

Village of Sister Bay Code of Ordinances
Buildings and Building Regulation

Chapter 14
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Sections 14.1 – 14.26 were renumbered and rewritten on August 14, 2012 as Ordinance 196.
Revised Ordinance 2023-001 dated 1/17/2023
Amended Ordinance 2024-002

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1 BUILDINGS AND BUILDING REGULATIONS

2 *Cross references: Fire prevention and protection, Chapter 22; historic preservation, Chapter 26; signs, Chap-
3 ter 46; solid waste, Chapter 50; subdivisions, Chapter 54; removal and deposit of debris from construction ve-
4 hicles, § 58-2; utilities, Chapter 62; zoning, Chapter 66.

6 Article I. In General

7 Sec. 14.1 Authority.

8 This chapter is adopted pursuant to the authority granted in Wis. Stats. §§ 61.34, 101.65, 101.76 and 101.761.

9 Sec. 14.2 Fees for building permits and inspections.

10 Payment of fees. At the time the application for a building permit is filed, the applicant shall pay the fees as
11 set forth in the fee schedule specifically designated by statute, or resolution or ordinance adopted by the Vil-
12 lage of Sister Bay. (Ord 2023-001)

13 Sec. 14.3 Reserved.

14 Sec. 14.4 Scope.

15 This chapter applies to all dwellings, structures, buildings and residential accessory buildings. Notwithstand-
16 ing this section, this chapter shall not apply to children's play structures or agricultural buildings.

17 Sec. 14.5 Permit required.

- 18 (a) No owner or contractor may commence construction of any building or mechanical system prior to ob-
19 taining a valid permit from the building inspector.
- 20 (b) The construction which shall require a building permit includes, but is not limited to, the following:
- 21 (1) New buildings, detached structures (decks) and detached accessory buildings.
- 22 (2) Additions that increase the physical dimensions of a building including decks.
- 23 (3) Alterations to the building structure, cost shall include market labor value, or alterations to the build-
24 ing's heating, electrical or plumbing systems.
- 25 (4) Alteration of plumbing, venting, electrical or gas supply systems.
- 26 (5) Any electrical wiring for new construction or remodeling.
- 27 (6) Any HVAC for new construction or remodeling.
- 28 (7) Any plumbing for new construction or remodeling.
- 29 (8) Any new or rewired electrical service.
- 30 (c) The following construction activities shall not require a building permit:
- 31 (1) Re-siding, re-roofing and finishing of interior surfaces, installation of cabinetry, and repairs, which are
32 deemed minor by the building inspector. Notwithstanding this section, however, a permit accompanied
33 by structural load bearing calculations shall be required for re-roofing a building if the proposed re-
34 roofing would constitute a third or more layer of roofing.
- 35 (2) Normal repairs of HVAC, plumbing and electrical equipment or systems such as replacing switches,
36 receptacles, light fixtures and dimmers.
- 37 (3) Agricultural structures.
- 38 (4) Replacement of major building equipment including furnaces and central air conditioners, water heat-
39 ers and any other major piece of equipment.

40 Sec. 14.6 Adoption of codes.

41 The following chapters of the Wisconsin Administrative Codes, as well as all subsequent revisions, are adopt-
42 ed by the Village and shall be enforced by the building inspector:

- 43 (a) SPS Chapter 302 Plan Review Fees

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- 1 (b) SPS Chapter 305 Credentials
- 2 (c) SPS Chapters 316 Electrical Code
- 3 (d) SPS Chapters —320-325 Uniform Dwelling Code
- 4 (e) SPS Chapter 360 Erosion control, Sediment control & Storm Water Management
- 5 (f) SPS Chapters —361-366 Commercial Building Code
- 6 (g) SPS Chapters —375-379 Existing Building Code
- 7 (h) SPS Chapters —381-387 Uniform Plumbing Code
- 8 (i) In addition, the NFPA 58 Code relating to Liquefied Petroleum Gas. This code applies to the storage,
- 9 handling, transportation and use of LP gas.(Amended by Ordinance 135-121107)
- 10 (Amended by Ordinance 270-111919)

11 **Sec. 14.7 Scope of uniform dwelling code expanded.**

12 For the purposes of this chapter, the standards contained in the Wisconsin Uniform Dwelling Code shall be
13 expanded to apply as the standards for construction of the following:

- 14 Additions and alterations for one- and two-family dwellings built prior to June 1, 1980.
- 15 (Amended by Ordinance 270-111919)

17 **Sec. 14.8 Certified municipality status.**

18 The Village has not adopted the certified municipality status as described in Wis. Admin. Code SPS 361.60.
19 (Amended by Ordinance 270-111919)

20 **Sec. 14.9 Building-HVAC-electrical-plumbing inspector.**

- 21 (a) Creation and appointment. There is created the office of building inspector. The building inspector
22 shall be appointed by the Village. The building inspector shall be certified for inspection purposes by
23 the department in the required categories specified under Wis. Admin. Code SPS305.
- 24 (b) Subordinates. The building inspector may employ, assign or appoint, as necessary, subordinate, me-
25 chanical inspectors. Any subordinate hired to inspect buildings shall be certified as defined in Wis.
26 Admin. Code SPS305, by the department. (Amended by Ordinance 270-111919)
- 27 (c) Duties. The building inspector shall administer and enforce all provisions of this section.
- 28 (d) Powers. The building inspector or an authorized certified agent of the building inspector may, at all
29 reasonable hours, enter upon any public or private premises for inspection purposes. The building in-
30 spector may require the production of the permit for any building, plumbing, electrical or heating work.
31 No person shall interfere with or refuse to permit access to any such premises to the inspector or his
32 agent while in the performance of his duties. If the inspector is refused access to any such premises,
33 then the inspector is authorized to apply for a special inspection warrant pursuant to Wis. Stats. §
34 66.0119.
- 35 (e) Inspections. In order to permit inspection of a building project at all necessary phases without causing
36 delay for the owner, the owner and/or contractor shall request all of the following inspections in con-
37 formity with the appropriate timeframe defined in the Wisconsin Administrative Code or at least 48
38 hours in advance by the applicant / contractor or property owner as applicable.
 - 39 (1) Footing.
 - 40 (2) Foundation.
 - 41 (3) Rough carpentry, HVAC, electric and plumbing.
 - 42 (4) Drain tile/basement floor.
 - 43 (5) Under floor plumbing.
 - 44 (6) Electric service.
 - 45 (7) Insulation.
 - 46 (8) Final carpentry, HVAC, electric and plumbing.
 - 47 (9) Erosion control.

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- 1 (f) Failure to request inspection. Failure to request any inspection will be the responsibility of the contrac-
2 tor and/or property owner. No construction shall be deemed approved by default or lack of inspection
3 by the building inspector.
- 4 (g) Responsibility for expenses. The expense of uncovering or exposing any work, which must be inspect-
5 ed, where such work was required by the failure of the owner to request any inspection, will be the re-
6 sponsibility of the contractor and/or property owner.
- 7 (h) Records. The building inspector shall perform all administrative tasks required by the department under
8 all codes covered in section 14.6. In addition, the inspector shall keep a record of all applications for
9 permits and shall number each permit in the order of its issuance.

10 **Sec. 14.10 Submission of plans.**

11 The municipality has adopted the Appointed Agent Municipality Status as described in SPS 361.60 and SPS
12 382 of the Wisconsin Administrative Code.

13 (a) Responsibilities. The village shall assume the following responsibilities for the Department of Safety
14 and Professional Services (Department):

- 15 1) Provide inspection of commercial buildings with certified commercial building inspectors.
- 16 2) Provide plan examination of commercial buildings with certified commercial building in-
17 spectors.

18 (b) Submission of plans. The following shall be submitted to the state or contractor:

- 19 1. Drawings, specifications and calculations for all the types of buildings and structures, except
20 state-owned buildings and structures and other structures exempted in SPS 361.03(3) or SPS
21 382, to be constructed within the limits of the Village of Sister Bay shall be submitted, if the
22 plans are for any of the following:
 - 23 i. a new building or structure.
 - 24 ii. An addition to a building, structure, or building system such as a fire alarm, sprin-
25 kler, plumbing, or HVAC system.
 - 26 iii. An alteration of a building space, element or structure. Including alteration of an ex-
27 isting fire alarm system, fire sprinkler system, plumbing system, HVAC system or
28 replacement of equipment or fixtures within those systems.
 - 29 iv. A certified or delegated municipality may waive its jurisdiction for the plan review
30 of a specific project or types of projects, or components thereof, in which case plans
31 and specifications shall be submitted to the Department for review and approval.
 - 32 v. The department may waive its jurisdiction for the plan review of a specific project,
33 where agreed to by a certified municipality, in which case plans and specifications
34 shall be submitted to the certified municipality for review and approval.

