconsin Statutes. Where required weed and grass cutting is not performed by the property owner, the Weed Commissioner or designee shall perform said weed cutting pursuant to Sections 8-1-3, 8-1-4 and 8-1-5, and process the charge therefor as a special charge against the benefitted property.
- (3) **Miscellaneous Debris.** Pursuant to this Chapter, Section 8-1-2 "Public Safety and Health Hazards Regulations", Section 10-5-8 "Junked Vehicles and Appliances on Private Property" and Title 11, Chapter 6 "Public Nuisances", all exterior property areas shall be properly maintained in a clean and sanitary condition free from debris, rubbish or garbage, physical hazards, rodent harborage and infestation, accumulations of animal feces, and inoperable or unlicensed vehicles or equipment as required by Section 10-5-8 and Title 11, Chapter 6 of this Code of Ordinances. Specifically, all exterior property areas shall be maintained:
- a. Free from recyclable materials which are not properly separated and stored as required by Title 8, Chapter 3 "Recycling" for purposes of collection and storage, provided such outside storage of recyclables is not for longer than fourteen (14) days or to accommodate collection, whichever is first.
 - b. Free from items such as inoperable or nuisance vehicles, boats, recreational vehicles, trailers, building materials, scrap metals, appliances, furniture, or other debris in violation of Section 10-5-8 "Junked Vehicles and Appliances on Private Property".
 - c. In a condition so as not to become infested with rodents or be a rodent harborage.
 - d. Free from building materials as required by Section 10-5-8 "Junked Vehicles and Appliances on Private Property", unless such materials are temporarily stored on the property for use with a building project pursuant to a valid Village building permit.
 - e. Free from substantial accumulations of animal feces as required by Title 7, Chapter 1 of this Code of Ordinances.
 - f. Free from physical hazards.
 - g. Free from any accumulation of combustible materials which are not used as an integral part of an authorized business lawfully conducted on the premises.
 - h. In a manner which does not constitute a health or public nuisance per Title 11, Chapter 6.
 - i. Free from any obstruction or blockage which would block, obstruct, limit or impede drainage or water flow. It is the responsibility of the property owner to ensure compliance with this Subsection, including any associated costs. If the property owner fails to comply and the Village incurs expense, including for site remediation, the property owner shall be billed for Village labor, equipment and materials expense.

- (4) **Fences, Walks, Parking Areas.** Fences, other accessory construction, walks, driveways, parking areas, and similar paved areas within public view shall be properly maintained in a safe and properly maintained condition. Pursuant to Village Zoning Code standards, all fences shall be maintained in good repair, be structurally sound and plumb. Fence surfaces within public view shall be reasonably free of corrosion, deterioration, decay, missing parts, and peeling, flaking or deteriorated paint or stain. Wood surfaces, other than decay-resistant wood, shall be protected from the elements and decay by staining, painting or other protective coating or treatment. Fences shall not be of a type prohibited by the Village Zoning Code.
- (5) **Exterior Surfaces.** Exterior surfaces of buildings and structures not inherently resistant to deterioration due to the type of siding used shall be treated with a protective coating of paint, stain or other suitable preservative which will provide adequate resistance to weathering and maintain an attractive appearance. Any exterior surface treated with paint, stain or other preservative shall be maintained so as to prevent excessive chipping, cracking, or other deterioration of the exterior surface or surface treatment and to present an attractive appearance.
- (6) **Yard Areas.**
 - a. Yard areas of real estate shall not be permitted to deteriorate or remain in a condition that is not in accord with the following: Yard areas shall be kept in a clean and sanitary condition, free from any accumulation of combustible or non-combustible materials, debris, or refuse. Yards shall not be used to store appliances, furnaces, hot water heaters, water softeners, construction debris or building material not used within thirty (30) days, or any unsightly bulk items.
 - b. Plantings shall be maintained as not to present hazards to adjoining properties or to persons or vehicles traveling on public ways and shall be maintained so as to enhance the appearance and value of the property on which located, and thereby the appearance and value of the neighborhood and Village. The provisions of Section 10-5-8 shall be complied with regarding the outside storage of vehicles, boats, recreational vehicles, construction equipment and other debris.
 - c. The unpaved public terrace area, as defined in Title 6, Chapter 2, abutting private property shall be maintained by the abutting property owner in accordance with, but not limited to, Sections 8-1-3, 8-1-4 and 8-1-5.
- (7) **Prohibited Debris.** No person shall store or dispose of, other than temporarily with a project, rocks, trees, stumps, waste materials or other debris from land development, building construction, installation of underground utilities, or from any other activity upon the surface of any land in the Village regardless of zoning classification, except at approved disposal sites.
- (8) **Accessory Buildings.** All accessory structures and buildings, including windows, doors and roofs which are a part thereof, shall be maintained structurally sound, in good repair, reasonably watertight and rodent-proof. Factors indicating a state of disrepair include, but are not limited to, defective or collapsed roofs, missing windows

