TOWN OF MONTROSE, DANE COUNTY, WISCONSIN

ADOPTION OF RESIDENTIAL AND COMMERCIAL BUILDING CODES

ORDINANCE NO. 2026-2

The Town Board of the Town of Montrose, Dane County, Wisconsin, do 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.

1) The construction which shall require a permit includes, but is not limited to:
    a) New 1 & 2 family and commercial building including agricultural buildings, detached structures (decks), residential accessory buildings, and detached garages.
    b) Additions increase the physical dimensions of a building including decks.
    c) Alterations to the building structure, cost shall include market labor value, or alterations to the building's heating, electrical, or plumbing systems.
    d) Replacement of major building equipment including furnaces and central air conditioners, water heaters, and any other major piece of equipment shall require a permit except as noted in 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.

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 – Certified Municipality Status

1) Certified Municipality. The Town has adopted the Certified Municipality Status as described in SPS 361.60 of the Wisconsin Administrative Code.
    a) Responsibilities. The Town shall assume the following responsibilities for the Department of Safety and Professional Services:
        1. Provide inspection of commercial buildings with certified commercial building inspectors.

    2. Provide plan examination of commercial buildings with certified commercial building inspectors.

b) Plan Examination. Drawings, specifications, and calculations for all the types of buildings and structures, except state-owned buildings and structures, to be constructed within the limits of the municipality shall be submitted, if the plans are for any of the following:

    1. Provide inspection of commercial buildings with certified commercial building inspectors.
    2. A new building or structure containing less than 50,000 cubic feet of total volume.
    3. An addition to a building or structure where the area of the addition results in the entire building or structure containing less than 50,000 cubic feet of total volume.
    4. An addition containing no more than 2,500 square feet of total floor area and no more than one floor level, provided the largest roof span does not exceed 18 feet and the exterior wall height does not exceed 12 feet.
    5. An alteration of a space involving less than 100,000 cubic feet of total volume.
    6. A certified municipality may waive its jurisdiction for the plan review of a specific project or types of projects, or components thereof, in which case plans and specifications shall be submitted to the Department for review and approval.
    7. The Department may waive its jurisdiction for the plan review of a specific project, where agreed to by a certified municipality, in which case plans and specifications shall be submitted to the certified municipality for review and approval.

c) Plan Submission Procedures. All commercial buildings, structures, and alterations, including new buildings and additions less than 25,000 cubic feet, require plan submission as follows:

    1. Building permit application.
    2. Application for review - SBD-118, or equivalent.
        a. Fees per Table SPS 302.31-2 and SPS 302.31.
        b. Fees apply to commercial projects.
    3. Four sets of plans.
        a. Signed and sealed per SPS 361.31.
        b. One set of specifications.
        c. Component and system plans.
        d. Calculations showing code compliance.

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 Montrose on this 3rd day of Feb, 20 26.

Signed by:

Roger C Hodel Town Chairman

Town Clerk