

TOWN OF BRUSSELS
UNIFORM DWELLING CODE
NON-ENFORCEMENT RESOLUTION

WHEREAS, Section 101.651(2m)(b), Wisconsin Statutes, provides that municipalities of 2500 or less population that do not want enforcement of the Uniform Dwelling Code for one and two family dwellings, shall pass a resolution to that effect;

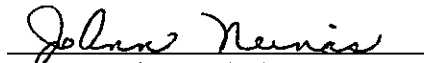
Now, THEREFORE BE IT RESOLVED, that the Town of Brussels shall not:

- exercise jurisdiction over the construction and inspection of new one and two family dwellings under s. 101.65(1)(a),
- exercise jurisdiction jointly with another municipality under s. 101.65(1)(b),
- request under sub. 101.651(3)(a) that a county enforce this subchapter or an ordinance enacted under s. 101.65(1)(a) throughout the municipality,
- request under sub. 101.651(3)(a) that a county provide inspection services in the municipality to administer and enforce this subchapter or an ordinance enacted under s.101.65(1)(a).

Resolved this 18TH day of April, 2000.


George Delveaux, Jr., Chairman

Attest:


JoAnn Neinas, Clerk

Uniform Dwelling Code (UDC) Enforcement Status Survey

Please return to the WI Division of Safety & Buildings, POB 2509, Madison, WI 53701 by July 1, 2000 or as soon as your governing body has chosen one of the options below. (You may also fold the reverse side so that our address fits a window envelope.)

City, Village, Town of Brussels

County of Door Municipality # 1-5-004

Completed by: JoAnn Neinas Date 4-28-00
Clerk

Our Municipality has:

- ☐ Adopted the UDC by ordinance (include a copy with this response) and:
 - ☐ Hired or contracted with a state-certified inspector or
 - ☐ Contracted for inspection services with another municipality or
 - ☐ Entered into a joint enforcement arrangement with another municipality
- ☐ Delegated enforcement authority to our county, which has accepted it
- ☐ Shifted enforcement responsibility by resolution to our county which currently has a county-wide UDC enforcement program for municipalities over 2500 population
- ☐ Decided not to take action, which means that the State will attempt to contract out enforcement, beginning in early 2001.
- ☒ Adopted a resolution, as follows on the reverse side, that declines any UDC enforcement, including enforcement by the state: (Your municipality will continue to be responsible to issue the Wisconsin Administrative Permit for any new dwellings and then to forward a copy to our agency.)

Notice of Changes to the Uniform Dwelling Code Law

Dear Local Official:

As you may already be aware, the recently enacted state budget bill included important changes to the enabling statutes for the Wisconsin Uniform Dwelling Code (UDC), which is the statewide building code for one- and two-family dwellings built since June 1, 1980. Although the code always applies to all such dwellings, municipalities of 2500 or less population have the option of whether or not to provide enforcement of the UDC in their municipality. Our records indicate that your municipality has **not** adopted the UDC for local enforcement. (If this is incorrect, please notify us.)

Your New Responsibility

Beginning May 1, 2000, your municipality will have a new responsibility to consciously decide the enforcement status of the UDC in your municipality among the following options:

- Adopt an ordinance to begin local enforcement of the UDC (model ordinance enclosed)
- Shift enforcement to your county if it already has a county wide UDC enforcement program (currently Adams, Chippewa and Eau Claire counties).
- Delegate enforcement to your county if the county is willing to accept it
- Adopt a resolution declining any UDC enforcement (model enclosed)
- Take no action - which allows the Division of Safety & Buildings to enforce the UDC for new homes in your municipality

In order to remove your municipality from state enforcement for the initial period, you will need to inform us of your action by July 1, 2000. (Enclosed is a survey to indicate your action.) Your municipality will always be able to change its decision.

Division of Safety & Building's Plan

Where our agency has the authority to enforce the UDC, we may delegate it to your county if the county is willing to accept it. Otherwise, we will be contracting out UDC enforcement in individual municipalities to private, state-certified building inspectors, where they are available.

We plan to begin contracted enforcement for new homes in Winter/Spring 2001. We will likely have ongoing or annual contracting opportunities thereafter.

Reasons to Enforce the UDC

We strongly urge your municipality to consider voluntary adoption of the UDC for local enforcement for the following reasons:

- enhancing the safety of your citizens
- preserving the property values and tax-base of your housing
- aiding your local economy by ensuring energy-efficient dwellings that cause fewer energy dollars to leave your area
- satisfying your constituents' growing expectations for more municipal services

- reducing your citizens' property insurance premiums as a result of a better municipal building code enforcement rating by the insurance industry

Note that owners can still work on their own homes, other than for the initial plumbing in a new home, whether or not there is local UDC enforcement. If you prefer not to provide local enforcement, then for many of the same above reasons we urge you to allow enforcement by our agency. If the results are not satisfactory, you may later adopt a non-enforcement resolution.