and doors, deteriorated or missing siding, and/or substantial leaning indicating structural damage.

- (9) **Graffiti.** The owner, occupant, operator, or tenant of any building or accessory building/structure shall be responsible for removing all graffiti therefrom within fifteen (15) days following receipt of a Village notice to remove such graffiti.
 - (10) **Structural Members.** All structural members shall be maintained structurally sound in good repair, and be capable of safely supporting the imposed loads.
 - (11) **Windows.** Every window, storm window, skylight and/or screen window, including frames, shall be kept in sound condition, good repair and weathertight. All window glazing shall be maintained free from holes and large cracks.
 - (12) **Roofs and Drainage.** The roof and flashing shall be maintained structurally sound and not have defects which consistently admit water. Roof coverings shall be in good repair, free from missing components, storm damage, and not have missing components. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof water shall not be discharged in a manner which creates a public nuisance or unsafe conditions.
 - (13) **Overhang Extensions.** All canopies, marquees, awnings, signs, fire escapes, standpipes, exhaust ducts and similar overhang extensions shall be maintained structurally sound and in good repair with proper anchorage.
 - (14) **Porches, Ramps, Decks, Balconies and Exterior Stairways.** Every porch, deck, exterior stairway, ramp and/or balcony, and all appurtenances attached thereto, shall be maintained in a structurally sound condition, in good repair, with proper anchorage, and capable of supporting imposed loads. Any new or replacement exterior stairway, deck, porch, ramp and/or balcony shall be installed in accordance with the Wisconsin Uniform Dwelling Code.
- (c) **Interior Maintenance Requirements.**
- (1) **General Maintenance and Cleanliness.** Every interior floor, wall, and ceiling, including door and window assemblies, shall be kept clean and in good repair, and shall be capable of affording privacy. Any hazardous sagging or bulging shall be properly repaired to a level or plumb position. All surfaces shall be free from serious cracking, irregularities, and peeling paint. A waterproof and hard surface shall be provided in spaces subject to moisture. All surface repairs shall be completed to closely match the existing surface color and texture. Floor surfacing shall provide ease of maintenance and durability appropriate for the use of the room.
 - (2) **Weathertight, Watertight and Rodent-Proof Premises.** Every foundation, exterior wall, and floor and roof shall be reasonably weathertight, watertight, and rodentproof and shall be kept in proper repair and shall be capable of affording privacy. Any hazardous sagging or bulging shall be properly repaired to a level or plumb position. All chimneys and breaching shall be so constructed and maintained so as to ensure that it safely and properly removes the products of combustion from the building.

Every gap allowing the accumulation of dirt or other objectionable matter in bathing, toilet, or food preparation areas shall be tightly sealed with an impervious and cleanable material.

