

Title 15

BUILDINGS AND CONSTRUCTION

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Chapter 15.04

STATE CODES ADOPTED

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15.04.010 Authority.

These regulations are adopted under the authority granted by Chapters 60, 61, 62, 66 and 101 of Wisconsin Statutes. (Ord. dated 5/11/95 (part): prior code § 14.015(1))

15.04.020 Purpose.

The purpose of this code is to promote the health, safety and general welfare of our community. (Ord. dated 5/11/95 (part): prior code § 14.015(2))

15.04.030 Scope.

This title applies to all dwellings, commercial buildings/structures, swimming pools, garages, structures, buildings, and residential accessory buildings. Not included are children’s play structures. (Ord. dated 5/11/95 (part): prior code § 14.015(3))

15.04.040 Adoption of codes.

The following chapters of the Wisconsin Administrative Code are adopted by reference as if fully set forth herein:

Commerce Ch. 16	Electrical
Commerce Chs. 20--25	Uniform Dwelling

Commerce Chs. 50--64	Building and Heating, Ventilating and Air Conditioning
Commerce Ch. 70	Historic Buildings
Commerce Chs. 81--87	Plumbing
Commerce Chs. 75--79	Existing Buildings

(Editorially amended during 2001 codification: Ord. dated 5/11/95 (part): prior code § 14.015(5))

15.04.050 Scope of Uniform Dwelling Code expanded.

The Wisconsin Uniform Dwelling Code, WAC Comm. Chs. 20--25, is the standard for construction of the following:

A. Additions, alteration and major equipment replacements for one and two family dwellings built prior to June 1, 1980;

B. Detached garages greater than two hundred (200) square feet serving one- and two-family dwellings. Grade beam slabs are required for private, residential garages with a continuous floating slab of reinforced concrete shall not be less than four inches in thickness. Reinforcement shall be a minimum of six inch by six inch wire. The slab shall be provided with a thickened edge all around eight inches wide and eight inches below the top of the slab. (Excepted are “frost free footings” for detached residential accessory building) WAC Comm Ch. 22 shall not apply.

C. Other detached accessory buildings. Concrete slabs, frost-free footings, etc. are not required, but if they are installed, they shall follow subsection B of this section and/or WAC Comm Ch. 21. (Editorially amended during 2001 codification: Ord. dated 5/11/95 (part): prior code § 14.015(6))

15.04.051 Residential building sizes.

A. The required building size for new residential dwellings shall be as follows:

1. Single-family one-story homes shall have not less than the following main ground floor areas:

a. One-bedroom	1,200 sq. ft.
b. Two-bedroom	1,300 sq. ft.
c. Three bedroom	1,400 sq. ft.
d. Four or more bedrooms	1,500 sq. ft.

2. One and one-half and two-story single-family homes shall have not less than one thousand two hundred (1,200) square feet of main floor coverage.

3. Single-family split-level homes with three bedrooms or less shall have not less than one thousand four hundred (1,400) square feet of main floor coverage.

4. Single-family split-level homes with four or more bedrooms shall have not less than one thousand four hundred (1,400) square feet of main floor coverage.

5. In measuring square footage for a split-level residence, all areas, without a living area beneath shall be used in computing the first-floor area. Garages and breezeways shall not be included in any computation.

6. Duplexes and multiple-family (more than two-family units) with a full basement shall provide not less than one thousand (1,000) square feet of core living area per family exclusive of hallways, stairways, mechanical rooms, porches, decks, sheds, garages and carports.

7. Duplexes and multiple-family without basements (more than two-family units)

shall provide not less than one thousand two hundred (1,200) square feet of core living area per family exclusive of hallways, stairways, mechanical rooms, porches, decks, sheds, garages and carports. (Ord. dated 11/14/02)

15.04.060 Violation--Penalty.

Except as otherwise provided, any person found to be in violation of any provision of this title shall be subject to a penalty as provided in Chapter 1.20 of this code. (Prior code § 14.05)

Chapter 15.06

Drainage Permits

Sections:

- 15.06.010 Purpose**
- 15.06.020 Permit required.**
- 15.06.030 Building Inspector Duties**
- 15.06.040 Drainage and Grading Plan**
- 15.06.050 Town Engineer Duties**
- 15.06.060 Violation**

15.06.010 Purpose

The purpose of this section is to promote the health, safety and general welfare of the community by preventing or minimizing the adverse effects of storm water runoff caused by new construction in the Town of Burlington.

