

Chapter 1

Building, Plumbing, Heating, Ventilating and Air Conditioning and Electrical Codes

Article A	Building Code
15-1-1	Building Code Established
15-1-2	Building Permits and Inspection
15-1-3	State Uniform Dwelling Code Adopted
15-1-4	Construction Standards; Codes Adopted
15-1-5	New Methods and Materials
15-1-6	Fire Limits; Building Requirements
15-1-7	Unsafe Buildings
15-1-8	Disclaimer on Inspections
15-1-9	Garages
15-1-10	Regulation and Permit for Razing Buildings
15-1-11	Abandoned Premises and Protection of Property; Fill Dirt; Basement Subflooring
15-1-12	Discharge of Clear Waters
15-1-13	Installation and Operation of Room Heaters, Stoves and Freestanding Fireplaces
15-1-14	Regulations for Moving Buildings
15-1-15	Building Permit Fees
15-1-16	Severability
15-1-17 through	
15-1-29	Reserved for Future Use
Article B	Plumbing Code
15-1-30	Purpose and Scope of Plumbing Code
15-1-31	State Regulations Adopted
15-1-32	Plumbing Defined
15-1-33	Plumbing Permits
15-1-34	Plumbers to be Licensed
15-1-35	Plumbing Permit Fees
15-1-36	Installation of Check Valves on All New Plumbing
15-1-37 through	
15-1-49	Reserved for Future Use

Article C	Heating, Ventilating and Air Conditioning Code
15-1-50	Purpose and Scope of Heating, Ventilating and Air Conditioning Code
15-1-51	State Regulations Adopted
15-1-52	Heating, Ventilating and Air Conditioning Defined
15-1-53	Heating, Ventilating and Air Conditioning Permits Required
15-1-54	Heating, Ventilating and Air Conditioning Inspections
15-1-55	Minimum Requirements for the Installation of Gas-Fired Heating Equipment and Piping
15-1-56	Wood and Solid Fuel Burning Equipment
15-1-57	Heating, Ventilating and Air Conditioning (HVAC) Permit Fees
15-1-58	Liability for Damages
15-1-59	Vacated
15-1-60	Gas Licenses
15-1-61	Bonds and Insurance
15-1-62 through	
15-1-69	Reserved for Future Use

Article D	Electrical Code
15-1-70	Application of the Provisions of the Electrical Code
15-1-71	Vacated
15-1-72	Electrical Licenses and Certifications
15-1-73	Permits, Fee's and Inspections
15-1-74	Standards for the Installation of Electrical Equipment
15-1-75	Additional Installation Requirements
15-1-76	Unsafe or Illegal Electrical Equipment
15-1-77	Penalties
15-1-78 through	
15-1-89	Reserved for Future Use

Article E	Enforcement and Penalties
15-1-90	Enforcement and Penalties
15-1-91	Appeals to the Board of Building Appeals

Article A: Building Code

Sec. 15-1-1 Building Code Established.

- (a) **Title.** This Chapter shall be known as the "Building Code of the City of Onalaska" and will be referred to in this Chapter as "this Code," "this Chapter" or "this Ordinance."
- (b) **Purpose.** This Chapter provides certain minimum standards, provisions and requirements for safe and stable design, methods of construction and uses of materials in buildings and/or structures hereafter erected, constructed, enlarged, altered, repaired, moved, converted to other uses or demolished and regulates the equipment, maintenance, use and occupancy of all such buildings and/or structures. Its purpose is to protect and foster the health, safety and well-being of persons occupying or using such buildings and the general public.
- (c) **Scope.** New buildings hereafter erected in, or any building hereafter moved within or into the City, shall conform to all the requirements of this Chapter except as they are herein specifically exempted from part or all of its provisions. Any alteration, enlargement or demolition of an existing building and any installation therein of electrical, gas, heating, plumbing or ventilating equipment which affects the health or safety of the users thereof or any other persons is a "new building" to the extent of such change. Any existing building shall be considered a "new building" for the purposes of this Chapter whenever it is used for dwelling, commercial or industrial purposes, unless it was being used for such purpose at the time this Chapter was enacted. The provisions of this Chapter supplement the laws of the State of Wisconsin pertaining to construction and use and the Zoning Codes of the City and amendments thereto to the date this Chapter was adopted and in no way supersede or nullify such laws and the said Zoning Codes.

Sec. 15-1-2 Building Permits and Inspection.

- (a) **Permit Required.**
 - (1) **General Permit Requirement.** No building of any kind shall be moved within or into the City and no new building or structure, or any part thereof, shall hereafter be erected, or ground broken for the same, or enlarged, altered, moved, demolished, razed or used within the City, except as herein provided, until a permit therefor shall first have been obtained by the owner or his authorized agent from Department of Inspection. No permit under this section shall be issued unless and until any required excavation permit required under Title 15, Chapter 2 of this Code of Ordinances has been issued. The City shall allow no more than five (5) open building permits to a single individual or an entity at any one time unless the City Plan Commission determines that the issuance of more than five (5) permits is required for the orderly development of a parcel or a related number of adjacent parcels which have been master planned. An individual or entity possessing five (5) permits may apply for an additional permit only when the City closes one or more of the original five (5)

permits by the issuance of an occupancy permit that contains no conditions for completion.