- (3) **Stairway Maintenance.** Every inside and outside stairway, porch, and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon, and shall be kept in proper condition and repair and shall present an attractive appearance. All interior and exterior stairs and steps and every appurtenance thereto shall comply with the requirements specified in Sec. SPS 321.04, Wis. Adm. Code, or other Wisconsin Administrative Code provisions as dictated by the type of occupancy in the building.
- (4) **Plumbing Fixtures Maintenance.** Every plumbing fixture and water and waste pipe shall be properly installed and maintained in good working condition, free from defects, leaks, and obstructions.
- (5) **Bathroom Maintenance.** Every water closet compartment floor surface and bathroom floor surface shall be properly constructed and maintained so as to be reasonably impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.
- (6) **Supplied Facilities.**
 - a. Every supplied facility, piece of equipment, or utility connection shall be so constructed, installed, and maintained so that it will function in a proper working condition.
 - b. The owner of any dwelling or apartment in which a cooking stove and/or refrigerator are furnished for the use of the tenants as part of a rental agreement shall keep such cooking stove and/or refrigerator in good mechanical and safe working condition.
 - c. It shall be the responsibility of the tenant to maintain supplied facilities in a clean and sanitary condition when contained within the tenant's dwelling unit.
- (7) **Equipment Removal Restricted.** No owner, operator, or occupant shall cause any service, facility, equipment, or utility which is required under this Chapter to be removed from or shut off from or discontinued for any occupied dwelling, dwelling unit, or rooming unit let or occupied by him/her, except for such temporary interruption as may be necessary while actual repairs are in process, or during temporary emergencies when discontinuance of service is approved by an authorized inspector.
- (8) **Abandoned Fuel Oil Tanks.** Abandoned fuel oil tanks shall be removed from the building.
- (9) **Public/Shared Areas.** Every owner of a dwelling containing three (3) or more dwelling units shall be responsible for maintaining a clean and sanitary condition the shared or public areas of the dwellings and premises thereof.
- (d) **Hazardous Conditions.** It is the owner's responsibility that dwellings be structurally sound and free of conditions which constitute a substantial hazard to the health and safety of the

occupant(s) or which create an unreasonable risk of personal injury resulting from any reasonable foreseeable use of the dwelling (other than the negligent use of the dwelling by the occupants). Such violations include, but are not limited to, sewage or water accumulations in the basement, excessive damage to the interior which may pose health problems, or excessive human, animal or other solid waste accumulation inside the structure which may pose a health problem.

- (e) **Animals – Unsanitary Conditions.** No occupant of a residence shall keep any animals or pets in a dwelling or rooming unit, or on any premises, in such manner as to create unsanitary conditions, including, without limitation, accumulation of excrement.

Sec. 15-4-6 Conditions of Occupancy and Use of Space in Residential Buildings.

- (a) **Purpose.** The purpose of this Section is to establish minimum standards for the quantity, location, and use of space in residential building units so as to preserve and promote the public health and safety. A suitable environment for safe, healthy, and desirable living can be enhanced by providing adequate space and privacy for occupants of all residential units. No person shall occupy or let to another person for occupancy any dwelling or dwelling unit for the purpose of living therein which does not comply with the requirements herein.
- (b) **Size of Dwellings and Dwelling Units.**
- (1) **Detached Single-Family Dwellings.** Every detached single-family dwelling other than a mobile home shall have at least five hundred (500) square feet of floor area on the first floor level, unless a specifically designed mini-home approved by the Village.
 - (2) **Floor Space.**
 - a. Every dwelling unit, except for hotels and rooming houses, shall contain a minimum of one hundred fifty (150) square feet of habitable floor area for the first occupant and a minimum of one hundred (100) additional square feet of floor area for each additional occupant.
 - b. The floor area of a rooming house room shall provide not less than seventy (70) square feet of floor area for one (1) occupant and fifty (50) square feet for each additional occupant.
 - (3) **Excluded Spaces.** Floor area shall be calculated on the basis of habitable room area. Closet and hallway areas within the dwelling unit may count for no more than ten percent (10%) of the required habitable floor area. The space used as a laundry, workshop, furnace room, and common hallways shall not be included as part of the space required in Subsections (b)(1) and (2) above.
 - (4) **Bathroom Access.** Every occupant of a dwelling unit shall have unrestricted access to a bathroom and flush toilet, and to a sink or lavatory basin, located within the dwelling unit. Such access shall not be through more than one (1) sleeping room.

