

CHAPTER 14

BUILDING CODE

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30 **14.01 TITLE AND AUTHORITY.** This chapter shall be known and referred to as the
31 “Building Code of the Town of River Falls”. The regulations are adopted under the
32 authority granted by Wis. Stat. §101.65.

33
34 **14.02 PURPOSE.** The purpose of this chapter is to promote the general health, safety
35 and welfare of town residents, to protect property values, and to promote the uniformity of
36 construction standards by regulating construction of new buildings and additions or
37 alterations to one- and multi-family dwellings and industrial and commercial buildings.

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39 **14.03 SCOPE.**

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41 (1) **INCLUSIONS.** WI Department of Safety and Professional Services is hereinafter
42 referred to as SPS. Notwithstanding s. SPS 320.05, the scope of this Chapter
43 includes, but is not limited to, the construction and inspection of alterations and
44 additions to one-and multi-family dwellings built before June 1, 1980. Because
45 such projects are not under state jurisdiction, petitions for variance and final
46 appeals under s. SPS 320.19 and 320.21, respectively, shall be decided by the
47 Town of River Falls Board of Appeals. Petitions for variance shall be decided per
48 s. SPS 320.19 so that equivalency is maintained to intent of the rule being
49 petitioned.

50
51 (2) This chapter applies to, and a permit and a preliminary site inspection is required
52 for, construction relating to all outbuildings such as, but not limited to, barns,
53 sheds, corn cribs, and residential or commercial accessory structures. New
54 buildings erected in or any building moved within or into the Town shall
55 conform to all the requirements of this chapter, except as they are herein
56 specifically exempted from part or all of its provisions. The provisions of this
57 chapter apply to any alteration, enlargement or demolition of an existing building
58 and any installation therein of electrical, gas, heating, plumbing or ventilating
59 equipment which affects the health or safety or the users thereof or any other
60 persons in a “new building” to the extent of such change. Any existing
61 building shall be considered a “new building” for the purpose of this chapter
62 whenever it is used for dwelling, commercial, industrial or agricultural purposes
63 unless it was being used for such purposes at the time this chapter was enacted.

64
65 (3) All site plans must be approved by the Plan Commission and the Town Board
66 under Section 17.035. All wetland or floodplain areas as defined in Chapter 20
67 must be identified in the site plan.

68
69 **14.04 ADOPTION OF DWELLING AND ADMINISTRATIVE CODES BY**
70 **REFERENCE**

71
72 (1) The Uniform Dwelling Code (UDC), Wisconsin Administrative Code Chapters
73 SPS 320 to 325, and all amendments thereto are adopted and incorporated in this
74 chapter by reference and shall apply to all buildings within the scope of this
75 chapter. A copy of the code is on file with the Town and / or the Town Building

76 Inspector.

77

78 (2) Adoption of Plumbing, Electrical Codes, and Heating and Ventilating Codes.
79 Chapters SPS 381 to 387, Plumbing Code, Wisconsin Administrative Code,
80 Chapter SPS 316, Electrical Code, Wisconsin Administrative Code; Wisconsin
81 SPS 360-366 of the Wisconsin Commercial Building Code, and all amendments
82 thereto in effect on the date of the adoption of this chapter are hereby adopted and
83 made part of this chapter by reference and are applicable to all those classes of
84 buildings to which said codes apply. Copies of said codes are available online and
85 in the office of the Town Building Inspector.

86

87 **14.05 BUILDING INSPECTOR.**

88

89 (1) APPOINTMENT AND GENERAL POWERS. There is hereby created the position
90 of Building Inspector, appointed by the Town Board, who shall administer and
91 enforce this chapter and shall be certified by the Wisconsin Department of Safety
92 and Professional Services (SPS), as specified by Wis. Stat. §101.66(2). The
93 Building Inspector shall possess the certification categories of UDC, HVAC, UDC
94 Electric, UDC Plumbing, UDC Construction, and Commercial Building Inspector.

