

# **CHAPTER 5**

## **BUILDING REGULATIONS**

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## **5.01 GENERAL**

(A) Adoption of State Uniform Dwelling Code – The State of Wisconsin Department of Industry, Labor and Human Relations has adopted a new State-wide Uniform Building Code for One (1) and Two (2) family dwellings; included within this Uniform Building Code and the effective enforcement dates are as follows:

- (1) Ind 20, Administration and Enforcement, 06-01-80.
- (2) Ind 21, Construction Standards, 06-01-80.
- (3) Ind22, Energy conservation, 12-01-78.
- (4) Ind 23, Heating, Ventilating and Air conditioning Standards, 06-01-80.
- (5) Ind 24, Electrical Standards, 06-01-80.
- (6) Ind. 25, Plumbing Standards, 06-01-80.

(B) Purpose – To establish uniform statewide construction standards and inspection procedures for one (1) and two (2) family dwellings and manufactured building dwellings; the Uniform Dwelling code applies only to construction, additions, or alterations to one (1) and two (2) family dwellings constructed after the dates indicated above.

(C) One (1) and Two (2) Family Dwellings – Construction requirements for additions and/or alterations constructed before the dates indicated above shall comply with the following building code: “Wisconsin Uniform Building code”.

(D) Multi Family Dwellings – Construction requirements for construction, additions or alterations and commercial or industrial buildings shall comply with the appropriate State building codes, state approval of plans shall be obtained as directed by the appropriate codes.

## **5.02 PERMITS**

Requirement – All Permits for construction in the Village of Loganville will be subject to fees as required below:

(A) All permits must include inspection service, name, phone number, dates.

- (1) General Building Permit – This permit covers all general construction activities, heating, ventilating, air conditioning and energy conservation, additionally for activities classified

as repair or maintenance, which cost more than Five Hundred Dollars (\$500.00), a permit is required.

- (2) Plumbing Permit – This permit covers installation of one (1) or more plumbing fixtures.
- (3) Electrical Permit – This permit covers installation of One (1) or more electrical circuits; additionally required when new service equipment is installed.

(B) Permit Lapses – A building, electrical or plumbing permit shall lapse and be void unless operations under the permit are commenced within Six (6) months from the date of issuance thereof. Completion of project shall be done within one (1) year of issuance. See fee schedule for penalty.

(C) Revocation – If the Building Inspector shall find at any time that the above-mentioned ordinances, laws, order, plans and specifications are not being complied with, and that the holder of the permit refused to conform after a written warning or instruction has been issued to him, he shall revoke the building, electrical or plumbing permit by written notice posted at the site of the work; when any such permit is revoked, it shall be unlawful to do any further work thereunder until the permit is reissued, excepting such work as the Building Inspector may order to be done as a condition precedent to the reissuance of the permit, or as he may require for the preservation of human life and safety of property.

(D) Report of Violations – It shall be the duty of all Village employees to report at once to the Building Inspector any building, electrical or plumbing work which is being carried on without a permit as required by this ordinance.

(E) Building Inspector Records – The Building Inspector shall keep a record of all permits, fees and inspections and shall make an annual report thereon to the Village Board.

(F) Application Procedures – All permits will be issued after Planning and Zoning meeting. Villagers may contact Village Clerk to set up meeting with Planning and Zoning Board.

(1) Plans – With such applications there shall be submitted two

(2) complete sets of the following plans:

(a) Plot Plan – Showing location of the dwelling and other buildings with respect to the property lines.

- (b) Floor Plans – For each floor including basement; the size and location of all rooms, doors, windows, structural features, exit passageways, and stairs shall be indicated; the location of plumbing fixtures, chimneys, heating and cooling appliances.
  - (c) Elevations – Containing enough information on the exterior of the building indicating the location, size and configuration of doors, windows, roof, chimneys, exterior grade, footings and foundation.
  - (d) Typical Cross Section – Showing construction details, insulation, wall and roof framing; foundation and footings and all size and type of materials used.
  - (e) Heat Loss Calculations – Must be submitted with new house construction plans to insure compliance with the energy conservation standards; calculations must be submitted on an attached energy worksheet.
- (2) Waiver of Plans – If the Building Inspector finds that the character of work is sufficiently described in the application, he may waive the filing of plans for alterations, repairs or moving provided the cost of such work does not exceed two thousand dollars (\$2,000.00).
  - (3) Wisconsin Uniform Building Code Jurisdiction – When alterations or additions to houses under jurisdiction of the “Wisconsin Uniform Building code” plans shall be required as directed by the Building Inspector.
  - (4) Multi-Family, Commercial or Industrial Buildings – For construction, alterations or additions to multi family, commercial or industrial buildings, plans and State approval shall be furnished as required by State Codes and Federal Industrial Building Codes.
  - (5) Approval of Plans – If the Building Inspector determines that the proposed buildings will comply in every respect with all ordinances of the Village and all applicable laws and orders of the State of Wisconsin, he shall officially approve and stamp one (1) set of the plans and return it to the owner and shall issue a building permit therefore which shall be kept and displayed at the site of the proposed building; after being approved, the plans and specifications shall not be altered in any respect which involved any of the above-mentioned

ordinances, laws and orders, or which involves the safety of the building or occupants, except with the written consent of the Building Inspector.

