

STATE OF WISCONSIN      VILLAGE OF SUMMIT      WAUKESHA COUNTY

**ORDINANCE NO. 126-2024**

**AN ORDINANCE TO REPEAL AND RECREATE THE TEXT OF CHAPTER 103 OF  
THE ZONING CODE OF THE VILLAGE OF SUMMIT CODE OF ORDINANCES  
RELATED TO BUILDINGS AND BUILDING REGULATIONS**

WHEREAS, THE State of Wisconsin Department of Safety and Professional Services has notified the Village of Summit regarding periodic updates of State and National Building Codes; and

WHEREAS, the State of Wisconsin Legislature is currently adopting changes to the Commercial Building Code and to the National Electric Code; and

WHEREAS, the Village of Summit is required to provide an updated copy of its Buildings and Building Regulations to the Department of Safety and Professional Services; and

WHEREAS, the Village's Building Inspector has provided a revised copy of Chapter 103 with proposed updates;

NOW, THEREFORE, the Village Board of the Village of Summit, Waukesha County, Wisconsin, DO ORDAIN as follows:

SECTION 1: Chapter 103 of the Village of Summit Municipal Code entitled "Buildings and Building Regulations," is hereby repeals and recreated to read as follows:

\*See document attached\*

**SECTION 2. SEVERABILITY.**

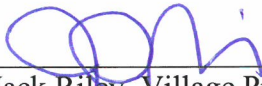
The several sections of this Ordinance are declared to be severable. If any section or portion thereof shall be declared by a decision of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section of portion thereof directly specified in the 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 Any other Ordinances whose terms are in conflict with the provisions of this Ordinance are hereby repealed as to those terms that conflict.

**SECTION 3. EFFECTIVE DATE.**

This Ordinance shall be in full force and effect from and after its passage and publication.


Passed and adopted this 14 day of March, 2024.

VILLAGE OF SUMMIT

  
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Jack Riley, Village President



ATTEST:

  
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Debra J. Michael, Village Administrator-Clerk/Treasurer

Published and posted this 21 day of March, 2024.

## Chapter 103 BUILDINGS AND BUILDING REGULATIONS

### ARTICLE I.

#### IN GENERAL

#### **Sec. 103-1. Use of a rapid entry system (key box) for Western Lakes Fire District properties.**

- (a) Pursuant to the request of the Western Lakes Fire District, the key box vault system has been adopted for use by the Western Lakes Fire District. A public key box system shall be installed in all new multifamily (three or more units), commercial, institutional or manufacturing structures, prior to issuance of an occupancy permit. The key box shall contain keys/swipe cards for elevator return or door opening, elevator rooms, fire alarm box, fire alarm box room, electrical rooms and all other keys necessary for access to the structure for emergency fire and rescue purposes. This requirement shall apply to all structures existing on the effective date of the ordinance from which this article is derived if there is a change in the alarm or suppression system of the structure in the future.
- (b) Key box systems may be surface mounted or flush mounted in an easily accessible location. The key box shall be located not less than five feet or more than six feet above final grade. In the event the locks are changed in any of the above mentioned rooms, the fire department shall be notified immediately. The key box shall be of a type approved by the fire department chief. The key box shall be purchased and installed at the owner's or occupant's expense.

(Ord. No. 296-10, §§ 1, 2, 5-6-2010)

#### **Secs. 103-2—103-14. Reserved.**

### ARTICLE II. BUILDING AND CONSTRUCTION CODE<sup>1</sup>

#### DIVISION 1. GENERAL

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<sup>1</sup>Ord. No. 78-2020 , § 1, adopted Feb. 13, 2020, repealed the former Art. II, §§ 103-15—103-19, 103-36—103-43, 103-76—103-79, 103-111—103-114, 103-146—103-148, 103-181, 103-211—103-217, 103-251—103-257, and enacted a new Art. II as set out herein. The former Art. II pertained to similar subject matter and derived from §§ 30.00, 30.00(1), (2), 30.01—30.11, 30.20(1)—(4), 30.30(3), (4), 30.40(1), (2), 30.40(4), 30.50, 30.55(1)—(7), 30.60—30.66, from an ordinance adopted Jan. 1, 2015.

State law reference(s)—One- and two-family dwelling code, Wis. Stats. § 101.60 et seq.; multifamily dwelling code, Wis. Stats. § 101.971 et seq.; electrical regulations, Wis. Stats. § 101.80 et seq.; municipal authority relative to electricity, Wis. Stats. § 101.86; plumbing, Wis. Stats. ch. 145.

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## **Sec. 103-15. Scope.**

The provisions of the Village of Summit Building and Construction Code (this code) shall govern the design, construction, alteration, demolition and moving of all buildings and structures constructed per the State of Wisconsin Department of Safety and Professional Services (SPS) and all Wisconsin Administrative Codes, including the Uniform Building Code.

( Ord. No. 78-2020 , § 1, 2-13-20)

## **Sec. 103-16. Title.**

These regulations shall be known and cited as "Municipal Building Code" and shall be construed to secure their expressed intent and to ensure public safety, health and welfare insofar as they are dependent upon building construction.

( Ord. No. 78-2020 , § 1, 2-13-20)

## **Sec. 103-17. Application of "Wisconsin Administrative Code".**

The following Wisconsin Administrative Codes, their referenced codes and standards, and subsequent revisions are hereby made a part of this code and adopted for municipal enforcement by the building, electrical, plumbing and heating, ventilating, and air conditioning (HVAC) inspector, whom shall be certified as DSPS Inspector(s) by the Wisconsin Department of Safety and Professional Services in both UDC and non-UDC (including commercial) and other categories.

### *Electrical Code*

SPS 316 Electrical - This chapter is adopted in its entirety

### *ICC Codes*

International Building Code (IBC), with Wisconsin Amendments

International Energy Conservation Code (IECC), with Wisconsin Amendments

International Mechanical Code (IMC), with Wisconsin Amendments

International Fuel Gas Code (IFGC), with Wisconsin Amendments

International Existing Building Code (IEBC), with Wisconsin Amendments

### *Wisconsin Commercial Building Code*

SPS 360 Erosion control, sediment control and storm water management

SPS 361 Administration and enforcement

SPS 362 Buildings and structures

SPS 363 Energy conservation

SPS 364 Heating, ventilating & air conditioning

SPS 365 Fuel gas appliances

SPS 366 Existing buildings

SPS 360 - 366 Appendixes A and B



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( Ord. No. 78-2020 , § 1, 2-13-20)

### **Sec. 103-18. Application of "Wisconsin Uniform Dwelling Code".**

The Wisconsin Uniform Dwelling Code, Chapters SPS 320 through 325, inclusive and all amendments thereto, are hereby made a part of this code by reference and shall apply to all one- and two-family dwellings and alterations and additions thereto. Except as provided in section 103-55(1), this code shall also apply to alterations and additions to all one- and two-family dwellings constructed prior to the effective date of the Wisconsin Uniform Dwelling Code. A copy of said code is on file in the office of the municipal clerk.

