

**STATE OF WISCONSIN**  
**Town of Clearfield**  
**Juneau County**

**ORDINANCE NO. 7-2024**

**Adoption of Wisconsin Building Codes, Inspections, Building Permits**

**1.01 AUTHORITY**

Pursuant to §101.65 of the Wisconsin Statutes, these regulations are established. In case of conflict with prevailing uniform state codes, the latter shall prevail.

**1.02 PURPOSE**

This ordinance aims to uphold the health, safety, and welfare of our community. In lieu of Town of Clearfield Ordinance 21-2004 (Wisconsin Uniform Dwelling Code Adoption) and Ordinance 7-2017 (Building Ordinance), Ordinance 2021-7, this ordinance, 7-2024 supersedes and enforces all Wisconsin Building Codes, including the Uniform State Dwelling Code, within the jurisdiction of the Town of Clearfield.

**1.03 SCOPE OF APPLICABILITY**

**1.03(a) Comprehensive Application:** This ordinance is mandated to apply universally across all residential, commercial, and ancillary structures within the Town of Clearfield's jurisdiction. It sets forth the regulations for the construction, alteration, and utilization of such structures, ensuring adherence to the community's health, safety, and aesthetic standards.

**1.03(b) Inclusion of Structure Types:** Under this ordinance, structures encompass, but are not limited to, single-family homes, multi-family residential units, commercial buildings, apartment complexes, recreational facilities, garages, and sheds, among others designed for occupancy or storage.

**1.03(c) Adaptability to New Construction Trends:** Acknowledging the continuous evolution in building and construction technologies, this ordinance's reach extends to novel forms of structures not explicitly listed within this document. The scope will adapt based on the intended use, community impact, and consistency with town planning goals.

**1.03(d) Provision of Clarifications:** In instances of ambiguity or for scenarios not directly addressed within these provisions, the Zoning Administrator or Town Clerk shall provide clarification, ensuring interpretations align with the foundational objectives of safety, regulatory compliance, and enhancement of community welfare.

**1.04 PERMIT REQUIREMENTS & REVIEW**

**1.04(a) Initial Review:** Before any construction activity begins, property owners or their authorized agents must secure a valid permit. Applications for such permits are first reviewed by the Zoning Administrator to ensure alignment with the Town of Clearfield's zoning ordinances. This review specifically assesses the project's impact on adherence to designated areas for commercial activities and compatibility with light agricultural practices within residential zones.

**1.04(b) Processing of Applications:** Following Zoning Administrator approval, permit applications are processed by the Town Clerk. This ensures that all requirements are met,

including those that preserve the character and that commercial activities are appropriately situated to minimize impact on residential areas.

**1.04(c) Final Issuance:** Permits are officially issued by the Building Inspector after thorough processing by the Town Clerk, confirming the proposed construction complies with all safety, design, and regulatory standards. This final step guarantees that the construction project adheres to Clearfield's commitment to proper zoning of commercial activities, and the inclusion of light agricultural practices.

**1.04(d) Special Provisions for Non-Conventional Structures:** Projects involving non-conventional structures require explicit Town Board approval, in addition to the Zoning Administrator's review. This ensures thorough evaluation of their impact on the community's structural integrity, particularly in appropriately zoning commercial activities.

**1.04(e) Permit-Only Exemptions and Simplified Requirements:** To further the Town of Clearfield's efforts in striking a balance between necessary regulatory oversight and enabling residents to effectively enhance their properties, specific activities and structures have been identified under simplified requirements:

- **No Permit Required for Specific Minor Improvements:** Recognized for their minimal impact on the community's health, safety, these activities do not necessitate a permit:
  - Re-roofing, Siding, and Window Replacements: Activities involving the replacement of roofing, siding, or windows with units of identical dimensions, provided they do not alter the building's structural integrity or its designated use.
  - Temporary Structures: The erection of temporary structures for personal, non-commercial use, intended for events or short-term needs, must be removed within a specified 30-day period.
- **Permit Required Without Inspection for Certain Structures:** While the following structures support the town's objectives for residential functionality, they require a permit to ensure zoning compliance but are exempt from the standard inspection process to streamline resident initiatives:
  - Garden/ Storage Sheds: Not exceeding 144 square feet in footprint, facilitating gardening and storage without complicating the permitting process.
  - Outside Wood Stoves: Installed according to manufacturer's specifications and local fire safety regulations, allowing for alternative heating solutions.
  - Carports: Structured to provide vehicular shelter, enhancing property utility.
  - Gazebos: Outdoor structures designed for recreational use, requiring a permit to ensure they conform to zoning regulations.