15.06.020 Permit required

This section shall apply to all new construction in the Town of Burlington which also requires a building permit, and which is not otherwise subject to Section 16.14.040. This shall also apply to all Shoreline Contract reviews. Prior to issuance of a building permit, an applicant shall obtain a drainage permit, at a non-refundable fee to be established by town board resolution.

15.06.030 Building Inspector Duties

The building inspector shall advise an applicant, at the time a building permit is applied for, of the applicant's obligation to prepare and submit a grading and drainage plan which addresses the impact of the proposed construction on storm water runoff, prior to construction. The building inspector shall then submit the plan to the town's en-

gineer, with appropriate contact information for the applicant. The building inspector shall remain in communication with the engineer regarding the status of any drainage plan, and shall take all steps to ensure compliance with the approved plan by the applicant, including any required, future maintenance. No building permit shall be issued until the building inspector has received the approval of the town engineer. Compliance reviews shall be made pursuant to sec. 16.14.080.

15.06.040 Drainage and Grading Plan

Prior to construction, the applicant shall prepare and submit a drainage and grading plan, addressing any negative or adverse impact the proposed construction may have on storm water drainage, to the town engineer. On approval of a plan, the applicant shall abide by any final recommendations or requirements of the town engineer in preparing and timely carrying out the proposed drainage and grading plan, including future maintenance.

15.06.050 Town Engineer Duties

A. The town engineer shall review the drainage and grading plan prepared pursuant to sec. 15.06.040, and shall determine if the plan adequately addresses the potential negative impact of the construction on storm water drainage to the property of the applicant, neighboring properties, and proximate bodies of water, or if further planning is necessary. In the event further planning is deemed necessary, the town engineer shall have the applicant sign a cost recovery agreement and post a bond with the town. The amount of the bond shall be established by resolution. With the applicant, the town engineer shall determine what steps must be

taken to ensure compliance with this section, including, without limitation, requiring the following:

1. Detailed site and grading plans.
2. Soil investigation reports.
3. Pre and post construction storm water runoff routing analysis.
4. Pre and post construction basin delineations.
5. Alternatives analysis.
6. Storm water drainage easements.
7. Storm water facility maintenance agreements.
8. Any other information deemed necessary or appropriate by the town engineer or town board.

B. The town engineer shall determine if such drainage and grading plan shall also include a plan of future maintenance to ensure continuing proper drainage, and whether such plan shall include inspection by the building inspector.

C. Once a plan has been completed and approved, the town engineer shall ensure a copy of the plan is delivered to the building inspector to monitor compliance.

not less than \$250, or more than \$1000. (ord. dated 10/11/07).

15.06.060 Violation

In the event any person shall violate the provisions of this Chapter, or the provisions of any approved drainage and grading plan, the town, by its building inspector, may deny a building permit, stop construction or deny occupancy of the proposed structure, or may take legal action for injunctive relief or have any other remedy available at law. Further, each day of violation may subject such person in non-compliance to a fine of

Chapter 15.08

BUILDING INSPECTOR AND PERMITS

Sections:

- 15.08.010 Reserved.**
- 15.08.020 Permit required.**
- 15.08.025 Post Construction Storm Water Ordinance Compliance**
- 15.08.030 Building/electrical/ plumbing inspector.**
- 15.08.040 Submission of plans.**
- 15.08.050 Issuance of permit.**
- 15.08.060 Occupancy permit.**
- 15.08.070 Stop work order.**
- 15.08.080 Fees.**

15.08.010 Reserved.

15.08.020 Permit required.

Prior to the commencing of any of the following work, the owner or his agent shall obtain a valid permit from the municipal building inspector:

- A. New buildings;
- B. Additions that increase the physical dimensions of a building including decks;
- C. Alterations to the building structure, cost shall include market labor value, or alterations to the building's heating, electrical or plumbing systems;
- D. Replacement of major building equipment including furnaces, and central air conditioners. Water heaters and any other major piece of equipment shall require a permit. Plumbing, venting, electrical or gas supply systems when altered shall also require permits;
- E. Exempted are finishing of interior surfaces, installation of cabinetry, and minor

repair as deemed by the building inspector.