( Ord. No. 78-2020 , § 1, 2-13-20)

### **Sec. 103-19. Application of "Wisconsin Uniform Building Code".**

All buildings and structures hereafter erected, altered, repaired, moved or demolished that are used or designed to be used for the purpose herein defined shall comply in full with the requirements of this code.

- (1) *Zoning laws.* No provision of this code shall be construed to repeal, modify or constitute an alternative to any lawful zoning regulations.
- (2) *New buildings.* The construction requirements of the Wisconsin Uniform Building Code shall apply to all buildings not covered under section 103-18.
- (3) *Existing buildings.* This code shall also apply to buildings and conditions described in this section.
  - a. An existing building to be occupied as a one- or two-family dwelling which building was not previously so occupied.
  - b. An existing structure that is altered or repaired, when the cost of such alterations or repair during the life of the structure exceeds 50 percent of the equalized value of the structure, said value to be determined by the assessor of the municipality.
  - c. Additions and alterations, regardless of cost, made to an existing building shall comply with the requirements of this code. The provisions of subsection (4) of this section shall also apply.
  - d. Roof coverings. Whenever more than 25 percent of the roof covering of a building is replaced in any 12 month period, all roof covering shall be in conformity with applicable sections of this code.
  - e. Additions and alterations. Any addition or alteration, regardless of cost, made to a building shall be made in conformity with applicable sections of this code.
- (4) *Alterations and repairs.* The following provisions shall apply to buildings altered or repaired:
  - a. *Alterations.* When not in conflict with any regulations, alterations to any existing building or structure, accommodating a legal occupancy and use but of nonconforming type of construction which involves either the structural members of floors or roofs, beams, girders, columns, bearing or other walls, room heating & air conditioning systems, arrangement, light and ventilation, changes in location of exit stairways or exits or any of the above, then such existing construction shall be made to conform to the minimum requirements of THIS CODE applicable to such occupancy and use and given type of construction.
  - b. *Repairs.* Repairs for purposes of maintenance or replacements in any existing building or structure which do not involve the structural portions of the building or structure or which do not effect room arrangement, light and ventilation, access to or efficiency of any exit stairways or

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exits, fire protection or exterior aesthetic appearance and which do not increase a given occupancy and use, shall be deemed minor repairs.

- c. *Alterations when not permitted.* When an existing building or structure, which for any reason whatsoever does not conform to the regulations of this code, has deteriorated from any cause whatsoever to an extent greater than 50 percent of the equalized value of the building or structure, no alterations or moving of such building or structure shall be permitted. Any such building or structure shall be considered a menace to public safety and welfare and shall be ordered vacated and thereafter demolished and debris removed from the premises.
- d. *Alterations and repairs required.* When any of the structural members of any building or structure have deteriorated from any cause whatsoever to less than their required strength, the owner of such a building or structure shall cause such structural members to be restored to their required strength; failing in which the building or structure shall be considered a menace to public safety and shall be vacated and thereafter no further occupancy or use of the same shall be permitted until the regulations of this code are complied with.
- e. *Extent of deterioration.* The amount and extent of deterioration of any existing building or structure shall be determined by the building inspector.
- f. *Use of unsanitary building.* It shall be unlawful to occupy or use or permit the occupancy or use of any building or structure that is unsanitary or dilapidated, or deteriorated, or out of repair, thereby being unfit for human habitation, occupancy or use until the regulations of this code have been complied with.

( Ord. No. 78-2020 , § 1, 2-13-20)

## **Secs. 103-20—103-35. Reserved.**

### ***DIVISION 2. BUILDING INSPECTOR AND PERMITS***

There is hereby created the department of building inspection. The building inspector, appointed by the municipality, shall act as head of this department.

- (1) *Duties.* The building inspector is vested with the authority and responsibility to enforce all laws controlling safe building construction. He shall make inspections at the site of buildings damaged, by any cause whatsoever, to determine the safety of buildings affected thereby.
- (2) *Rights.* The building inspector, or his or her authorized agent, shall have the power and authority, at all reasonable hours, for any proper purpose, to enter upon any public or private premises and make inspection thereof and to require the production of the permit for any building, plumbing, electrical or heating work being done or the required license therefore. No person shall interfere with or refuse to permit access to any such premises to the above described representatives of the municipality while in the performance of their duties.
- (3) *Records.* There shall be kept, in the department of building inspection, a record of all applications for building permits in files for such purpose and each permit shall be regularly numbered in the order of its issue. Also, a record showing the number, description size of all buildings erected indicating the kind of materials used and the cost of each building and aggregate cost of all buildings in the various classes shall be kept. There shall be kept, in the department of building inspection, a record of all inspections made of all removal and condemnation of buildings and a record of all fees collected showing the date of their receipt.

( Ord. No. 78-2020 , § 1, 2-13-20)



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## Sec. 103-37. Permits.

- (a) *Permits required.* No building or structure, or any part thereof, shall hereafter be built, enlarged, altered or demolished within the municipality or moved into, within or out of the municipality except as hereinafter provided, unless a permit therefore shall first be obtained by the owner or his or her agent from the building, electrical, plumbing, HVAC inspector. All required fees, including any professional fees, sewer and/or water impact fees (including assessment and/or connection fees), park fees, etc. shall be paid before any building permit can be issued. Permits required are as follows:
- (1) New building/addition.
  - (2) Alterations/remodeling.
  - (3) Electrical. In addition, all electrical service changes and/or modifications require state certified master electrician and electrical contractor certification to secure electrical permit.
  - (4) Plumbing, including replacement dishwashers, water heaters, water softeners, R.O. units, etc.
  - (5) Heating, ventilating and air conditioning, including replacement furnaces, A/C's, boilers, etc.
  - (6) Enlarging windows or doors.
  - (7) Razing or wrecking.
  - (8) Occupancy.
  - (9) Moving of buildings.
  - (10) Other permits as required by governing municipality.
- (b) *Permits not required.* Permits not required for the following (Except for a combination of (1), (2) and/or (3)):
- (1) Re-roofing.
  - (2) Re-siding.
  - (3) Replacement windows (same size or smaller).
  - (4) Replacing carpet, flooring, etc.
  - (5) Painting.
- (c) *Application for permits.* Application for a building permit shall be made in writing upon a blank form to be furnished by the building inspector and shall state the name and address of the owner of the building and the owner of the land on which it is to be erected, the name and address of the designer and shall set forth legal description of the land on which the building is to be located, the location of the building, the house number thereof and such other information as the building inspector may require. With such application, there shall be submitted, to the building inspector, two complete sets of plans, specifications and two copies of a survey.
- (1) *Survey.* The survey shall be prepared and certified by a surveyor registered by the State of Wisconsin and shall bear the date of the survey. The certified survey shall also show the following:
    - a. Location and dimensions of all buildings on the lot, both existing and proposed.
    - b. Dimensions of the lot.
    - c. Dimensions showing all setbacks to all buildings on the lot.
    - d. Proposed grade of proposed structure/additions, to city or village datum, including proposed top of footing, foundation wall, basement/crawl space/slab on grade floor, and garage floor