Building Code
15-1-2

- (2) **Alterations and Repairs.** The following provisions shall apply to buildings altered or repaired:
- a. **Alterations.** When not in conflict with any regulations, alterations to any existing substandard type of construction, which involves either beams, girders, columns, bearing or other walls, room, heating and air condition systems, arrangement, light and ventilation, changes in location of exit stairways or exits, or any or all of the above, then such existing construction shall be made to conform to the minimum requirements of this Chapter applicable to such occupancy and use and given type of construction.
 - b. **Repairs.** Repairs for purposes of maintenance, or replacements in any existing building or structure which do not involve the structural portions of the building or structure or which do not affect room arrangement, light and ventilation, access to or efficiency of any exist stairways, or exits, fire protection, or exterior aesthetic appearance and which do not increase a given occupancy or use, shall be deemed minor repairs.
 - c. **Alterations When Not Permitted.** When any existing building or structure, which, for any reason whatsoever, does not conform to the regulations of this Chapter, has deteriorated from any cause whatsoever to an extent greater than fifty percent (50%) of the equalized value of the building or structure, no alterations or moving of such building or structure shall be permitted. Any such building or structure shall be considered a menace to public safety and welfare and shall be ordered vacated and thereafter demolished and debris removed from the premises.
 - d. **Alterations and Repairs Required.** When any of the structural members of any building or structure have deteriorated from any cause whatsoever to less than their required strength, the owner of such a building or structure shall cause such structural members to be restored to their required strength; failing in which the building or structure shall be considered a menace to public safety and shall be vacated and thereafter no further occupancy or use of the same shall be permitted until the regulations of this Chapter are complied with.
 - e. **Extent of Deterioration.** The amount and extent of deterioration of any existing building or structure shall be determined by the Department of Inspection.
- (b) **Application.** Application for a building permit shall be made in writing upon a form furnished by the Department of Inspection or its designee and shall state the name and address of the owner of the land and also the owner of the building if different, the legal description of the land upon which the building is to be located, the name and address of the designer, the use to which said building is to be put and such other information as the Department of Inspection may require.

Building Code
15-1-2

(c) **Site Plan Approval.**

- (1) **Site Plan Approval.** All applications for building permits for any construction, reconstruction, expansion or conversion, except for one (1) and two (2) family residences in residentially zoned districts shall require site plan approval by the Plan Commission in accordance with the requirements of this Section. The applicant shall machinery and operations to enable the Plan Commission or its expert consultants to determine whether the proposed application meets all the requirements applicable thereto in this Chapter.
- (2) **Administration.** The Department of Inspection shall make a preliminary review of the application and plans and refer them along with a report of its findings to the Plan Commission. The Plan Commission shall review the application. Within thirty (30) days of its receipt of the application, the Plan Commission shall authorize the Department of Inspection to issue or refuse a building permit.
- (3) **Requirements.** In acting on any site plan, the Plan Commission shall consider the following:
 - a. The appropriateness of the site plan and buildings in relation to the physical character of the site and the usage of adjoining land areas.
 - b. The layout of the site with regard to entrances and exits to public streets; the arrangement and improvement of interior roadways; the location, adequacy and improvement of areas for parking and for loading and unloading; and shall, in this connection, satisfy itself that the traffic pattern generated by the proposed construction or use shall be developed in a manner consistent with the safety of residents and the community, and the applicant shall so design the construction or use as to minimize any traffic hazard created thereby.
 - c. The adequacy of the proposed water supply, drainage facilities and sanitary and waste disposal.
 - d. The landscaping and appearance of the completed site. The Plan Commission may require that those portions of all front, rear and side yards not used for off-street parking shall be attractively planted with trees, shrubs, plants or grass lawns, and that the site be effectively screened so as not to impair the value of adjacent properties nor impair the intent of purposes of this Section.
- (4) **Effect on Municipal Services.** Before granting any site approval, the Plan Commission may, besides obtaining advice from consultants, secure such advice as may be deemed necessary from the Department of Inspection or other municipal officials, with special attention to the effect of such approval upon existing municipal services and utilities. Should additional facilities be needed, the Plan Commission shall not issue the final approval until the City has entered into an agreement with the applicant regarding the development of such facilities.
- (5) **Appeals.** Denials of building permits continent upon site plan approval may be appealed to the Zoning Board of Appeals by filing a notice of appeal with the Department of Inspection within ten (10) days of the denial.

Building Code
15-1-2

- (d) **Dedicated Street and Approved Subdivision Required.** No building permit shall be issued unless the property on which the building is proposed to be built abuts a street that has been dedicated for street purposes. No building permits shall be issued until the land division and required improvements are accepted by the Common Council upon the recommendation of the Plan Commission.
- (e) **Utilities Required.**
 - (1) **Residential Buildings.** No building permit shall be issued for the construction of any residential building until sewer, water, grading and graveling are installed in the streets necessary to service the property for which the permit is required.
 - (2) **Non-Residential Building.** No building permit shall be issued for the construction of any building other than residential until contracts have been let for the installation of sewer, water, grading and graveling in the streets necessary to service the property for which the permit is requested.
 - (3) **Occupancy.** No person shall occupy any building until sewer, water, grading and graveling are installed in the streets necessary to service the property and a certificate of occupancy shall not be issued until such utilities are available to service the property.
 - (4) **Utility Service Not Available.** If municipal sewer and water are not available, no building permit or occupancy permit will be issued until plans are provided for a private domestic sewage treatment and disposal system and an approved well system. The installation of the above-mentioned systems must be approved by the Department of Inspection and the county agency in charge of issuing the applicable state permits.
- (f) **Plans.** With such application, there shall be submitted two (2) complete sets of plans and specifications, including a plot plan showing the location and dimensions of all buildings and improvements on the lot, both existing and proposed, dimensions of the lot, dimensions showing all setbacks of all buildings on the lot, proposed grade of proposed structure (to City datum), grade of lot and of the street abutting lot, grade and setback of adjacent buildings (if adjacent lot is vacant, submit elevation of nearest buildings on same side of street), type of monuments at each corner of lot, water courses or existing drainage ditches, easements or other restrictions affecting such property, seal and signature of surveyor or a certificate signed by the applicant and a construction erosion control plan setting forth proposed information and procedures needed for control of soil erosion, surface water runoff and sediment disposition at the building site. Plans, specifications and plot plans shall be drawn to a minimum scale of one-quarter (1/4) inch to one (1) foot [fireplace details to three-quarters (3/4) inch to one (1) foot]. One (1) set of plans shall be returned after approval as provided in this Chapter. The second set shall be filed with the Department of Inspection. Plans for buildings involving the State Building Code shall bear the stamp of approval of the State Department of Industry, Labor and Human Relations. One (1) plan shall be submitted which shall be signed by the

Building Code
15-1-2

designer. Plans for all new one (1) and two (2) family dwellings shall comply with the provisions of Chapter ILHR 20.09(4), Wis. Adm. Code. There shall be a plan review fee for all plans submitted under this Section. The fee due the State of Wisconsin for the Wisconsin uniform building permit in accordance with Sec. ILHR 69.21, Wis. Adm. Code, shall be paid out of said plan review fee.