35 (c) Plan Submission Procedures. All commercial buildings, structures and alterations, including new
36 buildings and additions require plan submission as follows:

- 37 1. Building permit application.
- 38 2. Application for review – The applicant shall submit an application made on State of Wiscon-
39 sin forms as applicable based on trade submitted or Municipal Equivalent, and the following:
 - 40 i. Fees per Village fee schedule
 - 41 ii. In addition to a. and b. above, one of the following through a. – e. below, or, all
42 items listed in f. – j.
 - 43 a. 4 sets of plans
 - 44 b. Signed and sealed per SPS 361.31 or SPS 382
 - 45 c. (1) set of specifications
 - 46 d. Component and system plans
 - 47 e. Calculations showing code compliance
 - 48 f. 1 set of plans with 3 Project cover sheets
 - 49 g. Signed and sealed per SPS 361.31 or SPS 382
 - 50 h. (1) set of specifications
 - 51 i. Component and system plans

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- 1 j. Calculations showing code compliance
2 3. Electronic submission allowed. Nothing in this code or Wisconsin Administrative Code SPS
3 361 to 366 and SPS 382 is intended to prohibit the submission and acceptance of plans and
4 construction documents in an electronic or digital media. However, if plans are approved
5 electronically, 2 sets of hard copies bearing the approval stamp of the reviewer is still re-
6 quired to be submitted prior to permit issuance. (Ord 2023-001)

7 **Sec. 14.11 Issuance of permit.**

- 8 (a) The building inspector shall issue the requested permit if the owner or contractor demonstrates that all
9 state, county and local submission requirements are satisfied. If a permit card is issued, it shall be post-
10 ed at the job site in a visible location from the street. Permits are valid for two years. Permits may be
11 extended for 30, 90 or up to 180 days with the building inspector's approval and payment of permit
12 fees.
13 (b) By accepting a permit, the applicant, owner or contractor grants the building inspector the right of ac-
14 cess to the real estate on which the permitted construction or demolition will occur.
15 (c) Permits are issued conditionally on the condition that the owner and/or contractor shall conform to the
16 requirements of all applicable codes, zoning ordinances and setback requirements in constructing the
17 building.
18 (d) No building, plumbing, electrical or HVAC permit shall be issued to any person who is in violation of
19 this Chapter until such violation has been corrected.
20 (e) No building, plumbing, electrical or HVAC permit shall be issued to any person to whom an order has
21 been issued by the Building Inspector.
22 (f) It shall be the responsibility of the installer or contractor to determine if a permit is required and to ob-
23 tain the same prior to commencing work.

24 **Sec. 14.12 Reserved.**

25 **Sec. 14.13 Occupancy permits.**

26 If the building inspector, after completing all required inspections, finds that a building has been constructed
27 in accordance with the applicable codes, then the inspector shall issue an occupancy permit. If the building
28 fails to comply with the code in minor respects, which do not threaten the safety, health or welfare of the
29 building's occupants, the building inspector may issue a temporary occupancy permit for 30 days or a speci-
30 fied term. No person may have occupancy of a building until an occupancy permit is issued.

31 **Sec. 14.14 Unsafe buildings.**

32 Whenever the building inspector determines that any building or structure is so old, dilapidated or has become
33 so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation, occupancy or
34 use, and so that it would be unreasonable to repair the building or structure, the inspector shall order the own-
35 er to raze and remove all or part thereof, or if such structure can be made safe and sanitary by repairs, is at the
36 owner's option. Such orders and proceedings shall be as provided in Wis. Stats. § 66.0413(1)(i).