Options for Local Enforcement

You have several options for local enforcement to choose from:

- hire a state-certified inspector or
- contract a state-certified inspector or
- contract for inspection services with another municipality, such as an adjoining city or your county or
- enter into a joint enforcement arrangement with another municipality, such as an adjoining town

With any of the options, it is necessary to use state-certified inspectors and to purchase and assign UDC permit seals to any new homes.

If your county currently provides only UDC erosion control enforcement and your municipality now decides to enforce the full UDC locally, then you would have erosion control enforcement authority as well. You may be able to continue county erosion control enforcement by contracting with, or delegating authority (model ordinance available) to your county.

Local enforcement of the UDC can be relatively simple and inexpensive to your municipality by:

- setting permit fees to pay for the service
 - contracting with inspector(s) on the basis of collected fees
 - including administrative duties, such as permit issuance, in your contract with inspectors
- Note that for most projects, compliance with the UDC is easily gained by the local inspector. In those few cases where the compliance period of an inspector's building order has expired, your municipality has responsibility to determine appropriate legal action.

With local enforcement as opposed to the state contracting process, in addition to your municipality retaining control of the selection and supervision of your building inspector, you would also be inspecting alterations and additions to homes originally built since 1980. If desired, your inspection program could also include residential outbuildings, commercial buildings and alterations and additions to older homes.

For Further Information

If you are interested in proceeding with the adoption and enforcement of the UDC, our agency can provide you with model ordinances, certified inspector lists, inspector training and certification information, fee schedule guidance and municipality/inspector contract checklists. Feel free to contact us at "Safety & Buildings" on our website, www.commerce.state.wi.us, or by telephone at 608-267-4405 if you desire any of these items or have other questions.

Model Ordinance For Adoption Of Wisconsin Uniform Dwelling Code

It is intended that this model will assist local jurisdictions, working with corporation counsel, through regular procedures, in adopting a local ordinance. The Wisconsin Division of Safety and Buildings also offers a more comprehensive model building code. Upon adoption of a new building code, send a certified copy to: Safety & Buildings Division, P.O. Box 7969, Madison, Wisconsin 53707, Telephone (608)267-7586. An electronic version of this model ordinance is also available.

Town, Village, City, County of _____.

ORDINANCE # _____

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1.1 **AUTHORITY.** These regulations are adopted under the authority granted by s. 101.65, Wisconsin Statutes

[IF COUNTY ORDINANCE] This ordinance shall apply in any municipality of over 2500 population without a Uniform Dwelling Code enforcement program and the following other municipalities requesting county enforcement: _____.

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

1.3 **SCOPE.** The scope of this ordinance includes the construction and inspection of one- and two-family dwellings built since June 1, 1980. **[Note that additional language is necessary to expand the scope to cover garages and other residential outbuildings or to alterations and additions to dwellings built prior to June 1, 1980.]**

1.4 **WISCONSIN UNIFORM DWELLING CODE ADOPTED.** The Wisconsin Uniform Dwelling Code, Chs. Comm 20-25 of the Wisconsin Administrative Code, and all amendments thereto, is adopted and incorporated by reference and shall apply to all buildings within the scope of this ordinance.

1.5 **BUILDING INSPECTOR.** There is hereby created the position of Building Inspector, who shall administer and enforce this ordinance and shall be certified by the Division of Safety & Buildings, as specified by Wisconsin Statutes, Section 101.66(2), in the category of Uniform Dwelling Code Construction Inspector. Additionally, this or other assistant inspectors shall possess the certification categories of UDC HVAC, UDC Electrical, and UDC Plumbing. **(NOTE: Contact the Division of Safety & Buildings at (608)261-8500 for certification information.)**

1.6 **BUILDING PERMIT REQUIRED.** No person shall alter, in excess of **[INSERT AMOUNT]** \$ _____ value in any twelve month period, build, add onto or alter any building within the scope of this ordinance without first obtaining a building permit for such work from the building inspector. Any structural changes or major changes to mechanical systems that involve extensions shall require permits.

Restoration or repair of an installation to its previous code- compliant condition as determined by the building inspector is exempted from permit requirements. Residing, re-roofing, finishing of interior surfaces and installation of cabinetry shall be **[CHOOSE OPTION]** included/exempted from permit requirements.

(NOTE: Fill in the threshold amount above which permits are required. Also decide whether new interior and exterior surfaces or cabinetry shall be included or exempted.)