(g) **Waiver of Plans; Minor Repairs.**

- (1) **Waiver.** If the Department of Inspection finds that the character of the work is sufficiently described in the application, it may waive the filing of plans for alterations, repairs or moving, provided the cost of such work does not exceed Two Thousand Dollars (\$2,000.00).
- (2) **Minor Repairs.** The Department of Inspection may authorize minor repairs or maintenance work on any structure or to heating, ventilating or air conditioning systems installed therein valued at less than Three Hundred Dollars (\$300.00), as determined by the Department of Inspection, which do not change the occupancy area, exterior aesthetic appearance, structural strength, fire protection, exits, light or ventilation of the building or structure without issuance of a building permit.

(h) **Approval of Plans.**

- (1) If the Department of Inspection determines that the building will comply in every respect with all Ordinances and orders of the City and all applicable laws and orders of the State of Wisconsin, it shall issue a building permit which shall state the use to which said building is to be put, which shall be kept and displayed at the site of the proposed building. After being approved, the plans and specifications shall not be altered in any respect which involves any of the above-mentioned Ordinances, laws or orders, or which involves the safety of the building or the occupants, except with the written consent of the Department of Inspection.
- (2) In case adequate plans are presented for part of the building only, the Department of Inspection, at its discretion, may issue a permit for that part of the building before receiving the plans and specifications for the entire building. No work is to be started unless a proper grade has been established by the Director of Public Works. This would include sidewalks, curb and gutter, driveways and general construction.
- (3) Applicants for a building permit for a zero-lot-line structure or "twindominium" must complete the structure as such, meeting all code requirements for a condominium including, but not limited to the construction of a common wall meeting fire and sound requirements. The applicant must also submit to the City Inspection Department the legal subdivision and common maintenance agreements required before any occupancy permit shall be issued. Applicants who obtain a building permit for a zero-lot-line or twindominium structure and who subsequently wish to build a duplex, must submit a notarized letter to the inspection department indicating that this change will be made. Said letter must be furnished before any occupancy permit will be issued.

(i) **Inspection of Work.** The Inspection Department, upon notification by the permit holder or his agent in writing and upon forms furnished by the Inspection Department for

that purpose, shall make the following inspections and shall either approve the construction inspected or shall notify the permit holder or his agent, in writing,

Building Code
15-1-2

wherein the construction fails to comply and shall establish a period of time to bring about compliance. Copies shall be forwarded to all parties concerned. Approval of inspection shall be indicated by initialing or stamping the permit placard on the job site on a space provided for that purpose:

- (1) **Foundation Inspection.** To be requested and made after trenches are excavated, reinforcing steel is in place, the necessary forms are erected, and samples of all materials for the foundation are delivered to the job. Where concrete from a central mixing plant is to be used, such concrete need not be on the premises.
 - (2) **Frame Inspection.** To be requested and made after the roof, all framing, fire-blocking and bracing is in place, and all vents, pipes, wiring, heating and chimneys are complete. No reinforcing steel or structural framework shall be covered or concealed without first obtaining the approval of the Inspection Department.
 - (3) **Final Inspection.** To be requested and made after the building or work for which the permit was issued is completed. A certificate of occupancy shall be issued when the construction is found to be in full compliance with all requirements.
- (j) **Permit Lapses.** A building permit shall lapse and be void unless building operations are commenced within sixty (60) days or if construction has not been completed within twenty four (24) months from the date of issuance thereof.
- (k) **Issuance of Occupancy Permit and Revocation of Permit.** No new building shall be occupied or otherwise used prior to the issuance of an occupancy permit. After the issuance of an occupancy permit, but before the issuance of a certificate of compliance, such building may be occupied or used only with the permission of the Department of Inspection. Such permit shall be in writing and shall state the type of use which is permitted. The permit may be revoked at the discretion of the Department of Inspection, upon thirty (30) days' notice to the user or occupant of the building. The revocation of a building permit or a permit to use shall not prevent such use of the building as was permissible prior to the issuance of such permit unless alterations have been made therein which increase the fire hazard or impair the safety or health conditions pertaining to such building.
- (1) **Revocation of Permits.**
- (1) The Department of Inspection may revoke any building, plumbing, HVAC or electrical permit, certificate of occupancy, or approval issued under the regulations of this Chapter and may stop construction or use of approved new materials, equipment, methods of construction, devices or appliances for any of the following reasons:
 - a. Whenever the Department of Inspection shall find at any time that applicable ordinances, laws, orders, plans and specifications are not being complied with and that the holder of the permit refused to conform after written warning or construction has been issued to him.
 - b. Whenever the continuance of any construction becomes dangerous to life or property.
 - c. Whenever there is any violation of any condition or provisions of the application for permit or of the permit.

Building Code
15-1-2

- d. Whenever, in the opinion of the Department of Inspection, there is inadequate supervision provided on the job site.
 - e. Whenever any false statement or misrepresentation has been made in the application for permit, plans, drawings, data specifications or certified lot or plot plan on which the issuance of the permit or approval was based.
 - f. Whenever there is a violation of any of the conditions of an approval or occupancy given by the Department of Inspection for the use of all new materials, equipment, methods or construction devices or appliances.
- (2) The notice revoking a building, plumbing, HVAC or electrical certificate of occupancy or approval shall be in writing and may be served upon the applicant of the permit, owner of the premises and his agent, if any, and on the person having charge of construction.
 - (3) A revocation placard shall also be posted upon the building, structure, equipment or premises in question by the Department of Inspection.
 - (4) After the notice is served upon the persons as aforesaid and posted, it shall be unlawful for any person to proceed thereafter with any construction operation whatsoever on the premises, and the permit which has been so revoked shall be null and void, and before any construction or operation is again resumed, a new permit, as required by this Chapter, shall be procured and fees paid therefor, and thereafter the resumption of any construction or operation shall be in compliance with the regulation of this Chapter. However, such work as the Department of Inspection may order as a condition precedent to the re-issuance of the building permit may be performed, or such work as he may require for the preservation of life and safety.
- (m) **Report of Violations.** City officers shall report at once to the Department of Inspection any building which is being carried on without a permit as required by this Chapter.
 - (n) **Display of Permit.** Building permits shall be displayed in a conspicuous place on the premises where the authorized building or work is in progress at all times during construction or work thereon.