This structured approach to exemptions and simplified permit requirements for minor improvements and specific structures is designed to encourage property enhancements by residents without imposing undue administrative burdens. It aligns with Clearfield's commitment and supports the quality of the community. The Town Clerk, following a preliminary review by the Zoning Administrator, is responsible for issuing permits for these structures, ensuring a straightforward process for the community members.

#### **1.05 ADOPTION OF CODES**

The following Wisconsin Codes and subsequent revisions are adopted by the Town of Clearfield for municipal enforcement:

- SPS 305 Credentials
- SPS 316 Electrical Code
- SPS 320-325 Uniform Dwelling Code
- SPS 328 Smoke Detectors
- SPS 361-366 Commercial Building and Heating, Ventilating and Air Conditioning Code
- SPS 375-379 Existing Buildings Code
- SPS 381-387 Uniform Plumbing Code
- SPS 327 Campgrounds

## **1.06 NON-CONVENTIONAL BUILDINGS**

**1.06(a)** Unauthorized use of shipping containers in their unaltered state contravenes Zoning Ordinance 25, except for temporary applications under specific conditions, subject to a permit from the Town of Clearfield. Violations incur penalties per the Town of Clearfield Fee Schedule.

**1.06(b)** Shipping containers intended for permanent use must conform to structural prerequisites, including concrete foundation, exterior siding, and pitched roof specifications. A non-renewable one-year building permit is required from the Town Board.

**1.06(c)** Combining shipping containers to form a singular structure demands prior approval from the Town Board, potentially requiring structural evaluations. A non-renewable one-year building permit is mandatory.

**1.06(d)** Converting shipping containers into dwellings requires approval from a licensed engineering entity, possibly state endorsement, and the Town Board's approval. Mandatory inspections apply.

## **1.07 SCOPE OF ORDINANCE, EXEMPTIONS, AND VARIANCE PROCEDURES**

**1.07(a)** This ordinance applies to the construction and inspection of dwellings erected post-June 1, 1980, including alterations to older dwellings, with exemptions as per s. SPS 320.05.

**1.07(b)** Variance petitions for exempted projects should be directed to the Town Board, with appeals processes outlined in ss. SPS 320.19 and SPS 320.21.

## **1.08 BUILDING INSPECTOR**

**1.08(a) Creation and Appointment:** Pursuant to this ordinance, the role of Building Inspector is hereby established. The Town Board of Clearfield shall appoint an individual to serve as the Building Inspector, who must be duly certified in accordance with SPS 305 of the Wisconsin Administrative Code, covering the requisite inspection categories.

**1.08(b) Subordinate Inspectors:** The appointed Building Inspector is authorized to appoint subordinate inspectors as deemed necessary for the efficient enforcement of this ordinance. All subordinate inspectors must hold valid certifications as mandated under SPS 305 of the Wisconsin Administrative Code.

**1.08(c) Duties of the Building Inspector:** The primary responsibility of the Building Inspector shall include the administration and enforcement of the entirety of this ordinance, ensuring compliance with established building codes and standards.

**1.08(d) Powers Granted to the Building Inspector:** The Building Inspector is vested with the authority, within legal confines, to enter any public or private property at reasonable times for the purpose of conducting inspections. This includes the authority to request the presentation of permits for building, plumbing, electrical, and heating projects to ascertain compliance with relevant regulations.

**1.08(e) Record-Keeping Responsibilities:** It is incumbent upon the Building Inspector to undertake all administrative duties as necessitated by the applicable codes. This encompasses the maintenance of a comprehensive record of all building permit applications, which shall be systematically cataloged and sequentially numbered in the order of their issuance.

## **1.09 PLAN SUBMISSION**

**1.09(a) Requirement for Plan Submission:** Applicants undertaking construction projects, including but not limited to expansions, new constructions, or modifications as specified by the Building Inspector, are required to submit two complete sets of building plans. These submissions are critical for evaluating compliance with applicable building codes and zoning regulations.