- (5) **Ceiling Height.** At least one-half of the floor area of every habitable room shall have a ceiling height of at least seven (7) feet. The floor area of that part of any room where ceiling height is less than five (5) feet shall not be considered as part of the floor area in computing floor area of the room for determining maximum permissible occupancy thereof.
- (6) **Basement Use.** A basement space may only be used for a sleeping room if:
 - a. The floor and walls are impervious to leakage of underground and surface runoff water and excess humidity is controlled.
 - b. The space being utilized complies with the requirements for habitable rooms.
 - c. The total openable window area in each basement room is equal to at least the minimum required under this Chapter or applicable building code standard, except where there is supplied some other means affording adequate ventilation.
 - d. A basement-only structure shall not be used as a dwelling.

Sec. 15-4-7 Responsibilities of Residential Owners, Operators and Occupants.

- (a) **Purpose.** The purpose of this Section is to establish the responsibility of owners, operators, and occupants of residential buildings.
- (b) **Responsibilities.** The responsibilities of owners, operators, and occupants of residential buildings are as follows:
 - (1) Every owner of a dwelling shall be responsible for maintaining in a clean, safe, and sanitary condition all shared, communal or public areas of the residential building and premises thereof.
 - (2) Every occupant of a dwelling unit shall keep in a clean, safe, and sanitary condition that part of the residential building and premises thereof which he/she occupies and controls, except the operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors, ceilings, and every other part of the rooming house.
 - (3) Every occupant of a dwelling containing more than one (1) dwelling unit shall be responsible for the extermination of any insects, rodents, or other pests therein or on the premises and every occupant of a dwelling unit in a residential building shall be responsible for such extermination whenever his/her dwelling unit is the only one infested. However, when infestation is caused by the failure of the owner to maintain a dwelling in a rodent-proof or substantially insect-proof, or if termites infest the dwelling unit, extermination shall be the responsibility of the owner.
 - (4) Every occupant of a dwelling unit shall maintain all plumbing fixtures therein in a clean and sanitary condition.
 - (5) The owner or operator shall not occupy or let to another for occupancy any space in a residential dwelling unless it is clean, sanitary, fit for human occupancy, complies

with the requirements of this Chapter and the Wisconsin Administrative Code and compliance inspections/orders thereunder.

Sec. 15-4-8 Inspections.

- (a) **Generally.** The Building Inspector, or designee, or public health authorities are authorized and empowered to inspect all residential dwellings, whether owner-occupied or rental units, within the Village of Bristol pursuant to the requirements of this Section for the purpose of determining whether or not said residential dwellings comply with the requirements of this Chapter. As required by Section 706.22, Wis. Stats., this Chapter, and any inspections thereunder, is intended not to restrict the ability of a person to purchase, sell, take title to, or finance real property or restrict the ability of a purchaser of, or transferee of title, of residential real property to take occupancy of the property.
- (b) **When Inspections May Occur; Inspection Warrants.**
 - (1) All properties in the Village of Bristol, including residential rental dwelling units, shall be subject to inspection requests. The inspections process may be initiated based on tenant or citizen complaints or requests or where the Building Inspector believes probable cause exists justifying such inspection(s) and after an inspection warrant is first obtained or consent is voluntarily given to conduct such inspections.
 - (2) Inspections by the Village shall only be conducted under the following circumstances:
 - a. In an occupied dwelling unit with consent from the owner or the owner's agent who is present at the time of inspection; or
 - b. In an occupied rental dwelling unit with consent from an adult tenant who is present at the time of inspection; or
 - c. Following the obtaining by the Building Inspector or designee of a special inspection warrant under Section 66.0119, Wis. Stats.
 - (3) If any owner or occupant refuses to give voluntary consent to the Building Inspector to enter for inspection purposes any residential dwelling or portion thereof, the Building Inspector is authorized to and may seek an inspection warrant from an appropriate court, and then only enter and inspect said residential building pursuant to the authority granted by such warrant.
 - (4) No owner of a residential building may deny the Building Inspector of the right to enter and inspect any portion thereof under the control of a tenant when the tenant has consented to said entry and is present for the inspection. No person shall prevent, resist or interfere with the Building Inspector, Fire Inspector or public health authorities when lawfully entering a premises and carrying out their duties as prescribed by this Chapter and other pertinent provisions of the Village Code of Ordinances.
 - (5) The Village may charge a fee for such residential inspections, including those for residential rental units.