Sec. 15-1-3 State Uniform Dwelling Code Adopted.

- (a) **State Code Adopted. The Wisconsin Uniform One- And Two-Family Dwelling Code and** all rules and regulations duly promulgated pursuant to that Code, as well as all amendments to said Code, rules, and regulations are hereby adopted by the City in their entirety and made a part of the Code of Ordinances as if set forth in full herein. A copy of said Code, rules, and regulations shall be kept on file in the Department of Inspection.
- (b) **Existing Buildings.** The "Wisconsin Uniform Dwelling Code" shall also apply to buildings and conditions where:
 - (1) An existing building to be occupied as a one (1) or two (2) family dwelling, which building was not previously so occupied.

Building Code
15-1-3

- (2) An existing structure that is altered or repaired, when the cost of such alteration or repair during the life of the structure exceeds fifty percent (50%) of the equalized value of the structure, said value to be determined by the City Assessor.
 - (3) Additions and alterations, regardless of cost, made to an existing building when deemed necessary in the opinion of the Department of Inspection shall comply with the requirements of this Chapter for new buildings. The provisions of Section 15-1-2 shall also apply.
 - (4) Roof Coverings -- Whenever more than twenty-five percent (25%) of the roof covering of a building is replaced in any twelve (12) month period, all roof covering shall be in conformity with applicable Sections of this Chapter.
 - (5) Additions and alterations -- Any addition or alteration, regardless of cost, made to a building shall be made in conformity with applicable Sections of this Chapter.
- (c) **Definitions.** The following definitions shall be applicable in this Section:
- (1) **Addition.** "Addition" means new construction performed on a dwelling which increases the outside dimensions of the dwelling.
 - (2) **Alteration.** "Alteration" means a substantial change or modification other than an addition or minor repair to a dwelling or to systems involved within a dwelling.
 - (3) **Department.** "Department" means the Department of Commerce, formerly the Department of Industry, Labor and Human Relations.
 - (4) **Dwelling.** "Dwelling" means:
 - a. Any building, the initial construction of which is commenced on or after the effective date of this Chapter which contains one (1) or two (2) dwelling units; or
 - b. An existing structure, or that part of an existing structure, which is used or intended to be used as a one (1) or two (2) family dwelling.
 - (5) **Minor Repair.** "Minor repair" means repair performed for maintenance or replacement purposes on any existing one (1) or two (2) family dwelling which does not affect room arrangement, light and ventilation, access to or efficiency of any exit stairways or exits, fire protection or exterior aesthetic appearance and which does not increase a given occupancy and use. No building permit is required for work to be performed which is deemed minor repair.
 - (6) **One (1) or Two (2) Family Dwelling.** "A one (1) or two (2) family dwelling" means a building structure which contains one (1) or separate households intended to be used as a home, residence or sleeping place by an individual or by two (2) or more individuals maintaining a common household to the exclusion of all others.
 - (7) **Person.** "Person" means an individual, partnership, firm or corporation.
 - (8) **Uniform Dwelling Code.** "Uniform Dwelling Code" means those Administrative Code Provisions and any future amendments, revisions or modifications thereto, contained in the following chapters of the Wisconsin Administrative Code:

**Building Code
15-1-3**

Wis. Adm. Code Chapter ILHR 20 -	Administrative and Enforcement
Wis. Adm. Code Chapter ILHR 21 -	Construction Standards
Wis. Adm. Code Chapter ILHR 22 -	Energy Conservation Standards
Wis. Adm. Code Chapter ILHR 23 -	Heating, Ventilating and Air Conditioning
Wis. Adm. Code Chapter ILHR 24 -	Electrical Standards
Wis. Adm. Code Chapter ILHR 25 -	Plumbing and Potable Water Standards

(d) **Method of Enforcement.**

- (1) **Certified Inspector to Enforce.** The Department of Inspection is hereby authorized and directed to administer and enforce all of the provisions of the Uniform Dwelling Code. Inspectors of the Department of Inspection shall be certified for inspection purposes by the Department in each of the categories specified under Sec. ILHR 26.06, Wis. Adm. Code.
- (2) **Duties.** The Department of Inspection shall administer and enforce all provisions of this Chapter and the Uniform Dwelling Code.
- (3) **Inspection Powers.** Inspectors of the Department of Inspection or an authorized agent 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 to permit access to any such premises to a representative of the Department of Inspection while in performance of his duties.
- (4) **Records.** The Department of Inspection shall perform all administrative tasks required by the Department of Industry, Labor and Human Relations under the Uniform Dwelling Code. In addition, the Department of Inspection shall keep a record of all applications for building permits and shall regularly number each permit 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 and aggregate cost of all one (1) and two (2) family dwellings shall be kept.

Building Code
15-1-4

Sec. 15-1-4 Construction Standards; Codes Adopted.

- (a) **Portions of State Building Code Adopted.** Chapters ILHR 50 through ILHR 64, 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. 50 to 64 incorporated herein are intended to be made a part of this Code. A copy of said Chs. 50 to 64 and amendments thereto shall be kept on file in the office of the Department of Inspection.
- (b) **Terms.** The building terms used in this Chapter shall have the meaning given them in the State Building Code.
- (c) **Dwellings.** The term "dwelling" includes every building occupied exclusively as a residence by not more than two (2) families.
- (d) **Workmanship.** Workmanship in the fabrication, preparation and installation of materials shall conform to generally accepted good practice.
- (e) **Conflicts.** If, in the opinion of the Department of Inspection, the provisions of the State Building Code adopted by Subsection (a) of this Section shall conflict with the provisions of the Federal Housing Administration standards in their application to any proposed building or structure, the Department of Inspection shall apply the most stringent provisions in determining whether or not the proposed building meets the requirements of this Section.

Sec. 15-1-5 New Methods and Materials.