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elevations. A 'Form A' groundwater calculation (per current Waukesha County Parks and Land Use standards) and/or boring samples may be requested and required to be submitted, when groundwater may have a negative impact on a structure or structures proposed to be built/added onto. In no case shall the top of basement/crawl space/slab on grade floor level be lower than the minimum requirements set forth in this code, within 1,500 feet of the following bodies of water listed below including other rivers measured horizontally from the ordinary high water mark (OHM). Measurements on the survey shall be indicated in the form of 'AMSL' (above mean sea level) and not any other base measurement. The building inspector may require the top of basement floor/crawl space/slab on grade elevations to be a minimum of 24 (inches) above seasonal high groundwater conditions of any said property in the village during the construction phase. The building inspector may also require additional clearwater sump crocks in buildings subject to effects of high groundwater tables. In no case shall the minimum top of basement/crawl space/slab on grade floor level be less than the following elevations, unless a Form A groundwater calculation is provided per current Waukesha County Parks and Land use standards that demonstrates the top of basement floor/crawl space/slab on grade elevation is a minimum of 24 inches above seasonal high groundwater conditions:

1. Genesee Lake (Middle and Lower): 871.90' AMSL
  2. Nemahbin Lake (Upper and Lower): 875.17' AMSL
  3. Silver Lake: 867.46' AMSL
  4. Golden Lake: 857.40' AMSL
- e. Grading plan including grade of lot and of road opposite lot.
  - f. Grade and setback of adjacent buildings. If adjacent lot is vacant, submit elevation of nearest buildings on same side of the road.
  - g. Type of monuments at each corner of lot.
  - h. Water courses or existing drainage ditches.
  - i. Seal and signature of surveyor.
  - j. Total impervious surface areas of the entire property.
- (2) *Plans and specifications.* All plans shall be drawn to a scale not less than one-quarter inch per foot, on paper or cloth in ink, or by some other process that will not fade or obliterate, and shall disclose the existing and proposed provisions for water supply, sanitary sewer connections and surface water drainage. All dimensions shall be accurately figured. Drawings that do not show all necessary detail shall be rejected. A complete set of plans for residential construction shall consist of:
- a. All elevations.
  - b. All floor plans.
  - c. Complete construction details.
  - d. Fireplace details showing cross section of fireplace and flues.
  - e. Plans of garage when garage is to be built immediately or location of garage when it is to be built at a later date.

All plans shall remain on file in the office of the building inspector after the completion of the building, after which time the building inspector may return the same to the owner, may keep them for public record or may destroy them.



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- (d) *Waiver of some requirements.* At the option of the building inspector, plans, data, specifications and survey need not be submitted with an application for permit to execute minor alterations and repairs to any building, structure or equipment, provided the proposed construction is sufficiently described in the application for permit.
- (e) *Drainage—Grading of lots.* The plans shall show the present and proposed grades of the lot on which it is proposed to erect the building for which a building permit is sought and of the immediately adjoining property in sufficient detail to indicate the surface water drainage before and after the completion of the grading. No permit shall be issued if the erection of the building and the proposed grades shall unreasonably obstruct the natural flow of water from the surface of adjoining property or obstruct the flow of any existing ravine, ditch, drain or storm water sewer draining neighboring property, unless suitable provision is made for such flow by means of an adequate ditch or pipe, which shall be shown on the plans and shall be constructed so as to provide continuous drainage at all times. No adverse drainage onto neighboring properties is permitted, including via downspouts and/or sump pump discharges.
- (f) *Inspector may revoke permits.*
- (1) The building inspector may revoke any permit, certificate of occupancy or approval issued under the regulations of this code and may stop construction or use of approved new materials, equipment, methods of construction, devices or appliances for any of the following reasons:
    - a. Whenever there is a violation of any regulation of this code or of any other ordinance, law or lawful orders or Wisconsin Statute relating to the same subject matter.
    - b. Whenever the continuance of any construction becomes dangerous to life or property.
    - c. Whenever there is any violation of any condition or provision of the application for permit or of the permit.
    - d. Whenever, in the opinion of the building inspector, there is inadequate supervision provided on the job site.
    - e. Whenever any false statement or misrepresentation has been made in the application for permit, plans, drawings, data, specifications or certified lot or plot plan on which the issuance of the permit or approval was based.
    - f. Whenever there is a violation of any of the conditions of an approval or occupancy given by the building inspector for the use of any new materials, equipment, methods of construction devices or appliances.
  - (2) The notice removing a permit, certificate of occupancy or approval shall be in writing and may be served upon the applicant for the permit, owner of the premises and his or her agent, if any, and on the person having charge of construction.
  - (3) A revocation placard shall also be posted upon the building structure, equipment or premises in question by the building inspector.
  - (4) After the notice is served upon the persons as aforesaid and posted, it shall be unlawful for any person to proceed thereafter with any construction operation whatsoever on the premises and the permit which has been so revoked shall be null and void and before any construction or operation is again resumed, a new permit, as required by this code, shall be procured and fees paid therefore and thereafter the resumption of any construction or operation shall be in compliance with the regulation of this code.
  - (5) Construction times. Activities regulated by the Village of Summit Building Code shall be conducted in a manner that minimizes the noise and other adverse impacts upon surrounding properties, consistent with the rural character of the village. This obligation includes, but is not limited to, limiting the

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conduct of activities to the following times, unless otherwise authorized by the village building inspector or village administrator: The activities shall not commence before 7:00 a.m. Monday through Saturday, and 10:00 a.m. on Sundays; the activities shall not continue beyond 7:00 p.m. on weekdays (Monday through Friday), 5:00 p.m. on Saturdays and 4:00 p.m. on Sundays.

- (g) *Fees.* Before receiving a building permit, the owner or his or her agent shall pay the fee according to the fee schedule. In applying, the provisions of this code, in respect to new work, existing buildings, alterations and repairs, the physical value of the work shall be determined by the building inspector on the basis of current costs or as otherwise provided in the local ordinances.

( Ord. No. 78-2020 , § 1, 2-13-20)

### **Sec. 103-38. Approved plans.**

- (a) A placard, signed by the building inspector, indicating the permit has been issued shall be posted at the job site during construction. After issuance of a building permit, the approved plans shall not be altered unless any proposed change is first approved by the building inspector as conforming to the provisions of this code.
- (b) Expiration of permit.
- (1) Existing buildings and any alterations or additions thereto, accessory buildings and accessory structures. The building permit shall expire 12 months from the date the permit is issued. Time periods referenced herein may be extended by the building inspector if the delay was due to conditions beyond the control of the applicant. No additional permits for the same work will be issued unless a timetable of completion is agreed upon by the building inspector.
  - (2) New dwellings. The building permit shall expire 24 months after issuance if the dwelling exterior has not been completed.
  - (3) New commercial buildings. The building permit shall expire 12 months from the date the permit is issued, unless otherwise noted. Time periods referenced herein may be extended by the building inspector if the delay was due to conditions beyond the control of the applicant. No additional permits for the same work will be issued unless a timetable of completion is agreed upon by the building inspector.
- (c) Before any work is commenced or recommenced after the permit has lapsed, a new permit shall be issued with appropriate fee.

