

CHAPTER 14 BUILDING CODE

GENERAL

- 14.01 Scope
- 14.02 Department of Building Inspection
- 14.025 Contractor Licenses
- 14.03 Permits
- 14.04 Inspections
- 14.05 Certificate of Occupancy
- 14.06 Owners Constitutional Privilege
- 14.07 Appeals
- 14.08 Violations
- 14.10 Definitions

STRUCTURAL-MECHANICAL

- 14.15 Adoption of Codes
- 14.16 Enforcement
- 14.17 Regulations for Moving Buildings
- 14.18 Razing of Buildings
- 14.19 Accessory Buildings and Structures
- 14.20 Designation of Fire Districts and Restrictions
- 14.21 Surface Water Drainage
- 14.22 Swimming Pools
- 14.23 Mechanical Systems
- 14.24 Incinerators

ELECTRICAL

- 14.30 Adoption of Codes
- 14.31 Enforcement
- 14.32 Electrical Licenses
- 14.33
- 14.34 Electrical Installations
- 14.35 Annual Permits
- 14.36 Standards of Electrical Equipment
- 14.37 Communications Antennas
- 14.38 Public Utilities Regulated

PLUMBING

- 14.40 Adoption of Plumbing Codes

BUILDING CODE **Table of Contents 2**

- 14.41 Enforcement
- 14.42 Plumbers License Required
- 14.43 Private Sewage Disposal Systems
- 14.44 Restrictions to Existing Sewers
- 14.45 Obstructions in Drain Course
- 14.46 Storm and Surface Water Drains

GENERAL

14.01 SCOPE. The provisions of this chapter shall govern the design, construction, alteration, erection, installation, additions, demolition, moving and repair of all buildings and structures, including building components and systems.

(1) ZONING CODE. No provision of this chapter shall be construed to repeal, modify or constitute an alternative to any lawful zoning regulation.

(2) ALTERATIONS. When not in conflict with any other regulation, alteration to any building or structure, or building component or system accommodating a legal occupancy or use but of nonconforming type of construction, which involves either the structural members of floors, roofs, beams, girders, columns, bearing or other walls, room arrangement, heating or air conditioning systems, electrical systems, plumbing systems, light and ventilation systems, changes in location of exit stairways or exist, or any or all of the above, then such existing construction shall be made to conform to this chapter, applicable to such occupancy and use and given type of construction.

(3) ALTERATIONS AND REPAIRS REQUIRED. When any building or structure or building component thereof, whether existing or being constructed, has deteriorated from any cause whatsoever to less than is designed or safe performance level, the owner of such building or structure shall commence within 48 hrs. to cause such building or structure, or building component thereof, to be restored to its designed or safe building or structure, or building component thereof, to be considered a menace to public safety and welfare and shall be ordered vacated and disconnected from utilities and thereafter no further occupancy or use shall be permitted.

If the orders of the Department of Building Inspection are not complied with after due notice and within 30 days, the Department shall proceed as required by this chapter to have such building or structure demolished.

(4) REPAIRS. Repairs for the purposes of maintenance or replacements in an existing building or structure, or building component, which do not involve the structural integrity, light and ventilation, room arrangement, access or efficiency of exit stairways or exits, fire protection or electrical system and which do not increase a given occupancy and use, shall be deemed minor repairs.

(5) USE OF UNSANITARY BUILDING. No person shall occupy or use, or permit to be occupied or used, any building or structure that is unsanitary, dilapidated, deteriorated or out of repair, thereby being unfit for human habitation, occupancy or use until the regulations of this chapter are complied with.

BUILDING CODE 14.01(6)

(6) EXTENT OF DETERIORATION. The amount and extent of deterioration of any building, structure or building component shall be determined by the Department of Building Inspection.

(7) TITLE. These regulations shall be known and cited as the "Sparta Building Code," and shall be construed to secure their expressed intent and to ensure public safety, health and welfare insofar as they are dependent upon building construction.

14.02 DEPARTMENT OF BUILDING INSPECTION There is hereby created the Department of Building Inspection, henceforth to be referred to as the Department. The Building Inspector shall act as head of this Department, under the direction of the Inspection and Utilities Committee.

(1) MEMBERS. The Department shall consist of the Building Inspector, Electrical Inspector, Plumbing Inspector and their deputies.

(2) DUTIES. Members of the Department are vested with the authority and responsibility to enforce this chapter and all laws, rules and orders controlling safe building construction. They shall make inspection at the site of buildings damaged by any cause whatsoever to determine the safety of buildings affected thereby.

(3) RIGHTS. Members of the Department shall have the power and authority at all reasonable hours, for any proper purpose, to enter upon any public or private premises and make inspection thereof, and to require the production of any required permit or license therefor. No person shall interfere with or refuse to permit access to any such premises to the above describe representatives of this City while in the performance of their duties.

(4) RECORDS. There shall be kept in the Department a record of all applications for permits and each permit shall be regularly numbered in the order of its issue. Also, a record showing the number, description and size of all buildings erected indicating the kind of materials used and the cost of each building shall be kept. There shall be kept a record of all inspections made, all removal and condemnation of buildings and all fees collected. The Building Inspector shall make an annual report to the Committee relative to these matters.

14.025 CONTRACTOR LICENSES. (Amended #637, 2003)

(1) All contractors (with the exception of electrical contractors - see Code Section 14.32) whose work requires them to apply for building permits are required to obtain City Contractor Licenses. This registration should be from January 1 to December 31, with a registration fee of \$20.00. To be eligible for this license, the contractor must carry liability insurance in the amount of at least \$500,000 and have their insurance company file a copy of the Certificate of Insurance with the City of Sparta Building Inspector's Office. (Amended #637, 2003)

(2) Failure to obtain a contractor license will result in denial of building permits until such license has been obtained.

