

CHAPTER 14

BUILDING CODE

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14.00 INTENT. Intent of this building code shall be to ensure that new structures built in Ephraim meet certain standards of construction and all appropriate state codes. Further, it is believed that, during construction, regular evaluations by a licensed building inspector is in the best interest of both the property owner and the community. This is especially so in a community where non-resident property owners building seasonal dwellings are not available to visit the construction site on a regular basis. These regulations are adopted under the statutory authority granted pursuant to **Section 101.65, 101.651, 101.76, and 101.761 of the Wisconsin Statutes.** **All new construction in the Village of Ephraim shall be subject to regular inspections by a licensed building inspector engaged or authorized by the village to carry out such inspections (for details, see Sec. 14.04 and 14.05 below).**

14.01 DEFINITIONS. The definitions apply specifically to the use of certain words in this chapter, as set forth in **17.09 and 18.03 of this Code of Ordinances.**

14.02 GENERAL INFORMATION.

(1) **A certificate of use** is also required for any change of use of a property involving the building of structures. An occupancy permit is required prior to the occupancy of any newly completed or remodeled structure or the whole or any part of any building that has not been continuously occupied for the previous 12 months.

(2) **Waste Disposal and Water Supply.** No application for a permit shall be considered by the Building Inspector and Zoning Administrator without evidence that County and/or State health and sanitation approval has been granted for a sanitary waste disposal system and water supply. Further, no permit shall be considered without a letter from the Ephraim Utilities Committee approving sanitary waste disposal for the development.

(3) **Construction parking. Because of safety issues related to increased traffic and vehicle congestion associated with property improvements,** a construction parking plan shall be a part of the permitting process for all building and zoning permit applications in the Village of Ephraim. **The parking plan must illustrate either available on-site parking or refer to available public parking. Construction parking is not allowed on any Village street regardless of proximity to the construction project unless public parking areas have been designated by striping. Parking in these designated areas may not exceed 48 hours.** *Passed 7/11/05*

(4) **Issuance of Permits.** The Zoning Administrator and the Plan Committee will determine that a proposed building or structure and the use for which it is intended, or that the contemplated use of a property or premises, complies in every respect with all ordinances of the Village and State Statutes. Once the required fees have been paid, the Zoning Administrator shall forward to the Building Inspector appropriate sets of plans along with recommendations of the Plan Committee. Once the Building Inspector has approved the project, with the concurrence of the Zoning Administrator, the village will officially approve the construction and issue the appropriate permit(s).

(5) **Refusal of Permit and Appeals.** If in the opinion of the Zoning Administrator and/or Plan Committee, in consultation with the Building Inspector as appropriate, the facts presented do not justify the issuance of a building permit, the applicant may petition the Board of Appeals for a final decision. Such appeal shall be accompanied by all pertinent data, including the application, plans and descriptions and the reasons for refusal. Such data shall be assembled and forwarded to the Board of Appeals by the Zoning Administrator. If the applicant requests a variance from the requirements of this chapter, it must be presented on a form entitled "Petition to the Board of Appeals, Request for Variance." The Village shall comply with the determination of the Board of Appeals.

(6) **Fees.** All fees for permits and for building inspection services are to be established and posted by the Village Board and may be changed from time to time. They are included herein as Appendix A and Appendix B.

(7) **Building Permit Expiration.** A building permit shall expire 6 months after date of issuance should no construction commence during that period. A valid building permit shall expire 12 months after date of issuance, except in the case of projects covered by the UDC, or unless an extension of time is requested in writing prior to the expiration by the owner or his agent and is approved by the Plan Committee or its agent so designated. All exterior work shall be completed within 12 months of issuance. Should the permit expire prior to project completion or should an extension of the permit be requested by the owner or his agent, the fee accompanying the new permit shall reflect only the unfinished portion of the original project and said new permit shall expire 6 months from the date of issuance. ~~(6-10-02) A request for an extension of a building permit shall be accompanied by the same building permit fee as originally paid.~~

(8) **Revocation.** If the Zoning Administrator and/or Plan Committee, with concurrence of the Building Inspector, shall find at any time that the applicable ordinances, laws, orders and regulations are not being complied with and that the holder of the permit refuses to conform after a written warning or instruction has been issued to him/her, it shall revoke the building permit by written notice posted at the site of the work. When any such permit is revoked, no person shall do any further work thereunder until the permit is reissued, excepting such work as the Zoning Administrator or Building Inspector may order to be done as a condition precedent to the reissuance of the permit or as he may require for the preservation and safety of human life or property. If any violations of this chapter or other chapters of this Code are found which do not jeopardize public health or safety, they shall be ordered corrected within 30 days of the date of issuance of the certificate of occupancy.

(9) **Records.** As permanent records, the Zoning Administrator shall keep a copy of all building permits and certificates of use/occupancy issued and shall furnish additional copies to the Village Clerk, Building Inspector, and Assessor.

(10) **Reports.** The Building Inspector shall make a monthly report to the Village Board of the status of permits issued and all inspections made.

