

ORDINANCE NO. 2021-1028
TOWN OF RUSH RIVER
BUILDING INSPECTOR ORDINANCE

An Ordinance to establish minimum standards for dwellings and mobile home parks, to establish adopting the State of Wisconsin UCD Codes and establishing a building inspector position and design standards.

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 establish certain minimum residential dwelling standards, following the Wisconsin UCD Codes and establishing a building inspector position.

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

SECTION (1) BUILDING INSPECTOR.

- (a) There is hereby created the position of Building Inspector, who shall be certified by the Wisconsin Department of Safety and Professional Services as specified by W.S.A. s. 101.66(2). Additionally, this or other assistant inspectors shall possess the certification categories of UDC, HVAC, UDC Electric, UDC Plumbing, UDC Construction, and Commercial Building Inspector.
- (b) The Building Inspector shall have the power and duty to see that construction of dwellings and Commercial buildings in the Town conform to the laws of the State of Wisconsin, the orders, rules, and regulations laid down by the Department of Safety and Professional Services of the State of Wisconsin and the ordinances, rules and regulations of the Town and County, and to make all inspections as required.

SECTION (2) BUILDING PERMIT REQUIRED.

- (1) No person shall build or cause to be built any new one- or two-family dwelling or commercial building or move any dwelling or commercial building or any addition or alteration to an existing one- or two-family dwelling, commercial building, without first obtaining a Town Building Permit for such dwelling, structure, commercial building. All permits for

replacement doors, windows, re-roofing and siding will be obtain for the Town of Rush River Chairman.

SECTION (3) AESTHETICS, SAFETY.

- (1) All dwellings and accessory buildings shall be constructed using conventional building materials.
- (2) Exterior and supporting walls shall be of steel, concrete or wood frame construction. Off-site manufactured homes using these materials are authorized.
- (3) Exterior siding shall be stucco, large, mortared stone, wood, steel, aluminum, or vinyl as is typically used in home construction. Exterior siding may be composed of corrugated steel when constructing a pole shed style house. Concrete block is prohibited (except not more than 4 courses of foundation block may be exposed), rubber, cloth, glass, canvas, plastic, fiberglass, earth (such as sod, peat, gravel, clay) or material tending to rust or substantially discolor or material which is hazardous.
- (4) Colors. Exterior colors of dwellings and accessory buildings hereafter constructed shall be earth tones and pastels and shall consist of only one primary color. Secondary colors may be used only for trim around windows and roof fascia. No secondary colors may be used for unusual color displays and patterns such as “polka dots”, murals, stripes and the like.”

SECTION (4) DESIGN STANDARDS

- (1) **APPLICABILITY:** These design standards apply to all dwellings used for residential occupation.
- (2) **SIZE OF ROOMS:** Every sleeping room shall be of sufficient size to provide at least 400 cu. ft. of air space for each occupant over 12 years of age and 200 cu. ft. for each occupant under 12 years. No greater number of occupants than the number thus established shall be permitted in any such room. A sleeping room shall have a minimum floor area of 70 sq ft.
- (3) **WINDOWS:**
 - a. The outside windows in every sleeping or living room shall Have a total sash area of at least 1/10 of the floor area of the room. but not less than 12 sq ft.