- (a) All materials, methods of construction and devices designed for use in buildings or structures covered by this Section and not specifically mentioned in or permitted by this Section shall not be so used until approved in writing by the State Department of Industry, Labor and Human Relations for use in buildings or structures covered by the Wisconsin State Building Code, except sanitary appliances, which shall be approved in accordance with the State Plumbing Code.
- (b) Such materials, methods of construction and devices, when approved, must be installed or used in strict compliance with the manufacturer's specifications and any rules or conditions of use established by the State Department of Industry, Labor and Human Relations. The data, test and other evidence necessary to prove the merits of such material, method of construction or device shall be determined by the State Department of Industry, Labor and Human Relations.

**Building Code
15-1-6**

Sec. 15-1-6 Fire Limits; Building Requirements.

- (a) **Boundaries.** There is hereby created a fire district to be known as the Onalaska Fire District which shall include properties listed on the official fire district map on file with the City Clerk.
- (b) **Permits and Inspections.**
 - (1) No walls, structures, building or part thereof shall hereafter be built, enlarged or altered until the plan of the proposed work, together with the statement of the materials to be used, shall have been submitted in duplicate to the Department of Inspection who shall, if in accordance with the provisions herein contained, issue a permit for the proposed construction.
 - (2) No buildings shall be moved until a permit has been obtained from the Department of Inspection or other designated official; and such permit if, in his judgment, the proposed new location of the building would seriously increase the fire hazard of the surrounding buildings.
 - (3) The Department of Inspection shall, as often as practical, inspect all buildings or structures during construction for which a permit has been issued; and if the structure does not comply with the plan submitted and approved and is in violation of the provisions of this Chapter, the Department of Inspection may order all further work to be stopped and may require suspension of work until the condition in violation has been remedied.
- (c) **Limitations Within Fire Limits.**
 - (1) No building or structure of frame wall, or of unprotected metal wall construction, or which has wooden cornice shall be erected hereafter in the fire limits except as provided in Subsection (e)(4) of this Code. All other buildings hereafter erected, placed or built shall be of the following materials, to wit: The walls shall be of brick, concrete, stone or other noncombustible material not less than eight (8) inches in thickness, and the roof shall be of metal, slate, gravel or other fireproof material.
 - (2) **It shall be unlawful to repair present** combustible roof coverings in excess of ten percent (10%) of the surface covered by combustible material. In case of repair in excess of ten percent (10%) of the surface, all materials used must conform with the requirements in building new buildings.
- (d) **Alterations and Additions.** Within the fire limits, no buildings or structure of frame construction or of unprotected metal construction shall be hereafter extended on any side unless construction of such extension conforms to the requirements of this Chapter for new construction. All ordinary construction buildings and all frame buildings hereafter built or altered which are used for business and residences shall have all partitions and ceilings separating the business portion from the residence portions covered with metal lath and plaster or other equivalent fireproof material.

Building Code
15-1-6

(e) **General Building Requirements.**

- (1) **Frame Buildings.** No permits will be issued for any remodeling of any frame building or part of a frame building within fire limits unless such remodeling will be in conformity with the requirements for new buildings within said fire limits. No frame building within fire limits shall be raised or removed to any other place within said fire limits, nor shall any framed building be moved into fire limits, nor shall any frame building within such limits which may hereafter be damaged to the extent of fifty percent (50%) of the value of the present value thereof be repaired or rebuilt, nor shall such buildings where the damages are less than fifty percent (50%) of the value be so repaired as to be raised higher than the highest point left standing after such damage shall have occurred or so as to occupy a greater space than before the damage thereto.
- (2) **Estimate of Damage.** The amount or extent of damage that may be done to any building may be determined by the Department of Inspection. No person or persons owning or having an interest in any such building damaged by fire or otherwise shall repair as hereinbefore specified until said person or persons have obtained in writing a certified copy of the decision from the Department of Inspection, vis: that such building is damaged less than fifty percent (50%) of the value.
- (3) **Frame Building Defined.** A frame building shall mean:
 - a. A building or a structure of which the exterior walls or a portion thereof shall be constructed of wood.
 - b. Buildings sheathed with boards, veneered with four (4) inches or less of stone, brick or concrete.
 - c. Wood frames covered with metal, whether or not the frames are sheathed with boards.
- (4) **Exceptions.** No frame building or structure shall be erected within the fire limits except the following: One (1) story frame buildings for the use of builders, stands, platforms, booths and tents, erected under temporary permits. Such structures shall be removed as soon as they have ceased to serve the original purpose for which they were permitted.
- (5) **State Building Code Application in Fire Limits.** All buildings hereafter erected in the fire limits shall be of exterior masonry, type No. 5 construction or better as defined by the State Building Code, and shall have roofs of noncombustible material approved by the State Department of Industry, Labor and Human Relations or National Board of Fire Underwriters as Class "B" or equivalent material. All buildings of ordinary construction or better inside the fire limits and all public and business buildings outside the fire limits that are nearer than ten (10) feet to the boundary line between premises shall have the exterior walls carried up as parapet walls three (3) feet about the roof adjoining, not less in thickness than the wall below. Such parapet walls shall not be required for walls abutting upon a street or public alley. All foundations and walls must be of masonry construction, and must meet four (4) hour rating or fire division wall requirements.

Building Code 15-1-6

- (6) **Condemnation of Buildings as Fire Hazards.** Whenever the Department of Inspection shall condemn any frame building within the fire limits as a fire hazard because of its condition or location in reference to other buildings, the Department of Inspection shall serve written notice upon the owner or owners to within ten (10) days start to remove or raze such building and to give a reasonable time within which to complete such removal or razing. Should the owner or owners refuse or neglect to remove or raze such building within the time specified, the Department of Inspection shall have this work done and assess the cost thereof assessed against the property of the same as taxes.

Sec. 15-1-7 Unsafe Buildings.