(11) **Fire Hazards..**

- (a) **Roofing Materials.** In original construction, roof covering materials shall be fire resistive to provide protection against flying embers and to avoid the spread of fire to nearby buildings.
 - (b) **Chimneys.** Chimneys shall meet the requirements of **Ch. 64, Wis. Adm.Code.**
 - (c) **Hot Pipes.** Pipes carrying smoke, steam or hot water at temperatures exceeding 180° F. shall meet the requirements of **Chs. 51 and 64, Wis. Adm. Code.**
- (12) **Regulation of Exterior Design.** No permit for construction, alteration or moving of any building or structure shall be issued if in the opinion of the and/or the Plan Committee the exterior design or appearance of the proposed building or structure will, when erected, be so at variance with or so similar to the exterior design or appearance of structures already constructed or in the course of construction in the immediate neighborhood, or is so aesthetically objectionable that its erection would tend to defeat the intent of this chapter and materially impair other property values in the neighborhood.
- (13) **Temporary Structures.** When it is deemed necessary by a person, contractor or subcontractor in charge of construction to have a temporary structure as a necessary aid to such construction - but not to be used as temporary living quarters - a request for a permit shall be granted in writing by the Zoning Administrator with a date for removal of such temporary structure from the site of up to “15 days after end of construction”)
- (14) **Sanitary Facilities.** A temporary privy shall be used until construction is complete.

14.03 BUILDING AND MECHANICAL CODE

- (1) IIL 1-1-01 **Authority** - These regulations are adopted under the statutory authority granted pursuant to **Section 101.65, 101.651, 101.76, and 101.761 of the Wisconsin Statutes.**
- (2) IIL 1-1-02 **Purpose** - The purpose of this Code is to promote the health, safety, and general welfare of our community, to protect property values and provide for orderly, appropriate development and growth of the community.
- (3) IIL 1-1-03 **Definitions** - As used in this Chapter, the following terms have the meaning prescribed herein: (Any item not defined herein shall follow the Wisconsin Administrative Code definitions.)

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

BUILDING INSPECTOR. The individual(s) or firm appointed by the Village to exercise all of the powers and duties of a building inspector under Wisconsin law.

CONSTRUCTION. Any part or portion of the activity of installing, locating, siting, erecting or raising a building.

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

DEMOLITION. The activity of completely or partially destroying a previously erected or constructed building.

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

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

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

HVAC. An acronym which stands for Heating, Ventilating and Air Conditioning; the trade which installs mechanical equipment, systems and accessory ducting and gratings for the purpose of warming, purifying, cooling and exchanging air in a building.

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

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

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

REPAIRS. Repairs for purposes of maintenance or replacements in any existing building or structure which do not involve structural portions of the building or structure or which do not affect room arrangement, light and ventilation, access to or efficiency of any exit stairways or exits, fire protection or exterior esthetic appearance and which do not increase a given occupancy and use, shall be deemed minor repairs.

STOP WORK ORDER. A directive issued with respect to a construction project by a building inspector which compels the owner and any contractor or builder of a building to cease any further work or activity on the construction project until the building inspector has authorized the resumption of the construction project.

14-04 SCOPE (IIL 1-1-04) - This Code applies to all new construction of dwellings, commercial buildings/structures, swimming pools, garages, structures, buildings, residential accessory buildings and agricultural buildings that require footings and/or a foundation, or of a size that the Planning Committee determines requires inspection. Notwithstanding this section, this ordinance shall not apply to children's play structures.

14-04 PERMIT REQUIRED (IIL 1-1-05)

1) No owner or contractor may commence construction of any building or mechanical system prior to obtaining a valid permit from the municipal building inspector. Further, no ground may be broken, nor shall trees be cut on the site, until a paid building permit and/or land disturbance permit has been obtained.

2) The construction which shall require a building permit includes, but is not limited to:

a) New buildings, detached structures (decks) and detached accessory buildings.

b) Additions that increase the physical dimensions of a building including decks.

c) Alterations to the building structure, cost shall include market labor value, or alterations to the building's heating, electrical or plumbing systems.

d) Replacement of major building equipment including furnaces and central air conditioners, water heaters and any other major piece of equipment shall require a permit except as noted in 3) b) below.

e) Alteration of plumbing, venting, electrical, or gas supply systems.

f) Any electrical wiring for new construction or remodeling.

g) Any HVAC for new construction or remodeling.

h) Any plumbing for new construction or remodeling.

3) The following construction activities shall not require a building permit:

a) Re-siding, re-roofing and finishing of interior surfaces, installation of cabinetry, and repairs which are deemed minor by the Zoning Administrator. Any repairs or alterations which are less than \$2,000.00 in total cost (labor and materials), and do not affect the occupancy, area, structural strength, fire protection, exits, or ventilation of a building notwithstanding this section, however, a permit accompanied by structural load-bearing calculations may be requested by the property owner for re-roofing a building if the proposed re-roofing would constitute a third or more layer of roofing.

b) Normal repairs of HVAC, plumbing and electrical equipment or systems such as replacing switches, receptacles and fixtures.

14.06 (IIL 1-1-06) ADOPTION OF CODES

1) The following Chapters of the Wisconsin Administrative Codes, as well as all subsequent revisions, are adopted by the Village and shall be enforced by the Building Inspector.