( Ord. No. 78-2020 , § 1, 2-13-20)

### **Sec. 103-39. Regulations for moving buildings.**

- (a) *General.* No person shall move any building or structure upon any of the public rights-of-way of the municipality without first obtaining a permit therefore from the building inspector and upon the payment of the 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.
- (b) *Moving damaged buildings.* No building shall be repaired, altered or moved within or into the municipality 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) 50 percent or more of its equalized value and no permit shall be granted to repair, alter or move such building within or into the municipality.



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- (c) *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 any fire hydrant or any other public facility. Lighted lanterns shall be kept in conspicuous places at each end of the building during the night.
  - (d) *Street repair.* Every person receiving a permit to move a building 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 village public works director and/or county highway commissioner, inspect the streets and highways over which said building has been moved and ascertain their 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 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 or her bond responsible for the payment of same.
  - (e) *Conformance with code.* No permit shall be issued to move a building within or into the municipality and to establish it upon a location within the said municipality 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 municipality 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.

( Ord. No. 78-2020 , § 1, 2-13-20)

### **Sec. 103-40. Razing of buildings.**

- (a) Razing of buildings. The building inspector is hereby authorized to act for the municipality under the provisions of Wis. Stats. § 66.0413, relating to the razing of buildings and all acts amendatory thereof and supplementary thereto. The municipal treasurer is authorized to place the assessment and collect the special tax as therein provided.
- (b) Before a building can be demolished or removed, the owner or agent shall notify all utilities having service connections within the building, such as water, electric, gas, sewer and other connections.
- (c) Demolition.
  - (1) Permits and any associated fees are required prior to any demolition. The municipality may require a performance bond. The municipality may also require erosion control, plumbing, right-of-way, cutting, and wrecking permits.
  - (2) Any potential asbestos, lead and other hazards shall be identified and removal can only occur after a notice of intent (NOI Application) has been filed with the WI Department of Natural Resources. Erosion control methods must be in place and approved by the building inspector prior to any demolition.
  - (3) Sewer, water, electric, gas and other connections to the property shall be properly abandoned in a safe manner that shall be approved by the building, electrical, and plumbing inspector prior to demolition.

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- (4) The use of a torch for cutting may require a permit and approval by the fire inspector.
  - (5) Right-of-way permits may be required by the village public works director and/or county highway commissioner for any street material or dumpster storage or pavement cuts.
  - (5) All municipal sidewalks, curbs, approaches, and other public property shall be protected from damage.
  - (6) Sanitary facilities shall be required for on-site workers.
  - (7) Demolition shall be performed from the top down, floor by floor.
  - (8) Chutes shall be used to transfer materials above one story.
  - (9) Dust control methods shall be required at all times.
  - (10) Waste material shall be removed and not stored on-site.
  - (11) Burning of waste materials shall be prohibited.
  - (12) Floor slabs, footings, and foundations shall be removed or broken into pieces less than one foot in diameter, unless approved by the building inspector.
  - (13) All disturbed areas shall be graded to match adjoining grades or to the satisfaction of the building inspector.
    - a. Topsoil (two inches minimum) and grass are required if the lot is to be left vacant.
    - b. Special demolition methods utilizing explosives shall be approved by the governing body.
    - c. A final site inspection shall be required.

( Ord. No. 78-2020 , § 1, 2-13-20)

#### **Sec. 103-41. Inspections.**

- (a) *Coordinated inspections.* All provisions of the laws and regulations of the municipality and of legally adopted rules of local fire and health officials in respect to the operation, equipment, housekeeping, fire protection, handling and storage of flammable materials, liquids and gases and the maintenance of safe and sanitary conditions of use in occupancy in all buildings shall be strictly enforced by the administrative officials to whom such authority is delegated. Whenever inspection by any authorized enforcement officer discloses any violation of the provisions of this code, or of any other rules, regulations or laws, he shall immediately notify the administrative officer having jurisdiction of the violation.
- (b) *Certified report.* The building inspector may require a certified report of all required inspections as regulated by this code from the registered architect or registered engineer supervising the construction of any building, structure or equipment requiring their supervision. Such certified report shall state, in detail, that all construction work has been executed in accordance with all of the regulations of this code, approved plans, specifications, terms of the permit and, further, that such construction work was executed in accordance with accepted architectural and engineering standard procedures.

( Ord. No. 78-2020 , § 1, 2-13-20)

#### **Sec. 103-42. Stop work order.**

Whenever the provisions of this code or of the plans approved there under are not complied with, a stop work order shall be served on the owner or his or her representative and a copy thereof shall be posted at the site



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of the construction. Such stop work order shall not be removed except by written notice of the building inspector after satisfactory evidence has been supplied that the violation has been corrected.

( Ord. No. 78-2020 , § 1, 2-13-20)

### **Sec. 103-43. Certificate of occupancy.**

(a) *Inspections.*

- (1) The building inspector shall make a final inspection of all new buildings, additions and alterations. If no violations of this or any other ordinance can be found the building inspector may issue a certificate of occupancy, stating the purpose for which the building is to be used.
- (2) No building, nor part thereof, shall be occupied until such final inspection or certificate has been issued, nor shall any building be occupied in any manner which conflicts with the conditions set forth in the certificate of occupancy.
- (3) Sugar Island properties: Dwellings/cabins/structures are for seasonal use only, and shall not be occupied as year-round homes. Therefore, only conditional certificate of occupancy permits are issued for these properties.

(b) *Use discontinued.*

- (1) Whenever any building or portion thereof is being used or occupied contrary to the provisions of this code, the building inspector shall order such use or occupancy discontinued and the building, or portion thereof, vacated by notice served on any person using or causing such use or occupancy to be continued and such person shall vacate such building or portion thereof within ten days after receipt of the notice or make the building, or portion thereof, comply with the requirements of this code.
  - (2) Any building, structure or premises, or any part thereof, hereafter vacated or damaged by any cause whatsoever so as to jeopardize public safety or health, shall not hereafter be occupied or used under an existing certificate of occupancy or without the same, until an application has been filed and a new certificate of occupancy issued.
- (c) *Change.* It shall be unlawful to change the use of any building, structure, premises or part thereof, without first obtaining, from the building inspector, an approval of such change in the occupancy or use and a certificate of occupancy therefore.
- (d) *Hardship.* The building inspector shall have the authority and power to permit the occupancy of any building or structure in the municipality, prior to issuance of an occupancy certificate, in all such cases of hardship, as in his or her judgment and discretion, warrant occupancy before final stage of completion as set forth in this code. Before granting such permission, the building inspection shall first examine the premises and determine if it is safe and sanitary. The building inspector shall determine the time within which such building or structure can be completed. Such time should not exceed 120 days.

