



Preserving Yesterday's Heritage for Tomorrow.

The Town of Cedarburg, Wisconsin

IN THE NAME AND BY THE AUTHORITY OF THE TOWN OF CEDARBURG, WISCONSIN

ORDINANCE # 2020-6

“An Ordinance Amending Chapter 108: Building Construction, of the Code of Ordinances, to Adopt the Wisconsin Administrative Code Chapter SPS 316 in its Entirety”

- WHEREAS,** the Town of Cedarburg is a body corporate and politic within Ozaukee County, Wisconsin; and
- WHEREAS,** the Town desires to adopt the Wisconsin Administrative Code Chapter § SPS 316 in its entirety; and
- WHEREAS,** the Town desires to exercise jurisdiction within the Town in regards to any and all electrical inspections in relation to the Wisconsin Administrative Code Chapter § SPS 316 in its entirety; and
- WHEREAS,** the Town shall maintain all records regarding electrical permits under the Wisconsin Administrative Code § SPS 316; and

NOW THEREFORE, BE IT RESOLVED the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, does hereby adopt the Wisconsin Administrative Code Chapter § SPS 316 Electrical Code in its entirety, as follows:

(The text modified with a strikethrough shall be deleted).
(The text modified with an underline shall be added).

Chapter 108. Building Construction

§ 108-4.1. **Certified municipality status.**

[Added 3-4-2015 by Ord. No. 2015-4]

A. Certified municipality. The Town has adopted the certified municipality status as described in § SPS 361.60 of the Wisconsin Administrative Code.

- (1) Responsibilities. If the Town is delegated by the Department of Safety and Professional Services (Department) under SPS 361.60, the Town may assume the following responsibilities: The Town shall assume the following responsibilities for the Department of Safety and Professional Services (Department):

- (a) Provide inspection of commercial buildings with certified commercial building inspectors.
 - (b) Provide plan examination of commercial buildings with certified commercial building inspectors.
- (2) Plan examination. Drawings, specifications and calculations for all the types of buildings and structures, except state-owned buildings and structures, to be constructed within the limits of the municipality shall be submitted, if the plans are for any of the following:
- (a) A new building or structure containing less than 50,000 cubic feet of total volume.
 - (b) An addition to a building or structure where the area of the addition results in the entire building or structure containing less than 50,000 cubic feet of total volume.
 - (c) An addition containing no more than 2,500 square feet of total floor area and no more than one floor level, provided the largest roof span does not exceed 18 feet and the exterior wall height does not exceed 12 feet.
 - (d) An alteration of a space involving less than 100,000 cubic feet of total volume.
 - (e) A certified municipality may waive its jurisdiction for the plan review of a specific project or types of projects, or components thereof, in which case plans and specifications shall be submitted to the Department for review and approval.
 - (f) The Department may waive its jurisdiction for the plan review of a specific project, where agreed to by a certified municipality, in which case plans and specifications shall be submitted to the certified municipality for review and approval.
- (3) Plan submission procedures. All commercial buildings, structures and alterations, including new buildings and additions less than 25,000 cubic feet, require plan submission as follows:
- (a) Building permit application.
 - (b) Application for review - SBD-118.
 - [1] Fees per Table 302.31-2 and SPS 302.31.
 - [2] Fees apply to all commercial projects.
 - (c) Four sets of plans.
 - [1] Signed and sealed per SPS 361.31.
 - [2] One set of specifications.
 - [3] Component and system plans.

[4] Calculations showing code compliance.

§ 108-5. Building permits and inspection.

- A. General permit requirement. No building of any kind shall be moved within the Town and no new building or structure, plumbing, electric, HVAC, or any part thereof shall hereafter be erected, or ground broken for the same, or enlarged, altered, moved, demolished, razed or used within the Town, except as herein provided, until a permit therefor shall first have been obtained by the owner, or his authorized agent, from the Building Inspector or his representative. Any application for a permit submitted to the Building Inspector involving a designated landmark, landmark site or improvement in an historic district shall be filed with the Landmarks Commission. Unless written approval has been granted by the Commission, the Building Inspector shall not issue any permit for any such work.^[1]

[1] *Editor's Note: See also Ch. 186, Landmarks Preservation.*

- B. Issuance of permits.

- (1) Payment of fees. Except as otherwise specifically provided, all permit, license and inspection fees required under this chapter shall be collected by the Town Administrator or Clerk prior to the issuance of the permit or license, and the Town Administrator or Clerk shall notify the various inspectors when such fee is paid. No permit or license shall be issued or reissued or inspection performed until the required fees are paid.
- (2) Monthly reports. The Building Inspector shall make a monthly report to the Town Board of permits issued, fees collected and inspections made.

- C. Permit lapses

- (1) General. Permits issued under this chapter, except permits for one- and two-family dwelling units, shall lapse and be void unless construction or work thereunder has commenced within six months or if construction has not been completed within one year from the date of issuance. Construction has commenced if the footings or foundation has been excavated to a point where footing or foundation work can begin.
- (2) One- and two-family dwellings. Permits for one- and two-family dwelling unit construction, remodeling and additions shall be valid for a period of 24 months from date of issuance.
- (3) Commercial Electrical Permits. Permits for commercial electrical work shall be in accordance with SPS 316.
- (34) Reissuance of permits. In the event any work for which a permit was issued is not completed within 24 months for one- and two-family dwelling units and within one year for other construction, or work authorized by a valid permit issued under this chapter, then said permit shall lapse and be void and no construction or work shall begin or resume until a new permit is obtained and the fee prescribed under this chapter is paid. No permit shall be reissued until all approvals required by this chapter at the time of reapplication have been given. The fee for reissuance of a permit shall be 1/2 of the required fee at the time of reapplication unless work has proceeded without a permit

or under a lapsed permit, in which event full fees shall be paid.