Ch. COMM 5	Credentials
Chs. COMM 16 & 17	Electrical Code
Chs. COMM 20-25	Uniform Dwelling Code
Chs. COMM 50-64	Commercial Building and Heating, Ventilating and Air Conditioning Code
Ch. COMM 66	Uniform Multi-Family Code
Ch. COMM 69	Barrier-Free Design
Ch. COMM 70	Historic Building Code
Chs. COMM 75-79	Existing Building Code
Chs. COMM 82-87	Uniform Plumbing Code

2) Any local building codes or requirements other than those contained herein are repealed.

14.07 (IIL 1-1-07) SCOPE OF UNIFORM DWELLING CODE EXPANDED.

For the purposes of this Ordinance, the standards contained in the Wisconsin Uniform Dwelling Code shall be expanded to apply as the standards for construction of the following:

1) Detached garages greater than 200 sq.ft. serving one and two family dwellings. Grade-beam slabs are required for private, residential garages with a continuous floating slab of reinforced concrete and shall not be less than four (4) inches in thickness. Reinforcement shall be a minimum of six by six (6 x 6) inch, number ten wire mesh. The slab shall be provided with a thickened edge all around, eight (8) inches wide and eight (8) inches

below the top of the slab. (Exempted are "frost free footings" for detached residential accessory buildings) COMM 22 shall not apply.

2) With respect to other detached accessory buildings, concrete slabs, frost-free footings, and the like are not required, but if they are installed they shall follow (2) above and/or COMM 21.

14.08 (IIL 1-1-08) CERTIFIED MUNICIPALITY STATUS

The Village has adopted the Certified Municipality Statute as described in **COMM 50.21 of the Wisconsin Administrative Code**.

14.09 (IIL 1-1-09) BUILDING-HVAC-ELECTRICAL-PLUMBING INSPECTOR

1) **Creation and Appointment.** There is hereby created the office of Building Inspector. The Building Inspector shall be appointed by the Village. The Building Inspector shall be certified for inspection purposes by the Department in the required categories specified **under COMM 5, Wisconsin Adm. Code**.

2) **Subordinates.** The Building Inspector may employ, assign or appoint, as necessary, subordinate, mechanical inspectors. Any subordinate hired to inspect buildings shall be certified as defined in **COMM 5, Wisconsin Adm. Code**, by the Department.

3) **Duties.** The Building Inspector shall administer and enforce all provisions of this ordinance.

4) **Powers.** The Building Inspector or an authorized certified agent of the Building Inspector may, at all reasonable hours, enter upon any public or private premises for inspection purposes. The Building Inspector 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 Inspector or his/her agent while in the performance of his/her duties. In the event that the inspector is refused access to any such premises, then the Inspector is authorized to apply for a special inspection warrant pursuant to **Section 66.122, Stats**.

5) **Inspections.** In order to permit inspection of a building project at all necessary phases without causing delay for the owner, the owner and/or contractor shall request all of the following inspections in conformity with the appropriate time frame defined in the Wisconsin Administrative Code or at least 48 hours in advance by the applicant/contractor or property owner as applicable. The inspections include:

- a) Footings
- b) Foundation
- c) Rough Carpentry, HVAC, Electric and Plumbing
- d) DRAINTILE/BASEMENT FLOOR
- e) Underfloor Plumbing

- f) Electric Service
- g) Insulation
- h) Final Carpentry, HVAC, Electric & Plumbing
- i) Erosion Control

6) **Failure to request any inspection** will be the responsibility of the contractor and/or property owner. No Construction shall be deemed approved by default or lack of inspection by the Building Inspector.

7) **The expense** of uncovering or exposing any work which must be inspected, where such work was required by the failure of the owner to request any inspection, will be the responsibility of the contractor and/or property owner.

8) **Records.** The Building Inspector shall perform all administrative tasks required by the Department under all codes covered in 1-1-06. In addition, the Inspector shall keep a record of all applications for permits and shall number each permit in the order of its issuance.

14.10 (IIL 1-1-11) ISSUANCE OF PERMIT (SEE 14.02(4))

1) **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.

2) **Permits are issued conditionally** on the condition that the owner and/or contractor(s) shall conform to the requirements of all applicable codes, zoning ordinances and setback requirements in constructing the building.

14.11 (IIL 1-1-12) COMPLETION DEPOSIT REQUIRED

A deposit of \$400.00 is required for all projects whose total cost, including labor, materials and supplies, will equal or exceed \$15,000.00. The deposit shall be refunded after the project is completed and the Building Inspector has found that the building complies with all applicable codes. The deposit shall be forfeited if occupancy occurs before final inspection or extends after a temporary occupancy permit expires. It shall also be forfeited if the exterior is not finished within 1 year of the date the permit is issued.

14.12 (IIL 1-1-13) OCCUPANCY PERMIT

If the Building Inspector, after completing all required inspections, finds that a building has been constructed in accordance with the applicable codes, then the Inspector shall issue an occupancy permit. If the building fails to comply with the code in minor respects which do not threaten the safety, health or welfare of the building's occupants, the

Building Inspector may issue a temporary occupancy permit for 30 days or a specified term. No person may have occupancy of a building until an occupancy permit is issued.

