

TOWN OF HOLLAND, BROWN COUNTY, WISCONSIN

ADOPTION OF RESIDENTIAL AND COMMERCIAL BUILDING CODES

ORDINANCE NO. 12-4-24

The Town Board of the Town of Holland, Brown County, Wisconsin, does ordain, as follows:

## Section 1 – Permit Required

No owner or contractor may commence construction of any building or mechanical system prior to obtaining a valid permit from the municipal Building Inspector per the requirements of this ordinance.

- 1) The **Non-Dwelling Related Construction** which shall require a permit includes, but is not limited to:
  - a. Commercial buildings including agricultural buildings, detached structures, decks, balconies, etc.
  - b. Alterations/Additions/Demolition that change (increase/decrease/reconfigure) the physical dimensions of a building.
  - c. Alterations to the building structure or alterations to the building's heating, electrical, or plumbing systems.
  - d. Replacement of any 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 below.
  - e. Any electrical wiring for new construction or remodeling excluding new wiring for existing industrial and manufacturing facilities that do not require State mandated building plan review.
  - f. Any HVAC for new construction or remodeling.
  - g. Any plumbing for new construction or remodeling.
  - h. Any new or re-wired electrical service, including services for agricultural buildings.
- 2) **Dwelling Structures and Related Accessory Construction** permit requirements detailed in “**Section 3 – Dwelling Code**” (beginning on the follow page) of this ordinance.
- 3) The issuance or exemption of any Town Permit does not relieve the owner from any of the following:
  - a. Obtaining any permit that may be required by any other state law or local ordinance, including but not limited to any of the following:
    1. County sanitary permits.
    2. Town, county or state driveway permits.
    3. State one- and 2-family dwelling code permits.
    4. Any other applicable permit under town or county ordinance or state law.
  - b. Complying with any other requirement, ordinance, or law, including, but not limited to, those governing zoning, subdivision, land division, and setbacks.
- 4) **Legal responsibility.** The Town of Holland shall not assume legal responsibility for the design, construction or modification of any building or structure. The purpose of the Building Code Ordinance and inspection requirements in this ordinance is to improve the quality of structures in the Town of Holland. The inspections and the reports and findings issued after the inspections are not intended as, nor are they to be construed as, a guaranty. In order to so advise owners and other interested persons, the following disclaimer shall be applicable to all inspections under this chapter: "These findings of inspection contained herein are intended to report conditions of noncompliance with code standards that are readily apparent at the time of the inspection. The inspection does not involve a detailed examination of the mechanical systems or the closed structural and nonstructural elements of the

building and premises. No warranty of the operation, use or durability of equipment and materials not specifically cited herein is expressed or implied."

## Section 2 – Adoption of State Codes

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

Ch. SPS 302.31	Plan Review Fee Schedule
Ch. SPS 305	Credentials
Ch. SPS 316	Electrical Code
Chs. SPS 320-325	Uniform Dwelling Code
Ch. SPS 327	Campgrounds
Chs. SPS 361-366	Commercial Building Code
Chs. SPS 375-379	Buildings Constructed Prior to 1914
Chs. SPS 381-387	Uniform Plumbing Code

## Section 3 – Dwelling Code

- 1.1 Authority
- 1.2 Purpose
- 1.3 Scope
- 1.4 Adoption of Wisconsin Uniform Dwelling Code
- 1.5 Building Inspector
- 1.6 Building Permit Required
- 1.7 Building Permit Fees
- 1.8 Penalties
- 1.9 Effective Date

1.1 AUTHORITY. These regulations are adopted under the authority granted by Wis. Stat. § 101.65.

1.2 PURPOSE. The purpose of this Section is to promote the general health, safety, and welfare and to maintain required local uniformity with the administrative and technical requirements of the Wisconsin Uniform Dwelling Code.

1.3 SCOPE. The scope of this Section includes the construction and inspection of one- and two-family dwellings built since June 1, 1980, and camping units as defined in Wis. Admin. Code § 327.08(9).