- (a) Whenever the Department of Inspection find any building or part thereof within the City to be, in its judgment, so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human occupancy or use and so that it would be unreasonable to repair the same, they shall order the owner to raze and remove such building or part thereof or, if it can be made safe by repairs, to repair and make safe and sanitary, or to raze and remove at the owner's option. Such order and proceedings shall be as provided in Sec. 66.0413, Wis. Stats.
- (b) Where the public safety requires immediate action, the Department of Inspection shall enter upon the premises with such assistance as may be necessary and cause the building or structure to be made safe or to be removed, and the expenses of such work may be recovered by the City in an action against the owner or tenant.

Sec. 15-1-8 Disclaimer on Inspections.

The purpose of the inspections under this Chapter is to improve the quality of housing in the City of Onalaska. The inspections and the reports and findings issued after the inspections are not intended as, nor are they to be construed, as a guarantee. In order to so advise owners and other interested persons, the following disclaimer shall be applicable to inspections hereunder: "These findings of inspection contained herein are intended to report conditions of noncompliance with code standards that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of the mechanical systems or the closed structural and nonstructural elements of the building and premises. No warranty of the operation, use or durability of equipment and materials not specifically cited herein is expressed or implied."

Building Code
15-1-9

Sec. 15-1-9 Garages.

Private garages shall be built in accordance with the general construction standards established in the Wisconsin Uniform Dwelling Code and City Zoning Code. Whenever a garage is constructed as part of any building, the ceiling and the walls or wall separating the garage from other portions of the building shall be of not less than forty-five (45) minute fire-restrictive construction as specified in Chapter ILHR, Wis. Adm. Code.

Sec. 15-1-10 Regulation and Permit for Razing Buildings.

- (a) No building within the City of Onalaska shall be razed without a permit from the Department of Inspection. A snow fence or other approved barricade shall be provided as soon as any portion of the building is removed and shall remain during razing operations. After all razing operations have been completed, the foundation shall be filled at least one (1) foot above the adjacent grade, the property raked clean, and all debris hauled away. Razing permits shall lapse and be void unless the work authorized thereby is commenced within six (6) months from the date thereof or completed within thirty (30) days from the date of commencement of said work. Any unfinished portion of work remaining beyond the required thirty (30) days must have special approval from the Department of Inspection.
- (b) All debris must be hauled away at the end of each day for the work that was done on that day. No combustible material shall be used for backfill, but shall be hauled away. There shall not be any burning of materials on the site of the razed building. If any razing or removal operation under this Section results in, or would likely result in, an excessive amount of dust particles in the air creating a nuisance in the vicinity thereof, the permittee shall take all necessary steps, by use of water spraying or other appropriate means, to eliminate such nuisance. The permittee shall take all necessary steps, prior to the razing of a building, through the employment of a qualified person in the field of pest control or by other appropriate means, to treat the building as to prevent the spread and migration of rodents and insects therefrom during and after the razing operations.

**Building Code
15-1-11**

**Sec. 15-1-11 Abandoned Premises and Protection of
Property; Fill Dirt; Basement Sub-flooring.**

- (a) **Abandoned Excavations.** Any excavation which exists for thirty (30) days or more where construction has not been commenced therein shall be considered abandoned and shall be refilled and leveled to grade by the owner of such lot or parcel of land within ten (10) days after receiving a written notice from the Department of Inspection of such requirement; upon the failure of such owner to comply with such requirement within the stated period, the work may be done by the City or its agent and the expense thereof shall be assessed against such lot or parcel of land as a special tax pursuant to Sec. 66.0627, Wis. Stats., to be collected in the same manner as are other real estate taxes.
- (b) **Vacant Buildings.** Whenever any building or structure is vacant and the doors and windows or any part thereof have been removed or opened, leaving the interior of such building or structure exposed to the elements and accessible to trespassers, then such building or structure shall be deemed to be dangerous, unsafe and a menace to public safety. The Department of Inspection shall give the owner thereof written notice to secure said building or structure and comply with City Code requirements within thirty (30) days of the date of said notice. Failure to comply with said written notice shall be sufficient grounds for the Department of Inspection to condemn and 66.05(2)(a), Wis. Stats.
- (c) **Protection of Adjoining Property.** When the owner of any lot or plot of land, or the City, in making improvements, is about to excavate or cause an excavation to be made, which excavation in any way affects any building or structure on any adjoining lot, a notice shall be given to all owners of adjoining lots at least ten (10) days prior to commencing the excavation in order to give the adjoining owners a reasonable opportunity to protect their property at their own expense according to law. Such notice shall describe the extent and character of the excavation work about to be done.
- (d) **Transfer of Solid Fill.** No person, firm or corporation shall transfer to, dump or place upon lands, public or private, solid fill within the City of Onalaska without first obtaining a permit therefor:
 - (1) **Application.** Application for a permit to transfer, place or dump solid fill within the City of Onalaska shall be made by the owner of the lands to be filled or his designated agent in writing to the Department of Inspection upon an application furnished by the City. The applicant shall set forth upon the application form the following information:
 - a. Proposed route for hauling fill;
 - b. Other equipment involved in fill operation;
 - c. Descriptions and source of fill material;
 - d. Grading plan indicating final limits and finished grade of fill area.

**Building Code
15-1-11**

- (2) **Fill Material.** Fill material shall be clean, inert material free from organic material, brush, garbage and material subject to organic decomposition. Where necessary, to avoid dust or similar litter, all material shall be wetted down before transporting. Fill containing items such as hollow containers, appliances and equipment subject to subsequent collapse or settlement is prohibited. Generally, material such as earth fill and broken concrete of a size approved by the Department of Inspection or his designee will be classified as acceptable fill subject to other permit requirements.
 - (3) **Permits.** The Department of Inspection is authorized to issue a filling permit to each applicant when Department officials are satisfied that the fill material meets the requirements in Subsection (3) above and that the filling operation will not create noise, traffic or other problems detrimental to the residents of the area of the community in which said filling is taking place; the Department of Inspection shall not authorize any filling between the hours of 5:00 p.m. and 8:00 a.m. on weekdays, nor at any time on Saturday, Sunday or on a statutory holiday; he shall further restrict the hours of filling or the number of trucks involved based upon the location of the filling operation and the traffic conditions of the area where the filling is being placed. The permit shall be for a period not to exceed three (3) consecutive months in a calendar year. Permit applications for subsequent years, when filling operations span a period of several years, will be subject to conditions and fees governing initial applications.
 - (4) **Other Regulations.** Filling operations also shall be subject to all applicable county, state or federal license or permit regulations. Filling operations shall not block a natural drainage course.
 - (5) **Exceptions.** The provisions of this Subsection relating to the transfer of solid fill shall not apply to customary top dressing or fertilizing of lawns and gardens nor shall they apply to the construction of block or concrete patios, driveways or platforms permitted under City Ordinances. Filling involved in an operation requiring a building permit or a wrecking permit is exempt from this Subsection of the Code.
- (e) **Basement Sub-flooring.** First floor sub-flooring shall be completed within sixty (60) days after the basement is excavated.