(3) PAYMENT OF FEES. No license shall be issued to applicants with unpaid, overdue, delinquent or otherwise outstanding fines, forfeitures, penalties, assessments, taxes, and/or user fees owed to the City. (Cr. # 794, 8/18/09)

14.03 PERMITS.

(1) PERMIT REQUIRED. A permit shall be obtained by the owner or his agent from the Department for any of the following:

(a) Building. For new construction, additions or alterations to existing building or structures. All demolition or moving of any building, or portion thereof, into, within, or out of the City. (Am. #592, 2002)

(b) Electrical. All additions, alterations or new installations of electrical wiring, equipment or devices, except that no permit shall be required for the repair or replacement of defective fittings, fixtures, receptacles, sockets or switches, nor for the installation of less than 6 outlets.

(c) Mechanical. All new installations of any boiler furnace, incinerator, wood burner, including a fireplace, or any other heat producing apparatus; any air cooled, water cooled or mechanically cooled air conditioning or refrigeration system; also any chimney, distributions system, fuel supply system, storage tank, ventilation system or any other equipment pertaining to the use of flammable gases, liquids or solids. Also, all additions, alterations or modifications to any of the above which involve more than 50% of the mechanical system, as determined by the Building Inspector.

(d) Plumbing. All new installations and all additions to an existing system; All new turf sprinkler system installations; All alterations or modifications involving more than 50% of an existing system, as determined by the Plumbing Inspector; All connections to public sewer or water mains. (Am. #392, 1993)

(e) Signs/Canopy. For the erection of any billboard; For the erection of any sign or canopy described in Code of City Ordinances Section 17.23. Such permit shall include any electrical work necessary. (Am. #421, 1994)

(f) Manufactured Home Permit Requirements. The plumbing contractor and electrical contractor that make hookups shall apply for a permit and call for an inspection prior to skirting installation. (Am. #393, 1993)

BUILDING CODE 14.03(2)

(2) APPLICATION FOR PERMIT. Application for any permit shall be on forms prescribed by the Department. With such application, there shall be submitted 2 complete sets of plans, specifications and survey. The Department may waive such filing of plans, specifications or survey if, in the opinion of the Inspector, the character of the work is sufficiently described in the application.

(3) DEPARTMENT TO ISSUE PERMITS.

(a) If the Department finds that the proposed work will comply in every respect with this chapter, other City ordinances, laws of the State, and lawful orders issued pursuant thereto, a permit shall be issued. After receiving a permit, the plans and specifications shall not be altered in any respect which involves any of the above-mentioned ordinances, laws, orders or safety of the project, except with the written consent of the Department filed with the application.

(b) In appropriate cases the Department may issue a permit for part of a project prior to receiving plans for the entire project prior to receiving plans for the entire project. No person shall commence work on any building or structure, or part thereof, before the proper permits are issued. The issuance of a permit upon the plans thereafter requiring the correction of any errors in such plans and specifications or from preventing building operations being carried on thereunder when in violation of any ordinance, law or lawful order.

(4) REVOCATION OF PERMIT.

(a) The Department may revoke any permit, certificate of occupancy or approval issued under the regulations of this chapter any may stop construction or use of approved new materials, equipment, methods of construction, devices or appliances for any of the following reasons:

1. Whenever there is a violation of this chapter or of any other ordinance, law, lawful order or Wisconsin Statute relating to the same subject matter.
2. Whenever the continuance of construction becomes dangerous to life or property.
3. Whenever there is any violation of any condition or provision of the application for permit, or of the permit.
4. Whenever there is inadequate supervision provided on the work site.
5. Whenever any false statement or misrepresentations has been made in the application for permit, plans, drawings, data specifications or certified lot or plot plan on which the issuance of such permit or approval was based.

BUILDING CODE 14.03(6)

(b) The notice revoking the permit, approval or certificate or occupancy shall be in writing and may be served upon the owner or his agent, the person having charge of construction or may be posted on the building, structure, equipment or premises in question. After the notice is served, no person shall proceed with any construction operation on the premises and the revoked permit shall be null and void. Before any construction or operation is resumed, a new permit, as required by this chapter, shall be procured and the proper fee paid therefore.

(5) FEES. Before receiving any permit, the owner or his agent shall pay to the City Treasurer the applicable fees as specified in Table 1. 14.03(5)

(6) LAPSE OF PERMIT. All permits shall lapse unless operations are commenced within 6 months of issuance or if the work authorized by such permit is suspended at any time after work has commenced for a period of 60 days, unless extended by the Department. In any case, all work shall be completed within 18 month from the date of issuance of such permit. Before any work is commenced or recommenced after lapse of a permit, a new permit shall be issued and the required fees paid therefore.

(7) FAILURE TO OBTAIN PERMIT. No person shall commence any work requiring a permit without first obtaining the required permits therefor. In addition to other penalties provided for in this chapter, double fees shall be charged for any permits which are issued after work has been commenced by any contractor.

(8) WEATHERPROOF CARD. A weatherproof card signed by a member of the Department indicating the permits issued shall be posted in a conspicuous place at the work site during construction operations.

(9) STREETS ESTABLISHED TO GRADE. (Cr. #231) A building permit shall not be issued until the street or streets abutting the building site are established to grade.