37 **Sec. 14.15 Razing and demolition.**

- 38 (a) Demolition permit required. No person may cause the demolition of any structure or part of a structure
39 greater than 400 square feet in area without having first applied for and obtained a demolition permit
40 from the Zoning Administrator. No person may undertake any steps to demolish the structure prior to
41 receiving a permit.
42 (b) Application. An application for a permit to demolish all or part of a building shall include the following
43 information:
44 (1) The name and address of the owner of the building on the date of the application and, if different, on
45 the date of demolition;
46 (2) The name, address and telephone number of the contractor performing the demolition work;
47 (3) The date upon which demolition is to commence;

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- 1 (4) The date by which demolition shall be complete;
- 2 (5) A list of all hazardous waste and hazardous and toxic substances (as defined by Wis. Admin. Code
- 3 NR Chapter 706, as amended from time to time) contained in the building, a statement as to whether
- 4 the building contains asbestos (as defined by Wis. Admin. Code NR Chapter 445), and a detailed de-
- 5 scription of the method to be used in removing, transporting and disposing of any hazardous waste,
- 6 hazardous and toxic substances and asbestos;
- 7 (6) A detailed description of how and where the waste materials resulting from the demolition will be
- 8 transported and disposed of (including the description of the route to be used by trucks in hauling
- 9 the waste);
- 10 (7) A description of the method of demolition to be used;
- 11 (8) A description in detail of all methods to be used to prevent water runoff and soil erosion from the
- 12 site to neighboring properties and to prevent releasing unreasonable amounts of dust from the site;
- 13 and
- 14 (9) Along with the application for permit for demolition, the applicant shall present a release from all
- 15 utilities serving the property, stating that their respective service connections and appurtenant
- 16 equipment such as meters and regulators have been removed or sealed and plugged in a safe manner.
- 17 (c) Demolition. The demolition shall be conducted in a manner that is safe and that does not adversely af-
- 18 fect the environment.
- 19 (d) Clearing and leveling the site.
- 20 (1) The site of any demolition shall be properly cleared of debris, rubbish and pavement and shall be
- 21 properly graded and leveled to conform with the adjoining grade of the neighboring property; and
- 22 when so graded and leveled, the site shall be seeded, sodded or treated in some other manner ac-
- 23 ceptable to the Zoning Administrator to prevent blowing dust, dirt or sand. Excavations remaining
- 24 after demolition shall be filled, graded and leveled off, not later than 30 consecutive days after dem-
- 25 olition is completed.
- 26 (2) Excavations from demolished buildings or structures shall not be filled with any materials subject to
- 27 deterioration. The Zoning Administrator, upon notification by the permit holder, the owner or his
- 28 agent, in writing and upon forms provided by the Zoning Administrator for that purpose, shall within
- 29 72 hours inspect each excavation, or part thereof, before the filling of any excavation.
- 30 (3) It shall be unlawful to fill any such excavation without inspection and approval of the Zoning Ad-
- 31 ministrator. Voids in filled excavations shall not be permitted. In the event of the unavailability of
- 32 the Zoning Administrator to conduct an inspection within the 72 hours after written notice, the per-
- 33 mit holder, owner or his agent may retain the services of a certified, qualified municipal inspection
- 34 service to obtain an opinion that approves the filling of the excavation. Such opinion shall be
- 35 deemed a sufficient approval by the Village provided that a written copy of the opinion is delivered
- 36 to the Clerk at least 48 hours before any filling of the excavation commences.
- 37 (e) Removal and disposal. Removal, transportation and disposal of all hazardous wastes, hazardous and
- 38 toxic substances and asbestos shall be conducted in compliance with all applicable state, federal and
- 39 local statutes, ordinances and regulations. The permit holder shall give the Zoning Administrator 72
- 40 hours written notice prior to any removal, transportation or disposal of hazardous wastes, hazardous
- 41 and toxic substances and asbestos.

42 **Sec. 14.16 Moving buildings.**

- 43 (a) Generally. No person shall move any building or structure upon any public rights-of-way of the Village
- 44 without first obtaining a permit therefore from the Zoning Administrator and upon the payment of a re-
- 45 quired fee. Every such permit issued by the Zoning Administrator for the moving of a building shall
- 46 designate the route to be taken, the conditions to be complied with and shall limit the time during
- 47 which such moving operations shall be continued. This section shall not apply to manufactured homes
- 48 as defined by the Federal Fair Housing Act.
- 49 (b) Moving damaged buildings. No building shall be repaired, altered or moved within or into the Village
- 50 that has deteriorated or has been damaged by any cause (including such moving and separation from its
- 51 foundation and service connections in the case of moved buildings) 50 percent or more of its equalized

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1 value. No permit shall be granted to repair, alter or move such building within or into the Village. Fur-
2 thermore, if the equalized assessed value of the building is not within 20 percent of the surrounding
3 buildings within 1,000 feet of the parcel where the building is proposed to be moved to, no permit shall
4 be granted unless the building is improved so that its equalized value is within 20 percent of the lowest
5 equalized value of any of the surrounding buildings.

