

Ordinance No. 2005-2

An Ordinance for the Village of Potter Regarding The Adoption of Wisconsin Uniform Dwelling Code

The Village Board for the Village of Potter, do ordain as follows:

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

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.

Notwithstanding s. Comm.20.05, the scope also includes the construction and inspection of alterations and additions to one and two family dwellings built before June 1, 1980. Because such projects are not under state jurisdiction, petitions for variance and final appeals under ss. Comm. 20.19 and 20.21, respectively, shall be decided by the municipal board of appeals. Petitions for variance shall be decided per s. Comm. 20.19 (intro) so that equivalency is maintained to the intent of the rule being petitioned. As the board of appeals approves petitions for variance, the chief inspector is granted the power to apply the results to similar circumstances by precedent.

Notwithstanding s. Comm. 20.05, the scope also includes the construction and inspection of detached garages serving one and two family dwellings. The building structure and any heating, electrical or plumbing systems shall comply with the Uniform Dwelling Code. Petitions for variance and appeals shall be handled as in the previous paragraph.

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 unincorporated 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.** If a person alters a building in excess of \$1000.00 value in any twelve month period, adds onto a building in excess of \$1000.00 in any twelve month period, or builds a new building, within the scope of this ordinance, they shall first obtain 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 if over the forgoing thresholds. Restoration or repair of an installation to its previous code-compliant condition as determined by the building inspector is exempted from permit requirements. Reroofing – Residing with like material, finishing of interior surfaces and installment of cabinetry shall be exempted from permit requirements.
- 1.7 **BUILDING PERMIT FEE.** The building fees shall be determined by resolution and shall include \$25.00 to be forwarded to the Wisconsin Department of Commerce for a UDC permit seal that shall be assigned to any new dwelling.
- 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 \$25.00 nor more than \$1,000.00 for each day of noncompliance.
- 1.9 **EFFECTIVE DATE.** This ordinance shall be effective 2-8-05, upon passage and publication as provided by law.

Ordinance No. 2005-2 was introduced and its adoption moved by board member Doug Lau and seconded by board member Rob Schoen. Upon a roll call of votes, thereon, the results were as follows:

Votes cast	3
Votes Aye	3
Votes Nay	0

President Donald Duchow declared Ordinance No. 2005-2 adopted, approved and signed this the 8th day of February, 2005.

President, Donald Duchow

Clerk, Diane Hillmann