14.04 INSPECTIONS.

(1) NOTIFICATION. The permit holder shall notify the Department when ready for the following inspections:

(a) Inspection of footings and foundation walls for conformance with plans and specifications. Underground plumbing may be inspected at this time, if ready.

(b) Inspection or rough-ins, including framing, energy, electrical, mechanical and plumbing, as they are ready and prior to being concealed.

(c) Inspection prior to pouring concrete floors for sub-grade, drain tile, forms and under-floor building components.

BUILDING CODE 14.04(1)(d)

(d) Inspection upon completion of project and prior to occupancy or use.

(2) COORDINATED INSPECTIONS. All provisions of the laws and regulations of this City, and of legally adopted rules of local health and fire officials in respect to the operation, equipment, housekeeping, fire protection, handling and storage of flammable materials, liquids and gases, and the maintenance of safe and sanitary conditions of use or occupancy in all buildings shall be strictly enforced by the administrative officials to whom such authority is delegated. Whenever an inspection by any authorized enforcement officer discloses a violation of this chapter, or of any other rules, regulation or law, he shall immediately notify the administrative officer having jurisdiction of the violation.

14.05 CERTIFICATE OF OCCUPANCY.

(1) INSPECTION. A final inspection of all new buildings, additions and alterations shall be made by the Department. If no violations of this chapter or any other law or ordinance be found, a certificate of occupancy shall be issued, stating the purpose for which the building is to be used. No building or portion thereof shall be occupied until such certificate is issued, nor shall any building be occupied in any manner which conflicts with the conditions set forth in the certificate of occupancy.

(2) USE DISCONTINUED.

(a) Whenever any building or portion thereof is being used or occupied contrary to the provisions of this chapter, the Department shall order such use or occupancy discontinued and the building or portion thereof vacated, by notice served on any person using or causing such use or occupancy to be continued and such person shall vacate such building or portion thereof within 10 days after receipt of the notice or shall proceed diligently to make the building or portion thereof comply with the requirements of this chapter.

(b) Any building, structure or premises, or any portion thereof, hereafter vacated or damaged by any cause whatsoever so as to jeopardize public safety or health, shall not be used or occupied under any existing certificate or occupancy or without the same, until an application has been filed and a new certificate of occupancy issued.

(3) CHANGE. No person shall change the use of any building, structure, premises, or any part thereof, without first obtaining from the Department an approval of such change and a certificate of occupancy therefore.

(4) HARDSHIP. The Building Inspector may permit the occupancy of any building or structure prior to the issuance of the certificate of occupancy in cases of hardship, as in his judgment warrant occupancy and the premises are determined to be safe and

sanitary. The Building Inspector shall determine the time within which such building can be completed, but not greater than 60 days.

14.06 OWNERS CONSTITUTIONAL PRIVILEGE. Unless specifically directed by a Section, nothing in this chapter shall prevent a property owner from personally doing electrical, mechanical, plumbing or structural work in his own single family residence owned and occupied by him as a permanent residence, provided that the work shall conform in all respects with the requirements of this chapter. (Amended #603, 2002)

14.07 APPEALS.

(1) Any person aggrieved by any order or ruling of the Department, except an order or ruling by the Electrical Inspector, may appeal from such order or ruling to the Inspection and Utilities Committee within 10 days after written notice of such order or ruling is delivered to him. Such appeal shall be in writing, setting forth the order appealed from and the respects in which such person claims such order or ruling is erroneous or illegal. Such notice of appeal shall be filed with the Clerk who shall thereupon notify the Department. The appeal shall be heard at the next Inspection and Utilities Committee meeting and the Inspection and Utilities Committee, after consideration thereof, shall affirm, reverse or modify such order or ruling as is just in the premises. No such modification or reversal shall conflict with any State law, code or lawful order. The order or ruling of the Department shall remain in effect until acted upon by the Committee.

(2) Any person aggrieved by any order or ruling of the Electrical Inspector may appeal from such order or ruling to the Board of Electrical Examiners within 10 days after written notice of such order or ruling is delivered to him. Such appeal shall be in writing, setting forth the order or ruling appealed from and the respects in which such person claims such order or ruling is erroneous or illegal. Such notice of appeal shall be filed with the Clerk who shall thereupon notify the Electrical Inspector. The appeal shall be heard at the next Board meeting and the Board, after consideration thereof, shall affirm, reverse or modify such order or ruling as is just in the premises. No such modification or reversal shall conflict with any State law, code or lawful order. When such appeal is filed, the Electrical Inspector shall not act as a Board member. The order or ruling of the Electrical Inspector shall remain in effect until acted upon by the Board of Electrical Examiners.

14.08 VIOLATIONS. No person shall erect, use, occupy, install or maintain any building, structure or building component in violation of any provision of this chapter, or cause, permit or suffer such violations to be committed. Any person violating any provision of this chapter shall be subject to the provisions and penalties as set forth in Sec.25.04 of this chapter. If in any action a permit was issued, it shall not constitute a defense, nor shall any error, oversight or dereliction of duty on the part of any member of the Department constitute a defense.