- b. The top of at least one window shall be not be more than 6 ½' above the floor and shall be constructed so as to open easily from the top.
- (4) GARAGE: Each new dwelling, including a mobile home or manufactured home, shall have an accompanying garage or shed suitable for storage of all noncommercial vehicles located on the premises and further suitable for accessory storage of other items, including lawn care items, excluding farm related equipment. The nearest edge of a private garage shall be located not less than 10' from the lot line. If a greater distance is required by some other ordinance or regulation, the most rigid requirement shall be the applicable one. Whenever a garage is constructed as a part of a building, the ceiling and walls, or wall separating the garage from other portions of the building shall be of not less than one hour fire-resistive construction as specified in the Wisconsin State Building Code. The exterior siding and roof of the garage or shed shall be made of material found on the exterior of the main dwelling and shall be of a color which is consistent with and compliments the color of the main dwelling. If the garage is constructed more than a year after the new dwelling has been completed, a new building permit will be required.
- (5) FOUNDATION: All dwellings shall be placed on an enclosed permanent foundation with footings at least 4 feet below finished grade. The footings shall not extend more than 25 inches above the exterior finished grade of the lot, except where the grade is sloped, only that part of the foundation on the highest point of the slope must be not more than 25 inches above the exterior finished grade.
- (6) MINIMUM WIDTH AND LENGTH: Every dwelling shall be not less than 24 feet in width and contain not less than 1680 square feet of living space on ground level. Finished basements and second floors are not included in basic required square footage. Attached garages, carports, open decks, and slide outs shall not be included in the measurement of any dwelling. Any addition to the dwelling must have a foundation and be suitable for year-round living to be considered a part of the living space.
- (7) SEPTIC/WATER SYSTEM: Every dwelling shall be connected to a septic system and water system complying with all State and local codes.
- (8) MANUFACTURED HOME DEFINITION: A dwelling unit primarily assembled at an offsite location, with interior electrical wiring, plumbing and interior finishing substantially installed before location on the final site, but which is not ready for occupancy without

substantial preparation and construction at the site. Such homes are trucked to the site but are not intended for frequent transport by highway; the wheels are for initial transport only and are removed from the structure upon its placement on a permanent foundation following guidelines in paragraph (5) FOUNDATION.

SECTION (5) COMPLIANCE WITH REGULATIONS:

- (1) Before approving issuance of a building permit the building inspector shall ensure that the application for permit and the proposed structure complies with this Ordinance and any other applicable local or State laws or regulations. No permit shall be issued unless the driveway or access road to the structure complies with the standards established in Ordinance 2021-1025. If a driveway or access road permit is required, it shall be obtained from the Town Chairman prior to issuance of a building permit.
- (2) PLANS: With such application there shall be submitted a complete set of plans and specifications, including a plot plan showing the location of the proposed structure with respect to adjoining roads, highways, streets, alleys, lot lines and other building. Plans for buildings involving the State Building Code shall bear the stamp of approval of the Department of Safety and Professional Services (DSPS). Such plans and specifications shall be submitted by electronic means if possible. The Building Inspector shall email an approved set of plans to the applicant and retain an electronic. All plans and specifications shall be signed by the designer.
- (3) WAIVER OF PLANS: If the building inspector finds the character of the work is sufficiently described in the application, he may waive the filing of plans for alterations, repairs.
- (4) OCCUPATION OF PREMISES: No new building or mobile home or manufactured home shall be occupied or otherwise used until Building Inspector affixes a State of Wisconsin Uniform Dwelling Code seal and has issued an occupy permit.
- (5) REVOCATION OF PERMIT: 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

to him, he shall revoke the building permit by written notice posted at the site of the work. When any permit is revoked, no further work shall be done until the permit is reissued, 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.

- (6) RECORDS AND REPORTS: The Building Inspector shall maintain a record of all permits issued, which shall be kept on file. The Building Inspector shall make a monthly report and annual report to the Town Board Clerk of all permits issued, and violations noted.

SECTION (6) FEES FOR PARK AND RECREATIONAL FEES,

Any person applying for a building permit to build a new residential structure is required to pay a park & recreational fee to the Town of Rush River. This fee will be collected by the building inspector and forwarded to the Town. This fee shall be set by the Town Board from time to time and be on file in the office of the Town Clerk and Town Chairperson.

Parks and Recreational Fees	\$250.00
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SECTION (7) ENFORCEMENT AND PENALTIES

- (1) This Ordinance shall be enforced by Building Inspector or their designee.
- (2) Any person, organization or corporation violating this Ordinance shall be subject to a forfeiture of \$100.00, plus Court costs and costs of prosecution. Each day a violation continues shall constitute a separate offense.

**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