F. Any electrical wiring for new construction or remodeling;

G. Any HVAC for new construction or remodeling;

H. Any plumbing for new construction or remodeling.

15.08.030 Building/electrical/plumbing inspector.

A. Contracted. The building inspector shall be contracted by the municipality. The building inspector shall be certified for inspection purposes by the department as required by WAC Comm 50.21.

B. Subordinates. The building inspector may employ at his expense, as necessary, subordinate, mechanical inspectors. Any subordinate hired to inspect buildings shall be certified as required by WAC Comm 50.21.

C. Duties. The inspector shall administer and enforce all provisions of this title.

D. Powers. The inspector or an authorized certified 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 the inspector or his/her agent while in the performance of his/her duties.

E. Inspections. The following inspections shall be requested forty-eight (48) hours in advance by the applicant/contractor or property owner as applicable.

1. Footing/foundation;
2. Rough carpentry, HVAC, electric and plumbing;
3. Drintile/basement floor;
4. Underfloor plumbing/electric;

5. Insulation;
6. Final carpentry, HVAC, electric and plumbing;
7. Erosion control.

Failure to request any inspection will be the responsibility of the contractor and/or property owner.

F. Records. The inspector shall perform all administrative tasks required by the department under all codes covered in Section 15.04.040. In addition, the inspector shall keep a record of all applications for permits and shall number each permit in the order of its issuance. (Editorially amended during 2001 codification; Ord. dated 5/11/95 (part); prior code § 14.015(7))

15.08.040 Submission of plans.

Two sets of building plans shall be submitted to the inspector for any work which expands the size of a building, any new building or as required by the inspector. If a new building or building addition is proposed, then a plot plan showing such proposed work and existing buildings and property lines shall be submitted. A third set of plans may be requested at the discretion of the building inspector for the assessor. (Ord. dated 5/11/95 (part); prior code § 14.015(8))

15.08.050 Issuance of permit.

The inspector shall issue the requested permit after all state, county and local submission requirements are satisfied. If a permit card is issued, it shall be posted at the job site in a visible location from the street. Permits for new construction are valid for two years. All other permits are valid for 18 months. (Ord. dated 5/11/95 (part); prior code § 14.015(9))

15.08.060 Occupancy permit.

A. No residential, commercial or multi-family building or structure or any part thereof shall hereafter be built, enlarged or demolished within the municipality or occupied unless an occupancy permit therefore shall first be obtained by the owner or his agent from the town building inspector. Prior to the issuance of any occupancy permit for commercial or multifamily, the town fire department and building inspector may conduct an inspection of the building or structure for the purpose of determining compliance with the code of ordinances and the building code.

B. If no noncompliances are found by the building inspector, then the inspector shall issue an occupancy permit. If minor noncompliances, other than health or safety items are in existence, the inspector may issue a temporary occupancy permit for a specified term. Occupancy may not be taken until an occupancy permit is issued. The building inspector may order removal of any persons in violations of this section until the noncompliances have been addressed. (Ord. dated 9/22/05; Ord. dated 9/94; Ord. dated 5/11/95 (part); prior code §§ 14.015(13) and 14.02(4))

15.08.070 Stop work order.

The inspector may issue a stop work order for a project to prevent further noncomplying work. (Ord. dated 5/11/95 (part); prior code § 14.015(18))

15.08.080 Fees.

Fees to be established by resolution. (Ord. dated 5/10/07)

Chapter 15.10

PROHIBITED BUILDINGS IN RESIDENTIAL ZONES

Sections:

15.10.010 Prohibited buildings.

15.10.010 Prohibited buildings.

A. Steel clad sheds, pole barns, and metal-roofed carports over two hundred (200) square feet of area are prohibited in all areas in the town of Burlington that are zoned R-1 through R-8 by Racine County zoning. A pole barn is defined as any building of post and truss framing with metal roof and siding.

