

Chapter 219

BUILDING CONSTRUCTION

[HISTORY: Adopted by the Town Board of the Town of Middle Inlet as indicated in article histories. Amendments noted where applicable.]

ARTICLE I **Building Regulations** **[Adopted 11-18-2004]**

§ 219-1. Title.

This article is titled "Building Regulations Ordinance."

§ 219-2. Purpose.

The purpose of this article is to regulate, control, prevent and enforce against certain uses, activities, businesses and operations by persons that may affect the construction, altering, repairing, demolishing and/or use of new or existing structures in the Town of Middle Inlet.

§ 219-3. Authority.¹

The Town Board of the Town of Middle Inlet has the authority to exercise village powers under § 60.10(2)(c), Wis. Stats., as authorized by a Special Town Meeting of March 28, 1994.

§ 219-4. Dwellings and manufactured homes.

Every building intended for human habitation or occupancy shall be erected on a permanent foundation (concrete slab, concrete foundation wall, etc.) and shall have a minimum of 720 square feet of living space.

§ 219-5. Mobile homes.

A. New units to be placed.

- (1) Only one unit per lot of record shall be allowed.
- (2) Owners have 30 days to remove any existing units.
- (3) Any new unit to be placed must have been manufactured within the last 10 years.
- (4) All units must have a minimum of 780 square feet of living space.

1. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- (5) Tie downs and skirting are to be mandatory and installed within 30 days.
- (6) Mobile homes shall not be used for any purpose other than as a dwelling.
- B. Existing units shall be grandfathered as allowed use to the current owner, or if the property is sold to a new owner, and the current assessed valuation of said unit is \$15,000 or more.
- C. Noncomplying units must be removed within 30 days of sale.

§ 219-6. Motor homes and recreational vehicles; permit fee. ²

The following shall apply to motor homes and recreational vehicles with temporary living quarters, travel trailers, pop-ups, and fifth wheel units:

- A. Permits shall be issued on an annual basis.
- B. The permit fee shall be initially set at \$5 per unit.
- C. Parked units must be used at least once every three months.
- D. Units unused at least once every three months will be required to be stored within an enclosure.

§ 219-7. Building setbacks.

- A. Minimum setback from any property boundary shall be 10 feet.
- B. Minimum setback from roadway (whichever distance is greater shall apply):
 - (1) State or federal highway: 110 feet from the center line or 50 feet from the right-of-way.
 - (2) County highway: 75 feet from the center line or 42 feet from the right-of-way.
 - (3) Town road: 63 feet from the center line or 30 feet from the right-of-way.

§ 219-8. Building permits; fees. [Amended 7-9-2009]

Any structure or mobile home or any part thereof that shall be erected, enlarged, demolished, razed or used within the Town of Middle Inlet shall require the property owner, or his authorized agent, to first obtain a building permit from the Clerk-Treasurer. A canopy structure using a vinyl, plastic tarp, or canvas cover will not require a building permit. A canopy structure using metal, wood or any solid cover will require a building permit.

- A. Fee schedule:
 - (1) One- and two-family dwelling, mobile home/manufactured home: \$75.
 - (2) Additions to any existing structures: \$35.

2. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

- (3) Structures up to 900 square feet: \$25.
 - (4) Structures up to 1,600 square feet: \$35.
 - (5) Structures over 1,600 square feet: \$45.
 - (6) Structure demolition/razed: \$25.
 - (7) Commercial structures: \$75.
 - (8) Variance request fee: \$125.
 - (9) Fifteen dollars will be directed to the Middle Inlet Volunteer Fire Department savings account; \$10 will be directed as payment to the Town Clerk-Treasurer; and the balance will be directed to the general fund for expenses incurred by the Planning Commission.
- B. Application. Application for a building permit shall be made in writing upon a form furnished by the Clerk-Treasurer or his/her designee and shall state the name and address of the property owner and also the owner of the building if different, the legal description of the property upon which the building is to be located, the name and address of the contractor, the use for which the building is intended, and other information as the Clerk-Treasurer may require.
- C. Plans. With said application, there shall be submitted a plan showing the location and dimensions of all buildings and improvements on the property, both existing and proposed, and all setbacks shall be indicated. Applications for all dwellings shall require a copy of a valid sanitary permit. If the structure is not served by running water and does not have any plumbing, a privy permit is an acceptable substitute for a sanitary permit. In addition, properties subject to applicable zoning requirements of the Marinette County Code of Ordinances would require a copy of a valid zoning permit. All structures must also comply with applicable requirements of Wisconsin statutes and Administrative Codes enforced by the Wisconsin Department of Commerce.
- D. Issuance of building permits. Upon receipt of application and required fee, if the Clerk-Treasurer determines that the building will comply with all ordinances and orders of the Town, he or she shall issue a building permit, which shall state the name of the applicant, the property location and the size and description of the proposed structure. The applicant shall display the building permit at the site of the proposed structure. Disclaimer: This article shall not be construed as assuming any liability on the part of the Town of Middle Inlet for damages to anyone injured or for property destroyed by any defect in any building or equipment, or in any plumbing or electrical work.³
- E. Permit lapses.
- (1) A building permit shall lapse and be void unless building operations are commenced within six months or if construction has not been completed

3. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

within one year from the date of issuance of said permit.

- (2) A renewal application and payment of the applicable fee shall be required to continue proposed construction.
- F. Revocation of permits. The Town Board may revoke any building permit or approval issued under this article, and may stop construction or use of materials, equipment, methods of construction, devices or appliances for any of the following reasons:
- (1) Whenever the Town Board or its designee shall find at any time that applicable ordinances, laws, orders, plans or specifications are not being complied with and that the holder of the permit refused to conform after written notice has been issued to him/her.
 - (2) Whenever the continuance of any construction becomes dangerous to life or property.
 - (3) Whenever there is any violation of any condition or provisions of the application for permit or of the permit.
 - (4) Whenever, in the opinion of the Town Board or its designee, there is inadequate supervision provided on the job site.
 - (5) Whenever any false statement or misrepresentation has been made in the application for permit, plans, drawings, data specifications or certified lot or plat plan on which the issuance of the permit or approval was based.
 - (6) Whenever there is a violation of any of the conditions of an approval or occupancy given by the Town for the use of all materials, equipment, methods of construction, devices or appliances.
- G. Notice of revocation.
- (1) The notice of revoking a building permit or approval shall be issued in writing and may be served upon the applicant for the permit, owner of the property or structure or his/her agent, if any, and/or the person having charge of construction.
 - (2) After notice is served upon the person aforesaid noted, it shall be unlawful for any person(s) to proceed thereafter with any construction operation whatsoever on the premises, and the permit which has been so revoked shall be null and void. Before any construction operation is again resumed, a new permit, as required by this article, shall be procured.

§ 219-9. Unsafe buildings.⁴

Whenever the Building Inspector finds any building or part thereof within the Town to be in his judgment so old, dilapidated or so out of repair as to be dangerous, unsafe,

⁴. Editor's Note: Added at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

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 such building or part thereof or, if it can be made safe by repairs, to repair and make safe and sanitary or to raze and remove at the owner's option. Such order and proceedings shall be as provided in § 66.0413, Wis. Stats.

§ 219-10. Violations and penalties. ⁵

Any person who shall violate any of the provisions of this article shall be subject to the general penalty in Chapter 1, General Provisions, § 1-4.

ARTICLE II
Uniform Dwelling Code
[Adopted 12-10-2009]

§ 219-11. Authority.

This article is adopted pursuant to the authority granted by § 101.65, Wis. Stats.

§ 219-12. Purpose.

The purpose of this article 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.

§ 219-13. Scope.

The scope of this article includes the construction and inspection of one- and two-family dwellings built since June 1, 1980.

§ 219-14. Wisconsin Uniform Dwelling Code adopted.

The Wisconsin Uniform Dwelling Code, Chs. Comm 20 to 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 article.

§ 219-15. Building Inspector. ⁶

The Town shall contract for service of a Building Inspector, who shall administer and enforce this article and shall be certified by the Division of Safety and Buildings, as specified by § 101.66(2), Wis. Stats., 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.

§ 219-16. Building permit required.

⁵. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

⁶. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

If a person builds or installs a new dwelling within the scope of this article, he shall first obtain a building permit for such work from the Building Inspector.

§ 219-17. Building permit fee.⁷

The building permit fees shall be determined by the Building Inspector and shall include \$30 to be forwarded to the Wisconsin Department of Commerce for a UDC permit seal that shall be assigned to any new dwelling.

§ 219-18. Record of inspections.

The Building Inspector(s) shall keep a log of all inspections completed.

§ 219-19. Enforcement; violations and penalties.

The enforcement of this article and all other laws and ordinances relating to buildings shall be by means of the withholding of building permits, imposition of forfeitures and injunctive action. Forfeitures shall be not less than \$25 nor more than \$1,000 for each day of noncompliance.

⁷. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).