

Ordinance 2-01-11-2000

**ONE-AND TWO-FAMILY DWELLING BUILDING CODE
TOWN OF MORGAN
ORDINANCE**

BE IT ORDAINED by the Town Board of the Town of Morgan, Oconto County, Wisconsin as follows:

Section 1. APPLICATION OF PROVISIONS.

(1) **TITLE.** This ordinance shall be known as the One-and Two-Family Dwelling Code of the Town of Morgan.

(2) **PURPOSE.** The purpose and intent of this ordinance is to:

- (a) Exercise jurisdiction over the construction and inspection of new one- and two-family dwellings and additions to existing one- and two-family dwellings.
- (b) Provide plan review and on-site inspections of one- and two-family dwellings by inspectors certified by the Department of Commerce.
- (c) Establish and collect fees to defray administrative and enforcement costs
- (d) Establish remedies and penalties for violations.
- (e) Establish use of the Wisconsin Uniform Building Permit as prescribed by the Department of Commerce.

Section 2. STATE UNIFORM DWELLING CODE ADOPTED.

The administrative code provisions describing and defining regulations with respect to one- and two-family dwellings in Chapters 20-25 of the Wisconsin Administrative Code, whose effective dates are generally June 1, 1980, are hereby adopted and be reference made a part of this ordinance as if fully set forth herein. Any act required to be performed or prohibited by an administrative code provision incorporated herein by reference is required or prohibited by this ordinance. Any future amendments, revisions or modifications of the administrative code provisions incorporated herein are intended to be made part of this ordinance to secure uniform state-wide regulation of one- and two-family dwellings in this Town of the State of Wisconsin.

Section 3. METHOD OF ENFORCEMENT.

For the purpose of administering and enforcing the provisions of this ordinance and the Uniform Dwelling Code, the Town of Morgan shall employ a State Certified Building Inspector.

Section 4. BUILDING INSPECTOR.

- (1) **APPOINTMENT.** The Building Inspector shall be appointed by the Town Board. The Building Inspector shall be certified for inspection purposes by the Department in each of the categories specified under Sec. Ind. 26.06, Wisconsin Adm. Code.
- (2) **DUTIES.** The Building Inspector shall administer and enforce all provisions of this ordinance and the Uniform Dwelling Code.
- (3) **POWERS.** The Building Inspector or an authorized certified agent may at all reasonable hours enter upon any public or private premises for inspection purposes and may require the production of the permit for any building, plumbing, electrical or heating work. No person shall interfere with or refuse to permit access to any

such premises to the Building Inspector or his/her agent while in the performance of his/her duties.

Section 5. BUILDING PERMITS

- (1) BUILDING PERMITS REQUIRED.** No one- and two-family dwelling of which initial construction shall be commenced after the effective date of this ordinance shall be built, enlarged/alterd unless a building permit for that work shall first be obtained by the owner, or his agent, from the Building Inspector. Application for a building permit shall be made in writing upon that form, designated as the Wisconsin Uniform Dwelling Permit Application, furnished by the Department of Commerce.
- (2) ADDITIONS/ALTERATIONS REQUIRING PERMITS.** No addition and/or alteration to an existing one- and two-family dwelling not deemed minor repair by the Building Inspector shall be undertaken unless a building permit for this work shall first be obtained by the owner, or his agent, from the Building Inspector.
- (3) SUBMISSION OF PLANS.** The applicant shall submit two(2) sets of plans for all new or additions/alterations to existing one- and two-family dwellings at the time that the building permit application is filed.
- (4) ISSUANCE OF PERMIT.** If the Building Inspector finds that the proposed building or addition/alteration complies with the Uniform Dwelling Code, the Inspector shall officially approve the application and a building permit shall be subsequently issued to the applicant. The issued building permit shall be posted in a conspicuous place at the building site. A copy of any issued building permit shall be kept on file with the Town Clerk.

Section 6. FEES FOR BUILDING PERMITS AND INSPECTIONS.

