

## CHAPTER 8 BUILDING REGULATIONS

- 8.01 Permits Required**
- 8.02 State Code Required**
- 8.03 Fire Code**
- 8.04 Swimming Pools**
- 8.05 Commercial Building and Heating, Ventilating and Air Conditioning Code**

### 8.01 PERMITS REQUIRED

- (1) **General Permit Requirement** No building shall hereafter be erected, moved, or structurally altered until a building permit therefore shall have been applied for and issued.
- (2) **Applications** All applications for a building permit shall be accompanied by plans in duplicate, drawn to scale, showing the location, actual shape and dimensions of the lot to be built upon, the exact size and location within which the building shall be erected, altered or moved, the existing and/or intended use of each building or part of a building, the number of families the building is intended to accommodate, and such other information with regard to the lot and neighboring lots or buildings as may be necessary to determine and provide for the enforcement of this ordinance.
- (3) **Location and Lot Size** All dimensions shown relating to the location and size of the lot shall be based upon an actual survey or recorded plat. The lot and the location of the building thereon shall be staked out on the ground before construction is started.
- (4) **Payment of Fees** All fees shall be paid to the City Treasurer and his/her receipt showing that the fees prescribed by ordinance have been paid presented to the Building Inspector before the inspector shall issue to the owner, or his agent, a building, electrical or plumbing permit.
- (5) **Permit Lapses** A building, electrical or plumbing permit shall lapse and be void unless operations under the permit are commenced within six (6) months from the date of issuance thereof. Permits for new 1 and 2 family homes are valid for 2 years from date of issuance and must be completed within 2 years.
- (6) **Revocations** If the Building Inspector shall find at any time that the above mentioned ordinances, laws, orders, plans, and specifications 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, electrical or plumbing permit by written notice posed at the site of the work. When any such permit is revoked, it shall be unlawful to do any further work thereunder until the permit is reissued, excepting such work as the Building Inspector may order to be done as a condition precedent to the reissuance of the permit, or as he may require for the preservation of human like and safety or property.
- (7) **Report of Violations** It shall be the duty of all police officers to report at once to the Building Inspector any building, electrical or plumbing work which is being carried on without a permit as required by this ordinance.
- (8) **Records** The Building Inspector shall keep a record of all permits, fees and inspections and shall make an annual report thereon to the City Council.

### 8.02 STATE CODE REQUIRED

- (1) **Building Permit Required** No person may build any one or two family dwelling, addition or alteration, in the City without first applying for and obtaining a State Uniform Building Permit for such dwelling, addition or alteration. Such building permit shall be furnished by the City in accordance with this ordinance.
- (2) **Building Permit Fee** Before receiving a building permit, the owner or his agent, shall pay the following fee:

New 1 & 2 family dwelling .....	\$180.00
Garage, shed & farm building .....	\$ 30.00
House addition & remodeling.....	\$3.00 per \$1,000 valuation
	\$30.00 min \$60.00 max
Plumbing.....	\$20.00
Electric .....	\$20.00
Misc., chimneys, deck, demolition .....	\$10.00
Commercial .....	\$3.00 per \$1,000 Valuation
Heating .....	\$20.00
Plan Review .....	\$20.00 per hour

- (3) **Penalties** Any person, firm or corporation violating any provision of this ordinance shall, upon conviction thereof, be punished by a forfeiture of not less than twenty-five (\$25.00) dollars, together with the costs of prosecution. Every day the violation shall constitute a separate offense. If the defendant fails or refuses to pay the forfeiture and costs, the court shall enter a judgment that the defendant will have his/her driving privileges suspended for a period of up to five (5) years.
- (4) **Applicability** That the provision of this ordinance shall also apply to additions and alterations to one and two family dwellings in existence or being built on the effective date of this ordinance.

**8.03 FIRE CODE**

- (1) The Code or Regulations as set forth in Wisconsin Administrative Codes of the Department of Safety and Professional Services (DPS) are hereby adopted by reference and in full the same as if herein set out verbatim, and as amended from time to time.
- (2) The above code shall be filed with the City Clerk and be open and available for public inspection and use during regular office hours.
- (3) Violations of said Code shall be punishable under the general penalty provisions of the Municipal Code of the City of Augusta. Each day of continuing violation shall be considered a separate and new offense.

(4) **Storage Tanks**

- (a) Any person, firm or corporation installing or removing any locally regulated storage tank governed by Safety and Professional Services Wisconsin Administrative Code shall first secure a permit from the Augusta-Bridge Creek Fire Department.
- (b) Any person, firm or corporation upgrading any storage tank governed by Safety and Professional Services Wisconsin Administrative Code shall first secure a permit from the Augusta-Bridge Creek Fire Department.

**8.04 SWIMMING POOLS**

- (1) **Definitions** In this ordinance, unless the context clearly requires otherwise:
  - (a) "Swimming Pool" means a receptacle of water, or an artificial pool of water having a depth capacity at any point of more than two (2) feet, intended for the immersion or partial immersion of human beings, and including all appurtenant equipment.
- (2) **Permit Required** No swimming pool shall be installed or constructed without a permit having been issued therefore by the Building Inspector. The fee for said permit shall be \$25.00. Application for such permit shall be made in writing on forms furnished by the Building Inspector and shall contain appropriate plans and specifications, showing the proposed location of the swimming pool and such other information as the Building Inspector may require in accordance with the standards required of an application for a building permit under s.8.01, insofar as the same is applicable.
- (3) **Fencing**

