

TOWN OF ERIN PRAIRIE

St. Croix County

An Ordinance Amending the Town Building Inspection and Permit Ordinance

ORDINANCE # 17-2023

The Town Board of Erin Prairie does ordain as follows:

1.0 ORDINANCE AMENDED

Ordinance #VI is here by amended as follows:

1.1 **AUTHORITY.** The Town of Erin Prairie, County of St. Croix adopts these regulations under the authority granted by s. 101.65, Wisconsin Statutes and 101.12, 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 and Commercial Building Codes.

1.3 **SCOPE.** This chapter applies to all dwellings, commercial buildings/structures, and in ground swimming pools, garages, outbuildings, residential accessory buildings and structures.

1.4 **ADOPTION OF CODES.** The Wisconsin Uniform Dwelling Code, Chs. SPS 320-325, and Ch. SPS 327 and its successors, 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 ordinance.

The following Wisconsin Administrative Codes, their referenced codes and standards, and subsequent revisions are adopted for municipal enforcement by the building inspector, who shall be commercially certified by the WI Division of Industry Services.

Chs. SPS 360-366	Wisconsin Commercial Building Code
Chs. SPS 375-379	Buildings Constructed Prior to 1914 Code
Chs. SPS 316	Electrical
Chs. SPS 381-387	Plumbing

1.5 **BUILDING INSPECTOR.** The building inspector authorized by the municipality to enforce the adopted codes shall be properly certified by the Division of Industry Services.

1.6 **RESIDENTIAL BUILDING PERMIT REQUIRED.** No person shall alter, build, add onto or alter any building within the scope of this ordinance without first obtaining 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.

1.7 EXEMPTIONS FROM PERMIT REQUIREMENT

1.7.1 Minor repairs or alterations which do not change occupancy area, structural strength, fire protection, exits, natural light, or ventilation do not require a permit. Repairs or alterations that change any one of the above items require a permit.

- 1.7.2 The restoration or repair of building equipment, such as furnaces, central air conditioners, water heaters, and similar mechanical equipment without the alteration or addition to building or structure.
- 1.7.3 Fences or other similar enclosures.
- 1.7.4 Re-roofing projects that do not involve the repair or replacement of any structural elements.
- 1.7.5 Outbuildings without HVAC or plumbing. These buildings require a building permit issued directly by a Supervisor in the township, not the building inspector. No inspections are required. If HVAC or plumbing are added to an outbuilding at a later date a Building Inspector issued permit and inspections would then be required.
- 1.7.6 Restoration or repair of an installation to its previous code-compliant condition as determined by the building inspector on a case-by-case basis.
- 1.7.7 Residing, finishing of interior surfaces and installation of cabinetry.
- 1.7.8 Replacement of same size windows and doors.
- 1.7.9 Landscaping, not including decks, can be done without a permit.

1.8 **COMMERCIAL BUILDING CODE PERMIT REQUIRED.** No person shall build or cause to be built any new public building or place of employment or any alteration or addition to an existing public building or place of employment without first obtaining a commercial building permit from the building inspector. This permit shall be issued after receipt of State of Wisconsin approved plans, where required, and sanitary permits, if applicable, and a determination has been made of compliance with, zoning, setbacks, ordinances, and regulations of the Town of Erin Prairie, the County of St. Croix, and the State of Wisconsin.

1.9 **BUILDING PERMIT FEE.** The building permit fees shall be determined by resolution. The building permit fee shall be doubled for any project requiring a permit which is commenced without a permit or prior to issuance of a permit.

1.10 **EXPIRATION OF PERMIT.** Work to be done pursuant to the permit must be commenced within six months of the date of issuance or the permit shall expire notwithstanding work pursuant to SPS 316 which shall expire within one year of the date of issuance if work has not been commenced. All work to be done pursuant to the permit must be completed within two years of the date of issuance; permits shall expire two years from the date of issuance.

1.11 **OCCUPANCY PERMITS.** No single-family dwelling or multiple family dwelling or commercial structure may be occupied by any person or party until an occupancy permit has been issued. An occupancy permit will be issued only after all inspections have been satisfactorily completed, all required fees associated with this ordinance paid, and all required terms of the ordinance have been met. No occupancy permit is issued for occupancy taken prior to final inspection.

1.12 **RIGHT OF ENTRY.** The building inspector 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 access to any such premises, the building inspector while in the performance of his duties.

1.13 **UNSAFE BUILDINGS.** Whenever the building inspector finds any building or part thereof with the Town of Erin Prairie to be, in his judgment, so old, dilapidated, or out of repair as to be dangerous, unsafe, unsanitary, unreasonable to repair or otherwise unfit for human habitation, occupancy, or use, shall order the owner to raze and remove such building or part thereof. If a building or part thereof can be made safe by repairs, the owner shall make it safe and sanitary. The owner shall perform the remedial action in a timely fashion at his own expense.

1.14 PETITIONS FOR VARIANCE. 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. Those procedures customarily used to effectuate an appeal to the Town Board shall apply.

1.15 PENALTIES. The enforcement of this section and all other laws and ordinances relating to WI State Building Codes 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.

1.16 EFFECTIVE DATE. This ordinance shall replace Ordinance and be effective _____ upon passage and publication as provided by law.

Adopted by the Town Board this 18 day of March 2024.

John Van Dyke
Board Chairperson

Attest: Jackie Mitchell

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