L. Improvements and deposit required.

- (1) Driveway. No building permit shall be issued by the Building Inspector for the construction of any type of building or structure on any land adjacent to a public street until a driveway for vehicular traffic has been provided from the public street; such driveway shall be constructed of approved granular materials placed over a culvert pipe located in the drainage adjacent to such street in accordance with a culvert permit issued by the Town Director of Public Works of the Town of Cedarburg. In no case shall the granular material or subsequent permanent surfacing be constructed higher than the adjacent shoulder of the public street, and said granular driveway shall extend to the right-of-way line before a building permit is issued. The bottom course of the driveway shall be installed over its full length and width from the public street right-of-way to the residential garage immediately after the building foundation has been approved by the Building Inspector and should be maintained until the completion of the house, but in no case shall an occupancy certificate be issued until the upper course of the granular driveway has been installed. The bottom course of the driveway may be constructed of large-size stones or crushed rock, except along that part adjacent to the culvert pipe, and the upper course shall consist of fine to medium well-graded crushed gravel or crushed rock.
- (2) Cash deposit. No building permit shall be issued by the Building Inspector for construction of a residential, commercial, industrial or agricultural building on any land adjacent to a public street until a cash deposit as noted in the Annual Fee Schedule ~~in the amount of \$500~~ has been made by the applicant for each building permit. Such payment shall be made to the Building Inspector at the time of application for issuance of a building permit and the amount of such deposit shall be retained by the Town Treasurer until an occupancy permit has been granted for such building on the premises. In the event that any damage is done to the drainage as a result of such construction or any dirt, ground, soil, organic material or any other debris is deposited, tracked, pushed or left on the pavement or shoulder of any public street as a result of such construction, said deposit shall be used to defray the Town's expenses to repair any such damage or do such cleanup work as is necessary. In the event that no damage has occurred to such drainage and roadway and cleanup by the Town is not necessary, said deposit shall be refunded to the applicant for the building permit at the time a certificate of occupancy has been granted for such building.
- (3) Penalty. Any person, firm, company or corporation who or which violates any of the provisions of this Subsection L, who by means of a vehicle enters or leaves a parcel of land from or onto a public road without doing so over an approved driveway, or who resists the enforcement of this Subsection L shall upon conviction be subject to a penalty as provided in § 108-19 of this chapter.
[Amended 10-4-2006 by Ord. No. 2006-11]

§ 108-6. Construction standards and codes adopted.

- A. State Uniform Dwelling Code adopted. The Administrative Code provisions describing and defining regulations with respect to one- and two-family dwellings in Chs. SPS 320 through 325, Wis. Adm. Code, are hereby adopted and by reference made a part of this chapter 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 chapter. Any amendments, revisions or modifications of the Administrative Code provisions incorporated herein are intended to be made part of this chapter to secure uniform statewide regulation of one- and two-family dwellings in the Town. A copy of these Administrative Code provisions and any future amendments shall be kept on file in the Town Clerk's office. [Amended 3-4-2015 by Ord. No. 2015-4]

B. State Commercial Building Code adopted. Chapters SPS 361 through 366, Wis. Adm. Code (Wisconsin State Building Code), are hereby adopted and made a part of this chapter with respect to those classes of buildings to which this Building Code specifically applies. Any future amendments, revisions and modifications of said Chs. SPS 361 through ~~365~~ 366 incorporated herein are intended to be made a part of this code. A copy of said Chs. SPS 361 through ~~365~~ 366 and amendments thereto shall be kept on file in the office of the Building Inspector.

C. State Plumbing Code adopted. The provisions and regulations of Ch. 145, Wis. Stats., and Chs. SPS 381 through 387, Wis. Adm. Code, are hereby made a part of this chapter by reference and shall extend over and govern the installation of all plumbing installed, altered or repaired in the Town. Any further amendments, revisions and modifications of said Wisconsin Statutes and Administrative Code herein are intended to be made part of this chapter. [Amended 3-4-2015 by Ord. No. 2015-4]

D. State Electrical Code adopted. The provisions and regulations of Ch. SPS 316, Wis. Adm. Code, are hereby made a part of this chapter by reference and shall extend over and govern the installation of all electrical installed, altered or repaired in the Town. Any further amendments, revisions and modifications of said Wisconsin Statutes and Administrative Code herein are intended to be made part of this chapter. [Amended 3-4-2015 by Ord. No. 2015-4]

~~(1) The following chapters of the Wisconsin Administrative Code are adopted by reference and made a part of this chapter:~~

~~SPS 316 ——— Electrical Code, Volume 2~~

~~SPS 324 ——— Electrical Standards~~

E. Existing buildings.

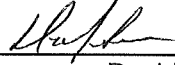
(1) An existing building to be occupied as a one- or two-family dwelling, which building was not previously so occupied, shall conform to the Wisconsin Uniform Dwelling Code.

(2) Any existing structure that is altered or repaired, when the cost of such alteration or repair during the life of the structure exceeds 50% of the assessed value of the structure, said value to be determined by the Town Assessor, shall be brought up to code existing at the time of the proposed alteration or repair. Existing electrical installations shall conform to the electrical code that applied when the installations were installed. An existing electrical installation may be required to be brought into compliance with SPS 316 and within the time period determined by the Town Building Inspector when a hazard to life, health or property exists or is created by the

installation.


(The above text modified with a strikethrough shall be deleted).
The above text with an underline shall be added).

PASSED AND ADOPTED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, this 1st day of July, 2020.



David M. Salvaggio
Town Chairman

ATTESTED:



Eric Ryer Administrator