(a) The Building Inspector shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding; if a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated and mobile homes) must be designed (or modified) and anchored to prevent flotation, collapse, or lateral movement of the structure; use construction materials and utility equipment that are resistant to flood damage and use construction methods and practices that will minimize flood damage.

(b) The Building Inspector shall review subdivision proposals and other proposed new developments to assure that all such proposals are consistent with the need to minimize flood damage, all public utilities and facilities, such as sewer, gas, electrical and water systems are located, elevated and constructed to minimize or eliminate flood damage, and adequate drainage is provided so as to reduce exposure to flood hazards.

(a) The Building Inspector shall require new or replacement water supply systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood water, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

### **5.03 BUILDING AND INSPECTIONS**

The following sequence of inspections shall be performed during construction to determine if the work complies with the codes:

- (A) Footing and Foundation Inspection – The excavation shall be inspected after the placement of forms, shoring and reinforcement; before backfilling the below-ground drain tiles, waterproofing or exterior insulation as required, and the foundation shall be inspected.
- (B) Rough Inspection – A rough inspection shall be performed for each inspection category listed below before it is concealed:
  - (1) General Construction, including framing
  - (2) Rough electrical
  - (3) Rough Plumbing
  - (4) Rough Heating, ventilating and air conditioning
  - (5) Insulation
- (C) Final Inspection – The dwelling may not be occupied until a final inspection has been made which finds no violations of this code exist could reasonably be expected to affect the health and safety of the occupant.
- (D) Suspension or Revocation of Building Permit – The building permit may be revoked when it appears the permit or approval was obtained through fraud or deceit, where the applicant has willfully refused to correct a violation order or where the inspector is denied access to the premises, no construction shall take place on the dwelling after the suspension or revocation of the permit.

#### **5.04 CONSTRUCTION STANDARDS**

FHA Standards Adopted – The following sections of the Federal Housing Administration “Minimum Property Requirements for Properties of One (1) or Two (2) living units located in the State of Indiana, Michigan and Wisconsin, Form 2243, revised April 1953, as revised by MPR Revisions thereto, are hereby adopted by reference as part of this ordinance with respect to all dwellings or parts thereof hereafter constructed in the Village of Loganville.

- (1) 301-A through 301-L (Light and Ventilation)
- (2) 302-A through 302-C (Space Requirements)
- (3) 303-A through 303-C (Habitable Basement Rooms)
- (4) 305-B (Minimum Ceiling Heights)
- (5) 306-A and 306-B (Doors)
- (6) 307-A through 307-C (Stairways)
- (7) 400 through 419-B (Minimum Construction Requirements)
- (8) 500 through 503-C (Heating Requirements)

- (9) Wherever such sections contain the words “the chief underwriter” the words “the Building Inspector” shall be substituted therefore, but his authority shall be limited to a factual determination of whether a proposed material or method meets the performance requirements of this code.

(A) Portions of the State Code – are hereby adopted and made a part of this section.

- (1) Chapters Ind 31 through Ind 57 Wisconsin Administrative Code (Wisconsin State Building Code) with respect to those classes of buildings to which this code specifically applies.
- (2) Sections Ind 52.10 through 52.19 (Fire Protection) with respect to all dwellings hereafter erected within the Village of Loganville.
- (3) Conflicts – If in the opinion of the Building Inspector the Provisions of the State Building Code adopted by this section shall conflict with the provisions of the Federal Housing Administration standards adopted by this section in their application to any proposed building or structure, the building Inspector shall apply the most stringent provisions in determining whether or not the proposed building meets the requirements of this section.
- (4) Dwellings – The term “dwelling” as used in this section includes every building occupied exclusively as a residence by not more than two (2) families.
- (5) New Methods and Materials – All materials, methods of construction and devices designed for use in buildings or structures covered by this ordinance and not specifically mentioned in or permitted by this ordinance shall not be so used until approved in writing by the Industrial Commission of Wisconsin for use in buildings or structures covered by the Wisconsin State Building Code, except sanitary appliances, which shall be approved in accordance with the State Plumbing code issued by the State Board of Health; such materials, methods of construction and devices, when approved, must be installed or used in strict compliance with the manufacturer’s specifications and any rules or conditions of use established by the Industrial commission; the data, test and other evidence necessary to prove the

merits of such material, method of construction or device shall be determined by the Industrial Commission.