14.13 (IIL 1-1-14) UNSAFE BUILDINGS

Whenever the Building Inspector determines that any building or structure is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use, and so that it would be unreasonable to repair the same, the inspector shall order the owner to raze and remove all or part thereof, or if such structure can be made safe and sanitary by repairs, is at the owner's option. Such orders and proceedings shall be as provided in **Section 66.05(5), Wis. Stats.**

14.14 (IIL 1-1-15) RAZING AND DEMOLITION

1) **Demolition Permit Required.** No person, firm or entity may cause the demolition of any structure or part of a structure greater than 400 square feet in area without having first applied for and obtained a demolition permit from the Building Inspector. No person, firm or entity may undertake any steps to demolish the structure prior to receiving a permit. Certain restrictions on razing of structures exist when the building is in the Historic District. See 17.15(13).

2) **Application.** An application for a permit to demolish all or part of a building shall include the following information:

- a) The name and address of the owner of the building on date of application and, if different, on date of demolition;
- b) The name, address and telephone number of the contractor(s) performing the demolition work;
- c) The date upon which demolition is to commence;
- d) The date by which demolition shall be complete;
- e) A list of all hazardous waste and hazardous and toxic substances (as defined by Sec. NR 706, Wisconsin Administrative Code as amended from time to time) contained in the building, a statement as to whether the building contains asbestos (as defined by Sec. NR 445, Wisconsin Administrative Code), and a detailed description of the method to be used in removing, transporting and disposing of any hazardous waste, hazardous and toxic substances, and asbestos;

f) A detailed description of how and where the waste materials resulting from the demolition will be transported and disposed of (including the description of the route to be used by trucks in hauling the waste);

g) A description of the method of demolition to be used; and

h) A description in detail of all methods to be used to prevent water runoff and soil erosion from the site to neighboring properties and to prevent releasing unreasonable amounts of dust from the site;

i) Along with the application for permit for demolition, the applicant shall present a release from all utilities serving the property, stating that their respective service connections and appurtenant equipment such as meters and regulators have been removed or sealed and plugged in a safe manner.

3) **Demolition.** The demolition shall be conducted in a manner that is safe and that does not adversely affect the environment.

4) **Clearing and Leveling The Site.**

a) The site of any demolition shall be properly cleared of debris, rubbish and pavement and shall be properly graded and leveled to conform with the adjoining grade of the neighboring property; and when so graded and leveled, the site shall be seeded, sodded or treated in some other manner acceptable to the Building Inspector so as to prevent blowing dust, dirt, or sand. Excavations remaining after demolition shall be filled, graded and leveled off, not later than 30 consecutive days after demolition is completed.

b) Excavations from demolished buildings or structures shall not be filled with any materials subject to deterioration. The Building Inspector, upon notification by the permit holder, the owner or his agent, in writing and upon forms provided by the Building Inspector for that purpose, shall within 72 hours inspect each excavation, or part thereof, before filling any excavation.

c) It shall be unlawful to fill any such excavation without inspection and approval of the Building Inspector. Voids in filled excavations shall not be permitted. In the event of the unavailability of the Building Inspector to conduct an inspection within the 72 hours after written notice; the permit holder, owner or his agent may retain the services of a certified, qualified municipal inspection service to obtain an opinion that approves filling of the excavation. Said opinion shall be deemed a sufficient approval by the Village provided that a written copy of the opinion is delivered to the Clerk at least 48 hours before filling of the excavation commences.

5) **Removal and Disposal.**

Removal, transportation and disposal of all hazardous waste, hazardous and toxic substances, and asbestos shall be conducted in compliance with all applicable state, federal and local statutes, ordinances and regulations. The permit holder shall give the Building Inspector 72 hours written notice prior to any removal, transportation or disposal of hazardous waste, hazardous and toxic substances, and asbestos.

14.15 (IIL 1-1-16) MOVING BUILDINGS

1) **General.** No person shall move any building or structure upon any of the public right-of-ways of the Village without first obtaining permit therefore from the Building Inspector and upon the payment of required fee. Every such permit issued by the Building Inspector for the moving of a building shall designate the route to be taken, the conditions to be complied with and shall limit the time during which said moving operations shall be continued.

2) **Moving Damaged Buildings.** No building shall be repaired, altered or moved within or into the Village that has deteriorated or has been damaged by any cause (including such moving and separation from its foundation and service connections in case of moved buildings) fifty (50) percent or more of its equalized value. No permit shall be granted to repair, alter or move such building within or into the Village. Furthermore, if the equalized assessed value of the building is not within 20% of the surrounding buildings within 1,000 feet of the parcel where the building is proposed to be moved to, no permit shall be granted unless the building is improved so that its equalized value is within 20% of the lowest equalized value of any of the surrounding buildings.