Sec. 15-1-12 Discharge of Clear Waters.

- (a) **Discharge.** No person shall cause, allow or permit any roof drain, surface drain, subsoil drain, drain from any mechanical device, gutter, ditch, pipe, conduit, sump pump or any other object or thing used for the purposes of collecting, conducting, transporting, diverting, draining or discharging clear water from any part of any private premises owned or occupied by said person to discharge into a sanitary sewer.

**Building Code
15-1-12**

- (b) **Nuisance.** The discharge into a sanitary sewer from any roof drain, surface drain, subsoil drain, drain from any mechanical device, gutter, ditch, pipe, conduit, sump pump or any other object or thing used for the purposes of collecting, conducting, transporting, diverting, draining or discharging clear water from any part of any private premises is hereby declared to be a public nuisance and a hazard to the health, safety and well-being of the residents of the City and to the protection of the property.
- (c) **Groundwater.**
 - (1) Where deemed necessary by the Department of Inspection, every house shall have a sump pump installed for the purpose of discharging clear waters from foundation drains and ground infiltration and where the building is not serviced by a storm sewer shall either discharge into an underground conduit leading to a drainage ditch, gutter, dry well or shall discharge onto the ground surface in such other manner as will not constitute a nuisance as defined herein.
 - (2) Roof water shall be directed to the street storm sewer or between buildings.
- (d) **Storm Water.** All roof drains, surface drains, drains from any mechanical device, gutters, pipe, conduits or any other objects or things used for the purpose of collecting, conducting, transporting, diverting, draining or discharging storm waters shall be discharged either to a storm sewer, a dry well, an underground conduit leading to a drainage ditch or onto the ground surface in such other manner as will not constitute a nuisance as defined herein.
- (e) **Storm Sewer Lateral.** Where municipal storm sewers are provided and it is deemed necessary by the property owner and/or the City to discharge clear waters from a parcel of land, a storm sewer lateral shall be installed and connected to the storm sewer main at the expense of the owner.
- (f) **Conducting Tests.** If the Department of Inspection or his designated agent suspects an illegal clear water discharge as defined by this Chapter or by any other applicable provision of the Wisconsin Administrative Code as it may, from time to time, be amended, he may, upon reasonable notice and at reasonable times, enter the private premises where such illegal clear water discharge is suspected and conduct appropriate tests to determine whether such suspected illegal clear water discharge actually exists.

**Sec. 15-1-13 Installation and Operation of Room Heaters, Stoves
and Freestanding Fireplaces.**

- (a) **Application.** This Section shall apply to radiant heating units installed in the City of Onalaska. No person shall install a radiant heating unit which fails to comply with the requirements of this Section.

Building Code
15-1-13

- (b) **Definitions.** Radiant heating unit is a room heater, or stove, or freestanding fireplace not intended for duct connections used to heat a room or rooms that use the combustion of a solid fuel such as wood or coal as a source of heat.
- (c) **Permit.** No person shall install or cause to be installed a radiant heating unit without first obtaining a permit from the Department of Inspection. Radiant heating units shall be installed in accordance with Section 15-1-3. The Department of Inspection shall give each permit applicant the following information:
 - (1) The wood burned should be dry wood, preferably dry hardwood.
 - (2) The chimney flue should be checked periodically to be sure the flue is open.
 - (3) The chimney flue should be cleaned at least once a year.
- (d) **Plan and Data Approval.** Plans and data for each radiant heating unit installation shall be submitted to the Building Inspector for approval before a permit may be issued. The following data is required to be submitted with each application:
 - (1) The manufacturer's installation and maintenance/operations instructions.
 - (2) Proposed chimney flue and/or new chimney flue sizes.
 - (3) The number and sizes of existing vent connectors to the chimney flue.
- (e) **Inspection.** No person shall operate or permit the operation of a radiant heating unit without first calling for an inspection and receiving final approval from the Department of Inspection.

Sec. 15-1-14 Regulations for Moving Buildings.

- (a) **General Requirements.**
 - (1) No person shall move any building or structure upon any of the public ways of the City of Onalaska without first obtaining a permit therefor from the Department of Inspection and upon the payment of the required fee. Every such permit issued by the Department of Inspection for the moving of a building shall designate the route to be taken, the conditions to be complied with and shall limit the time during which said moving operations shall be continued.
 - (2) Issuance of moving permit shall further be conditioned on approval of the moving route.
- (b) **Continuous Movement.** The movement of buildings shall be a continuous operation during all the hours of the day and at night, 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. Lights shall be kept in conspicuous places at each end of the building during the night.