B. Detached garages in excess of one thousand two hundred (1,200) square feet are prohibited in areas Zoned R-1 through R-8 of the Racine County zoning ordinance.

C. Any detached garage proposed to be constructed in residential zones, (R-1 through R-8), greater than nine hundred (900) square feet but less than one thousand two hundred (1,200) square feet shall require a hearing before the town of Burlington planning and zoning committee; and approval by the town of Burlington town board. (Ord. dated 1/12/06)

Chapter 15.12

FIRE DIVISION WALLS

Sections:

- 15.12.010 Purpose.**
- 15.12.020 Fire division wall defined.**
- 15.12.030 Location to be identified--
Exceptions.**
- 15.12.040 Sign requirements.**
- 15.12.050 Location.**

15.12.010 Purpose.

Pursuant to Section 101.135, Wis. Stats., the purpose of this chapter is to establish uniform standards for the identification of fire division walls or occupancy separation walls of 2-R fire-resistive rating or greater on the exterior of buildings within the town. (Ord. dated 4/28/94 (part): prior code § 14.07(1))

15.12.020 Fire division wall defined.

“Fire division wall or occupancy separation wall” means a wall extending from the lowest floor level to or through the roof and extending the full width or length of the building.

Note: See “fire division wall” as defined in WAC Comm 51.01(144); fire division wall requirements in accordance with WAC Comm 51.02(13), or occupancy separation wall requirements in accordance with WAC Comm 51.02(20); and occupancy separation requirements in accordance with WAC Comm Table 51.08. (Editorially amended during 2001 codification: Ord. dated 4/28/94 (part): prior code § 14.07(3))

15.12.030 Location to be identified-- Exceptions.

Owners of buildings within the town shall be required to identify the location of a fire division wall or occupancy separation wall at the exterior walls of their buildings with a sign. A sign may not be required to identify a fire division wall or occupancy separation wall in the following cases:

- A. Abutting exterior walls of two or more buildings along streets in downtown areas;
- B. With a visible parapet from the street;
- C. Which extends above roofs and is an exterior wall of another part of a building; and
- D. In buildings more than three stories. (Ord. dated 4/28/94 (part): prior code § 14.07(2))

15.12.040 Sign requirements.

A. General. The sign shall consist of three circles arranged vertically on the exterior wall marking the location of the fire division wall or occupancy separation wall and centered on the fire division wall or occupancy separation wall. The circles may be affixed directly to the surface of the building or may be placed on a background material which is affixed to the building.

B. Size of Circle. Each circle shall be the same size. The diameter of the circle shall be at least one and one-half inches, but no greater than two inches.

C. Spacing. The circles shall be spaced equal distance apart. The maximum distance measured from the top of the uppermost circle to the bottom of lowermost circle shall be twelve (12) inches.

D. Color. The color of the circle shall be limited to either red, amber (orange-yellow) or white (clear) and shall be reflective. The

color of the circle shall contrast with the color of the background. (Ord. dated 4/28/94 (part): prior code § 14.07(4))

15.12.050 Location.

The top of the sign shall be located on the face of the exterior wall of the building and located no more than twelve (12) inches below the eave, roof edge, fascia or parapet. (Ord. dated 4/28/94 (part): prior code § 14.07(5))

Chapter 15.16

DEMOLITION

Sections:

- 15.16.010 Demolition permit required.**
- 15.16.020 Permit application.**
- 15.16.030 Demolition.**
- 15.16.040 Clearing and leveling the site.**
- 15.16.050 Removal and disposal.**
- 15.16.060 Permit fees.**
- 15.16.070 Violation--Penalty.**