3) **Continuous Movement.** The movement of buildings shall be a continuous operation during all the hours of the day, and day by day and at night until such movement is fully completed. All of such operations shall be performed with the least possible obstruction to thoroughfares. No building shall be allowed to remain overnight upon any street crossing or intersection, or so near thereto as to prevent easy access to a fire hydrant or any other public facility. Lighted lanterns shall be kept in conspicuous places at each end of the building during the night.

4) **Street Repair/Inspection.** Every person receiving a permit to move a building shall, prior to moving the building, accompany the Building Inspector and Superintendent of Public Works on an inspection of the route the building will travel within the Village limits. The applicant shall, within one day after said building reaches its destination, report the fact to the Building Inspector who shall thereupon, in the company of the Superintendent of Public Works, inspect the streets and highways over which said

building has been moved and ascertain the condition. If the removal of said building has caused any damage to any street or highway, the person to whom the permit was issued shall forthwith place them in good repair as they were before the permit was granted. On the failure of the said permittee to do so within ten (10) days thereafter to the satisfaction

of the governing body, said body shall repair the damage done to such streets and hold the person obtaining such permit and the sureties on his bond responsible for payment of same.

5) Conformance With Code. No permit shall be issued to move a building within or into the Village and to establish it upon a location within the said Village until the Building Inspector has made an investigation of such building at the location from which it is to be moved and is satisfied from such investigation that said building is in a sound and stable condition and of such construction that it will meet the requirements of this Building Code in all respects. A complete plan of all further repairs, improvements and remodeling, with reference to such building, shall be submitted to the Building Inspector, and he shall make a finding of fact to the effect that all such repairs, improvements and remodeling are in conformity with the requirements of this Building Code and that when same are completed, the building, as such, will so comply with said Building Code. In the event a building is to be moved from the Village to some point outside of the boundaries thereof, the provisions, with respect to the furnishing of plans and specifications for proposed alterations to such building, may be disregarded.

6) Cash Deposit.

a) Before a permit is issued to move any building over any public way in this Village, the party applying for said permit shall make a cash deposit to the Village in a sum, to be fixed by the Village, which sum shall not be less than Five Thousand Dollars (\$5,000.00). Said cash deposit shall be held for indemnification of the Village for any costs or expenses incurred by it in connection with any claims for damages to any persons or property, and the payment of any judgment, together with the costs or expenses incurred by the Village in connection therewith, arising out of the removal of the building for which the permit is issued. The cash deposit shall be refunded if after the building is moved and the Building Inspector and Supervisor of Public Works have found that the permit was complied with and no damages were caused by the move.

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

7) Insurance.

The Building Inspector shall require, in addition to said bond above indicated, public liability insurance covering injury to one person in the sum of not less than Five Hundred Thousand Dollars (\$500,000) and for one accident, aggregate not less than One Million Dollars (\$1,000,000), together with property damage insurance in a

sum not less than Five Hundred Thousand Dollars (\$500,000), or such other coverage as deemed necessary.

8) Village Responsibilities

a) Before any permit to relocate a building may be issued, the Planning Committee and/or Zoning Administrator shall examine the application for the permit and approve the application by a majority vote.

b) The application shall include exterior elevations of the building at its proposed new location; accurate photographs of all sides and views of the same; in case it is proposed to alter the exterior of said building, plans and specifications of such proposed alterations, and a site plan showing the location of the building on the final resting site.

c) The Planning Committee and/or Zoning Administrator shall not grant a permit unless they have taken a view of the building proposed to be moved and of the site at which it is to be located.

d) The Planning Committee and /or Zoning Administrator may not issue a design of the building to be moved or moved and altered, will not be consistent with the exterior appearance and design of the buildings already constructed or in permit for relocation of a building unless it finds that the exterior appearances and the course of construction in the immediate neighborhood, or with the character of the applicable district established by the zoning ordinances of the Village. No permit shall be granted if the relocation will cause a substantial depreciation of the property values of the neighborhood to which the building is proposed to be relocated.

e) In case the applicant proposed to alter the exterior of said building after moving the same, he shall submit, with his application papers, complete plans and specifications for the proposed alterations. Before a permit shall be issued for a building to be moved and altered, the applicant shall deposit a cash deposit of not less than \$5,000 with the Village to secure the timely completion of all proposed exterior alterations to said building, as set forth in the plans and specifications. This cash deposit shall be in addition to any other bond or surety which may be required by other applicable ordinances of the Village. The cash deposit shall be refunded after the exterior alterations are completed and the Building Inspector has found the building exterior complies with the approved plans and within the time frame set by the Village Board. The deposit shall be forfeited if the exterior of the building does not comply with the approved plans or if the time frame for completing the work is not adhered to.

f) No occupancy permit shall be issued for said building until the exterior alterations proposed to be made have been completed.

14.16 (IIL 1-1-17) EXTERIOR FINISH REQUIRED

All buildings shall have a weather-resistant, uniform and neighborhood-compatible exterior finish. Tarpaper or similar material is not acceptable. In the historic district, certain standards set forth in the Historic District Ordinance may apply (see Historic District Ordinance).

14.17 (IIL 1-1-18) MAINTENANCE OF YARDS

During construction or demolition, yards shall be kept free of weeds, construction debris and trash. Open storage of non-licensed or disabled vehicles shall not be allowed unless approved by the Village. Contractors and owners shall use their best efforts to prevent soil erosion, diversion of surface water or damage to adjoining property.