14.09

14.10 DEFINITIONS. For the purposes of this chapter, the following words and phrases shall have the meanings assigned to them in this section. Words and phrases not herein defined shall have the meanings as indicated in the various sections which are adopted into this chapter. Any other words and phrases shall have the meanings given to them by common usage.

| | |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| BUILDING | Any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind. |
| BUILDING ACCESSORY | Any detached building or structure, not used as a dwelling unit, but whose use is incidental to that of the main building and which is located on the same property. |
| BUILDING, ATTACHED | Any building or structure attached directly to the principal building, or attached by means of an enclosed or open breezeway, porch, terrace or vestibule; or so constructed as to form an integral part of the principal building. |
| BUILDING COMPONENT | Any subsystem, subassembly or other system designed for use in or as part of a structure which may include structural, electrical, mechanical, plumbing and fire protection systems and other systems affecting health and safety. |
| BUILDING, DETACHED | Any building or structure which is not physically connected to the principal building in any manner. |
| BUILDING SYSTEM | Plans, specifications and documentation for a system of manufactured buildings or for a type or a system of building components, which may include structural, electrical, mechanical, plumbing and variations which are submitted as part of the building system. |
| DWELLING | A building which is designed or used, or which is intended to be used, as a residence or place of abode. |
| EQUIPMENT | As specifically regulated in this chapter, includes heating, cooling, air conditioning and ventilating systems; plumbing and sanitary systems; electric light and power systems; telephone, electronic, radio signaling and annunciation systems; dry cleaning, dyeing and washing machines; elevators and dumb waiters; gas pipe systems; sprinklers, standpipes, fire extinguishers and fire protection apparatus; pumps, oil burners, stokers and conveyors; refrigeration systems; devices, machinery and apparatus of every description; furnaces, boilers, high or low pressure steam systems; gasoline pumps; all movable or portable containers of every description; all air pressure or other tanks; and all other self-contained systems used in conjunction with buildings or structures. |
| GARAGE, PRIVATE | A building, or portion of a building, in which only motor vehicles used by the premises are stored or kept. |

| | |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| OCCUPANCY | The purpose for which a building, structure, equipment, materials or premises, or part thereof, is used or intended to be used as regulated by this chapter. |
| SHALL | As used in this chapter, "shall" is mandatory. |
| STRUCTURE | STRUCTURE. As specifically regulated by this chapter, anything which is constructed, erected and framed of component parts and which is fastened, anchored or rests on a permanent foundation, or on the ground for any occupancy or use whatsoever, excluding fencing. |
| USE | See OCCUPANCY |

STRUCTURAL-MECHANICAL

14.15 ADOPTION OF CODES.

(1) STATE BUILDING CODE. The Building and Heating, Ventilating and Air Conditioning Code, Chs. COMM 50 through 65, Wis. Adm. Code, both inclusive and all amendments thereto, are hereby made a part of this chapter by reference and shall apply to all new construction, additions, alterations, remodeling, repairs and change of occupancies to all buildings and structures, except one and 2 family dwellings and accessory buildings thereto. (Am. 614, 2002)

(2) STATE UNIFORM DWELLING CODE. The Uniform Dwelling Code, Chapters ILHR 20 through 25, Wisconsin Administrative Code, both inclusive and all amendments thereto, are hereby made a part of this Chapter by reference and shall apply to all new and existing construction, additions, alterations, remodeling, repairs and change of occupancies to all one and two family dwellings and attachments thereto. (Am. #614, 2002)

(3) STATE EXISTING BUILDINGS CODE. The Existing Buildings Code, Chs. Comm. 75 – 79, Wis. Adm. Code, both inclusive and all amendments thereto, are hereby made a part of this chapter by reference and shall apply to all buildings and structures erected prior to October 9, 1914; except one and 2 family dwellings and accessory buildings thereto. (Am #614, 2002)

(4) HISTORICAL BUILDING CODE. The Historical Building Code, Chapter Comm 70, Wisconsin Administrative Code, and all amendments thereto, are hereby made a part of this Chapter by reference. (Am. 614, 2002)

(5) STREET REPAIR. Any owner or contractor performing construction work within the City shall restore any City street or alley damaged by their work or equipment to original condition or better, except where damage is restricted to normal wear and tear. The owner or contractor shall consider the time of year and soil and road conditions when scheduling and performing such work. It is the owner's or

contractor's responsibility to document substandard areas of pavement or boulevards before construction commences to prove that such damage was not caused by their work. A warning of this standard shall be included on building permits issued by the City. (Cr. #549, 2000)

14.16 ENFORCEMENT. Primary enforcement of the structural-mechanical portion of this chapter shall be by the Building Inspector.

14.17 REGULATIONS FOR MOVING BUILDINGS.

(1) GENERAL. No person shall move any building or structure upon any of the public right-of-ways of this City without first obtaining a permit from the Department and payment of the proper fee. Every such permit issued by the Department shall designate the route to be taken, the conditions to be complied with and shall limit the time during which such moving operations shall be continued. The Police Department shall be notified prior to the commencement of any moving operation.

(2) MOVING DAMAGED BUILDINGS. No building shall be repaired, altered or moved into or within the City that has deteriorated or been damaged by any cause more than 50% of its equalized value, and no permit shall be granted to repair, alter or move such building within or into the City.

(3) CONTINUOUS MOVEMENT. The movement of buildings shall be a continuous operation until such movement is fully completed. All such operations shall be performed with the least possible obstruction to thoroughfares. No building shall be allowed to remain overnight upon any street crossing or intersection, or so near thereto as to prevent easy access to any fire hydrant or any other public facility. Lighted lanterns shall be kept in conspicuous places at each end of the building during the night.

(4) STREET REPAIR. Every person receiving a permit to move a building shall within one day after such building reaches its destination, report that fact to the Building Inspector who shall, in the company of the City Engineer, inspect the streets and highways over which such building has been moved and ascertain their condition. If the removal of such building has caused any damage to any street or highway, they shall forthwith be placed in good repair as they were before the permit was granted. The person holding such permit and the sureties in his bond shall be responsible for the payment of all such damages.