95

96 (2) The Building Inspector shall have the power and duty to see that the construction,
97 reconstruction, and alteration of dwellings and commercial buildings in the Town
98 conform to the laws of the State of Wisconsin, the orders, rules and regulations laid
99 down by the Department Safety and Professional Services of the State of
100 Wisconsin and the ordinances, rules and regulations of the Town and County and
101 to make all inspections as required.

102

103 (3) DEPUTIES. With the consent of the Town Board the Building Inspector may
104 appoint one or more persons, who shall be certified with the same qualifications as
105 required in Section 14.05(1) of this chapter, as deputy building inspectors and may
106 delegate to them the above mentioned powers and duties.

107

108 (4) COMPENSATION. The Building Inspector shall be compensated for services in an
109 amount from time to time determined by the Town Board.

110

111 **14.06 BUILDING PERMITS AND INSPECTION.**

112

113 (1) PERMIT REQUIRED. No person shall build or cause to be built any new one- or
114 multi-family dwelling or industrial or commercial building, or any addition or
115 alteration to an existing one- or multi-family dwelling, industrial or commercial
116 building, or inground swimming pool, without first obtaining a State uniform
117 building permit or a Town building permit for such dwelling, structure, commercial
118 building, etc., as determined by the Building Inspector.

119

120 (a) Restoration or repair of an installation to its previous code-compliant

121 condition as determined by the permit issuer is exempt from permit
122 requirements.

123
124 (b) Re-siding, re-roofing, finishing of interior surfaces and installation of cabinetry
125 are exempt from the permit requirements.

126
127 (2) APPROVAL OF PERMITS: All Land Use and Building permits must be reviewed
128 by the Town Plan Commission and approved by the Town Board.

129
130 **14.07 FINES FOR NONCOMPLIANCE.** In addition to the penalty set forth in Section
131 14.23, in the event construction commences without issuance of a permit, the Town may
132 seek and obtain injunctive relief to stop construction and to seek removal of the non-
133 permitted structure and for an order requiring restoration of the premises. In addition,
134 should a permit thereafter be sought, and the application found to be in compliance with
135 this chapter and thereupon granted, the fee for issuance of the permit shall be the original
136 fee plus a surcharge four (4) times the fee established under Section 14.08(7).

137
138 **14.08 APPLICATION PROCESS AND ISSUANCE OF PERMITS.**

139
140 (1) Application for a building permit shall be made in writing using the Building
141 Permit Form. The appropriate building requirements of the Town and, where
142 applicable, of the County or the State, for the contemplated improvement shall be
143 provided to the permit applicant by the Building Inspector at or before the
144 submission of an application for a building permit.

145
146 (2) Plans and drawings. The building permit applicant shall submit, along with the
147 application, two complete sets of site plans and specifications, one set of blueprints
148 and an erosion control plan.

149
150 (3) County permits. Copies of required County permits shall be submitted with the
151 building permit application.

152
153 (a) A septic permit is required by Pierce County.

154
155 (b) If the driveway exits to a County road, a County driveway permit is required.

156
157 (4) Driveway permits. The building permit applicant shall submit a driveway permit
158 along with the application. Driveway permits that exit onto Town and private roads
159 are obtained from, and issued by, the Town Zoning Administrator. The state DOT
160 issues the permits for driveways that exit onto State roads.

161
162 (5) Approval of plans and issuance of building permit. If the Building Inspector
163 determines that the proposed building, addition or alteration will comply in every
164 respect with all the ordinances of the Town and all applicable laws and regulations
165 of the State of Wisconsin and is not in violation of the County Subdivision
166 Ordinance or any applicable Town ordinance, he shall conditionally approve the

167 plans and issue a building permit which shall be valid for 24 months. After being
168 approved, the plans and specifications shall not be altered in any respect that
169 involves any of the above-mentioned ordinances, laws or regulations or which
170 involves the safety of the building or occupants. One copy of the approved plan
171 shall be returned to the applicant. The Town shall retain one copy.

172

173 (6) State Uniform Dwelling Code Seal. Once a building permit is issued for one- or
174 multi-family dwellings, it shall have affixed to it a State of Wisconsin Uniform
175 Dwelling Code Seal.

176

177 (7) Fees.