14.18 (IIL 1-1-19) FEES

At the time of building permit application issuance, the applicant shall pay fees as established periodically by the Village. If work commences prior to permit issuance's, the permit fee shall double.

14.19 (IIL 1-1-20) VIOLATIONS AND PENALTIES

- 1) **Prohibition.** No person, entity, or firm may construct, remodel, demolish or repair any building in a manner which violates any provision or provisions of this ordinance.
- 2) **Every person, firm or entity which violates this code** shall, upon conviction, forfeit not less than \$25.00 nor more than \$1,000.00 for each day of non-compliance, together with the costs of prosecution.
- 3) **Violations** discovered by the Building Inspector shall be corrected within 30 days, or more if allowed by the Inspector, after written notice is given. Violations involving life safety issues shall be corrected in a reasonable time frame established by the Building Inspector.
- 4) **Compliance** with the requirements of this ordinance is necessary to promote the safety, health and well-being of the community and the owners, occupants and frequenters of buildings. Therefore, violations of this ordinance shall constitute a public nuisance which may be enjoined in a civil action.

14.20 (IIL 1-1-21) STOP WORK ORDER

The Building Inspector may issue a stop work order for a project to prevent further non-complying work. No person, firm or entity may continue a construction project after a stop work order has been issued. The person, firm or entity which receives such a stop work order may

contest the validity of the same by requesting a hearing before the Village Planning Committee. The Planning Committee shall hear the appeal within seven days after written request for a hearing. The Planning Committee shall affirm the stop work order unless the owner or contractor shows that the Building Inspector erred in determining that the construction project violated a provision or provisions of the State building codes.

14.21 (IIL 1-1-22) VARIANCE

The Village Appeals Committee shall hear requests for variances from the building code to the extent the Committee has authority to hear and grant variances. The Committee shall approve, conditionally approve, or deny a requested variance.

14.22 (IIL 1-1-23) APPEALS

Any person feeling aggrieved by an order of the Building Inspector may, within 20 days thereafter, appeal from such order to the Village Planning Committee, which may then pass the complaint, as appropriate, to the Board of Appeals or Village Counsel for resolution. Insofar as appropriate, the Village will follow procedures explained on [Wisconsin Statutes Chapter 68](#), to arrive at a final determination. Final determinations may be reviewed as explained in [Wisconsin Administrative Rules COMM 20.21](#).

14.23 (IIL 1-1-24) DISCLAIMER AND NON-LIABILITY FOR DAMAGES.

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

14.24 (IIL 1-1-25) SEVERABILITY

If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

14.25 AUTOMATIC SPRINKLER ORDINANCE, VILLAGE OF EPHRAIM 2/13/96

INTRODUCTION AND INTENT

The intent of this sprinkler ordinance is to protect lives and provide an instantaneous and automatic response to a fire outbreak in applicable structures, with response directed at a specific part of a structure. This response is intended to provide up to fifteen (15) minutes of water directed at the source of the fire, during which time the Fire Department can move its equipment into place and interface with the sprinkler system to provide water under pressure to keep the system charged. Automatic sprinkler systems shall be installed and properly maintained in applicable structures and locations hereafter set forth, with installation costs to be borne by the owner. "New construction" as interpreted herein shall consist of new buildings, additions, or expansion into previously unused space for lodging purposes, in which case the **entire** structure shall be subject to sprinkling. (11/11/02)

In view of the fact that the Village of Ephraim now restricts the footprint size of buildings, and in view of the fact that the State of Wisconsin does not mandate sprinkler systems for establishments of such a size, the Village exercises its right to develop its own standards to fit its needs. The rationale underlying the standards set forth below is that a modest level of sprinkler capability is better than no capability at all. In this regard, it is felt that, for the most part, NFPA 13D would provide a minimal level of protection for the less massive structures mandated by Ephraim's ordinance. Finally, it is understood that this sprinkler ordinance is in addition to the installation of approved smoke alarm systems as required by law and the Fire Chief of the village, with such systems hard-wired and enclosed in conduit. (11/11/02)

(1) **WHERE REQUIRED.** Automatic sprinkler systems shall be installed and maintained in operable condition in the following structures and locations:

- (a) All new commercial transient lodging establishments, including motels, hotels, dormitories, bed & breakfast establishments housing occupants on any level above ground level (i.e., on a second floor), townhouses, condo-motels and hotels, multiple family dwellings having four or more living units (as defined below and in our zoning ordinance), or any commercial establishment providing public access to a second story or any floor ten (10) or more feet above average grade level. Excluded: rental cottages and houses serving no more than two transient living groups separated from any other rooms or living units that may be in the same structure, and containing its own independent kitchen (or kitchenette), bath, and sleeping facilities sized and equipped to facilitate housekeeping;
- (b) Any new building for public assembly designed for simultaneous occupancy of over 100 persons;
- (c) New health care facilities including hospital facilities, doctor's offices and group care centers;

(d) New High hazard occupancy. Any proposed new building by reason of design, siting, construction or use, if the Fire Chief, the Community Protection Committee and the Board of Trustees agree by majority vote that such building constitutes a fire hazard.

