

ORDINANCE 2021-1110
TOWN OF RUSH RIVER
ADOPTING THE UDC &
COMMERCIAL BUILDING CODE

An ordinance adopting the State of Wisconsin UDC & Commercial Building Codes

WHEREAS the Town Board of the Town of Rush River, St Croix County, Wisconsin, has statutory authority pursuant 66.062 Stats. And Chapters 143, 144, 146 and 823, Stats. And pursuant to its adoption of Village Powers under 60.10, Stats. And

WHEREAS, the Town Board of the Town of Rush River, in order to promote the health and safety of persons in the Town, and to promote safe and habitable housing., does hereby adopt the State of Wisconsin's UDC & Commercial Building Codes

NOW THEREFORE, The Town Board of the Town of Rush River do ordain as follows:

- (1) **PURPOSE.** The purpose of this ordinance is to promote the general health, safety and welfare and to maintain required local uniformity with the administrative and technical requirements of the Wisconsin Code.
- (2) **SCOPE.** The scope of this ordinance includes the construction and inspection of one- and two-family dwellings and new camping units as defined in Wis. Admin. Code § 327.08(9).

The scope of this ordinance includes the construction and inspection of structures and commercial buildings as set forth in the Wisconsin Commercial Building Code, the Existing Buildings Code, and the Historical Building Code including alterations and additions thereof.

The scope of this ordinance also includes the construction and inspection of alterations and additions to one- and two-family dwellings and structures. Because such projects are not under state jurisdiction, petitions for variance and final appeals under ss. SPS 320.19 and 320.21, respectively, shall be decided by the municipal board of appeals. Petitions for variance shall be decided per s. SPS 320.19(Intro) so that equivalency is maintained to the intent of the rule being petitioned.

The scope of this ordinance also includes the construction and inspection of detached structures to one- and two-family dwellings in excess of \$2,500 value or 144 square feet, such as garage; storage; workshop; accessory and like structures. The structure and any heating, electrical or plumbing systems shall comply with the requirements of the Uniform Dwelling Code, other than for smoke alarms, carbon monoxide alarms and frost protection of footings, which shall be determined by the code official. Petitions for variance and appeals shall be handled by this municipality.

- (3) **WISCONSIN CODE ADOPTED.** The Wisconsin Uniform Dwelling Code and appendices, § SPS 320-328 and § PSC 114 and Commercial code and appendices, § SPS 360-391 and § SPS316 and their successors, of the Wisconsin Administrative Code, and all amendments thereto, is adopted and incorporated by reference and shall apply to all structures within the scope of this ordinance.

- (4) **BUILDING INSPECTOR.** There is hereby created the position of Building Inspector, who shall administer and enforce this ordinance and shall be certified by the Division of Industry Services, as specified by Wisconsin Statutes, Section 101.66(2), in the category of Uniform Dwelling Code Construction Inspector. Additionally, this or other assistant inspectors shall possess the certification categories of UDC HVAC, UDC or commercial Electrical, UDC or commercial Plumbing, commercial construction necessary to perform the duties required.
- (5) **BUILDING PERMIT & INSPECTIONS REQUIRED.** If a person alters a building in excess of \$5000 value in any twelve-month period, adds onto a building, moves a dwelling, builds or installs a new building or structure, within the scope of this ordinance, they shall first obtain a building permit for such work from the building inspector. Any structural changes or major changes to mechanical systems that involve extensions shall require a permit. Restoration or repair of an installation to its previous code-compliant condition as determined by the building inspector shall require an inspection of compliance with the code. Residing, re-roofing, finishing of interior surfaces and installation of cabinetry shall be exempted from permit and inspection requirements.
- (6) **BUILDING PERMIT FEE.** The building permit fees shall be determined by the contracted building inspector.
- (7) **PENALTIES.** The enforcement of this section and all other laws and ordinances relating to building shall be by means of the withholding of building permits, imposition of forfeitures and injunctive action. Forfeitures shall be not less than \$25.00 nor more than \$1,000.00 for each day of noncompliance.

EFFECTIVE DATE. This ordinance shall be effective upon passage and publication as provided by law.

Adopted this 10th day of November 2021,

**Town of Rush River
St Croix County, Wisconsin**

By: Donald E. Schumacher
Donald E. Schumacher
Town Chairman

Attest: Sandi Hazer
Sandi Hazer
Town Clerk

Approved: Randy Stillings
Randy Stillings
Supervisor

Janie DuBois
Janie DuBois
Supervisor

I, Sandi Hazer, upon adoption of this Ordinance by the Town Board, did on the 10th day of November 2021, post same in the following three places

1. Clerk's Home
2. Chairman's Home
3. Town Hall

Sandi Hazer, Clerk Sandi Hazer