Notwithstanding Wis. Admin. Code § SPS 320.05 or any other exemptions of the Uniform Dwelling Code, the scope of this ordinance also includes the construction and inspection of alterations and additions to one- and two-family dwellings built before June 1, 1980. Because such projects are not under state jurisdiction, petitions for variance and final appeals under Wis. Admin. Code §§ SPS 320.19 and 320.21, respectively, shall be decided by the municipal board of appeals. Petitions for variance shall be decided per Wis. Admin. Code § SPS 320.19(Intro) so that equivalency is maintained to the intent of the rule being petitioned.

Notwithstanding Wis. Admin. Code § SPS 320.05 or any other exemptions of the Uniform Dwelling Code, the scope of this ordinance also includes the construction and inspection of detached garages and accessory buildings serving one- and two-family dwellings. The building structure and any heating, electrical or plumbing systems shall comply with the requirements of the Uniform Dwelling Code, other than for smoke alarms, carbon monoxide alarms and frost protection of footings, which shall be determined by the code official. Petitions for variance and appeals shall be handled by this municipality.



1.4 WISCONSIN UNIFORM DWELLING CODE ADOPTED. The Wisconsin Uniform Dwelling Code, §§ SPS 320-325 and § SPS 327, and their successors, of the Wisconsin Administrative Code, and all amendments thereto, are adopted and incorporated by reference and shall apply to all buildings within the scope of this ordinance.

1.5 BUILDING INSPECTOR. There is hereby created the position of Building Inspector, who shall administer and enforce this ordinance and shall be certified by the Division of Industry Services, as specified by Wis. Stat. § 101.66(2), in the category of Uniform Dwelling Code Construction Inspector. Additionally, this or other assistant inspectors shall possess the certification categories of UDC HVAC, UDC Electrical, and UDC Plumbing.

1.6 BUILDING PERMIT REQUIRED. If a person alters a building in excess of \$ 5,000 of value in any twelve-month period, erects or installs a building in excess of **150 Square Feet**, adds onto a building in excess of **150 Square Feet** in any twelve-month period, demolishes any dwelling, demolishes any accessory structure within 100 feet of a neighboring property line, within the scope of this ordinance, they shall first obtain a building permit for such work from the building inspector. Any structural changes or major changes to mechanical systems that involve extensions shall require permits if over the forgoing thresholds. Restoration or repair of an installation to its previous code-compliant condition is exempted from permit requirements. Re-siding, re-roofing, and finishing of interior surfaces, installation of cabinetry, repairs which do not affect the structural elements of a building or structure, and those repairs deemed minor by the Town Board or Building Inspector shall be exempted from permit requirements. Notwithstanding this section, however, a permit accompanied by structural load-bearing calculations shall be required for re-roofing a building if the proposed re-roofing constitutes a third or more layer of roofing.

1.7 BUILDING PERMIT FEE. The building permit fees shall be determined by the Town Board (and publically published) and shall include the applicable Town/County/State fees for legal occupancy.

1.8 PENALTIES. The enforcement of this section and all other laws and ordinances relating to building shall be by means of the withholding of building permits, imposition of forfeitures and injunctive action. Forfeitures shall be not less than \$25.00 nor more than \$1,000.00 for each day of noncompliance.

1.9 EFFECTIVE DATE. This ordinance shall be effective upon passage and publication as provided by law.

1.10 The municipality shall keep a record of all inspections completed and retain such records, in accordance with Wis. Admin. Code § SPS 320.10(6). File UDC permits with the Wisconsin Department of Safety and Professional Services in accordance with Wis. Admin. Code § SPS 320.09(2)(a)2.

## Section 4 – 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 municipality. The Building Inspector shall be certified for inspection purposes by the Department in the required categories specific under SPS 305, Wisconsin Administrative Code.
- 2) Assistants. The Building Inspector may employ, assign, or appoint, as necessary, assistant inspectors. Any assistant hired to inspect buildings shall be certified as defined in SPS 305, Wisconsin Administrative 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 heat 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 Wis. Stat. § 66.0119.

## Section 5 - 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 that may be enjoined in a civil action.

Adopted by the Town of Holland on this 4th day of December 20 24.

Town of Holland

By: Mike St  
Town Chairperson

Attest: Mike St  
Town Clerk