- (c) **Violations.** Violations identified during such inspections shall be abated within the time ordered by the Building Inspector.

State Law Reference: Sec. 706.22, Wis. Stats.

Sec. 15-4-9 Designation of Unfit Dwellings and Legal Procedure Therefor.

The designation of dwellings or dwelling units as unfit for human habitation and the procedure for the condemnation and placarding of such unfit dwellings or dwelling units shall be carried out in compliance with the following procedures:

- (a) **Finding of Defects.** Any dwelling or dwelling unit which shall be found to have any of the following serious defects may be condemned as unfit for human habitation and shall be so designated and placarded by the Building Inspector:
- (1) One which is so damaged, decayed, dilapidated, unsanitary, unsafe, or vermin-infested that it creates a serious hazard to the health, safety, or welfare of the occupants (actual or prospective) or of the public.
 - (2) One which lacks illumination, ventilation, heating, basic equipment, or sanitation facilities adequate to protect the health, safety, or welfare of the occupants (actual or prospective) or of the public.
 - (3) One which, because of its general condition of disrepair, is unsanitary or otherwise dangerous to the health, safety, or welfare of the occupants (actual or prospective) or of the public.
 - (4) One which has a history of structural fires and inadequate subsequent repairs.
 - (5) One which, because of its general condition, location or appearance, is a blighting influence or causes a decrease in the valuation of property in the immediate neighborhood.
- (b) **Designation as Unfit for Human Habitation; Vacation of Premises.** Any dwelling, dwelling unit, building or structure designated and placarded by the Building Inspector as unfit for human habitation until necessary repairs are made or the structure is razed shall be vacated within such a reasonable time as is ordered by the Building Inspector.
- (c) **Unfit Dwelling Not to be Reoccupied.** No building or structure or part thereof which has been designated and placarded as unfit for human habitation and in need of repairs or razing shall again be used for human habitation until written approval is secured from, and such placard is removed by, the Building Inspector. The Building Inspector shall remove such placard whenever the defect or defects upon which the designation and placarding action were based have been properly addressed and corrected.
- (d) **Defacement or Removal of Condemnation Notices.** No person shall deface or remove the placard from any building or structure, or part thereof, which has been condemned as unfit for human habitation and placarded as such.