#### **5.05 UNSAFE BUILDINGS**

Whenever the Building Inspector finds any buildings or part thereof within the Village of Loganville to be in his judgment so old, dilapidated or so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use, and so that it would be unreasonable to repair the same, he shall order the owner to raze and remove at the owner's option; such order and proceedings shall be as provided in Section 66.05(5) of the Wisconsin Statutes.

#### **5.06 ELECTRICAL CODE**

- (A) State Code Applies – All electrical work, including the placing of wires and other equipment, performed or to be performed in the Village of Loganville shall conform to the Wisconsin State Electrical code, adopted by the Industrial Commission of Wisconsin, 5<sup>th</sup> Addition, 1944, and amendments and revisions adopted to date, which is hereby made by reference a part of this ordinance.
- (B) Permit – No electrical wiring or other equipment shall be installed or altered without first securing a permit therefore from the Village building Inspector, except that repairs or replacements of broken or defective sockets, switches or base receptacles may be made without a permit; the application for such permit shall be on a form furnished by the Building Inspector and shall state clearly the work planned, alterations to be made and equipment and materials to be used and all later deviations from such plan must be submitted to and approved by the building Inspector; the fees to be charged for such permit shall be set from time to time by the Building Inspector and approved by the Village Board.
- (C) Inspections of Work – After roughing in the wiring of any building and before any such work is covered up, or upon completion of any outside wiring construction work, it shall be the duty of the person doing such work to notify the Building Inspector who shall at once inspect or cause to be inspected the same; upon completion of such



wiring, the Inspector shall be notified and shall inspect or cause to be inspected the finished work; if he finds that the work conforms to the State Electrical Code, he shall issue a certificate of compliance which shall contain the date and an outline of the result of such inspection, a duplicate of which shall be filed by location in the office of the Building Inspector; it shall be unlawful to use any such electrical equipment until such certificate has been issued.

#### **5.07 PLUMBING CODE**

- (A) State Code Applies – The construction, reconstruction, installation and alteration of all plumbing, drainage and plumbing ventilation shall conform to the Wisconsin State Plumbing Code adopted by the State Board of Health, which is hereby adopted by reference as a part of this ordinance.
- (B) Permit – No plumbing or drainage of any kind shall be installed or altered, except that leakage or stoppage repairs may be made, without first securing a permit therefore from the building inspector; the application for such permit shall be on a form furnished by the Building Inspector and shall state clearly the work planned, alterations to be made and equipment and materials to be used; all later deviations from such plan must be submitted to and approved by the Building Inspector; the fees to be charged for such permit shall be set from time to time by the Village of Loganville.
- (C) Inspection of Work – Upon completion of the plumbing work on any premises, the person doing such work shall notify the Building Inspector before such work is covered up, and the Building Inspector shall at once inspect or cause to be inspected the work; if he finds that the work conforms to the State Plumbing code, he shall issue a certificate of compliance which shall contain the date and an outline of the result of such inspection; a duplicate of which shall be filed by location in the inspection; a duplicate of which shall be filed by location in the office of the Building Inspector; no person shall use of permit to be used any plumbing or drainage until it has been inspected and approved by the building Inspector.

## **5.08 GAS EQUIPMENT CODE**

- (A) Minimum Standards – No person, firm or corporation shall install any gas burning appliance, gas equipment or gas piping in the Village unless such appliances, equipment or piping comply with the minimum standards hereinafter provided for, which are the standards of the following nationally recognized agencies and the subsequent revisions thereof on file in the office of the Village Clerk Five (5) days after the filing of such revisions, if any to:
1. American Gas Association
    - (a) American Gas Association Requirements and Recommended Practice for House Piping and Appliance Installation
    - (b) Directory of Approved Gas Appliances and Listed Accessories
  2. American Standards Association
    - (a) Requirements for Installation of Domestic Gas conversion burners
    - (b) Installation of Gas Piping and Gas appliances in Buildings
  3. National Board of Fire Underwriters
    - (a) Standards of Installation, Maintenance and Use of Piping and Fittings and Appliances for City Gas
    - (b) Installation of Air conditioning, Warm Air Heating, Air Cooling and Ventilating Systems
- (B) License, Bond Required – No person shall install, alter or repair any gas burning space heating equipment including controls, piping, duct, vent and electric connections until he shall have obtained gas burning space heating dealers' license authorizing him to perform such work (unless such person is a licensed master plumber from the Village of Loganville or from a municipality any part of which lies within Ten (10) miles or is served by the same gas utility); each applicant for a gas burning space heating dealers' license shall file an application in writing on a application blank furnished for the purpose and at the time of the application shall satisfy the Village Engineer/Administrator (or designee) that he is maintaining an established place of business with a radius of Ten (10) miles of the