(5) CONFORMANCE WITH CODE. Prior to issuing a permit to move a building into or within the City, the Building Inspector shall inspect the building and determine if it is in a sound and stable condition, and of such construction that it will meet the requirements of this chapter in all respects. Plans shall be submitted to indicate that the building will be in conformance with this chapter in all respects prior to its occupancy within the borders of this City.

BUILDING CODE 14.17(6)

(6) BOND. Before a permit is issued to move a building over any public way, the party applying therefore shall give a bond to the City in the amount of \$10,000. Such bond to be executed by a corporate surety or by a cash deposit with the City to indemnify the City for any costs or expenses incurred by it in connection with any claims for damages to any person or property, and for the payment of any judgment together with any costs or expenses in connection therewith, arising out of the removal of the building for which the permit was issued. The bond shall be further conditioned upon the permittee erecting adequate barriers within 48 hours filling in such excavation for the protection of children and travelers. Police escort fees shall be paid in advance. (Am. #645, 04/2004)

(7) INSURANCE. The Building Inspector shall also require public liability insurance covering injury to persons in the sum of not less than \$100,000 together with property damage insurance of not less than \$50,000.

14.18 RAZING OF BUILDINGS.

(1) The Building Inspector is hereby authorized to act for the City under the provisions of Sec.66.05, Wis. Stats., relating to the razing of buildings. The Treasurer is authorized to place the assessment and collect the special tax as herein provided.

(2) Before a building can be demolished or removed, the owner or his agent shall notify all utilities having service connections within the building, such as electric, gas, water, sewer and any other connections. A permit to demolish or remove a building shall not be issued until it is ascertained that service connections and appurtenant equipment, such as meters and regulators, have been removed or sealed and plugged in a safe manner. Excavations shall be filled with solid fill to match lot grade within 48 hours of removal of the structure. Any excavation shall be protected with appropriate fences, barriers and/or lights.

14.19 ACCESSORY BUILDINGS AND STRUCTURES.

(1) DEFINITION. An accessory building or structure, as used in this section, means a building or structure, as used in this section, means a building or structure entirely separated from the principal building and is not subject to the State Building Code.

(2) LOCATION.

(a) Frame. Building and structures of wood frame construction shall be located not less than 10' from any principal building; except that such distance may be reduced to not less than 5' when the adjacent wall is protected by at least 1 hr. fire rated construction.

BUILDING CODE 14.19(2)(b)

(b) Masonry. Buildings and structures of masonry wall construction shall not be located less than 5' from any principal building.

(3) FOOTINGS AND FOUNDATIONS. (Am. #230)

(a) Accessory buildings and structures shall be provided with the same type footings and foundations as are herein required for the principal building, except that:

1. Buildings and structures with a width up to and including 26' may be built with a continuous floating slab of wire mesh reinforced concrete not less than 4" thick, in which case the slab shall be provided with a thickened edge all around being 8" wide by 8" below the surface of the slab.
2. Buildings and structures with a width exceeding 26', but less than 36', may be built with a continuous floating slab of wire mesh reinforced concrete not less than 4" thick, in which case the slab shall be provided with a thickened edge all around being 12" wide by 12" below the surface of the slab.

(b) Exterior wall curbs of masonry shall be provided not less than 4" above finished ground grade, unless the wall construction within 4" of grade is approved insect and termite resistant. Bolts 3/8" in diameter, with nuts and washers attached, by 6" long, shall be embedded 3" in the concrete curb 8' on centers.

(c) For purposes of this subsection, "width" is defined as the distance between the exterior of one main load bearing wall and the opposite load bearing wall.

(4) WALL CONSTRUCTION.

(a) All walls shall be designed to support all superimposed vertical dead loads and live loads from floors and roofs without exceeding the allowable stresses of the material.

(b) All walls shall be designed to withstand a horizontal wind pressure of at least 20 lbs. per square foot applied to the vertical projection of the portion above grade. No reduction shall be permitted for the shielding effect of other buildings or structures.

(5) ROOFS AND CEILINGS.

(a) Roof and roof/ceiling assemblies shall support all dead loads plus the minimum live loads as herein specified.

BUILDING CODE 14.19(5)(b)

(b) Roofs shall be designed and constructed to support a snow load of 30 lbs. per square foot assumed to act vertically over the roof area.

(c) Roofs shall withstand a pressure of at least 20 lbs. per square foot acting upward normal to the roof surface. Roofs shall be properly anchored to resist uplift.

(d) All roofs shall be designed and constructed to assure the proper drainage of water.

(6) HEATING. Heating units and equipment in accessory buildings shall conform to the requirements of heating systems in the principal building.

14.20 DESIGNATION OF FIRE DISTRICTS AND RESTRICTIONS.

(1) DESIGNATION. There are hereby established 2 fire districts which shall be known as the First and Second Fire Districts. All that part of the City embraced within the boundaries defined in Sec.5.11 of this Municipal Code shall constitute the First Fire District. All that part of the City not embraced within those limits shall constitute the Second Fire District.

(2) BUILDING RESTRICTIONS.

(a) Within the First Fire District, any building erected after September 15, 1989, or any addition to an existing building, shall be in compliance with Chapters 50-64 of the Wisconsin Administrative Code, Commercial Building Codes, except one and two family dwellings located within the First Fire District shall conform to Wisconsin Department of Industry, Labor and Human Relations regulations for one and two family dwellings, provided that such dwellings are located on not less than the minimum size lot (6,000 square feet). Buildings or existing buildings containing both commercial and residential occupancy are not included within the exception.

