

TOWN OF NEWTON

ORDINANCE #41404 ADOPTION OF UNIFORM DWELLING CODE

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.

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

1.2 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.

1.3 The Wisconsin Uniform Dwelling Code, Chs. Comm 20-25 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 ordinance.

1.4 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.

1.5 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 Zoning Administrator. Any structural changes or major changes to mechanical systems that involve extensions shall require permits. Restoration or repair of an installation to its previous code-compliant condition as determined by the building inspector is exempted from permit requirements. Residing, re-roofing, finishing of interior surfaces and installation of cabinetry shall be exempted from permit requirements.

1.6 The building permit fees shall be determined by resolution.

1.7 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.

1.8 This ordinance shall be effective September 1,2004, upon passage and publication as provided by law.

Adopted this 14 day of April, 2004.

Kevin Behnke, Chairman

Attest:

Barbara Pankratz, Town Clerk