( Ord. No. 78-2020 , § 1, 2-13-20)

### **Secs. 103-44—103-75. Reserved.**

## ***DIVISION 3. GARAGES AND ACCESSORY BUILDINGS***

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## Sec. 103-76. General requirements.

(a) *Definitions.*

- (1) An *attached private garage* shall mean a private garage attached directly to the principal building, or attached by means of an enclosed or open breezeway, porch, terrace or vestibule, or a private garage so constructed as to form an integral part of the principal building.
- (2) A *detached private garage* shall mean a private garage entirely separated from the principal building.
- (3) Buildings, *accessory* shall mean a building or portion of a building used for a purpose customarily incident to the permitted principal use of the lot and located on the same lots as the permitted principal use. Accessory buildings shall conform to all requirements of this division. Structures with poly/vinyl type sides and/or roof are not permitted except for temporary use or by special permission. Any unsightly, ripped, torn material on said structures can be deemed a nuisance by the zoning administrator and/or building inspector, and may be required to be removed in its entirety.

(b) *Locations.* Detached garages shall be governed by the following unless otherwise provided for in appropriate codes.

- (1) Garages of wood frame construction shall be located not less than ten (feet from any residence building, except that such distance may be reduced to not less than five feet when the adjacent wall is protected as required for attached garages in SPS 321.08(1). Such separations shall be measured as the perpendicular distance from the exterior dwelling wall to the closest exterior garage or accessory building wall.
- (2) Garages of masonry wall construction shall not be located less than five feet from any residence building.

(c) *Foundations and footings.* Attached private garages shall be provided with the same type footings and foundations as required herein for the principal building. Concrete floors shall be not less than four inches in thickness. Detached private garages may be built with a continuous floating slab of reinforced concrete not less than four inches in thickness. Reinforcement shall be a minimum of number 10 six-by-six-inch wire mesh. The slab shall be provided with a thickened edge all around, eight inches wide and eight inches below the top of the slab. The thickened edge shall have two #4 horizontal reinforcement bars placed at the center. The lower reinforcement bar shall be set two inches above the bottom of the thickened edge and the upper reinforcement bar shall be set six inches above the bottom of the thickened edge. Exterior wall curbs shall be provided not less than four inches above the finished ground grade adjacent to the garage. Bolts three-eighths inches in diameter with nuts and washers attached, six inches long, shall be embedded three inches in the concrete curb of detached garages, eight feet on centers.

(d) *Construction.* Private garages shall be constructed as follows:

- (1) Unless designed through structural analysis, load bearing foundation walls and partitions shall be constructed as per sections SPS 321.15—321.18.
- (2) Detached private garages of wood frame construction shall be constructed with the following requirements.
  - a. Studs may have a maximum spacing of 24 inches on centers.
  - b. Diagonal corner bracing shall be installed on both walls at each corner. Diagonal corner bracing may be applied on the inside surface of studs.
  - c. Corner posts may consist of two two-by-four-inch studs or a single four-by-four-inch stud.

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- d. Collar beams at the top plate and collar ties in the upper one third of the roof shall be installed with a maximum spacing of 48 inches on center. Collar beams may be two-by-six-inch. Collar ties shall be at least two-by-four inch for roof slopes less than four inches per foot. A one-by-six-inch collar tie may be used for roof slopes four inches per foot or greater.
  - e. Detached garage roofs shall be framed in accordance with the applicable requirements of section SPS 321.28.
  - f. Heating, ventilating and air-conditioning. The provisions of Chapter SPS 323 shall apply to the design, installation and construction of all heating, ventilating & air conditioning systems installed in detached garages and accessory buildings.

( Ord. No. 78-2020 , § 1, 2-13-20)

**Secs. 103-77—103-110. Reserved.**

*DIVISION 4. DECKS*

**Sec. 103-111. General requirements.**

(a) *Definitions.*

- (1) *Deck* means any structure which serves as a raised horizontal platform on floor constructed of wood or other materials, without enclosing walls or roof.
- (2) *Attached deck* means any deck which is physically attached to the principal building or accessory structure.
- (3) *Detached deck* means any deck which is not physically attached to the principal building or accessory structure.

(b) *Construction.* All decks shall be constructed in accordance by either

- (1) SPS 320-325 Appendix A, B or C.
- (2) Commercial building code.
- (3) Licensed design professional.

(c) *Permits.* A building permit is required for any new deck, deck addition, alteration, or replacement of required guardrails. Sole replacement of deck boards does not require a building permit.

( Ord. No. 78-2020 , § 1, 2-13-20)

**Secs. 103-112—103-145. Reserved.**

*DIVISION 5. SWIMMING POOL/SPA (HOT TUB) REQUIREMENTS*

**Sec. 103-146. General requirements.**

(a) *Type of pools requiring permits.*



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- (1) Above ground pools (except wading pools having a depth of less than two feet and which are readily movable).
  - (2) Temporary or permanent air inflatable pools with a sidewall height greater than two feet above grade.
  - (3) In ground pools.
  - (4) Public pools. All public pools constructed shall be built and maintained in accordance with the rules of the SPS 390.
  - (5) Spas (outdoor).
- (b) *General pool regulations.*
- (1) *Location.*
    - a. No person, firm or corporation shall have a swimming pool or spa located in the front yard or side yard setback unless specifically allowed in the local zoning code.
    - b. Side and rear yard setbacks shall be a minimum of ten feet from the property line or as regulated by the local zoning code.
    - c. Swimming pools shall not be located closer than four feet to any wall or fence.
    - d. Swimming pools shall be located from well and septic systems in accordance with the Wisconsin State Plumbing Code, Chapter SPS 383.
    - e. Swimming pools shall be located no closer than ten feet measured horizontally to any balcony, porch, stairway or roofline of any adjacent structure.
  - (2) *Access.*
    - a. A fence or other solid structure of not less than four feet in height shall completely enclose said premises and/or swimming pool. There shall be no opening in said fence or wall larger than can pass a four inch or larger sphere. All gates or doors opening through such enclosure shall be kept securely closed at all times while unattended and shall be equipped with a self-closing and self-latching device designed capable of keeping such door or gate securely closed. Latches shall be located at least three feet above the ground, accessible deck or stairs.
    - b. A fence is not required around an above ground pool where the pool wall is at least four feet above grade for the full pool perimeter. The finished grade shall be maintained for a minimum of four feet beyond the outside perimeter of the pool.
    - c. When not completely fenced, all ladders, steps, pool pump filter equipment or other means of access to an above ground pool shall be removed and/or designed to prevent access when the pool is unattended.
    - d. Spas shall be made inaccessible by a locking safety cover or other approved safety barrier when not in use.
  - (3) Swimming pool decks. All decks shall be constructed in accordance with the Uniform Building Code. Decking shall be considered an integral part of the swimming pool and shall comply with the applicable setback dimensions per the local zoning code.
  - (4) Drainage. In no case shall any swimming pool be drained onto lands of property owners other than the owner of the swimming pool. Drainage from said lot shall be in accordance with any local zoning ordinance.