(b) Any building hereafter erected, or any addition to an existing building, which contains both commercial and residential occupancies shall have all residential portions of the building separated from all other parts of the building by a minimum of one hour fire resistive construction; whether such construction lies in the First or Second Fire District.

(c) Within the foregoing fire districts, no building shall be hereafter increased in height unless it is of a type of construction permitted for new buildings within such fire district or is altered to comply with the requirements for new buildings.

(d) Within the foregoing fire districts, no building, other than a one or 2 family dwelling or an accessory building thereto, shall be hereafter extended on any

BUILDING CODE 14.20(2)(d)

side; unless such extension is of a type of construction permitted for new buildings within such fire district. Nothing in this section shall prohibit other alterations within the fire districts, provided there is no change of occupancy otherwise prohibited.

(e) No building shall hereafter be moved from one fire district to another, or to another lot in the same district, or from without to within a fire district, unless this type of construction is permitted in the district into or within which it is to be moved.

(f) Any building located partly in more than one fire district shall be of a type of construction required for the most highly restricted district.

(g) The preceding provisions of this section shall not apply to temporary buildings under such conditions as may be prescribed by the Building Inspector; nor to builders shanties for use only in connection with an authorized building operation; nor to storm enclosures not more than 12' high nor more than 2' wider than the doors they serve, located entirely within the lot lines; nor to woods piazzas or porches not exceeding 2 stories in height nor projecting more than 10' from the building wall, but such piazza or porch shall not be built less than 5' from a side lot line unless separated from adjoining structures by a masonry wall; nor to greenhouses less than 15' high erected on the same lot as a business or residence; nor to fences not exceeding 8' in height.

14.21 SURFACE WATER DRAINAGE. No building shall be erected or added to if such proposed construction shall unreasonably obstruct the flow of water from adjoining properties or obstruct the flow of water of any ditch, drain, ravine or storm water sewer draining neighboring property; unless suitable provision is made for such flow by means of an adequate ditch or pipe. Building plans shall indicate in sufficient detail the proposed provision for surface water drainage.

14.22 SWIMMING POOLS.

(1) **PUBLIC POOLS**. Chapter 171, Wis. Adm. Code, Public Swimming Places, inclusive and all amendments thereto are hereby made a part of this chapter by reference as though fully set forth herein.

(2) **PRIVATE POOLS**.

(a) Installation. All private pools shall be installed in accordance with manufacturers' instructions.

(b) Maintenance. All private pools shall be maintained in accordance with manufacturers' instructions. All pools shall meet water quality standards as may be established for pools by the Wisconsin Department of Health and Social Services and the City Board of Health.

(c) Restricted Access. All pools, whether installed above or below grade, shall be enclosed by a wall or fence at least 48" high and of such construction as to make access difficult. Entrances through this enclosure shall be through self-closing gates, designed to be difficult to open by an unattended child. Pool walls may serve as the required wall if the pool enclosure is a minimum of 48" above grade and access is difficult for an unattended child.

(d) Permit Required. Construction or installation of any pool shall require a structural permit and the required fee paid therefor prior to commencement of any such work.

14.23 MECHANICAL SYSTEMS. All mechanical systems installed, maintained, modified or repaired in any building or structure shall conform to the appropriate rules and regulations of the Wisconsin Administrative Code relating to that building or structure. In buildings or structures not covered by the Wisconsin Administrative Code, the regulations, as set forth in the Wisconsin Uniform Dwelling Code, Ch. ILHR 23, Wis. Adm. Code, shall govern.

14.24 INCINERATORS.

(1) GENERAL. Incinerators shall meet the requirements of the Wisconsin Department of Natural Resources as contained in Ch. NR. 154, Wis. Adm. Code. The Department of Natural Resources shall have approving authority for the equipment involved. Installation shall conform to the following requirements, unless superseded by the manufacturers' requirements.

(2) GAS BURNER CONNECTIONS. Where a gas burner is used, a lever handle shutoff cock shall be provided before the union at an accessible location in the gas line at the rear of the burner. Incinerators furnished with means of automatic ignition of the gas at the main burner shall be equipped with a device which will automatically shutoff the main gas supply in the event the means of ignitions becomes inoperative, or the means of keeping the valve of the device open becomes inoperative, or both.

(3) MOUNTING.

(a) Incinerators, except as hereinafter provided, shall be mounted on floors of fire resistive construction with noncombustible flooring or surface finish and with no combustible material against the underside thereof. Such construction shall extend a minimum of 12" beyond the incinerator base on all sides, except that at the front or side where ashes are removed, it shall extend a minimum 18" beyond the incinerator.

BUILDING CODE 14.24(3)(b)

(b) Incinerators that are specifically approved for installation on a combustible floor may be mounted in accordance with the conditions of such approval.

(4) **MASONRY CHIMNEYS FOR INCINERATORS.** Masonry chimneys for incinerators shall be constructed in accordance with the requirements for masonry chimneys. All flues shall terminate in a substantially constructed spark arrester with openings a maximum of 1/2", or be provided with other suitable means for stopping discharge of fly particles. Such screen shall be kept in repair at all times. Incinerators shall be connected to a chimney suitable for solid fuel burning appliances.

(5) **CLEARANCES.**

(a) Incinerators, except as provided herewith, shall be installed to provide clearances between the unit and woodwork or other combustible material, of not less than 36" at the sides and top and not less than 48" at the front, and in no case shall the clearance above the charging door be not less than 48".

(b) Incinerators that are specifically approved for installation with clearances less than specified above may be installed in accordance with the conditions of such approval, provided that, in any case, the clearances shall be sufficient to afford ready accessibility for firing, clean out and any necessary servicing, and with a minimum clearance of 3" between the sides and any combustible materials.