178

179 (a) Fees for plan examination; inspection, driveway permit, variance application
180 and issuance of the building permit shall be set from time to time by the Town
181 Board.

182

183 (b) Land Use, driveway permit and variance fees shall be paid to the Town Board
184 before the building permit is issued.

185

186 (c) Inspection, plan examination and building permit fees shall be submitted to the
187 Building Inspector at the time the application is filed.

188

189 (d) House numbers are assigned by Pierce County and the fees are paid to Pierce
190 County.

191

192 (8) Waiver of plans. If the Building Inspector determines that the character of the work
193 is sufficiently described in the application, the inspector may waive the filing of
194 plans for alterations or repairs, provided that the cost of such work does not exceed
195 the limit established by the Town Board.

196

197 **14.09 EXCEPTIONS TO PERMIT REQUIREMENT**

198

199 (1) Minor repairs are alterations which cost less than the limit established from time to
200 time by resolution of the Town Board and which do not change occupancy area,
201 structural strength, fire protection, exits, natural light or ventilation.

202

203 (2) Replacement or repair of roofing, siding, or replacement of doors and windows of
204 same size.

205

206 (3) Landscaping, not including decks.

207

208 **14.10 DISAPPROVAL OF PLANS AND DENIAL OF PERMIT**

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210 (1) If the Building Inspector determines that the building permit application or plans
211 do not conform to the provisions of applicable codes, ordinances, this chapter or
212 other requirements, approval shall be denied.

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- (2) Denial of application. A copy of the denied application, accompanied by a written statement specifying the reasons for denial, shall be sent to the applicant and/or to the owner as specified on the application. A copy of the written denial shall be sent to the Town Board.
- (3) Stamping of plans. Plans and specifications, which do not substantially conform to the provisions of the Building Code, shall be stamped "Not approved." One copy shall be returned to the applicant and one copy retained by the Town.
- (4) Appeals. The applicant may appeal a denial of an application to the Town Board in writing within 30 days of receipt of the written denial.

14.11 TIME LIMIT FOR ACTION ON APPLICATION; POSTING OF PERMIT.

- (1) Time for permit issuance. Action to approve or deny a building permit application shall be completed within 10 business days following receipt of all forms, fees, plans and documents required for processing the application.
- (2) Posting of permit. The building permit and other permits required by the Town, County, State or other municipalities shall be posted in a conspicuous place at the building site and within view of the adjacent roadway.

14.12 COMPLIANCE WITH PERMIT. All construction must comply with the building permit and the plans submitted with the building permit application. Any construction not authorized on the building permit, blueprint, site plan, or plans, or is not listed on the building permit application is a violation of the permit and subject to the violations and penalties established in this chapter.

14.13 REVOCATION OF PERMIT.

- (1) In the event of non-compliance with the provisions of this chapter the Building Inspector shall issue written warning to the permittee. If the non-compliance is not corrected within that period specified by the Building Inspector, the Inspector shall revoke the building permit by written notice posted at the work site or delivered to the owner..
- (2) Following permit revocation, all work at the site shall cease until the permit is reissued. The only exception shall be such work as the Building Inspector orders as a precondition to the re-issuance of the permit or as required for the protection of human life and safety.

14.14 LAPSE OF PERMIT. A building permit shall lapse and be void unless construction under the permit is commenced within twelve months from the date of issuance thereof. The building permit shall lapse and be void if the permit purpose has not been fully completed within 24 months from the date of issuance. Once a permit has

259 lapsed, no further work shall be performed until such time as a new permit has been
260 issued.

261

262 **14.15 INSPECTIONS.**

263

264 (1) All inspections required for the purpose of administering and enforcing the UDC
265 and Town Building Code chapter shall be performed by a certified inspector who
266 shall conduct inspections according to the respective codes being applied and
267 enforced.

268

269 (2) Notification. The building general contractor shall give the Building Inspector 48-
270 hours' notice for all inspections required by UDC Chapter SPS 320.10.

271

272 (3) Witness to inspection. It is recommended that a representative of the developer,
273 contractor, builder or owner be present at each required inspection. It shall be the
274 responsibility of the developer, contractor, builder or owner to coordinate
275 inspection times and dates with the Building Inspector.