Building Code
15-1-14

- (c) **Street Repair.** Every person receiving a permit to move a building shall, within one (1) day after said building reaches its destination, report that fact to the Department of Inspection, inspect the trees, streets, highways and curbs and gutters over which said building has been moved and ascertain their condition. If the removal of said building has caused any damage to any street or highway, the person to whom the permit was issued shall forthwith place them in as good repair as they were before the permit was granted. On the failure of the said permittee to do so within ten (10) days thereafter to the satisfaction of the Director of Public Works, the City shall repair the damage done to such streets and hold the person obtaining such permit and the sureties on his bond responsible for the payment of same.
- (d) **Conformance with Code.** No permit shall be issued to move a building within or into the City and to establish it upon a location within the said City until the Department of Inspection has made an investigation of such building at the location from which it is to be moved and is satisfied from such investigation that said building is in a sound and stable condition and of such construction that it will meet the requirements of this Building Code in all respects. A complete plan of all further repairs, improvements and remodeling with reference to such building shall be submitted to the Department of Inspection, and it shall make a finding of fact to the effect that all such repairs, improvements and remodeling are in conformity with the requirements of this Building Code and that, when the same are completed, the building as such will so comply with said Building Code. In the event a building is to be moved from the City to some point outside the boundaries thereof, the provisions with respect to the furnishing of plans and specifications for proposed alterations to such building may be disregarded.
- (e) **Bond.**
 - (1) Before a permit to move any building is granted by the Department of Inspection, the party applying therefor shall give a bond in the sum of Ten Thousand Dollars (\$10,000.00) with good and sufficient sureties to be approved by the City Attorney conditioned, among other things, that said party will save and indemnify judgments, costs and expenses which may, in any way, accrue against the City and will save the City harmless against all liabilities, judgments, costs and expense in consequence of granting of such permit.
 - (2) Unless the Department of Inspection, upon investigation, shall find it to be a fact that the excavation exposed by the removal of such building from its foundation shall not be so close to a public thoroughfare as to permit the accidental falling therein of travelers or the location, nature and physical characteristics of the premises and the exposed excavation, such as to make intrusion upon the premises and the falling into such excavation of children under twelve (12) years of age unlikely, the bond required by Subsection (e)(1) shall be further conditioned upon the permittee erecting adequate barriers and within forty-eight (48) hours, filling in such excavation or adopting and employing such other means, devices or methods approved by the Department of Inspection and reasonably adopted or calculated to prevent the occurrences set forth herein.

**Building Code
15-1-14**

- (f) **Insurance.** The City shall require, in addition to said the said bond above indicated, public liability insurance covering injury to one (1) person in the sum of not less than One Hundred Thousand Dollars (\$100,000.00) and for one (1) accident in a sum not less than Two Hundred Thousand Dollars (\$200,000.00), together with property damage insurance in a sum not less than Fifty Thousand Dollars (\$50,000.00), or such other coverage as deemed necessary.

Sec. 15-1-15 Building Permit Fees.

Before issuing a building permit, the owner or his agent shall pay to the Department of Inspection the necessary building permit fee. Building permit fees shall be based upon the physical square footage of work to be done, as determined by the Department of Inspection, unless otherwise indicated.

- (a) **Residential Fees.** Residential Building Permit Fees shall be as follows:

	Permit Fees
Residential Buildings, Additions, Alterations and Accessory Structures	\$.25 per square foot of finished and unfinished areas. (Including porches, decks, egress window installations and misc. interior and exterior modifications.) (\$50.00 minimum fee)
Residential Swimming Pools- (over 15 feet in diameter)	\$50.00 flat fee
Residential Razing/Demolition over 200 square feet	\$50.00 flat fee
Residential Moving	\$60.00 flat fee plus \$.25 per square foot for the new foundation (includes mobile homes except when a new foundation is constructed.
Residential Certificate of Completion	\$25.00 flat fee
Erosion Control-Less Than 1 Acre of Disturbance.	\$75.00 flat fee
Erosion Control-More Than 1 Acre of Disturbance.	\$150.00 flat fee

**Building Code
15-1-15**

Residential Zoning Permit (Plan Review)	\$50.00 flat fee
Residential Roofing (Over 200sf)	\$50.00 flat fee

(b) Commercial Fees. Commercial Building Permit Fees shall be as follows:

	Permit Fees
Site Plan Permit-Projects under \$75,000 in value.	\$50.00
Site Plan Permit-Projects over \$75,000 in value	\$100.00
Commercial (non-warehouse) and Multi-Family Structures	\$.40 per square foot for the first 15,000 square feet plus \$.20 for the remaining square feet up to a \$40,000 cap. (\$50.00 minimum fee)
Remodeling and Build-Outs	15,000 square feet plus \$.15 for the remaining square feet up to a \$40,000 cap. (\$50.00 minimum fee)
Commercial Wrecking	\$100.00 flat fee
Commercial Moving	\$60.00 flat fee plus \$.40 per square foot for new foundation.
Commercial Certificate of Completion	\$50.00 flat fee
Multi-Family Certificate of Completion	\$20.00 plus \$5.00 per unit
Erosion Control-Less Than 1 Acre of Disturbance.	\$100.00 flat fee
Erosion Control-More Than 1 Acre of Disturbance.	\$200.00 flat fee

**Building Code
15-1-15**

Commercial Roofing over 1,000 sf	\$100.00 flat fee
Commercial Misc. (cell towers, misc. interior and exterior modifications.)	\$100.00 flat fee
Commercial Warehouse Structures	\$.25 per square foot for the first 15,000 square feet plus \$.15 for the remaining square feet up to \$40,000 cap (\$50.00 minimum fee)

- For the purposes of this Section 15-1-15(b), a Commercial Warehouse is defined as a commercial structure of no less than 5,000 square feet with no less than eighty percent (80%) of the interior space being undivided and used for cold or heated low hazard storage.”

- (c) **Miscellaneous Permit Fees.** Miscellaneous Building Permit Fees shall be as follows:

	Permit Fees
Driveway Permit	\$20.00 flat fee per opening
Sidewalk Permit	\$15.00 per stretch
Street Privilege/ Dumpster Permit	\$25.00 flat fee
Re-inspection Fee	\$50.00 for re-inspection due to incomplete conditions at the time of the initial inspection request.

- (d) **Double Fees.** The above permit fees shall be double when construction is commenced before a permit is issued.
- (e) **Cost Determination.** In determining costs, all construction shall be included, with the exception of heating, air conditioning, electrical or plumbing work. Permits for all antennas, radio or television towers or structures, wireless communication facilities and satellite dishes over two (2) meters in diameter shall be subject to the same fees required for buildings based on the valuation of work as set forth in (a) above.

**Building Code
15-1-16**

Sec. 15-1-16 Severability.

If any section, clause, provision or portion of this Chapter, or of the Wisconsin Administrative Code adopted by reference, is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall not be affected.

Sec. 15-1-17 through Sec. 15-1-29

Reserved for Future Use.