6 (c) Continuous movement. The movement of buildings shall be a continuous operation during all the hours
7 of the day, and day by day until such movement is fully completed. All of such operations shall be per-
8 formed with the least possible obstruction to thoroughfares. No building shall be allowed to remain
9 overnight upon any street crossing or intersection, or so near thereto as to prevent easy access to a fire
10 hydrant or any other public facility. Lighted lanterns shall be kept in conspicuous places at each end of
11 the building during the night.

12 (d) Street repair/inspection. Every person receiving a permit to move a building shall, prior to moving the
13 building, accompany the Zoning Administrator and Village Administrator on an inspection of the route
14 the building will travel within the Village limits. The applicant shall, within one day after such building
15 reaches its destination, report the fact to the Zoning Administrator who shall thereupon, in the company
16 of the Village Administrator, inspect the streets and highways over which such building has been
17 moved and ascertain the condition. If the removal of such building has caused any damage to any street
18 or highway, the person to whom the permit was issued shall forthwith place them in good repair as they
19 were before the permit was granted. On the failure of the permittee to repair such damage within ten
20 days thereafter to the satisfaction of the Village board, the Village board shall repair the damage done
21 to such streets and hold the person obtaining such permit and the sureties on his bond responsible for
22 payment of bond.

23 (e) Conformance with Code. No permit shall be issued to move a building within or into the Village and to
24 establish it upon a location within the Village until the Zoning Administrator has made an investigation
25 of such building at the location from which it is to be moved and is satisfied from such investigation
26 that such building is in a sound and stable condition and of such construction that it will meet the re-
27 quirements of the Building Code in all respects. A complete plan of all further repairs, improvements
28 and remodeling, with reference to such building, shall be submitted to the Zoning Administrator, and
29 he shall make a finding of fact to the effect that all such repairs, improvements and remodeling are in
30 conformity with the requirements of the Building Code and that when such repairs, improvements and
31 remodeling are completed, the building, as such, will comply with the Building Code. If a building is to
32 be moved from the Village to some point outside of the boundaries thereof, the provisions, with respect
33 to the furnishing of plans and specifications for proposed alterations to such building, may be disre-
34 garded.

35 (f) Cash deposit.

36 (1) Before a permit is issued to move any building over any public way in this Village, the party apply-
37 ing for such permit shall make a cash deposit to the Village in a sum, to be fixed by the Village,
38 which sum shall not be less than \$5,000. The cash deposit shall be held for indemnification of the
39 Village for any costs or expenses incurred by it in connection with any claims for damages to any
40 persons or property, and the payment of any judgment, together with the costs or expenses incurred
41 by the Village in connection therewith, arising out of the removal of the building for which the per-
42 mit is issued. The cash deposit shall be refunded if after the building is moved and the Zoning Ad-
43 ministrator and supervisor of public works have found the permit was complied with and no damag-
44 es were caused by the move.

45 (2) The cash deposit required by subsection (f)(1) of this section shall be further conditioned upon the
46 permittee erecting adequate barriers and within 48 hours, filling in such excavation or adopting and
47 employing such other means, devices or methods approved by the Zoning Administrator and reason-
48 ably adopted or calculated to prevent the occurrences set forth in this subsection. The Zoning Ad-
49 ministrator may waive the timelines in this subsection if the Zoning Administrator, after investiga-
50 tion, determines that the excavation exposed by the removal of such building from its foundation is
51 not so close to a public thoroughfare as to constitute a hazard to persons, particularly, children under
52 12 years of age.

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1 (g) Insurance. The building inspector shall require, in addition to the cash deposit indicated in subsection
2 (f) of this section, public liability insurance covering injury to one person in the sum of not less than
3 \$500,000 and for one accident, aggregate not less than \$1,000,000, together with property damage in-
4 surance in a sum not less than \$500,000, or such other coverage as deemed necessary.

5 (h) Village examination of application.

6 (1) Before any permit to relocate a building may be issued, the Plan Commission shall examine the ap-
7 plication for the permit and approve the application.

