

ORDINANCE #2010-06

Building Information Permit Ordinance

Town of Brillion, Calumet County

These regulations are adopted under general authority under the Town's Village Powers granted by Wisconsin Statutes.

SECTION 1 – TITLE AND PURPOSE

The Town Board of the Town of Brillion, Calumet County, Wisconsin, does hereby ordain and create the Building Information Permit Ordinance for the purpose of obtaining information regarding the type, size, and location of all building and structures constructed, reconstructed, remodeled, removed, or demolished after the effective date of this ordinance.

SECTION 2 – AUTHORITY

The town board of the Town of Brillion has the authority under s 60.61, Wis. Stats., and general authority under its Village Powers under s. 60.22, Wis. Stats., to adopt this ordinance.

SECTION 3 – ADOPTION OF ORDINANCE

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, requires a Town Building Information Permit for all buildings, constructed, reconstructed, remodeled, removed, or demolished as provided in this ordinance.

SECTION 4 – DEFINITIONS

In this ordinance:

- A. "Building" means any building or structure and any installation constructed, reconstructed, remodeled, enlarged, altered, removed, or demolished for any use with the town, including but not limited to one – and two-family dwellings, manufactured homes, mobile homes, temporary or seasonal dwellings, garages, agricultural structures, and outbuildings.
- B. "Owner" means any person having a legal or equitable interest in a building. "Owner" does not include any person whose legal or equitable interest in a building is a security interest derived solely from the extension of credit to permit construction or remodeling of the building or purchase of the building by a third party.

C. "Town" means the Town of Brillion, Calumet County, Wisconsin, and includes the town's officers, employees, and agents when appropriate.

D. "Town board" means the Board of Supervisors for the Town of Brillion, or any person designated to act for the town board.

E. "Town clerk" means the Clerk of the Town of Brillion or his or her deputy or agent.

F. "Wis. Stats." means the Wisconsin Statutes, including successor provisions.

SECTION 5 - REQUIREMENTS FOR BUILDING INFORMATION PERMIT

The owner of any building or structure in the town, unless exempt under this ordinance, who constructs, installs, remodels, reconstructs, enlarges, alters, removes, or demolishes any building or structure within the town shall seek and obtain from the town a Town Building Information Permit prior to commencing, or causing the commencement of, any construction, installation, remodeling, reconstruction, enlargement, altering, removing, or demolishing of any building.

SECTION 6 – EXEMPTIONS FROM PERMIT REQUIREMENT

The requirements in Section 5 to obtain a Town Building Information Permit shall not apply to any of the following:

A. Building or structures owned by the town.

B. Additions, remodeling, reconstruction, enlargement, or alteration to buildings, when the cost of the work, including labor, shall be less than \$2,500 within a 12-month period.

C. The restoration or repair of building equipment, such as furnaces, central air conditioners, water heaters, and similar mechanical equipment without the alteration or addition to the building or structure.

D. Fences or other similar enclosures.

SECTION 7 – OTHER REQUIREMENTS REMAIN APPLICABLE

The issuance of this Town Building Information Permit does not relieve the owner from any of the following:

A. Obtaining any permit that may be required by any other state law or local ordinance, including but not limited to any of the following:

1. County sanitary permits.

2. Town, county, or state driveway permits.
3. State one – and 2-family dwelling code permits.
4. Any other applicable permit under town or county ordinance or state law.

B. Complying with any other requirement, ordinance, or law, including, but not limited to, those governing zoning, subdivision, land division, and setbacks.

SECTION 8 - TOWN BUILDING PERMIT FORM, ISSUANCE, AND FEE

The town board is authorized to approve by resolution a Town Building Information Permit form, designate the person or persons authorized to issue the permit and establish a fee for issuance of the permits. Fees are as follow: Improvements costing between \$2,500 - \$50,000 will require a permit fee of \$50.00. Improvements costing over \$50,000 will require a permit fee of \$100.00.

SECTION 9 - PENALTIES

Any person that fails to comply with the provision of this ordinance shall, upon conviction, pay a forfeiture of not less than \$50.00 nor more than \$100, plus the applicable surcharges, assessments and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.

SECTION 10 – SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 11 - EFFECTIVE DATE

This ordinance is effective on publication or posting.

The town clerk shall properly publish this ordinance as required under s. 60.80, Wis. Stats.

Adopted this 8th day of June 2010.