276

277 (4) Re-inspections. Any re-inspections necessary due to incomplete work or non-
278 complying conditions shall be subject to an additional fee per inspection to be paid
279 in full prior to the issuance of the occupancy permit.

280

281 **14.16 UNSAFE AND REPURPOSED BUILDINGS.**

282

283 (1) Should the Building Inspector find any building or part thereof within the Town to
284 be, in his/her judgment, so old, dilapidated or out of repair as to be dangerous,
285 unsafe, unsanitary, unreasonable to repair or otherwise unfit for human habitation,
286 occupancy or use, the Building Inspector shall notify the Town Board in writing for
287 their further action. If a building or part thereof can be made safe by repairs, the
288 owner may make it safe and sanitary or raze it at his own option and expense. The
289 Town Board shall determine final action. Such order and proceedings shall be as
290 provided in Wis. Stat. §66.0413.

291

292 (2) Buildings not previously used for residential, commercial or industrial purposes
293 shall not be used for such purposes without first obtaining, from the Building
294 Inspector, a certificate stating that the water supply and plumbing facilities
295 contained therein or adjacent thereto are adequate to safeguard the health and
296 welfare of the occupants or users, and that the installation thereof complies with the
297 provisions of this chapter and all applicable County and State laws.

298

299 **14.17 ENFORCEMENT; RIGHT OF ENTRY.**

300

301 (1) Except where otherwise provided in this chapter, the Building Inspector shall have
302 the general management and control of all matters pertaining to building inspection
303 and shall enforce all state laws, town ordinances and lawful orders relating to the
304 construction, alteration, repair, removal and safety of buildings and other

305 structures, dwellings, public buildings and places of employment in the Town.

306

307 (2) The Building Inspector shall have the power and authority, at all reasonable hours,
308 for any proper purpose, to enter upon any public or private premises and make
309 inspection and to require the production of the permit for any building work being
310 done or the required license. An application for a permit shall be deemed consent
311 to such entry for purpose of building inspection and enforcement of this chapter.
312 No person shall interfere with or refuse to permit access to any such premises to
313 the above described representatives of the town while in the performance of their
314 duties. Any person who shall willfully or knowingly resist or obstruct the inspector
315 in the performance of his/her duty shall be guilty of a violation of this chapter.

316

317 **14.18 RECORDS AND REPORTS.**

318

319 (1) The Building Inspector shall maintain a record of all permits issued, which are the
320 property of the Town and shall be made available to the Town Board upon request.

321

322 (2) Copies of all permits issued shall be provided to the Town Zoning Administrator
323 within one month of issuance.

324

325 (3) The Building Inspector shall make a monthly and annual written report to the
326 Town Board of all permits issued, violations noted and fees collected.

327

328 **14.19 OCCUPANCY PERMITS.** The Building Inspector shall issue occupancy permits
329 on behalf of the Town of River Falls.

330

331 (1) All inspections shall have been satisfactorily completed, the well construction
332 report shall have been received, all required fees shall have been paid and all
333 required terms of this chapter shall have been met before an occupancy permit will
334 be issued.

335

336 (2) No single- or multiple-family dwelling may be occupied by any person or party
337 until an occupancy permit has been issued.

338

339 (3) Copies of all occupancy permits shall be provided to the Town Zoning
340 Administrator within one month of issuance.

341

342 (4) In addition to the penalties provided in Section 14.23, the Town Board shall
343 establish from time to time by resolution a further penalty to be assessed as a
344 forfeiture against a violator where a dwelling is occupied prior to issuance of an
345 occupancy permit. The Town may seek injunctive relief to prohibit occupancy of a
346 dwelling prior to issuance of an occupancy permit.

347

348 **14.20 ROAD DAMAGE DURING CONSTRUCTION.** All applicants for building
349 permits shall be required to protect the Town from road damage caused by the
350 contemplated construction. If damage occurs during construction, the expense of repairs

351 shall be the joint responsibility of the general contractor, and the subcontractor or material
352 provider who caused or contributed to the damage, and the property owner. If the damage
353 caused by the construction is not repaired to the Town's standards and satisfaction, the
354 property owner shall be liable to the Town for the damages, which shall be a lien on the
355 owner's property, collectable in the manner provided by law.