1.7 BUILDING PERMIT FEE. The building permit fees shall be determined by resolution.

1.8 PENALTIES. The enforcement of this section and all other laws and ordinances relating to building shall be by means of the withholding of building permits, imposition of forfeitures and injunctive action. Forfeitures shall be not less than **[INSERT AMOUNT]** nor more than **[INSERT AMOUNT]** for each day of noncompliance.

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

Adopted this _____, day of _____, _____

(Mayor, President, Chairperson)

Attest: _____

Published: _____

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Submit to non-enforcing
municipalities for new 1-
and 2- family dwellings

WISCONSIN ADMINISTRATIVE BUILDING
PERMIT APPLICATION
(Wis. Stats. 101.63 (7) & 101.65 (3))

State of Wisconsin
Safety and Buildings Division

SEE INSTRUCTIONS ON BACK OF SECOND PLY

Personal information you provide may be used for secondary purposes. [Privacy Law 15.04(1)(m)]

PERMIT APPLICANT						
Last Name		First Name		Middle Initial		
Street Address						
City		State	Zip Code	Telephone No. (Include area code)		
PROJECT LOCATION						
Building Address		Subdivision Name		Lot #	Block #	
Legal Description ____ 1/4, ____ 1/4, Section ____ T ____ N, R ____ E or W				Parcel No.		
1. PROJECT TYPE		2. HVAC EQUIPMENT				
☐ 1 Family		☐ Forced Air Furnace		☐ Radiant Baseboard or Panel		☐ Heat Pump
☐ 2 Family		☐ Boiler		☐ Central AC		☐ Other:
3. ENERGY SOURCE		Nat. Gas	L.P.	Oil	Elect.	Solid Solar
Space Heating		☐	☐	☐	☐	☐
Water Heating		☐	☐	☐	☐	☐
4. CONSTRUCTION TYPE		5. FOUNDATION				
☐ Site Constructed		☐ Concrete		☐ Masonry		☐ Treated Wood
☐ Manufactured		☐ Other (specify):				
6. AREA		7. ESTIMATED BUILDING COST				
Living area =		Square Feet		\$		
I vouch that all the above information is correct, and understand that the issuance of this permit is for administrative purposes only. I understand that onsite construction inspections will not be performed by the municipality, but that the Uniform Dwelling Code, Chapters Comm/ILHR 20-25, still applies to all new 1- and 2-family dwellings and must be complied with. I understand that the issuance of this permit does not relieve me of compliance with other applicable codes and ordinances.						
Applicant's Signature				Date Signed		
MUST BE COMPLETED BY THE MUNICIPALITY BEFORE FORWARDING PINK PLY TO THE STATE DIVISION OF SAFETY AND BUILDINGS						
ISSUING JURISDICTION:		☐ Town ☐ Village ☐ City ☐ County of:				
MUNICIPALITY NUMBER: of Dwelling Location		# _____ - _____			FEES:	
PERMIT ISSUED BY:					DATE ISSUED:	

INSTRUCTIONS

The owner, builder or agent shall complete and provide all required information on the application form down through the Signature of Applicant block. This data is used for statewide statistical gathering on new one- and two-family dwellings, as well as for local administration. **Prior to submitting this application to the municipality, obtain any necessary sanitary or zoning permit from the county.** After completing this application, submit it to the local municipality having jurisdiction. Plan review or building inspections will not be performed by the municipality.

PERMIT REQUESTED:

- Fill in building address.
- Fill in legal description of lot, subdivision name, lot number and block number.

PROJECT DATA:

- Fill in **all numbered** project data blocks (1-7) with the required information. All data blocks must be filled in, including the following:

1. **Type** - Check only "1-Family" or "2-Family" if that is what is being built. In other words, do NOT use this form if only a new detached garage is being built, even if it serves a one or two family dwelling.
2. **HVAC Equipment** - Check only the major source of heat, not any supplemental sources. Mark central air conditioning if present. Only check "Radiant Baseboard or Panel" if there is no central source of heat.
6. **Living Area** - Include any finished area including finished areas in basements. For two-family dwellings, include total combined areas.
7. **Estimated Cost** - Include the total cost of construction, but not cost of land or landscaping.

SIGNATURE:

- Sign and date application form.

ISSUING JURISDICTION - This must be completed by the AUTHORITY HAVING JURISDICTION.

Check off MUNICIPALITY STATUS of issuing jurisdiction, such as town, village, city or county.

Fill in MUNICIPALITY NUMBER OF DWELLING LOCATION. If issued by a county, indicate the specific municipality number where the dwelling will be built.

Fill in name of person issuing permit and date building permit issued.

PLEASE FORWARD SECOND PLY WITHIN 30 DAYS AFTER ISSUANCE TO (You may fold along the dashed lines and insert this form into a window envelope.):

Safety & Buildings Division
P O Box 2509
Madison, WI 53701-2509