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- (5) Lighting. Lights shall be erected so as to eliminate direct rays and minimize reflected rays of light onto adjoining properties and roadways. Lighting installation shall be done in accordance with the State of Wisconsin Electrical Code.
  - (6) Electrical. All wiring for pools and spas shall be done in accordance with the Wisconsin Electrical Code and/or local code by a state certified master electrician. Separation from overhead and underground electrical wiring shall be in accordance with the State of Wisconsin Electrical code and/or local code.
- (c) *Application for permit.* The following information is necessary:
- (1) Survey or accurate drawing of the property, IN DUPLICATE, showing all existing structures, proposed swimming pool or spa location, fencing if required, and overhead or underground electrical wiring.
    - a. Type of pool installation, above ground or in ground.
    - b. Pool height above highest point of grade if above ground installations.
    - c. Type and height of fence, if proposed.
    - d. Type and support of decking, if proposed,
    - e. Overall size and locations of the above in regard to existing buildings and lot lines for property survey reference.
    - f. Any change in finished grade near pool.
    - g. County health department approval for properties using a private septic system, where applicable.
    - h. Site inspection letter from a local wiring utility.
  - (2) Two copies of brochure which shows the type, style, etc. of the pool or spa to be installed.
- ( Ord. No. 78-2020 , § 1, 2-13-20)

**Secs. 103-147—103-180. Reserved.**

## *DIVISION 6. FOUNDATION REPAIRS AND DAMPPROOFING*

### **Sec. 103-181. Foundation repairs and dampproofing.**

- (a) Application for permit and required fee shall include a statement of the existing defects, and an analysis of the cause of those existing defects to ensure that all conditions responsible for foundation defects are corrected.
- (b) Plans and/or specifications must be submitted for approval prior to issuance of a permit.
- (c) Except as otherwise permitted by the authority having jurisdiction, foundation repairs shall be performed in accordance to the Best Management Standards for Foundation Repair dated June 13, 2012.

( Ord. No. 78-2020 , § 1, 2-13-20)

**Secs. 103-182—103-210. Reserved.**

## *DIVISION 7. ALTERATIONS AND REMODELING FOR PRE-1980 ONE- AND TWO-FAMILY DWELLINGS*

### **Sec. 103-211. Alterations and remodeling for pre-1980 one- and two-family dwellings.**

- (a) *Purpose.* The purpose of this division is to provide uniform minimum construction regulations for alterations and remodeling of existing one- and two-family dwellings built prior to June 1, 1980.
- (b) *Scope.*
- (1) This division shall apply to all existing one- and two-family dwellings constructed prior to June 1, 1980 for building code regulations and December 1, 1978 for energy code regulations.
  - (2) The provisions of this division are not retroactive.
  - (3) The Uniform Dwelling Code, SPS 320-325 is incorporated by reference and shall apply to all construction except as modified by this division.
  - (4) These provisions shall not apply to any building repair as defined herein.
  - (5) Energy calculations are not required for new additions to one and two-family dwellings constructed prior to December 1, 1978. Upon request by the building inspector, a recognized heating professional shall provide a written statement that the heating system is capable of maintaining the indoor design temperature during outdoor design conditions per SPS 322.07.
- (c) *Definitions.*
- (1) *Buildings, addition* means new construction performed on a dwelling, which increases the outside dimensions of the dwelling.
  - (2) *Buildings, alteration/remodel* means an enhancement, upgrade, substantial change or modification other than an addition, a repair or modifications to electrical, plumbing, heating, ventilating, air conditioning and other systems within a dwelling.
  - (3) *Buildings, existing* means any structure that is already constructed or one for which a legal permit has been issued prior to the adoption of this code.
  - (4) *Building, new* means any construction that results in the creation of a structure for the support, shelter or enclosure of persons, animals, chattel or movable property of any kind.
  - (5) *Buildings, repair* means the act or process of restoring to original soundness, including redecorating, refinishing, nonstructural repairs or maintenance, or the replacement of existing fixtures, systems or equipment with the equivalent fixture, system or equipment.
  - (6) *Building, structural repair* means the reconstruction or replacement of any load bearing component that has been damaged, deteriorated or is failing.
  - (7) *Ceiling height* means the clear vertical distance from the finished floor to the finished ceiling. Any part of any room where the ceiling height is less than five feet, shall not be considered in computing the total floor area of the room for the purpose of determining the habitable occupancy or thereof.
- (d) *Permit application.*

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- (1) Any person desiring a building permit as required by this division shall file with the building inspector an application therefore in writing on a permit form to be furnished for that purpose along with required fee.
  - (2) Application shall show the use or occupancy of all parts of the building
  - (3) Application for a permit shall be accompanied by two complete sets of plans and/or specifications. The plans shall consist of the following where applicable:
    - a. Floor plans: showing general layout and egress path for the remodeled area(s), the square footage, size and span of existing attic floor joists, location of lower floor bearing walls, area(s) that will have the ceiling raised (dormers), wall locations, window location including size of headers, door sizes and locations, location of smoke and carbon monoxide detectors, stairways, heating system or devices, and any related architectural features.
    - b. Elevations: showing the sizes, location and configuration of doors, windows and skylights; exterior wall covering material; roof design and exterior material; any architectural features relating to the dwelling's existing architectural style.
    - c. Cross-section: showing all construction details, framing, insulation, materials, interior finishes, ceiling heights and structural features.
  - (4) The application, plans and specifications filed by an applicant for a permit shall be reviewed by the building inspector, and if found to be in conformity with the requirements of this division and all other laws or ordinances applicable thereto, the building inspector shall, upon receipt of the required fees issue a permit therefore.
  - (5) When the building inspector issues the permit, all sets of plans and specifications shall be stamped "conditionally approved." One such approved set of plans and specifications shall be retained by the building inspector as a public record, and one such approved set of plans and specifications shall be returned to the applicant. One approved set shall be kept on such building or work site at all times during which the work authorized thereby is in progress and shall be open to inspection by public officials. Such approved plans and specifications shall not be changed, modified or altered without permission from the building inspector.
  - (6) The contractor shall submit a copy of their valid dwelling contractor financial responsibility credential prior to permit issuance.
- (e) *Fees.*
- (1) Before issuance of a permit, the owner or their agent shall pay to the municipal treasury a permit fee. These fees shall be as established by the municipality.
  - (2) *Quadruple fees.* Upon failure to obtain a permit before work on a building has been started, except in emergency cases, the total fees shall be quadruple the fees charged.
  - (3) *Re-inspection fee.* Where additional inspections are made necessary by reason of neglect in work found faulty, defective or incomplete at the time of inspection, or at the expiration of time permitted in an order of noncompliance, a re-inspection fee may be charged.
- (f) *Inspections.*
- (1) *Rough inspection.* To be made after the roof, all framing, fire-blocking and bracing is in place and all chimneys and vents are complete. No drywall or any insulation between the studs shall be applied to any building until the rough inspection, electrical inspection, plumbing and heating inspections have been made and the work approved.