Classification of construction parameters are determined under the **Wisc. Administrative Code (Classes of Construction Standards)**;

(e) Any existing multi-family building of Type 8 construction (unprotected wood), where development of space for human occupancy occurs above the second story level. **(11/11/02)**

(f) Exceptions - automatic sprinkler systems are not required if the Building Inspector and/or Fire Chief determines that the use of water as a fire extinguishing agent would increase the hazard. However, an automatic fire suppression system using an extinguishing agent other than water, or an automatic smoke detection system with local and dialer alarms may be required as determined by the *Building Inspector and Fire Chief*.

(2) **INSTALLATION.** The installation of any automatic fire sprinkler systems shall be completed in general accordance with NFPA 13D, "Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes."

(3) **MONITORING REQUIREMENTS.** New automatic sprinkler systems installed under this ordinance shall be monitored by the Building Inspector, Fire Chief or an approved monitoring agency approved to the Chief.

(4) **MAINTENANCE AND ANNUAL INSPECTION.** All automatic sprinkler systems shall be properly maintained for efficient service as specified in NFPA 13A, "Standard for Care and Maintenance of Sprinkler Systems." Maintenance shall be the responsibility of the building owner. Written records shall be kept available for inspection by the Fire Chief or his designee.

(5) **PLAN REVIEW, INSTALLATION, AND INSPECTION.**

(a) **APPROVAL OF PLANS REQUIRED.** No automatic sprinkler equipment shall be installed or altered in any building until plans have been submitted to and reviewed by the Fire Department. Three copies of the plans and specifications shall be submitted for review. Conditionally approved plans shall be stamped with the date of the review. One copy shall be returned to owner, one retained by the Fire Department for field use, and one to be retained by the Village offices.

(1) **CALCULATIONS.** Calculations shall be submitted with all plans. If a pipe schedule format is used, a written report with verified pressure information shall be submitted. The engineer completing such calculations shall stamp and sign the report.

(b) **INSTALLATION AND INSPECTION SERVICES REQUIRED.**

- (1) The installation of underground piping shall be inspected by the Building Inspector and Fire Department prior to being covered.
- (2) The installer shall provide an advance notice of 48 hours to the Fire Department for any required installation inspection;
- (3) **SYSTEM REQUIREMENTS.** In addition to meeting the general requirements of NFPA 13D, the following are required:
 - (a) **SYSTEM DRAIN.** The building automatic sprinkler system shall have a drain piped to the outside of the building or to a drain suitable to handle the required flows.
 - (b) **INSPECTOR'S TEST VALVE.** The system shall have an inspector's test valve piped so as to discharge to the outside of the building.
 - (c) **ALARM BELLS OR HORNS.** Alarm bells or horns shall be installed on all systems. One bell or horn shall be installed on the inside of the building and a second bell or horn installed on the outside of the building. The sprinkler alarm shall be wired into the building alarm system in buildings equipped with a local alarm system. Both sprinkler and smoke alarm systems must be linked to a dialer that will automatically dial the 911 number, or other number approved by the Fire Chief, when one or both systems are activated.
 - (d) **WATER SUPPLY.** The installer of the automatic sprinkler system should engineer the system to ensure fifteen (15) minutes of supply water, under appropriate pressure, to the system. The supply may be provided by the building's own well-water pump system interfaced with a pressure or storage tank. A pump to provide a minimum of 50 gpm at 50 psi pressure for 15 minutes is required, and this pump is to be wired through metal conduit and otherwise electrically isolated such that it is not likely to be quickly compromised during a fire emergency. On premises water supply, pump specifications, and wiring detail must be approved by the Fire Chief or his designee.
 - (e) **FIRE DEPARTMENT HOOK-UP.** On the outside of the building in an area accessible to fire equipment, there must be a Siamese fitting on metal pipe such that fire equipment can quickly connect to the sprinkler system. Such connection is necessary to allow the system to be charged via a hose connection from a pumper truck;
- (4) **ACCEPTANCE TEST.** The sprinkler system shall have a hydrostatic test performed by the installer in the presence of the Fire Chief or his designee. The sprinkler system shall be tested by flows of the main drain and inspector's test. The installer shall provide the Fire Department with advance notice of testing as described in **Section 5(b)(2) above.**
- (5) **ANNUAL TESTING.** A qualified sprinkler technician shall inspect the automatic sprinkler system annually. The general provisions of **NFPA 13A, Chapters 1-7**, shall be

used as the inspection criteria. The inspecting technician shall provide the fire chief and the Village Administrator with a written report of his or her evaluation within 14 days of the inspection date.

(6) **LOCK BOX REQUIRED.** A building equipped with an automatic sprinkler system shall be provided with a standard lock box of a type approved by the Fire Chief, who shall also approve the location of the lock box. Property identified keys to gain access to the building and building automatic sprinkler system shall be maintained in the lock box. Removal of any key by persons other than the Fire Department personnel shall be considered a violation of this ordinance.