- (a) All outdoor swimming pools having a depth capacity of 18 inches or more shall be completely enclosed by a fence prior to use of the swimming pool. The wall of a building may be accepted as a part of the required fence when found by the inspector to provide a sufficient degree of protection. Such fence shall be not less than four (4) feet in height above the ground level immediately below. Such fence shall be of not less than 11 1/2 gauge chain link fencing or such other construction which will make access to the swimming pool area equally difficult. All fence material and fence posts shall be resistant to decay and corrosion and fence posts shall be set in concrete bases or similarly secured. Any open space between the bottom of the fence and the ground shall not exceed four (4) inches. Each fence opening or point of entry into the pool area enclosure shall be equipped with a gate. Each gate shall have at least the minimum height required for the fence and shall be equipped with self-closing and self-latching devices placed at the top of the gate or at a place which is otherwise inaccessible to small children.
- (b) All such outdoor swimming pools which are located above ground and encompassed by an exterior wall having a height of four (4) feet or more shall be exempt from the provisions of subsection (3)(a); provided, that all such above ground pools shall be equipped with an effective fence and gate system at all points of entry to the pool, constructed to the specifications contained in subsection (a).
- (c) Prior to filling with water, each such outdoor swimming pool shall be enclosed by either fencing as required above or a temporary construction fence. Such temporary fence shall be a snow fence or similar design at least four (4) feet in height and securely anchored in place. The fence shall be constructed with its base flush to the ground and shall have supportive posts placed no more than eight (8) feet apart. The fence shall remain in place until such time as a permanent fence is installed as provided in this section. The installation of a permanent fence shall take place no later than sixty (60) days after the initial filling of the swimming pool.
- (d) All persons owning or in charge of a swimming pool for which a fence is required under this section shall construct or provide such fence within ninety (90) days following the effective date of this ordinance.

(4) **Construction and Structural Design**

- (a) All swimming pool plumbing and electrical facilities shall be installed in accordance and compliance with plumbing code SPS 381-387 and electrical code SPS 316, Wisconsin Administrative Code, Vols. 1 and 2, Wisconsin Administrative Code. All swimming pools, other than above ground pools, shall be completely surrounded by a walkway of concrete or other approved material, at least four (4) feet in width and designed so as to prevent back drainage into the pool. If drains are provided in such walkways they shall not be connected to the recirculation system piping.
- (b) The pool structure shall be engineered and designed to withstand the expected forces to which it will be subjected. All connections to the city water supply or the storm sewer system shall be approved by the City Public Works Director.
- (c) No pool may be connected to the City Sanitary Sewer System.

(5) **Health Department Approval** Plans and specifications for public swimming pools shall be submitted to and approved by the Health Department prior to issuance of a permit under Ordinance 8.04 (2).

(6) **Violations and Penalties** No person shall erect, use, occupy, or maintain any swimming pool in violation of any provision of this ordinance or cause to permit any such violation to be committed. In addition to the permit revocation provisions of Section 8.01 of this code, penalties for violation of any provision of this ordinance shall be provided in S. 15.04 of this code, for violations of public nuisances affecting health or safety. A separate offense shall be deemed committed on each day on which a violation of any provision of this ordinance occurs or continues.

(7) **Liability for Damages** This ordinance shall not be construed as an assumption of liability by the City of damages because of injuries sustained or property damages by any defect in any swimming pool or appurtenant equipment.

(8) **Effective Date** This ordinance shall be effective upon passage and publication as provided by law.

**8.05 COMMERCIAL BUILDING & ELECTRICAL, HEATING, VENTILATING & AIR CONDITIONING CODE**

Pursuant to Section 101.12, Wisconsin Statutes, this common council of the City of Augusta does hereby initiate a building code enforcement program for public buildings as follows:

- (1) **Adoption of Wisconsin Building and Electrical and Plumbing, Heating, Ventilating and Air Conditioning Code**
- (a) The Current editions of the Wisconsin Building and Heating, and Ventilating and Air Conditioning Code, Chs. SPS 361-366; Existing Buildings Code; Historic Building Code; and all amendments thereto, are adopted and incorporated into this code by reference.
  - (b) The Building Inspector, as certified by the Department of Safety and Professional Services, is hereby authorized and directed to administer and enforce all of the provisions of the Wisconsin Building and Heating, Ventilating and Air Conditioning, and Plumbing & Electrical Codes.
- (2) **Building Permit Required** No person shall build or cause to be built any new public building containing less than 50,000 cubic feet in total volume or alter a public building with less than 100,000 cubic feet in total volume, without first submitting plans and specifications to the building inspector or the state as required and obtaining a building permit for such building.
- (3) **Penalties** Any person who shall violate any provision of this ordinance shall, upon conviction thereof, be subject to a penalty as provided in Section 15.04 of this code.

**AN ORDINANCE AMENDING CHAPTER 8 – BUILDING REGULATIONS**

The City Council of the City of Augusta, Wisconsin (the “Council”) does hereby ordain as follows:

SECTION I: Chapter 8 of the City of Augusta Municipal Code of Ordinances, is hereby amended as follows:  
See above.

SECTION III: The Municipal Code is amended in conformity with this ordinance.

SECTION IV: This ordinance shall take effect upon passage and publication in accordance with the law.

This Ordinance was introduced at a regular meeting of the City Council held the 14th day of July, 2020, and its adoption moved by Council member Ken Hicks, and seconded by Council member Mike Canaday.

The vote was as follows: Unanimous. Motion carried.

This Ordinance shall take effect after passage and publication.

Adopted this 14<sup>th</sup> day of July, 2020.

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Jason TePaske, Mayor

Attest

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Cynthia Anderegg, Clerk