15.16.010 Demolition permit required.

All persons who demolish or cause to be demolished any structure or part of a structure within the municipality shall apply for and obtain a demolition permit from the building inspector prior to undertaking any steps to demolish the structure. (Ord. dated 5/11/95 (part): prior code § 14.015(10)(1))

15.16.020 Permit application.

An application for permit to demolish all or part of a building shall include the following information:

A. The name and address of the owner of the building on date of application and, if different, on date of demolition;

B. The name address and telephone number of the contractor(s) performing the demolition work;

C. The date upon which demolition is to commence;

D. The date by which demolition shall be complete;

E. A list of all hazardous waste and hazardous and toxic substances (as defined in WAC NR 700.03(25) and 700.03(26)) contained in the building, a statement as to whether the building contains asbestos (as

defined by Section 140.04(l)(a), Wis. Stats), and a detailed description of the method to be used in removing, transporting and disposing of any hazardous waste, hazardous and toxic substances, and asbestos;

F. A detailed description of how and where the waste materials resulting from the demolition will be transported and disposed of (including the description of the route to be used by trucks in hauling the waste);

G. A description of the method of demolition to be used; and

H. A description in detail of all methods to be used to prevent water runoff and soil erosion from the site to neighboring properties and to prevent releasing unreasonable amounts of dust from the site.

Along with the application for permit for demolition, the applicant shall present a release from all utilities serving the property, stating that their respective service connections and appurtenant equipment such as meters and regulators have been removed or sealed and plugged in a safe manner. (Editorially amended during 2001 codification; Ord. dated 5/11/95 (part): prior code §14.015(10)(2))

15.16.030 Demolition.

The demolition shall be conducted in a manner that is safe and that does not adversely affect the environment. (Ord. dated 5/11/95 (part): prior code § 14.015(10)(3))

15.16.040 Clearing and leveling the site.

A. The site of any demolition shall be properly cleared of debris, rubbish and pavement and shall be properly graded and leveled to conform with the adjoining grade of the neighboring property; and when so grade and leveled the site shall be seeded,

sodded or treated in some other manner acceptable to the building inspector so as to prevent blowing dust, dirt, or sand. Excavations remaining after demolition shall be filled, graded and leveled off, not later than thirty (30) consecutive days after demolition is completed.

B. Excavations from demolished buildings or structures shall not be filled with any materials subject to deteriorations. The building inspector upon notification by the permit holder, the owner or his agent in writing and upon forms provided by the building inspector for that purpose, shall within seventy-two (72) hours inspect each excavation, or part thereof, before filling any excavation.

It is unlawful to fill any such excavation without inspection and approval of the building inspector. Voids in filled excavations shall not be permitted. In the event of the unavailability of the building inspector to conduct an inspection within the seventy-two (72) hours after written notice; the permit holders, owner or his agent may retain the services of a certified, qualified municipal inspection service to obtain an opinion that approves filling of the excavation. The opinion shall be deemed a sufficient approval by the municipality provided that a written copy of the opinion is delivered to the clerk at least forty-eight (48) hours before filling of the excavation commences. (Ord. dated 5/11/95 (part): prior code § 14.015(10)(4))

15.16.050 Removal and disposal.

Removal, transportation and disposal of all hazardous waste, hazardous and toxic substances, an asbestos shall be conducted in compliance with all applicable state, federal and local statues, ordinances and regu-

lations. The permit holder shall give the building inspector seventy-two (72) hours written notice prior to any removal, transportation or disposal of hazardous waste, hazardous and toxic substances, and asbestos. (Ord. dated 5/11/95 (part): prior code § 14.015(10)(5))

15.16.060 Permit fees.

Application for a demolition permit shall be accompanied by the required fee. (Editorially amended during 2001 codification: Ord. dated 5/11/95 (part): prior code § 14.015(10)(6))

15.16.070 Violation--Penalty.

Any person, firm or association who violates this chapter shall be subject to the penalty set forth in Chapter 1.20 of this code. (Editorially amended during 2001 codification: Ord. dated 5/11/95 (part): prior code § 14.015(10)(7))