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- (2) *Insulation inspection.* To be made after all insulation has been installed, with vapor barrier in place and before any of the walls and ceilings are covered.
- (3) *Final inspection.* Upon the completion of any building, structure, or construction for which a permit was issued and before the same is occupied or used, a final inspection shall be made by the building inspector, and until such building or structure is in compliance with all the requirements of this division and terms of the permit, no occupancy shall be permitted.
- (4) *Written approval.* No work shall be done on any part of the building or structure beyond the point indicated in each successive inspection without first obtaining the written approval of the Building Inspector. Such written approval shall be given only after an inspection shall have been made for each successive step in the construction as indicated by each of the inspections.
- (5) *Inspection notice.*
- The applicant or authorized representative shall request inspections from the municipality or the registered UDC inspection agency enforcing this code.
  - Except as provided under subsection (5)c, construction may not proceed beyond the point of inspection, as described under subsection (6)a to c, until the inspection has been completed.
  - Construction may proceed if the inspection has not been completed within two full business days after notification is received or as otherwise agreed between the applicant and the municipality or registered UDC inspection agency.
- (6) *Inspection types.* The following sequence of inspections shall be performed for the purpose of determining if the work complies with this code:
- Footing, rebar reinforcement and foundation inspection.* The excavation shall be inspected after the placement of forms, shoring and reinforcement, where required, and prior to the placement of footing materials. Where below-grade drain tiles, stone, waterproofing and/or exterior insulation is required, the foundation shall be inspected prior to backfilling.
  - Rough inspection.* A rough inspection shall be performed for each inspection category listed in subsection (6)b.1 through 5 after the rough work is constructed but before it is concealed. All categories of work for rough inspections may be completed before the notice for inspection is provided. The applicant may request one rough inspection or individual rough inspections. A separate fee may be charged for each individual inspection.
    - General construction, including framing.
    - Rough electrical.
    - Rough plumbing.
    - Rough heating, ventilating & air conditioning.
    - Basement floor/drain tiles.
  - Insulation inspection.* An inspection shall be made of the insulation and vapor retarder after they are installed but before they are concealed.
  - Final inspection.*
- (g) *Construction requirements.*
- (1) *Basement conversion to habitable space.*
- Existing stairways shall conform to the following: (Note: A new, relocated or reconfigured stairway shall conform to the requirements of Wis. Admin. Code § SPS 321.04.).



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1. Riser height shall be eight inch maximum.
  2. Tread depth shall be nine inch minimum.
  3. Headroom shall be 72 inches minimum.
  4. Stair width shall be 36 inches minimum.
  5. Handrails and guardrails shall be installed in accordance with Wis. Admin. Code § SPS 321.04(3). (Exception: Existing handrails and guardrails do not require modifications unless the stairway is new, relocated or reconfigured. In such conditions, the handrails and guardrails shall conform to the requirements of Wis. Admin. Code § SPS 321.04.).
  6. Stairway landings shall have minimum dimensions of 36 inches by 36 inches.
- b. Light and ventilation. All habitable rooms shall be provided with natural light and ventilation in accordance with Wis. Admin. Code § SPS 321.05. Balanced mechanical ventilation may be used in lieu of natural ventilation.
  - c. Ceiling height. All habitable rooms shall have a minimum ceiling height of seven feet for a minimum of 50 percent of the floor area. Beams and ducts may not encroach more than eight inches into ceiling area below the minimum ceiling height.
  - d. Smoke and carbon monoxide detectors. Smoke and carbon monoxide detectors shall be installed in the remodeled areas in accordance with Wis. Admin. Code §§ SPS 321.09 and 321.097. In addition to being wired to house current and interconnected, each smoke detector installed in the remodeled areas shall have a battery back-up power.
  - e. Basement bedrooms shall be constructed as follows:
    1. Doors shall be a minimum of 32 inches in width unless at least 50 percent of the bedroom doors in the dwelling are a minimum of 32 inches or have a minimum net clear opening width of 30 inches.
    2. Light and ventilation. All habitable rooms shall be provided with natural light and ventilation in accordance with Wis. Admin. Code § SPS 321.05. Balanced mechanical ventilation may be used in lieu of natural ventilation.
    3. Exits. Either an egress window within each bedroom or two exits from the basement level common area shall be provided. An egress window and areaway shall be designed in accordance with Wis. Admin. Code § SPS 321.03(6).
    4. Smoke and carbon monoxide detectors. Smoke and carbon monoxide detectors shall be installed in the remodeled areas in accordance with Wis. Admin. Code §§ SPS 321.09 and 321.097. In addition to being wired to house current and interconnected, each smoke detector installed in the remodeled areas shall have a batter backup power.
- (2) *Unfinished attic conversion to habitable space, third floor levels.*
- a. Design floor load. All new floor areas shall be designed in accordance with Wis. Admin. Code § SPS 321.02. (40 pounds per square foot plus dead load).
  - b. Exits. Two interior stairways spaced apart one-third of the longest diagonal dimension of the floor in plan view or 20 feet from the third floor level to the second floor level are required.
  - c. Lofts shall comply with Wis. Admin. Code § SPS 321.03(4).
  - d. Existing stairways shall conform to the following: (Note: A new, relocated or reconfigured stairways shall conform to the requirements of Wis. Admin. Code § SPS 321.04).

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1. Riser height shall be eight inch maximum.
  2. Tread depth shall be nine inches minimum.
  3. Headroom shall be 72 inches minimum.
  4. Stair width shall be 36 inches minimum.
  5. Handrails and guardrails shall be installed in accordance with Wis. Admin. Code § SPS 321.04(3).
  6. Stairway landings shall have minimum dimensions of 36 inches by 36 inches.
- e. Light and ventilation. All habitable rooms shall be provided with natural light and ventilation in accordance with Wis. Admin. Code § SPS 321.05. Balanced mechanical ventilation may be used in lieu of natural ventilation.
  - f. Ceiling height. Ceiling height in all habitable rooms shall be provided in accordance with Wis. Admin. Code § SPS 321.06.
  - g. Smoke and carbon monoxide detectors. Smoke and carbon monoxide detectors shall be installed in the remodeled areas in accordance with Wis. Admin. Code §§ SPS 321.09 and 321.097. In addition to being wired to house current and interconnected, each smoke detector installed in the remodeled areas shall have battery back-up power.
  - h. Insulation and windows shall comply with the following requirements:
    1. Walls shall have a minimum of R-13.
    2. Sloped ceilings shall have a minimum of R-38.
    3. Ceilings or attics shall have a minimum of R-49.
    4. Windows shall be double glazed or better.
  - i. Bedrooms shall be designed as follows:
    1. Doors shall be a minimum of 32 inches in width unless at least 50 percent of the bedroom doors in the dwelling are a minimum of 32 inches or have a minimum net clear opening width of 30 inches.
    2. Light and ventilation. All habitable rooms shall be provided with natural light and ventilation in accordance with Wis. Admin. Code § SPS 321.05. Balanced mechanical ventilation may be used in lieu of natural ventilation.
    3. Exits. Two exits from the third floor level are required.
    4. Smoke and carbon monoxide detectors. Smoke and carbon monoxide detectors shall be installed in the remodeled areas in accordance with Wis. Admin. Code §§ SPS 321.09 and 321.097. In addition to being wired to house current and interconnected, each smoke detector installed in the remodeled areas shall have battery back-up power.
- (h) *Remodeled bathrooms.* Newly constructed or remodeled bathrooms shall be provided with a minimum 32-inch wide bathroom entrance door. Note: Only one 32-inch bathroom door per dwelling unit is required provided it serves a full bathroom.
- (i) *Fuel fired appliances.* All fuel fired equipment shall be provided with combustion and ventilation air in accordance with SPS 323.06.