8 (2) The application shall include exterior elevations of the building at its proposed new location; accu-
9 rate photographs of all sides and views of the building; in case it is proposed to alter the exterior of
10 such building, plans and specifications of such proposed alterations, and a site plan showing the loca-
11 tion of the building on the final resting site.

12 (3) The Village Administrator shall not grant a permit unless the Plan Commission has taken a view of
13 the building proposed to be moved and of the site at which it is to be located.

14 (4) The Village Administrator may not issue a permit for relocation of a building unless he/she finds
15 that the exterior appearances and design of the building to be moved, or moved and altered, will be
16 consistent with the exterior appearance and design of the buildings already constructed or in the course
17 of construction in the immediate neighborhood, or with the character of the applicable district estab-
18 lished by the zoning ordinances of the Village. No permit shall be granted if the relocation will cause a
19 substantial depreciation of the property values of the neighborhood to which the building is proposed
20 to be relocated.

21 (5) In case the applicant proposed to alter the exterior of such building after moving the building, he
22 shall submit, with his application papers, complete plans and specifications for the proposed altera-
23 tions. Before a permit shall be issued for a building to be moved and altered, the applicant shall depos-
24 it a cash deposit of not less than \$5,000.00 with the Village to secure the timely completion of all pro-
25 posed exterior alterations to such building, as set forth in the plans and specifications. This cash depos-
26 it shall be in addition to any other bond or surety, which may be required by other applicable ordinanc-
27 es of the Village. The cash deposit shall be refunded after the exterior alterations are completed and the
28 Zoning Administrator has found the building exterior complies with the approved plans and within the
29 timeframe set by the Plan Commission. The deposit shall be forfeited if the exterior of the building
30 does not comply with the approved plans or if the timeframe for completing the work is not adhered
31 to.

32 (6) No occupancy permit shall be issued for such building until the exterior alterations proposed to be
33 made have been completed.

34 (7) Whenever an application for relocation of a building is made to the Zoning Administrator, he shall
35 request a meeting of the Plan Commission to consider the application. The Zoning Administrator shall
36 inform the Plan Commission whether or not the application complies, in all respects, with all other or-
37 dinances. The Plan Commission may, if it desires, hold a public hearing on the permit. (Ord 2023-001)

38 **Sec. 14.17 Exterior finish required.**

39 All buildings shall have a weather-resistant, uniform and neighborhood-compatible exterior finish. Tar paper
40 or similar material is not acceptable.

41 **Sec. 14.18 Maintenance of yards.**

42 Yards shall be kept free of weeds, trash and open storage of more than one non-licensed or disabled vehicle.
43 Contractors and owners shall use their best efforts to prevent soil erosion, diversion of surface water or dam-
44 age to adjoining property.

45 **Sec. 14.19 Payment of fees.**

46 At the time of building permit application issuance, the applicant shall pay fees as established periodically by
47 the Village. If work commences prior to permit issuance, the permit fee shall double.

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1 **Sec. 14.20 Violations and penalties.**

- 2 (a) No person may construct, remodel or repair any building or otherwise use or maintain property in a
3 manner, which violates any provision of this chapter.
- 4 (b) Every person who violates this chapter shall, upon conviction, forfeit not less than \$100.00 nor more
5 than \$1,000.00 for each day of noncompliance, together with the costs of prosecution.
- 6 (c) Violations discovered by the building inspector shall be corrected within 30 days, or more if allowed
7 by the inspector, after written notice is given. Violations involving life safety issues shall be corrected
8 in a reasonable timeframe established by the building inspector.
- 9 (d) Compliance with the requirements of this chapter is necessary to promote the safety, health and well-
10 being of the community and the owners, occupants and frequenters of buildings. Therefore, violations
11 of this chapter shall constitute a public nuisance that may be enjoined in a civil action.

12 **Sec. 14.21 Stop work order.**

13 The building inspector may issue a stop work order for a project to prevent further non-complying work. No
14 person may continue a construction project after a stop work order has been issued. The person that receives
15 such a stop work order may contest the validity of the stop work order by requesting a hearing before the Vil-
16 lage. The Village shall hear the appeal within seven days. The Village shall affirm the stop work order unless
17 the owner or contractor shows that the building inspector erred in determining that the construction project
18 violated a provision of the state building codes.

