

**STATE OF WISCONSIN  
MILWAUKEE AND OZAUKEE COUNTIES  
VILLAGE OF BAYSIDE**

**ORDINANCE NO 23-749**

**An Ordinance to Amend Section 104-98 of the Municipal Code  
with Regard to Building Permit Requirements**

---

The Village Board of the Village of Bayside, Milwaukee and Ozaukee Counties, Wisconsin does ordain as follows:

Section One: Section 104-98 of the Municipal Code is hereby repealed and recreated to read as follows:

(a) As used in this section, the term "Uniform Dwelling Code" shall mean chapter ILHR 22.25 of the Wisconsin Administrative Code as adopted by the State of Wisconsin.

(b) No one- or two-family dwelling may be built, enlarged, altered, or repaired unless a building permit for the work is first obtained by the owner or the owner's agent from the building inspector after approval of the architectural review committee. Razing and demolition projects shall require a razing permit from the building inspector but shall not require the approval of the architectural review committee. Application for a building permit shall be made in writing upon a Village of Bayside building permit application form or via the Village's authorized online portal. A final building permit must be issued, and the permitted work commenced within six months of the date of approval by the architectural review committee, unless the building inspector grants an extension. Failure to secure issuance of the building permit or to commence work within six months or the extension specified by the building inspector shall nullify the approval of the architectural review committee and require an entirely new application and architectural review committee approval for any work requiring a permit.

(c) No addition to, alteration or repair of an existing one-family or two-family dwelling may be undertaken unless a building permit for the work is first obtained by the owner or agent from the building inspector after approval of the architectural review committee or unless the work is deemed minor repair or a razing or demolition project by the building inspector. In this subsection, the term "minor repair" means repair performed for maintenance or replacement purposes on any existing one-family or two-family dwelling that does not affect exterior aesthetic appearance and that does not increase a given occupancy and use. Window replacement and door replacement projects shall not be considered to affect the exterior appearance of a structure and are considered to be a minor repair, as long as the location of the opening does not change, and the size of the opening does not exceed twenty-five percent of the original. Re-roofing of any one- or two-family dwelling in excess of 200 square feet requires a building permit. Only when such re-roofing, as determined by the village manager, results in a substantial change in color or style is architectural review committee approval necessary. Painting or residing a one- or two-family dwelling is considered a minor repair under this section and does not require any permit or approval.

(d) The applicant shall submit two sets of plans and a survey for all new, or repairs or additions to existing, one- and two-family dwellings at the time the building permit application is filed.

(e) If the building inspector finds that the proposed building, repair, or addition complies with all village ordinances and the uniform dwelling code, he shall approve the application and issue a building permit to the applicant. A copy of any issued building permit shall be kept on file with the building inspector.

The building permit shall become void 180 days from date of issuance unless commencement of construction has begun, and construction has continued without interruption within 180 days. The architectural review committee shall have the authority to establish a required commencement date more than 180 days at the time it approves the issuance of the building permit.

(f) No application for a building permit shall be accepted by the building inspector unless the applicant certifies in writing that the proposed construction will not result in the need for Milwaukee Metropolitan Sewerage District ("district") permission under its Rule 7.13, as amended (establishing a new sewer connection or increased use of a connection). Upon request of the applicant, the village shall request such permission from the district within 60 days. The village shall have no obligation to undertake any work with regard to its sewers to facilitate the issuance of such permission. The applicant may agree to cover the costs of any work with regard to village sewers which work is required for such permission in which case the village shall require advanced payment, deposit, or financial assurance to ensure that the necessary work is completed at applicant's expense.

(g) No new impervious surface of more than 150 square feet may be installed (at once or incrementally in less than ten years) unless an impervious surface permit for the work is first obtained by the owner or agent of the owner. The cost of such permit shall be as determined by the village board from time to time.

Section Two: Severability: In the event that any provision of this Ordinance is for any reason held to be invalid, unconstitutional, or unenforceable by any court of competent jurisdiction, such portions of this Ordinance shall be deemed separate, distinct, and independent provisions of the Ordinance and all remaining portions of this Ordinance shall remain in full force and effect.

Section Three: All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby to such extent repealed.

Section Four: This ordinance shall take effect and be in force after its passage and posting pursuant to law.

PASSED AND ADOPTED by the Village Board of Trustees of the Village of Bayside this fourteenth day of December, 2023.

VILLAGE OF BAYSIDE

---

Eido M. Walny, Village President

---

Rachel A. Safstrom, Administrative Service  
Director