**1.09(b) Distribution of Submitted Plans:** One copy of the submitted plans shall be directed to the Building Inspector's office for detailed review and approval processes. The second copy shall be retained within the records of the Town of Clearfield, ensuring comprehensive documentation and accessibility for future reference.

**1.09(c) Additional Documentation for New Constructions and Additions:** In cases involving new constructions or structural additions, the submission must include a plot plan. This plan should accurately depict the proposed construction work, delineate existing structures, and clearly mark property boundaries. The plot plan is essential for assessing the project's impact on the site and its conformity with zoning requirements.

## **1.10 PERMIT ISSUANCE**

**1.10(a) Authorization for Permit Issuance:** Upon verification that all requisite submissions have been satisfactorily completed in accordance with state, county, and local regulations as detailed in Section 1.04, the Building Inspector, or alternatively, the Clearfield Town Clerk, is empowered to issue the applicable building permit.

**1.10(b) Requirement for Permit Display:** It is mandated that any issued permit be conspicuously displayed at the construction site to facilitate easy verification of authorization by enforcement officials. This requirement is integral to maintaining regulatory oversight and ensuring ongoing compliance during the construction phase.

### **1.10(c) Duration of Permit Validity:**

- **For Residential Dwellings:** Permits issued for the construction of one and two-family dwellings shall remain valid for a period of two years from the date of issuance, provided construction commences within this timeframe.
- **For Projects Yet to Commence:** In the event that construction has not initiated within one year following permit issuance, the permit's validity will be reassessed, subject to potential renewal or revocation based on compliance with current codes and regulations.
- **For All Other Constructions:** Building permits not specifically categorized under the aforementioned residential dwelling criteria shall hold a validity of one year from the date of

issuance, necessitating commencement of work within this prescribed period to maintain permit validity.

## **1.11 Occupancy Permit**

**1.11(a) Issuance of Occupancy Permit:** The Building Inspector is authorized to issue an occupancy permit after a comprehensive inspection of the premises. This permit is only issued once it is confirmed that the construction fully complies with all relevant regulations and codes, showing no violations. An occupancy permit is essential for all newly constructed residential dwellings, including one and two-bedroom units, to ensure they meet safety, design, and regulatory standards before being inhabited.

**1.11(b) Provision for Temporary Occupancy:** In cases where minor non-compliance issues, which do not impact health or safety standards, are identified, the Building Inspector has the discretion to issue a temporary occupancy permit. This provisional permit will detail its validity period and stipulate the conditions under which permanent occupancy approval can be achieved, contingent on the correction of identified issues.

**1.11(c) Restriction on Unauthorized Occupancy:** Occupancy of any structure before obtaining an occupancy permit from the Building Inspector is strictly prohibited. Unauthorized occupancy, prior to the issuance of an occupancy permit, constitutes a violation of this ordinance and is subject to enforcement actions and penalties as detailed in the "Violations and Penalties" section. Violations will incur legal penalties, including fines and mandatory corrective measures.

**1.11(d) Filing with the Town Clerk:** Upon issuance, the occupancy permit must be filed with the Town Clerk. This filing serves as a public record of the dwelling's compliance and readiness for habitation. The Town Clerk's office will maintain a registry of all issued occupancy permits, ensuring transparency and accessibility for verification purposes.

## **1.12 FEES**

**1.12(a) Imposition of Fees:** All applicants are hereby required to remit fees as prescribed by the municipal governing body, which shall be determined and may be amended periodically. Such fees shall be in accordance with the provisions set forth in the Town of Clearfield Fee Schedule. Payment of these fees shall be a precondition to the submission of a building permit application.

**1.12(b) Penalties for Premature Construction Activities:** Engaging in construction activities prior to the formal issuance of a building permit constitutes a violation of this ordinance and subjects the responsible parties to penalty fees. These fees are in addition to the standard permit fees and are imposed by the Town of Clearfield and the Building Inspector to address unauthorized commencement of work. The structure of these penalty fees and the conditions under which they are levied shall be delineated within the Town of Clearfield Fee Schedule and are intended to serve both a punitive and deterrent function.