(c) Incinerators may be installed in rooms, but not in confined spaces, such as alcoves, with reduced clearances to woodwork or other combustible material, provided that the combustible material is protected with an approved protective material, but in no case shall this clearance be less than 3".

(6) **FLUE PIPES FOR INCINERATORS.**

(a) Incinerator flue pipes, except as herein provided, shall be installed to provide clearances of not less than 18" to woodwork or other combustible material.

(b) Incinerator flue pipes may be installed in rooms, but not in confined spaces, such as alcoves, with reduced clearances to woodwork or other combustible material provided the combustible material is protected with an approved protective material.

(c) Incinerator flue pipes shall not pass through any combustible wall or partition unless protected at the point of passage by an approved thimble.

(7) **REFUSE CHUTES.** Refuse chutes shall not feed directly into incinerators.

ELECTRICAL

14.30 ADOPTION OF CODES.

(1) STATE ELECTRICAL CODE. The State Electrical Code, Volume 2, Ch. ILHR 16, Wis. Adm. Code, inclusive and all amendments thereto are hereby made a part of this chapter by reference and shall apply to all alterations, extensions, installations and repairs to any electrical component, system or subsystem of any building or structure.

(2) UNIFORM DWELLING CODE. The Wisconsin Uniform Dwelling Code, Ch. ILHR 24, and all amendments thereto are hereby made a part of this chapter by reference and shall apply to all alterations, extensions, installations and repairs to any electrical component, system or subsystem of any one or 2 family dwelling or attachment thereto.

(3) NATIONAL ELECTRIC CODE. The National Electric Code, and all amendments thereto are hereby made a part of this Chapter by reference and shall apply to all alterations, extensions, installations and repairs to any electrical component, system or subsystem. (Cr. #421, 1994)

14.31 ENFORCEMENT. Primary enforcement of the electrical portion of this chapter shall be by the Electrical Inspector.

14.32 ELECTRICAL LICENSES. (Rec. 585, 2001)

(1) CONTRACTOR'S LICENSE. Except for persons doing electrical repair in their own homes that they reside in, no person shall engage in installing, extending, altering or repairing any electrical system or component, or portion thereof, without a proper electrical license. Any person engaged in the business of altering, extending, installing or repairing any electrical component or system for others shall have a Electrical Contractors license issued by the City of Sparta.

APPLICATIONS: The following criteria shall be met prior to the issuance of an Electrical Contractors License:

(a) Every contractor shall present proof of employment of a full time Master Electrician or an Electrical Contractors license or an Electrical Contractors-restricted license issued by the State Department of Commerce.

(b) Proof of at least 8 hours of continuing electrical education recognized by The Wisconsin Department of Commerce, effective January 1, 2003.

(4) No person shall install or replace electrical services unless licensed as a City of Sparta electrical contractor. (Amended #625, 2003)

14.35 ANNUAL PERMITS.

(1) An annual permit shall be issued to any plant, industry or institution regularly employing one or more maintenance electricians for repairing existing electrical components or systems on premises owned or occupied by such permittee. Each annual permit shall expire on June 30 following issuance. The fee for such a permit shall be \$50. The Electrical Inspector shall make periodic inspections of electrical systems of holders of an annual permit.

(2) An annual permit shall be issued to any plant, industry or institution regularly employing one or more Class A electricians for altering, extending, installing or repairing electrical components or systems on premises owned or occupied by such permittee. Each annual permit shall expire on June 30 following issuance. The fee for such a permit shall be \$100. The Electrical Inspector shall make periodic inspections of electrical systems of holders of an annual permit.

14.36 STANDARDS FOR ELECTRICAL EQUIPMENT. Only that equipment which has been expressly made for electrical purposes shall be installed for electrical purposes. All electrical equipment shall be installed or used in the exact manner and for the exact purpose indicated by the manufacturers' instructions, markings or labels. No equipment or devices shall be sold or utilized which is not approved by a nationally recognized testing laboratory. Old or secondhand electrical equipment shall not be installed unless such equipment is in a safe condition as determined by the Electrical Inspector. The original manufacturer's ratings, markings or labels thereon shall not be changed or altered in any manner; except that normal repairs and replacements may be made to such equipment if the replacements and repairs do not change the original characteristics and design.

14.37 COMMUNICATIONS ANTENNAS.

(1) ROOF MOUNTED. All antennas shall be firmly attached to the roof. No antenna shall extend greater than 12' higher than its final support point unless the antenna has been designed for a greater extension by the manufacturer. All such antennas shall be grounded.

(2) TOWERS. All towers shall conform to the requirements of Ch. ILHR 62, Wis. Adm. Code, whether such tower shall be grounded. A permit from the Electrical Inspector shall be required prior to the erection of any tower.

14.38 PUBLIC UTILITIES REGULATED. Public utilities furnishing electric lights or power shall give service either light or power only to installations conforming with this chapter.

14.39

PLUMBING

14.40 ADOPTION OF PLUMBING CODES.

(1) STATE PLUMBING CODE. The State Plumbing Code, Chs. ILHR 81 through 86, Wis. Adm. Code, both inclusive and all amendments thereto, are hereby made a part of this chapter by reference and shall apply to all alteration, extension, installations and repairs to any plumbing component or plumbing system or subsystem of any building or structure.