main office of the gas utility serving the municipality and that he has the necessary experience and qualifications for the installation, repair or retail sale of gas-burning space heating equipment and that he will fulfill the guarantee requirements of the equipment sold and its installation; he shall give to the Village an indemnity bond in the amount of One Thousand (\$1,000), with sufficient sureties, said bond to be first approved by the Village Board to guarantee that he will comply with the requirements of this code; but any person who on the date of the adoption of this code maintained an established place of business within Ten (10) miles of the main office of the utility serving the Village of Loganville or the installation, repair or retail sale of gas-burning space heating equipment shall, upon furnishing said evidence of having been engaged and of having the necessary experience and qualifications, be granted license to conduct the business of the installation, repair, alteration or retail sale of gas-burning space heating equipment, provided application is made with Thirty (30) days of the effective date of this code and upon payment of the annual license fee of Ten Dollars (\$10) to the Village of Loganville.

- (C) License Revocation, Examination for License – Licenses issued pursuant hereto may be revoked or suspended for violations of any provision of this code or of any safety regulation of the industrial commission of the State of Wisconsin or of any safety law of the State of Wisconsin affecting the installation, repair or alteration of gas-burning space heating equipment or for the making of any false statement in the application for such license or for any other cause which the Village Engineer/Administrator shall deem to be good and sufficient after notice, and an opportunity to be heard in such manner as the Village Board shall prescribe; any person who has not made application for a license within Thirty (30) days of the effective date of this code shall be required to take an examination for the contiguous to the Village of Loganville; such examination for the City shall be held on the last Monday of each year; an application fee (see fee schedule) shall accompany each application for a license and the Village Engineer/Administrator upon being satisfied as to the competency of the applicant and the payment of the license fee shall issue a license authorizing him to conduct his business of the installation, repair or retail sale of gas-burning space heating equipment.

## **5.09 LOCATION OF UTILITIES**

All utilities whether public or private including, but not limited to, sewer, water, electrical, telephone and cable TV shall be installed underground to any properties not presently serviced by those utilities after the effective date of this ordinance.

## **5.10 VIOLATIONS AND PENALTIES**

In addition to the revocation provisions herein, the penalty for the violation of any of the provisions of this chapter shall be a forfeiture (see fee schedule) for each and every day of continuing violation.

## **5.11 RESIDENTIAL BUILDING PERMITS, FEES AND INSPECTIONS**

At the time the application for a building permit or other designated permit is filed, the applicant shall pay the following : (See fee schedule)

(A). One Family Dwelling new Construction schedule, Review application and plan set, issue permit

(B). Code Enforcement Inspections      Subject to Building Inspector fee Schedule

(C). General Notes:

1. For new residential construction, Areas included for fee calculation purposes shall include all floor levels, basements, garages, porches, decks, and all spaces enclosed and under roof.
2. Delinquent permit penalty – a penalty equal to the amount of the permit fee at the time of application (assessed when required permit is NOT obtained prior to commencing work).
3. All new construction requires a Certification of Completion prior to occupancy.
4. A Wisconsin Uniform Building Permit seal is required for all new single family and two family dwellings.

(D). Multiple Dwelling New Construction

First 2 Units, each

Each additional unit

(E). Residential addition, alterations, or repair schedule EXCEPTIONS:

1. Remodeling. No permit is required if the estimated cost of the proposed remodeling is less than \$1200.00. Including the fair market value of labor of the owner or others.

2. Replacement. No permit is required for replacement roofs, siding furnaces, fixtures, or same size windows or doors.
3. FEE: All remodeling over \$1200.00 (see fee schedule). This also includes new decks or porches, attached to structure or not.
4. All accessory building which includes storage sheds, garages or buildings with a foundation, not moveable shall pay (fee Schedule)

(F). Issuance of permit shall be done after reviewing the application and the fee associated with the project according to fee schedule.

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## **5.12 SIDEWALKS**

Sidewalks are present in some of the residential neighborhoods.

In case of property owner needing a new sidewalk or replacement of part of the sidewalk, the property owner is responsible for 50% of the cost and the Village will pay 50%. The property owner is responsible for maintaining the sidewalk including clearing snow, weeds or other growth and reporting issues to the village. The construction of a sidewalk shall be according to code and done by a licensed contractor.