(7) **PENALTIES FOR NON-COMPLIANCE.** Failure to comply with any of the provisions of this Ordinance can result in enforcement action against the installer.

14.26 VIOLATIONS AND PENALTIES.

1) **Except as otherwise provided,** any person who shall violate any provision of this chapter shall be subject to a penalty as provided in **25.04 of this Code of Ordinances.**

2) **A separate offense** shall be deemed committed on each day n which such violation occurs or continues after the date set by the Village Board or a court of record for the completion of the correction of the violation.

3) **Such penalty shall be in addition** to the revocation of a building permit as provided in **14.02(8) of this chapter.**

4) **Such penalty may be in addition** to any penalties imposed for violation of State laws.

APPENDIX A - BUILDING PERMIT FEES

as of 6/1/99

Introduction to Appendices A and B: Two fees are levied for projects. One fee is charged for the basic building permit (Appendix A), while the other fee is charged for Building Inspection Services. The Village Clerk has the responsibility to collect such fees along with the application for a building permit.

Building Permit

Alteration or Fence	\$25.00
Residential	\$25 plus 15 cents/sq. ft.
Commercial	\$25 plus 20 cents/sq. ft.

Signs

Temporary	\$5.00
Permanent/commercial	\$15.00
Strip sign replacements (street-end)	\$35.00
with Yes/No or Open/Closed	\$45.00

Other

Moving or Demolition	\$25.00
Land Disturbance (not associated with a building permit)	\$25.00
Temporary Conditional Use (art fairs, etc.)	\$25.00
Permanent Conditional Use/Special Exception	\$125.00
Board of Appeals Variance Request	\$300.00

Impact Fees

General

New Residence	\$170.00
Multi-Family or Comm'l Transient	\$170.00/unit
Other Commercial/New Renovations/Commercial	\$.50/sq. ft.
Renovations/Commercial	.005% of cost
Renovations/Residential	.0005% of cost

APPENDIX B - BUILDING INSPECTION FEES

1. Inspection fees shall be paid along with the building permit fee according to the following schedule.

A. Residential – 1 & 2 Family

- | | | |
|----|----------------------------|---|
| 1. | New Structure | .02 per sq. foot all area for plan review
.08 per sq. foot all area for inspection fees |
| | Erosion Control | \$75.00 |
| 2. | Additions | \$75.00 minimum for the first 600 sq. ft. then see A.1 for New Structure rates |
| | Erosion Control | \$50.00 |
| 3. | Remodel | \$5.00 per M of valuation
\$40.00 minimum |
| 4. | Accessory Structure | a. Up to 150 sq. feet \$30.00
b. 150 sq. feet to 600 sq. feet \$40.00
c. Over 600 sq. feet- use New Structure rates |
| 5. | Occupancy Permit | included in above fee |
| 6. | Temporary Occupancy Permit | \$50.00 |
| 7. | Other | \$25.00 minimum |

B. Commercial

- | | | |
|----|----------------------|--|
| 1. | New Structure | .02 per sq. foot all area for plan review
.08 per sq. foot all area for inspection fees |
| | Erosion Control | \$175.00 for the first acre then
\$75.00/acre or portion thereof |
| 2. | Additions
for New | \$75.00 minimum fir the first 600 sq. ft. then see B.!.

Structure rates |
| | Erosion Control | \$175.00 for the first acre then
\$75.00/acre or portion thereof |

- | | | |
|----|----------------------------------|--|
| 3. | Remodel | \$5.00 per M of valuation
\$75.00 minimum |
| 4. | Occupancy & Change of Use Permit | \$50.00 |
| 5. | Temporary Occupancy Permit | \$50.00 |
| 6. | Other | \$25.00 minimum |

C. Agricultural Buildings (unheated)

- | | | |
|------|---------------|---|
| 1. | New Buildings | .01 per sq. foot all areas for plan review
.03 per sq. foot all areas for inspection |
| fees | | |
| 2. | Remodel | \$5.00 per M of valuation
\$40.00 minimum |
| 3. | Other | \$25.00 minimum |

D. Mechanical & Miscellaneous

- | | | |
|----|---|------------------------|
| 1. | Plumbing | See Attached Exhibit 2 |
| 2. | Electrical | See Attached Exhibit 3 |
| 3. | HVAC | |
| 4. | Zoning | |
| 5. | Planning | |
| 6. | Pools | |
| 7. | Special inspections, complaint inspections, pre-existing permit inspections and any other duties shall be at an hourly rate with a minimum of 1 hour. | |
| 8. | Permit to start construction of footings & foundation | |
| | Residential | \$50.00 |
| | Commercial – Industrial | \$75.00 |

- with no
area
9. Razing Fee \$25.00 for the first 2000 sq. ft. of floor area
utilities and \$10.00 per 1000 sq. ft. of floor
thereafter \$50.00 for the first 2000 sq. ft. of
floor area with
utilities and \$25.00 per 1000 sq. ft. of floor
area thereafter
10. Minimum Permit Fee \$25.00
- Re-Inspection Fee \$25.00 each
- Failure to call for inspection \$25.00 each
- Double fees are due if work started before permit is issued.**