- (e) **Legal Proceeding for Razing Order.** Any building or structure or part thereof designated as unfit for human habitation and in need of repairs or razing by the Building Inspector, which in the opinion of the Building Inspector would be unreasonable to repair, shall be razed or removed upon legal written service of the order of the Building Inspector. If the owner shall fail or refuse to comply with the order, the Building Inspector shall refer such violation to the Village Board and Village Attorney who will start any legal proceedings necessary to cause such building to be razed or removed as a violation of this Chapter. Any dwelling declared structurally unsafe or unsanitary shall be razed or restored according to the provisions of Sec. 66.0413, Wis. Stats.
- (f) **Vacant Buildings to be Secured From Entry.** Any building which has been vacant for more than thirty (30) days due to damage, disrepair or vandalism shall be secured against unauthorized entry, except as provided under Subsection (f)(2) below. This shall include adequately boarding up and securing doors, windows, and other openings in a workmanlike manner so as to not present an attractive nuisance and to prevent illegal entry, vandalism or damage:
 - (1) The building's utilities, plumbing, electrical and heating systems in such vacant building shall be maintained at all times when possible in a safe condition or inactivated so as to prevent the possibility of damage to the structure by the failure of such utilities and so as to prevent the existence of hazardous, unsanitary, and dangerous conditions.
 - (2) When any building has been seriously damaged by fire, weather or other cause and when hazardous or dangerous conditions exist and when such building cannot be secured by conventional locking or boarding up of windows and doors, such building shall be fenced off so as to prevent access and entry to the structure and the area immediately surrounding the structure within seven (7) days of the damage by fire, weather or other cause.

State Law Reference: Section 66.0413, Wis. Stats.

Sec. 15-4-10 Enforcement; Service of Notices and Orders; Hearings.

- (a) **Notice of Violation.**
 - (1) Whenever the Building Inspector has found a violation or determines that there are reasonable grounds to believe that there has been a violation of any provision of this Chapter or of any rule or regulation adopted pursuant thereto, the Building Inspector or designee shall give notice of such alleged violation to the person or persons responsible. Such notice shall:
 - a. Be in writing.
 - b. Include a statement of the reasons why it is being issued.

- c. Provide a reasonable time for the performance of any act it requires.
 - d. Be served upon the owner or his/her agent, or the occupant, as the case may require, provided that such notice shall be deemed to be properly served upon such owner or agent or upon such occupant if:
 - 1. A copy thereof is served upon him/her personally;
 - 2. A copy thereof is sent by certified mail to his/her last-known address;
 - 3. A copy thereof is posted in a conspicuous place in or about the dwelling or dwelling unit affected by the notice; or
 - 4. If he/she is served with such notice by any other method authorized or required under the laws of the State of Wisconsin.
- (2) The above notice may contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Chapter and with rules and regulations adopted pursuant thereto.
- (b) **Violation Reoccurrence.** Whenever there has been notice of a violation issued to the owner, the agent of any owner, or the occupant of property which is in violation of this Chapter, no further notice shall be necessary for any reoccurrence of the violation prior to the commencement of any forfeiture action or prior to seeking an injunction in a court of record.
- (c) **Hearing.** Any person affected by any notice which has been issued in connection with the enforcement of any provision of this Chapter or of any rule or regulations adopted pursuant thereto may request and shall be granted a hearing on the matter before the Building Inspector, provided that such person shall file, in the office of the Building Inspector, a written petition requesting such hearing and setting forth a brief statement of the grounds therefor within ten (10) days after the date the notice was served. Upon receipt of such petition, the Building Inspector shall set a time and place for such hearing and shall give the petitioner written notice thereof. At such hearing, the petitioner shall be given an opportunity to be heard and to provide reasons why such notice should be modified or withdrawn. The hearing shall be commenced no later than ten (10) days after the day on which the petition was filed. Upon request of the petitioner, the Building Inspector may postpone the date of the hearing for a reasonable time beyond such ten (10) day period, if, in his/her judgment, the petitioner has submitted sufficient grounds for such postponement.
- (d) **Post-Hearing Determinations and Actions.**
 - (1) Following such hearing, the Building Inspector shall sustain, modify, or withdraw the notice, depending upon his/her findings as to whether the provisions of this Chapter and of the rules and regulations adopted pursuant thereto have been complied with. If the Building Inspector sustains or modifies such notice, it shall be deemed to be an order.
 - (2) Any notice served pursuant to this Chapter shall automatically become an order if a written petition for a hearing is not filed in the office of the Building Inspector within ten (10) days after such notice is served.