## **1.13 VIOLATIONS AND PENALTIES**

**1.13(a) Enforcement Authority:** The Building Inspector and other duly authorized officials are vested with the authority to enforce the provisions of this ordinance, alongside any related statutes or regulations. This enforcement authority includes, but is not limited to, the discretionary power to withhold the issuance of building permits to entities or individuals found in violation of these provisions.

**1.13(b) Imposition of Forfeitures:** In instances of non-compliance with the stipulated requirements of this ordinance, the offending party shall be subject to forfeitures. The magnitude of these forfeitures shall be determined by the Town Board of Clearfield and may be subject to periodic adjustments. The applicable forfeiture amounts shall be delineated within the Town of Clearfield Fee Schedule, and shall accrue on a daily basis for the duration of the non-compliance period.

**1.13(c) Injunctive Relief:** Beyond monetary forfeitures, the Town of Clearfield reserves the right to seek injunctive relief against parties in violation of this ordinance. Such action is intended to prevent further violations or to compel compliance with the ordinance's requirements, thereby safeguarding the public health, safety, and welfare of the community.

#### **1.14 STOP WORK ORDER**

**1.14(a) Authority to Issue:** The Building Inspector, or any duly authorized enforcement official of the Town of Clearfield, is endowed with the authority to issue a Stop Work Order for any construction project, operation, or activity deemed to be in violation of this ordinance or any applicable laws and regulations.

**1.14(b) Purpose and Application:** The issuance of a Stop Work Order serves the purpose of immediately halting any and all construction activities, operations, or practices identified as non-compliant with the regulatory standards set forth within this ordinance or under the broader scope of applicable municipal, state, or federal laws.

**1.14(c) Conditions for Lifting:** A Stop Work Order shall remain in effect until the identified violations are rectified to the satisfaction of the Building Inspector or the enforcement authority. Compliance must be demonstrably achieved, at which point the Stop Work Order may be formally rescinded, allowing for the resumption of construction activities.

**1.14(d) Notification Process:** Upon issuance, the Stop Work Order shall be prominently displayed at the site of the violation and delivered to the project owner or their authorized representative. This ensures that all relevant parties are duly notified and aware of the required corrective measures.

#### **1.15 LIABILITY FOR DAMAGES**

**1.15(a) Disclaimer of Municipal Liability:** It is hereby stipulated that the enactment and enforcement of this ordinance shall not be construed to create liability on the part of the Town of Clearfield, its officers, employees, or agents, including the Building Inspector, for any damages that arise out of the compliance, non-compliance, negligence, or other actions attributable to the execution of this ordinance.

**1.15(b) Exclusion of Responsibility for Defects:** Neither the Town of Clearfield nor any of its officers, employees, or designated agents shall be deemed liable for injury, loss, damage, or destruction to any person or property as a result of any defect in the installation, construction, or maintenance of structures or equipment within the scope of this ordinance.

**1.15(c) Non-Liability for Permit Issuance:** The issuance of any permit under this ordinance does not guarantee the perfection or defectlessness of the construction undertaken. Accordingly, no claim shall lie against the Town of Clearfield or any of its representatives for damages or injuries sustained due to construction defects, installation errors, or maintenance inadequacies.

#### **1.16 EFFECTIVE DATE**


**1.16(a) Commencement:** This ordinance is hereby ordained to become effective and enforceable from the 9th day of April, 2024, following its formal adoption by the Town Board of Clearfield and subsequent publication in accordance with the prescribed legal requirements for ordinance enactment within the jurisdiction.

**1.16(b) Publication Requirement:** Consistent with statutory mandates, the full text of this ordinance, or a summary thereof, shall be published in the official newspaper of the Town of Clearfield or disseminated in a manner deemed sufficient to inform the public of its contents and effective date, thereby fulfilling the statutory prerequisites for ordinance validity.

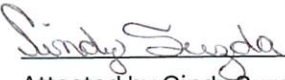
**1.16(c) Registry and Accessibility:** Upon its effective date, this ordinance shall be recorded in the official registry of municipal ordinances maintained by the Town of Clearfield, ensuring its accessibility to the public, municipal officials, and other stakeholders interested in the governance and regulatory framework of the Town.

**Clearfield Town Board**

  
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James Suzda, Chairperson

  
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David Anderson, Supervisor

  
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Art LaBerge, Supervisor

  
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Attested by Cindy Suzda, Clerk