( Ord. No. 78-2020 , § 1, 2-13-20)

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**Secs. 103-212—103-250. Reserved.**

## ***DIVISION 8. MISCELLANEOUS PROVISIONS AND VIOLATIONS***

### **Sec. 103-251. New materials and methods.**

*Alternate materials.* No provision in this code is intended to prohibit or prevent the use of any alternate material or method of construction not specifically mentioned in this code. Approval of alternate materials or methods of construction shall be obtained from the municipality having jurisdiction. Requests for approval shall be accompanied by evidence showing that the alternate material or method of construction performs in a manner equal to the material or method required by the code. The municipality having jurisdiction may require any claims made regarding the equivalent performance of alternate materials or method to be substantiated by test.

( Ord. No. 78-2020 , § 1, 2-13-20)

### **Sec. 103-252. Tests.**

The municipality having jurisdiction may require that the materials, methods, systems, components or equipment be tested to determine the suitability for the intended use. The municipality having jurisdiction will accept results conducted by a recognized independent testing agency. The cost of testing shall be borne by the person requesting the approval.

- (1) The test method used to determine the performance shall be one that is a nationally recognized standard.
- (2) If no nationally recognized standard exists, past performance or recognized engineering analysis may be used to determine suitability.
- (3) Ungraded or used building materials may be used or reused as long as the materials possess the essential properties necessary to achieve the level of performance required by the code for the intended use. The municipality enforcing this code may require tests in accordance with this section.

( Ord. No. 78-2020 , § 1, 2-13-20)

### **Sec. 103-253. Identification of products.**

All materials shall be identified by the approved label, the grade mark, the trade mark or by other approved manufacturer's identification.

( Ord. No. 78-2020 , § 1, 2-13-20)

### **Sec. 103-254. Invalidity of part.**

If any section, subsection, paragraph, clause or provision of this code shall be adjudged invalid, such adjudication shall apply only to the provisions so adjudged and the rest of this code shall remain valid and effective. All referenced code sections under the WI UDC and WI Commercial Building Code subject to change without notice.

( Ord. No. 78-2020 , § 1, 2-13-20)



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**Sec. 103-255. Violations.**

It shall be unlawful for any person to erect, use, occupy or maintain any building or structure in violation of any provisions of this code, or to cause, permit or suffer any such violations to be committed. Any person violating any of the provisions of this code shall be subject to the penalty provisions as set forth in the Municipal Code. It shall be the responsibility of the offender to abate the violation as expeditiously as possible and each day that such violation is permitted to continue shall constitute a separate offense. If, in any action, a permit was issued, it shall not constitute a defense nor shall any error, oversight or dereliction of duty on the part of the building inspector constitute a defense.

( Ord. No. 78-2020 , § 1, 2-13-20)

**Sec. 103-256. Failure to obtain permit.**

It shall be unlawful to commence work prior to obtaining a permit therefore. Quadruple fees shall be charged if work is commenced prior to the issuance of any permit.

( Ord. No. 78-2020 , § 1, 2-13-20)

**Sec. 103-257. Non-liability of village.**

This division shall not be construed as creating or assuming any liability on the part of the village or its officials for damages to anyone injured or any property damaged or destroyed by any defect in any building, equipment or swimming pool, or in any plumbing, electric wiring or equipment, or any flammable materials, equipment or devices.

The recommended approval of amendments, code changes, products, systems or quality control agencies by the Code Committees and the Wisconsin Uniform Code Associations does not constitute an approval or acceptance by any local community. Such acceptance is a function of local government administered by the designated local officials without the necessity of submitting further data because it is supported by factual reports describing the nature and use of the product or system and its performance under designated standard tests by recognized testing agencies.

( Ord. No. 78-2020 , § 1, 2-13-20)

**Secs. 103-258—103-287. Reserved.*****ARTICLE III. BUILDING NUMBERING*****Sec. 103-288. Street number required.**

Every residence and business establishment in the village shall display a street number according to the established grid adopted by the village plan commission. Such number shall be furnished upon application to the village public works director.

(Code 2006, § 89-1)

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**Sec. 103-289. Display.**

The property owner, upon receiving his or her assigned street number, shall display the same in a location clearly visible from the highway. Street numbers shall be displayed not greater than ten feet from the edge of the public highway, and not closer than three feet, nor more than ten feet from the edge of the driveway, using numbers and bracket to be furnished and installed by the village per the standards of size, style, and color established by the village board from time to time for the village on a uniform basis. The village board may, however, establish specific requirements for the uniform location and/or method for display of street numbers for a specific development or subdivision. In such event, property owners within such development or subdivision shall display street numbers in compliance with the village board's requirements.

(Code 2006, § 89-2)

**Sec. 103-290. Maintenance/replacement.**

The property owner shall be responsible for displaying and maintaining street numbering required under this article. In the event any street number becomes illegible from the highway for any reason, or there is damage to, or loss of, any street numbers, such street numbers shall be replaced in conformity with this article within a reasonable length of time. . Property owners determined to have missing or severely damaged/unreadable fire number address signs will be required to purchase replacements from the village at the property owner's expense.

(Code 2006, § 89-3)

**Sec. 103-291. Removal prohibited.**

No person shall deface, destroy, obstruct, or remove any street number required under this article; provided, however, that this section shall not be construed to prohibit any property owner or their agent from temporarily removing street numbering for purposes of complying with the maintenance/replacement requirements set forth in section 103-290.

(Code 2006, § 89-4)

COUNTY OF WAUKESHA  
VILLAGE OF SUMMIT

DATE: March 21, 2024

Breat Best being duly sworn on oath, says that he/she

is (Chief of Police) ~~(Patrol Officer)~~ (Deputy Clerk/Treasurer) for the Village of Summit, and that Village of Summit **Ordinance #126-2024 Repeal & Recreate the Text of Chapter 103: Building and Building Regulations** was duly posted in the following locations:

VILLAGE HALL POSTING BOARD

PETER PRIME PARK (Off Parkway Dr)

GENESEE LAKE ROAD PARK (37505 Genesee Lake Rd)

X  
X  
X

 officer  
Signature and Title

Subscribed and sworn to before me this 21<sup>ST</sup> day of MARCH, 2024.

  
Notary Public, Waukesha County, Wisconsin

X DENOTES PLACE POSTING IS MADE