356

357 **14.21 MOVING BUILDINGS.**

358

359 (1) BOND. Before any building is moved within or into the Town, a moving permit
360 must first be obtained from the permit issuer. Before a permit to move any
361 building is granted, the party applying may be asked to give a bond in the sum set
362 by the Town Board with good and sufficient sureties, conditioned among other
363 things that such party will save and indemnify judgments, costs and expenses
364 which may in any way accrue against the Town and will save the Town harmless
365 against all liabilities, judgments, costs and expense in consequence of granting of
366 such permit.

367

368 (2) CONTENTS OF PERMIT; REGULATIONS. Every permit to move a building
369 shall state all conditions to be complied with, designate the route to be taken and
370 limit of time for removal. The removal of a building shall be continuous during all
371 hours of the day and night, if the Town Board shall so order, until completed,
372 with the least possible obstruction to thoroughfares. Lighting shall be kept in
373 conspicuous places on all sides of the building during the night.

374

375 (3) INSPECTION AND REPAIR OF STREETS AND HIGHWAYS. Every person
376 receiving a permit to move a building shall notify the Town Chair or designated
377 representative of the date and time of the move. After the building has reached
378 its destination the permittee shall report that fact to the Town Chair or
379 designated representative. The Town representative shall inspect the streets and
380 highways involved in the move before and after the building has been moved. If
381 the removal of such building has caused any damage to the streets or highways,
382 the Town shall repair the damage done to such streets and highways and hold the
383 sureties of the bond given by the permittee responsible for the payment of the same.
384 If the surety bond is not sufficient to pay for the road damages caused by the move,
385 the moving company and the property owner shall be jointly responsible to the
386 Town for the excess, which shall be a lien on the owner's property, collectable in
387 the manner provided by law.

388

389 (4) ADDITIONAL REQUIREMENTS. In addition to the foregoing, the following
390 procedures and requirements shall also be complied with:

391

392 (a) Once an application for a moving permit has been made, the Zoning
393 Administrator shall bring it to the Plan Commission and the Town Board. The
394 Zoning Administrator shall ensure the permit complies with all ordinances of
395 the Town. The permit application will be placed on the agendas of the Plan

396 Commission and the Town Board. The Town shall make a determination and
397 submit it in writing to the Town Clerk, who shall send a copy of it to the
398 Building Inspector and the applicant.

- 399
- 400 (b) The site plan shall include exterior elevations of the buildings and accurate
401 photographs of all sides and views of the building. In case the applicant
402 proposes to alter the building, he/she shall submit complete plans and
403 specifications of the proposed alterations with the application papers.
404
- 405 (c) Where the applicant proposes to move and alter a building, the Town Board
406 shall designate a time within which the alterations must be completed and
407 failure to complete the alterations shall be a violation of this chapter with each
408 day that the alterations remain uncompleted as a separate violation.
409
- 410 (d) Once the Town Board approves the application, the Zoning Administrator shall
411 issue the permit on the terms specified by the Town Board, upon the
412 execution of the required forms and payment of the fee.
413
- 414 (e) The moving permit shall be prominently displayed at all times on the building to
415 be moved (or to be moved and altered) until all conditions established by
416 the Town Board have been complied with. The moving permit shall only be
417 good for the period set by the Town Board.
418
- 419 (f) The moving permit fee shall be set from time to time by the Town Board.

420
421 **14.22 NONASSUMPTION OF LIABILITY.** This chapter shall not be construed as
422 assuming any liability on the part of the Town or any official or employee thereof for
423 damages to anyone injured or for any property destroyed by any defect in any building
424 or equipment or in any plumbing or electric wiring or equipment.
425

426 **14.23 PENALTIES.** Except as otherwise provided, any person found to be in violation of
427 any provision of this chapter shall be subject to a penalty as provided in Section
428 25.04 of the General Code.