- (3) Following a hearing in the case of any notice suspending any permit related to this Chapter (such as a building permit) or by any rule or regulation adopted pursuant thereto, when such notice has been sustained by the Building Inspector, the permit shall be deemed to have been revoked. Any such permit which has been suspended by a notice shall be deemed to be automatically revoked if a petition for hearing is not filed in the office of the Building Inspector within ten (10) days after such notice is served.
- (4) Whenever any order to correct conditions regarding the premises made pursuant to this Chapter has not been complied with because the person to whom the order was directed has failed, neglected or refused to comply, the Building Inspector may request appropriate Village authorities to initiate prosecution, or institute any appropriate action to abate such building as a public nuisance, the cost of which will be assigned to the property owner as a special charge.
- (e) **Record of Proceedings.** The proceedings at such hearing, including the findings and decision of the Building Inspector, shall be summarized, reduced to writing, and entered as a matter of public record. Such record shall also include a copy of every notice or order issued in connection with the matter.
- (f) **Emergency Situations.**
 - (1) Whenever the Building Inspector finds that an emergency exists which requires immediate action to protect the public health, safety, or welfare, the Building Inspector may, without notice or hearing, issue an order reciting the existence of such an emergency and requiring that such action be taken as the Building Inspector deems necessary to meet the emergency. Notwithstanding other provisions of this Chapter, such order shall be effective immediately.
 - (2) Any person to whom such order is directed shall comply therewith immediately, but upon petition to the Building Inspector shall be afforded a hearing as soon as possible. After such hearing, depending upon the Building Inspector's findings as to whether the provisions of this Chapter and of the rules and regulations adopted pursuant thereto have been complied with, the Building Inspector shall continue such order in effect, or modify it, or revoke it.
- (g) **Appeals of Determinations.** Determinations of the Building Inspector under this Section may be appealed to the Board of Appeals using the procedures prescribed in Title 13, Chapter 1 of this Code of Ordinances. Any person aggrieved by the decision of the Board of Appeals may seek relief therefrom in any court of competent jurisdiction, as provided by state law.

Sec. 15-4-11 Penalties.

- (a) Any person who violates any provision of this Chapter shall upon conviction be subject to a forfeiture as prescribed in Section 1-1-6 of this Code of Ordinances, together with costs

of prosecution. Each day of violation shall constitute a separate and distinct offense. The Village of Bristol may also seek injunctive relief. In addition to forfeiture and injunctive remedies, the Village, or its agent, may in the event of noncompliance remove refuse from the parcel pursuant to Village ordinances, at the owner's expense, and impose a special charge for such work pursuant to Sec. 66.0627, Wis. Stats.

- (b) Nothing in this Chapter shall be construed as limiting, impairing, altering or extending the rights and remedies of persons in the relationship of owner and tenant that exists under applicable law, nor shall this Chapter be construed to limit the authority of the Village of Bristol and its employees and agents to perform housing inspections in accordance with this Code of Ordinances or enforcing any other provision of state or federal law.

SECTION II. SEVERABILITY.

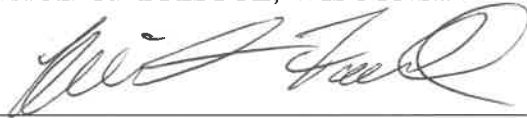
If any provision of this Ordinance is invalid or unconstitutional or if the application of this Ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the other provisions or applications of this Ordinance which can be given effect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

SECTION III. EFFECTIVE DATE.

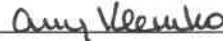
This Ordinance shall take effect upon passage and publication as provided by law.

ADOPTED this 23rd day of October, 2017.

VILLAGE OF BRISTOL, WISCONSIN



Village President



Village Clerk-Treasurer

INTRODUCED: 8/14/17

ADOPTED: 10/23/17

PUBLISHED: 10/23/17

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 enacted by the Village of Bristol Village Board on the 23rd day of October, 2017 and that said Ordinance has not been repealed or amended and is now in full force and effect.

Dated this 23rd day of October, 2017



Amy Klemko, Clerk-Treasurer