Chapter 15.20

MOBILEHOMES AND MOBILEHOME PARKS

Sections:

15.20.010 Adoption of state statute and code provisions.

15.20.020 Location outside mobile home park.

15.20.030 Location outside mobilehome park--Permit.

15.20.040 State, county, municipal, other vehicles owned by nonprofit organization--Permit.

15.20.050 Park license required.

15.20.060 Application and fees.

15.20.070 Park inspection.

15.20.080 Parking permit fee.

15.20.010 Adoption of state statute and code provisions.

The provisions of Section 66.058, Wis. Stats., and Chapter HSS 177, Wis. Adm. Code, are adopted as and for the general law of the town and applicable therein with the following exception: mobilehome park means any plot or plots of ground owned by a person, state or local government upon which one or more units, occupied for dwelling or sleeping purposes regardless of mobile home ownership, is or are located, and whether or not a charge is made for such accommodation. (Prior code § 12.06(1))

15.20.020 Location outside mobile home park.

A. Except as provided in this chapter, no person shall park any mobilehome on any street, alley, highway or other public place

or on any tract of land owned by any person within the town.

B. Emergency or temporary stopping or parking is permitted on any street, alley or highway for not longer than one hour, subject to any other and further prohibitions, regulations or limitations imposed by the traffic and parking regulations or ordinances for that street, alley or highway.

C. No person shall park or occupy any mobilehome on any premises which is situated outside a licensed mobilehome park. (Prior code § 12.06(2))

15.20.030 Location outside mobilehome park--Permit.

The town may issue a special written permit allowing the location of a mobilehome outside of a mobilehome park which will not be used for human dwelling or sleeping purposes, except for a period of five days or less when such use shall be in conjunction with a business or operation thereof. Application for a temporary permit shall spell out in detail the use to which such mobilehome shall be put, period of time in hours and days the permit is desired, location where such mobilehome would be temporarily placed, necessity and reason for not being located within a mobilehome park and such other information that the town board deems pertinent in determining whether or not to issue a temporary permit. Application for temporary permit shall be accompanied by payment of a fifteen dollar (\$15.00) application fee and such mobilehome shall be subject to payment of a monthly fee as spelled out in this chapter. (Prior code § 12.06(3))

15.20.040 State, county, municipal, other vehicles owned by nonprofit organization--Permit.

A special permit, without charge, shall be granted to state, county or municipal mobile homes, or those owned by nonprofit organizations when such mobile homes are utilized for a public purpose within the town, and the town board may designate a location for parking such a mobile home or trailer, including any street, alley or highway, for such period of time as the town board deems necessary in carrying out a public purpose. (Prior code § 12.06(4))

15.20.050 Park license required.

No person shall establish, operate, maintain or permit to be established, operated or controlled by him, a mobile home park within the limits of the town without having first secured a license for each such park from the town board pursuant to this chapter. This license shall be for the period of January 1 through December 31 regardless of the date of issuance, and may be renewed under the provisions of this chapter for additional periods of one year. There shall be no reduction for partial year licenses. (Ord. dated 4/13/06: prior code § 12.06(6))

15.20.060 Application and fees.

The application for such licenses or the renewal thereof shall be filed with the town clerk and shall be accompanied by a fee of five dollars (\$5.00) for each occupied lot so occupied as of May 15th of each year, but in no event shall be less than \$100. A fee of ten dollars (\$10.00) shall be paid for each transfer of a license. The licenses and/or the transfer of a license will only be issued after

the town board's approval. (Ord. dated 4/13/06: prior code § 12.06(6))

15.20.070 Park inspection.

No mobile home park license or permit for location outside of a licensed mobile home park shall be issued until the town clerk notifies the police chief, fire inspector and building inspector, or their authorized agents of such application, and these officials shall inspect or cause to be inspected each application and the premises to determine whether the applicant and the premises on which mobile homes will be located comply with the regulations, ordinances, state laws and regulations of the Department of Health and Social Services applicable therein. These officials shall furnish to the town board, in writing, the information derived from such investigation and a statement as to whether the applicant and the premises meet the requirements of the department for which the officer is certifying. No license shall be renewed without a reinspection of the premises. For the purpose of making inspections and securing enforcement, such officials or their authorized agents shall have the right and are empowered to enter on any premises on which a mobile home is located, or about to be located, and to inspect the same and all accommodations connected therewith at any reasonable time. (Prior code § 12.07(7))