(1) DEFINITIONS: Single Family Dwellings are to include new construction, manufactured and mobile homes as described in Section 52 (a) of the Wisconsin Uniform Dwelling Code. (Added & Approved 8/18/2008)

(2) Fees: At the time the application for a building permit is filed, the applicant shall pay the following fees: (Revised & approved 4/23/08)

-Single Family Dwellings	0 - 1499 sq. ft.	\$670.00
	1500 sq. ft. - 1999 sq. ft.	\$685.00
	2000 sq. ft. - 3000 sq. ft.	\$705.00
	Over 3000 sq. ft.	\$755.00
-Duplexes		\$100.00 additional
-State Building Stamp		\$30.00
-Driveway Permit		\$70.00
-Residence - Additions	\$1,000 to \$5,000 (value)	\$140.00
	\$5,000 to \$40,000 (value)	\$140.00+\$5.00/thous.
	\$40,000 and up	\$320.00+\$1.00/thous.
-Electrical - Residential		\$40.00
-Plumbing - Residential		\$40.00

-Decks/Porches	\$60.00
-Electrical Service Change	\$50.00
-Re-inspections	\$50.00
-Street Cleanings	\$Actual Cost
-Occupancy without permit	\$100.00/day
-Failure to call for inspection	\$50.00

A permit shall be in effect for a 24-month period. Work that is not shown on the plans is not included in the permit. Farm and accessory buildings are exempt from inspections.

Portable restrooms and dumpsters are required on all new home construction sites.

A \$1,000 construction deposit fee may be assessed for construction over \$5,000.

Section 7. VIOLATION AND PENALTIES.

- (1) No person shall erect, use, occupy or maintain any one- and two-family dwelling in violation of any provision of this ordinance or the Uniform Dwelling Code or cause to permit any such violation to be committed. Any person violating any of the provisions of the ordinance shall, upon conviction, be subject to a forfeiture of not less than \$25.00 nor more than \$500.00, together with the costs of prosecution and, if in default of payment thereof, shall be imprisoned for a period of not less than one (1) day or more than six (6) months or until such for feature and costs are paid.
- (2) If an inspection reveals a noncompliance with this ordinance or the Uniform Dwelling Code, the Building Inspector shall notify the applicant and the owner, in writing, of the violation(s) to be corrected. All cited violations shall be corrected within 30 days after written notification unless an extension of time is granted pursuant to Sec. Ind. 20.10, Wisconsin Adm. Code.
- (3) If, after written notification, the violation is not corrected within 30 days, a stop work order may be served on the owner or his/her representative and a copy thereof shall be posted at the construction site. Such stop-work orders shall not be removed except by written notice of the Building Inspector after satisfactory evidence has been supplied that the cited violation has been corrected.
- (4) Each day each violation continues after the 30 day written notice period has run shall constitute a separate offense. Nothing in this ordinance shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of this ordinance or the Uniform Dwelling Code.
- (5) If any construction or work governed by the provisions of this ordinance or the Uniform Dwelling Code is commenced prior to the issuance of a permit, double fees shall be charged.

Section 9. APPEAL TO TOWN BOARD.

Any person feeling aggrieved by an order or a determination of the Building Inspector may appeal from such order or determination to the Town Board.

Section 10. LIABILITY FOR DAMAGES.

This ordinance shall not be construed as an assumption of liability by the Town and/or Building Inspector for damages because of injuries sustained or property destroyed by any defect in any building or equipment.

Section 11. LEGAL RESPONSIBILITY.

The Department of Commerce and/or Town and/or Building Inspector having jurisdiction shall not assume legal responsibility for the design or construction of the structure.

Section 12. SEVERABILITY.

If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstances is invalid or unconstitutional such invalidity or unconstitutionality shall not affect the above provisions or applications of this ordinance which can be given effect without the invalid or unconstitutional provision or its application.

Section 13. EFFECTIVE DATE.

This ordinance shall be effective upon passage and publication as provided by law. This ordinance was passed by the unanimous vote of the Town Board of Supervisors at the meeting of said Town Board of the Town of Morgan, Oconto County, Wisconsin, held at the Town Hall, on the 23rd day of April, 2008.

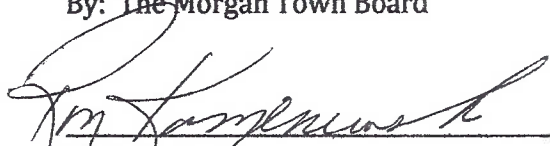
Original approval date: January 11, 2000

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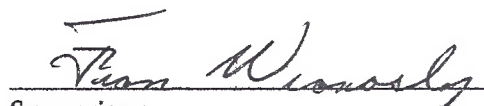
Section 6, sub (1) updated this 18th, day of August, 2008

By: The Morgan Town Board

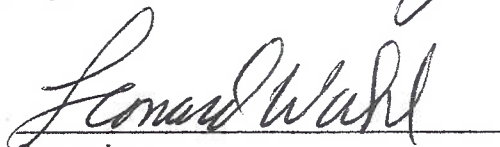
Posted: August 18th, 2008


Chairman


Clerk


Supervisor

Ayes: 3 Nays: 0


Supervisor