

State of Wisconsin
County of Dunn

ORDINANCE NO.: 2022-2
TOWN OF RED CEDAR
BUILDING PERMIT ORDINANCE
(Replaces Ordinance No. 2020-1)

It is hereby ordained by the Town Board of the Town of Red Cedar, Dunn County, Wisconsin, as follows:

Section 1 – Purpose

The purpose of this ordinance is to promote the general health, safety and welfare of town residents and maintain required local uniformity with the administrative and technical requirements of the Wisconsin Uniform Dwelling Code.

Section 2 – Authority

The Town Board of the Town of Red Cedar has the specific authority under s. 101.65(1)(a) Wis. Stats., and general authority under its Village powers under s. 60.22 Wis. Stats., to adopt this ordinance.

Section 3 – Wisconsin Uniform Dwelling Code Adopted

- A. The Wisconsin Uniform Dwelling Code (UDC), SPS 320-325, and all amendments thereto, is adopted and incorporated by reference and shall apply to all one- and two-family dwellings built after June 1, 1980.
- B. Adoption of Plumbing (SPS 381-387), Electrical Codes (SPS 316), and Heating and Ventilating Codes (SPS 320), and all amendments thereto in effect on the date of the adoption of this ordinance are hereby adopted and made part of this ordinance by reference and are applicable to all those classes of buildings to which said codes apply.

Section 4 – Building Inspector

- A. 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.
- B. The Building Inspector shall have the power and duty to see that construction, reconstruction or alteration of dwellings in the Town conform to the laws of the State of Wisconsin, the orders, rules and regulations by the Department of Safety and Professional Services of the State of Wisconsin, and the ordinances, rules and regulations of the Town, and to make all inspections as required.

Section 5 – Permit Required; Fees; Validation

No person shall 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. The building permit and inspection fees shall be determined and collected by the Town Building Inspector.

Restoration or repair of an installation to its previous code-compliant condition, as determined by the Building Inspector, is exempted from permit requirements. Re-siding, re-roofing, finishing of interior surfaces and installation of cabinetry shall be exempt from permit requirements.

A land use administrative fee is also due to the Town as outlined below, or as designated in the most current Schedule of Fees in the Town’s Table of Fees and Citations (Forfeitures) Ordinance No. 2015-6:

| Construction, Addition, or Building | Land Use Admin. Fee |
|--|---------------------|
| New one- or two-family dwelling | \$ 50.00 |
| Remodels and additions requiring permits by the Building Inspector | \$ 25.00 |
| Other: detached garages, pole buildings, silos, sheds, barns, Ag buildings, towers, outbuildings, decks/porches/sunrooms, greenhouses, garden sheds, in-ground swimming pools, additions to existing structures, portable shipping containers, etc.) | \$ 25.00 |
| Commercial buildings – a full set of State approved plans are required | \$100.00 |

Additional fees and conditions may be required by the Dunn County Planning and Zoning Department.

Section 6 – Application Process; Issuance of Permit

- A. Application for a building permit. Application for a building permit shall be made in writing on a form provided by the Building Inspector.
- B. Plans and drawings. The building permit applicant shall submit all required plans and specifications with the application.
- C. County permits. The applicant must obtain any permits required by the County and include copies of such permits with the building permit application.
- D. Approval of plans and issuance of building permit. If the Building Inspector determines that the proposed building, addition or alteration complies with town ordinances and applicable laws and regulations of the State of Wisconsin, said plans and building permit will be issued.

Section 7 – Compliance with Permit

All construction must comply with the building permit and the plans submitted with the building permit application. Any construction that is 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 ordinance.

Section 8 – Revocation of Permit

- A. If the Building Inspector finds at any time that the provisions of this chapter are not being complied with and that the holder of the permit refuses to conform after a written warning or instruction has been issued, he shall revoke the building permit by written notice.
- B. When any permit is revoked, no further work shall be done until the permit is re-issued, except such work as the Building Inspector may order as a condition precedent to the re-issuance of the permit or as he may require for the preservation of human life and safety.

Section 9 – Occupancy Permits

An occupancy permit shall be issued if the Building Inspector finds that a building has been constructed in accordance with the applicable codes. No person may have occupancy of a building until an occupancy permit is issued.

Section 10 – Penalties

Penalties are outlined below or as designated in the most current Schedule of Fees and Citations (Forfeitures) Ordinance No. 2015-6.

- A. Failure to obtain and pay for the required permit and land use administrative fee for a new dwelling will result in a fine of \$150.00 plus double the permit and/or land use administrative fee(s).
- B. Failure to obtain and pay for the required permit and/or land use administrative fee for any other construction or addition, improvement, or repair as referenced herein will result in a fine of \$100.00 plus double the permit and/or land use administrative fee.

No exceptions will be made for a person who has obtained any permits from the Dunn County Planning and Zoning Department but has failed to obtain a permit from the Town as outlined above.

A current list of fees and citations is also listed in the Town of Red Cedar Schedule of Fees and Citations (Forfeitures) Ordinance No. 2015-6 for licenses, permits, and other services.

Section 11 – Severability

If any section, clause, provision, or portion of this ordinance, or if the application of this ordinance to any person or circumstance, be adjudged unconstitutional or invalid, unlawful, or

unenforceable by final order of a court of competent jurisdiction, including all applicable appeals, the remaining provisions or application of this ordinance shall remain in full force and effect.

Section 12 – Effective Date

This ordinance shall take effect upon its passage and publication as provided by law.

The foregoing Building Permit Ordinance was enacted by a majority vote of the Town Board of the Town of Red Cedar on the 21st day of February, 2022.

Robert J. Cook

Town Board Chairperson

Debra K. Libson

Supervisor 1

[Signature]

Supervisor 2

Donald Hayden

Supervisor 3

[Signature]

Supervisor 4

Attest:

C. Y. Miller

Clerk

Historical Information

To replace ordinances: 0409-1999, 0412-1999, 0411-2001, 0213-2006, 0414-2008, 2016-5, 2017-13, 2020-1
Drafts: 9/22/2019, 9/23/2019, 10/29/2019, 11/26/2019, 12/19/2019, 01/24/2022

Updates: 01/24/2022 – added “portable shipping containers” to list of Construction, Addition, or Building requiring payment of a land use fee.

Summary
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