15.20.080 Parking permit fee.

There is imposed on each owner or operator of a mobile home park licensed under this chapter, a monthly parking permit fee as determined in accordance with Section 66.058, Wis. Stats., on each occupied, non-exempt mobile home which has been parked in such park at any time during the month,

except that tourists, or vacationists may remain five days in any one calendar year without paying the monthly parking permit fee. It shall be the full and complete responsibility of the licensee to collect the proper amount for each mobile home and to pay to the town clerk such parking permit fees on or before the tenth of the month following the month for which such fees are due, in accordance with the terms of this chapter and such regulations as the clerk may reasonably promulgate. (Prior code § 12.06(8))

Chapter 15.24

MOVING BUILDINGS

Sections:

- 15.24.010 Permit required.**
- 15.24.020 Moving damaged buildings.**
- 15.24.030 Continuous movement.**
- 15.24.040 Street repair.**
- 15.24.050 Conformance with code.**
- 15.24.060 Bond.**
- 15.24.070 Insurance.**
- 15.24.080 Plan commission or other assigned board or commission.**

15.24.010 Permit required.

No person shall move any building or structure upon any of the public right-of-ways of the municipality without first obtaining permit therefore from the building inspector and upon the payment of required fee. Every such permit issued by the building inspector 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 the moving operations shall be continued. (Ord. dated 5/11/95 (part): prior code § 14.015(12) (1))

15.24.020 Moving damaged buildings.

No building shall be repaired, altered or moved within or into the municipality that has deteriorated or has been damaged by any cause (including such moving and separation from its foundation and service connections in case of moved buildings) fifty (50) percent or more of its equalized value and no permit shall be granted to repair, alter or move such building within or into the municipality. Furthermore, if the equalized assessed value of the building is not within twenty (20) percent of the surrounding

buildings where the building is proposed to be moved to, no permit shall be granted unless the building is improved to be within the twenty (20) percent. (Ord. dated 5/11/95 (part): prior code § 14.015(12)(2))

15.24.030 Continuous movement.

The movement of building shall be a continuous operation during all the hours of the day, and day by day and at night until such movement is fully completed. All of such operation 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 a fire hydrant or any other public facility. Lighted lanterns shall be kept in conspicuous places at each end of the building during the night. (Ord. dated 5/11/95 (part): prior code § 14.015(12) (3))

15.24.040 Street repair.

Every person receiving a permit to move a building shall, within one day after the building reaches its destination, report the fact to the building inspector who shall thereupon, in the company of the municipal highway commissioner, inspect the streets and highways over which the building has been moved and ascertain the condition. If the removal of the building has caused any damage to any street or highway, the person to whom the permit was issued shall forthwith place them in good repair as they were before the permit was granted. On the failure of the permittee to do so within ten (10) days thereafter to the satisfaction of the governing body, the body shall repair the damage done to such streets and hold in person obtaining such permit and the sureties on his bond responsible for payment of

same. (Ord. dated 5/11/95 (part): prior code § 14.015(12) (4))

15.24.050 Conformance with code.

No permit shall be issued to move a building within or into the municipality and to establish it upon a location within the municipality until the building inspector has made an investigation of such building at the location from which it is to be moved and is satisfied from such investigation that the building is in a sound and stable condition and of such construction that it will meet the requirements of the 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 building inspector, and he 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 the building code. In the event a building is to be moved from the municipality to some point outside of the boundaries thereof, the provisions, with respect to the furnishing of plans and specifications for proposed alterations to such building, may be disregarded. (Ord. dated 5/11/95 (part): prior code § 14.015(12)(5))