19 **Sec. 14.22 Variance.**

20 The Village board shall hear requests for variances from the building code to the extent the Village has author-
21 ity to hear and grant variances. The Village board shall approve, conditionally approve or deny a requested
22 variance. The Village board may grant a variance from a code requirement only if the variance is permitted by
23 law and if the performance of the proposed variance is equal to or greater than the code requires.

24 **Sec. 14.23 Appeals.**

25 Any person feeling aggrieved by an order of the building inspector may, within 20 days thereafter, appeal
26 from such order to the Village board. The Village will follow procedures explained on Wis. Stats. Chapter 68,
27 to arrive at a final determination. Final determinations may be reviewed as explained in Wis. Admin. Code
28 SPS. § 20.21.

29 **Sec. 14.24 Disclaimer and non-liability for damages.**

30 This chapter shall not be construed as an assumption of liability by the Village or the building inspector for
31 damages because of injuries sustained or property destroyed by any defect in any dwelling or equipment.

32 **Sec. 14.25 Definitions.**

33 As used in this chapter, the following terms have the meaning prescribed in this section. Any item not defined
34 in this section shall follow the Wisconsin Administrative Code definitions.

35

36 Building means any structure erected or constructed of wood, metal, stone, plastic or other materials, which is
37 intended to be used by human beings or animals for occupancy, livery, commerce, education, cultural
38 activities or other purpose. The term "building" does not include children's play structures, agricultural
39 barns, agricultural sheds or agricultural accessory buildings.

40 Building inspector means the individual or firm appointed by the Village to exercise all of the powers and du-
41 ties of a building inspector under law.

42 Construction means any part or portion of the activity of installing, locating, siting, erecting or raising a
43 building.

44 Contractor means any person, firm or entity, which undertakes any activity related to the construction of a
45 building other than the mere provision of supplies or materials.

46 Demolition means the activity of completely or partially destroying a previously erected or constructed build-
47 ing.

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1 Electrical means the trade which relates to the design, installation, maintenance and repair of the mechanical
2 equipment, wiring, fixtures and connections which tie a structure to the power grid of an electric gener-
3 ating utility and distribute the electricity through a structure to end uses, including any work which may
4 be performed by a master electrician licensed by the state or a person under the supervision of such an
5 electrician.

6 Garage, private, means a garage where private vehicles are kept for storage purposes only and wherein such
7 use is accessory to the residential use of the property on which it is stored. A carport is considered a
8 private residential garage.

9 Garage, public, means any building or premises, other than a private or a storage garage, where motor-driven
10 vehicles are equipped, repaired, serviced, hired or sold or stored for monetary gain as a business.

11 HVAC is an acronym, which stands for heating, ventilating and air conditioning; the trade, which installs me-
12 chanical equipment, systems and accessory ducting and gratings for the purpose of warming, purifying,
13 cooling and exchanging air in a building.

14 Occupancy means the act of utilizing a building for human habitation, use or occupancy. Any use of a build-
15 ing for any activity, which is customarily or routinely associated with utilization of a building as a resi-
16 dence, detached residential accessory structure, or commercial use shall constitute occupancy.

17 Owner means the individual, firm or entity which has record title to the real estate on which construction or
18 demolition is taking place.

19 Plumbing means the trade which relates to the design, installation and maintenance or repair of pipes, drains,
20 sinks, basins, hot water heating systems, natural gas pipes, grease traps, floor drains and all other work
21 for which the individual performing the work may either be a master plumber licensed by the state or
22 work under the supervision of such a plumber.

23 Repairs means repairs for purposes of maintenance or replacements in any existing building or structure,
24 which do not involve the structural portions of the building or structure. Repairs which do not affect
25 room arrangement, light and ventilation, access to or efficiency of any exit stairways or exits, fire pro-
26 tection or exterior esthetic appearance and which do not increase a given occupancy and use, shall be
27 deemed minor repairs.

28 Stop work order means a directive issued with respect to a construction project by a building inspector, which
29 compels the owner, and any contractor or builder of a building to cease any further work or activity on
30 the construction project until the building inspector has authorized the resumption of the construction
31 project.

32 Cross references: Definitions generally, § 1.2.

33 **Secs. 14.26—14.60 Reserved**

ARTICLE II. AUTOMATIC FIRE SPRINKLER SYSTEM

35 **Sections 14.61 - 14.103 Repealed by Ordinance 229-061714**