(2) UNIFORM DWELLING CODE. The Wisconsin Uniform Dwelling Code, Ch. ILHR 25, Wis. Adm. Code, and all amendments thereto, is hereby made a part of this chapter by reference and shall apply to all alterations, extensions, installations and repairs to any plumbing component, or plumbing system or subsystem, of all one and 2 family dwellings.

14.41 ENFORCEMENT. Primary enforcement of the plumbing section of this chapter shall be by the Plumbing Inspector.

14.42 PLUMBERS LICENSE REQUIRED. No person shall engage in any plumbing, except leakage and stoppage repairs may be made, without the proper plumbing license as required by Ch. 145, Wis. Stats.

14.43 PRIVATE SEWAGE DISPOSAL SYSTEMS. Where a public sewer is not available under the provisions of this chapter, the building sewer shall be connected to a private sewage disposal system. When a public sewer becomes available to such a property, as determined by the Plumbing Inspector, a direct connection shall be made to the public sewer in compliance with this chapter. The private sewage disposal system shall be abandoned and filled with suitable material.

14.44 RESTRICTIONS TO EXISTING SEWERS. Whenever it is necessary to disturb any building drain or sewer in actual use, the same shall not be obstructed or discontinued without specific permission from the Plumbing Inspector. Old building sewers may be used in connection with new buildings only when, on examination by the Plumbing Inspector, they meet all the requirements of this chapter.

14.45 OBSTRUCTIONS IN DRAIN COURSE. Whenever the course of any drain or sewer is obstructed by electrical, gas, steam, water or other pipe or conduits; the Plumbing Inspector shall determine whether the obstruction shall be raised or lowered to permit the construction, installation and venting of the drain or sewer.

14.46 STORM AND SURFACE WATER DRAINS. No storm water or surface water drains shall be connected with the building sewer or building drain, whether installed above or below the surface of the ground. No building shall be erected, nor shall

BUILDING CODE 14.46

existing provisions for the conveyance of water from the roof of the building be altered or replaced unless provision is made to convey water from the roof of the building in such a manner that such water will not, directly or indirectly, pass into the sanitary sewer system.

BUILDING CODE **Schedule of Permit Fees**

TABLE NO. 1
SCHEDULE OF PERMIT FEES
(Amended #665, 10/19/2004)

1. STRUCTURAL:

| | |
|----------------------------------------------------------------------------------------------------------|--------------------------|
| A. Residence - One & Two Family, Attached Garages, Finished areas: | \$.20/square foot |
| B. Residence - Apartments, Three-Family and over, Row Housing, Multiple-Family dwellings, Institutional: | \$.15/square foot |
| C. Residences - Additions: | \$.20/square foot |
| D. Local business, Office Buildings or additions thereto: | \$.18/square foot |
| E. Manufacturing or Industrial (Office areas to be included under D) | \$.15/square foot |
| F. Accessory buildings, detached garages, Agricultural buildings 150 square feet and larger: | \$.07/square foot |
| G. All other buildings, structures, alterations and repairs where square footage cannot be calculated: | \$7.00/\$1,000 valuation |
| H. Minimum fee for all permits except roofing, fence, and mobile home hook-up: | \$25.00 |

FEES WILL BE DOUBLED FOR WORK STARTED PRIOR TO A PERMIT BEING ISSUED BY THE INSPECTION DEPARTMENT.

2. The following permit fees shall be based upon the physical value of the work to be done, on the basis of current costs, as determined by the Department.

ELECTRICAL, MECHANICAL OR PLUMBING:

| <u>COST</u> | <u>FEE</u> |
|---------------------------|------------|
| Up to \$1,000.00 | \$25.00 |
| \$1,001.00 to \$2,500.00 | \$40.00 |
| \$2,501.00 to \$4,000.00 | \$45.00 |
| \$4,001.00 to \$6,000.00 | \$50.00 |
| \$6,001.00 to \$8,000.00 | \$55.00 |
| \$8,001.00 to \$10,000.00 | \$60.00 |

BUILDING CODE **Schedule of Permit Fees**

OVER \$10,000.00 \$60.00 plus \$2.50 per thousand in excess of \$10,000

3. MISCELLANEOUS FEES:

| | |
|---------------------------------------------------------------------------------|----------|
| A. Plan Examinations: | |
| i) Commercial/Industrial including additions: | \$80.00 |
| ii) Commercial/Industrial HVAC: (if submitted separately) | \$30.00 |
| iii) Alterations to Commercial Buildings: | \$30.00 |
| iv) Revision to previously submitted plan: | \$100.00 |
| v) Permission to start construction: | \$50.00 |
| B. Wisconsin Uniform Building Permit Seal: | \$30.00 |
| C. Special Inspections: | \$25.00 |
| D. Re-inspections: | \$25.00 |
| E. Sign/Canopy: | \$25.00 |
| F. Mobile Home Hook-up (Plumbing & Electric) | \$15.00 |
| G. Raze Permit: (Building Inspector may waive fee if building is condemned.) | \$25.00 |
| H. Building Moving Permit: | \$25.00 |
| I. Re-roofing or Re-shingling Permits Only: (Cr. #556, 2000) | \$10.00 |
| J. Mobile home Hook-up (Plumbing & Electric) | \$15.00 |
| K. Fence Permit | \$15.00 |
| L. Foundation Only Permit | \$100.00 |
| M. Occupancy Permit | \$25.00 |

NOTE: Gross square footage calculations are based on the dimensions of the building from the exterior faces of the exterior walls, of each finished floor level and the garage. Unfinished basements, in one and two family dwelling or portions thereof are not included in this calculation.

NOTE: Unless specifically noted all fees in fractions of a dollar, shall be rounded to the next full dollar.