15.24.060 Bond.

Before a permit is issued to move any building over any public way in this municipality, the party applying therefore shall give a cash deposit to the municipality in a sum, to be fixed by the municipality, and which shall not be less than five thousand dollars (\$5,000.00). The cash deposit conditioned upon, among other things, the indemnification to the municipality for any costs

or expenses incurred by it in connection with any claims for damages to any persons or property, and the payment of any judgment, together with the costs or expenses incurred by the municipality in connection therewith, arising out of the removal of the building for which the permit is issued. Unless the building inspector, 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 falling into such excavation by children under twelve (12) years of age unlikely, the bond required by this section 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 building inspector and reasonably adopted or calculated to prevent the occurrences set forth in this chapter. (Ord. dated 5/11/95 (part): prior code § 14.015(12)(6))

15.24.070 Insurance.

The building inspector shall require, in addition to the bond above indicated, public liability insurance covering injury to one person in the sum of not less than five hundred thousand dollars (\$500,000.00) and for one accident, aggregate not less than one million dollars (\$1,000,000.00), together with property damage insurance in a sum of not less than five hundred thousand dollars (\$500,000.00) or such other coverage as deemed necessary. (Ord. dated 5/11/95 (part): prior code § 14.015(12)(7))

15.24.080 Plan commission or other assigned board or commission.

A. No such permit shall be issued unless it has been found as a fact by the plan commission of the municipality by at least a majority vote, after an examination of the application for the permit which shall include exterior elevations of the building and accurate photographs of all sides and views of the same and in case it is proposed to alter the exterior of the building, plans and specifications of such proposed alterations and after a view of the building proposed to be moved and of the site at which it is to be located, that the exterior architectural appeal and functional plans of the building to be moved or moved and altered, will not be so at variance with either the exterior architectural appeal and functional plan of the buildings already constructed or in the course of construction in the immediate neighborhood or in the character of the applicable district established by the zoning ordinances of the municipality or any ordinance amendatory thereof or supplementary thereto, as to cause a substantial depreciation of the property values of the neighborhood within the applicable district. In case the applicant proposed to alter the exterior of the building after moving the same, he shall submit, with his application papers, complete plans and specifications for the proposed alterations. Before a permit shall be issued for a building to be moved and altered, the applicant shall give a cash bond to the municipality's plan commission, which shall not be less than five thousand dollars (\$5,000.00) to be executed in the manner provided in this chapter to the effect that he will, within a time to be set by the plan commission, complete the proposed exterior alterations to the building in the manner set forth in his plans and spec-

ifications. This bond shall be in addition to any other bond or surety which may be required by other applicable ordinances of the municipality. No occupancy permit shall be issued for the building until the exterior alterations proposed to be made have been completed.

B. Upon application being made to the building inspector, he shall request a meeting of the plan commission to consider application for moving permits which he has found comply, in all respects with all the ordinances of the municipality. The plan commission may, if it desires, hear the applicant for the moving permit in question and/ or the owner of the lot on which it is proposed to be located the building in question, together with any other persons, either residents or property owners, desiring to be heard, give such notice of hearing as they may deem sufficient. Such hearing may be adjourned for a reasonable length of time and within forty-eight (48) hours after the close of the hearing, the plan commission shall, in writing, make or refuse to make the finding required by this section and file it in the office of clerk, who shall send a copy of it to the building inspector. (Ord. dated 5/11/95 (part): prior code § 14.015(12)(8))

Chapter 15.28

**MISCELLANEOUS BUILDING
PROVISIONS**

Sections:

15.28.010 Exterior finish required.

15.28.020 Maintenance of yards.

15.28.010 Exterior finish required.

All buildings shall have a weather-resistant, uniform and neighborhood-compatible exterior finish. Tarpaper or similar material is not acceptable. (Ord. dated 5/11/95 (part): prior code § 14.015(14))

15.28.020 Maintenance of yards.

Yards shall be kept free of weeds, construction debris, trash, open storage or non-licensed or disabled vehicles. (Ord. dated 5/11/95 (part): prior code § 14.015(15))