

ORDINANCE NO. 1

BUILDING ORDINANCE

The Town Board for the Town of Geneva, Walworth County, Wisconsin, does ordain that the Town of Geneva Ordinance Nos. 1, 34, and 43 are hereby repealed and recreated as Ordinance No. 1.

Section 1. Wisconsin State Uniform Dwelling Code Adopted.

Except as otherwise provided in this Ordinance, the Administrative Code provisions describing and defining regulations with respect to one and two-family dwellings in Chapters ILHR 20-25 of the Wisconsin Administrative Code are hereby adopted and by reference made a part of this Chapter as if fully set forth herein, and shall apply to all one and two-family dwellings and alterations and additions thereto; the construction of which shall have been commenced after the effective date of this Ordinance. Any act required to be performed or prohibited by Chapters ILHR 20-25 of the Wisconsin Administrative Code incorporated herein by reference is required or prohibited by this Ordinance. Any future amendments, revisions, or modifications of Chapters ILHR 20-25, incorporated herein are intended to be made part of this Section in order to secure a uniform statewide regulation of one and two-family dwellings and manufactured buildings standards.

Section 2. State Building Code Adopted.

Except as otherwise specifically provided in this Ordinance, the Wisconsin Administrative Building and Heating, Ventilation, and Air Conditioning Codes, Chapters ILHR 50-64, are hereby adopted and by reference made part of this Ordinance as if fully set forth herein. Any act required to be performed or prohibited by Chapters ILHR 50-64 of the Wisconsin Administrative Code incorporated herein by reference, is required or prohibited by this Section. Any future amendments, revisions, or modifications of Chapters ILHR 50-64, incorporated herein, are intended to be made a part of this Section.

Section 3. State Plumbing Code Adopted.

Except as otherwise specifically provided in this Ordinance, the provisions of the Wisconsin State Plumbing Code, Chapters ILHR 81-87 of the Rules of the Department of Industry, Labor, and Human Relations, as published in the Wisconsin Administrative Code, are hereby adopted and made a part of this Ordinance and shall apply to all plumbing, drainage, and drain laying in the Town. Any future amendments, revisions, or modifications of Chapters ILHR 81-87, incorporated herein, are intended to be made a part of this Section.

Section 4. Wisconsin State Electrical Code Adopted.

Except as otherwise specifically provided in this Ordinance, the provisions of the Wisconsin Administrative Code, Chapters ILHR 16 and 17, are hereby adopted and by reference made a part of this Ordinance. Any future amendments, revisions, or modifications of Chapters ILHR 16 and 17, incorporated herein, are intended to be made a part of this Section.

Section 5. State Existing Buildings Code.

Except as otherwise specifically provided in this Ordinance, the Wisconsin Administrative Codes, Chapters Ind. 160-164, are hereby adopted and by reference made part of this Ordinance as if fully set forth herein. Any act required to be performed or prohibited by Chapters Ind. 160-164 of the Wisconsin Administrative Code incorporated herein by reference, is required or prohibited by this Section. Any future amendments, revisions, or modifications of Chapters Ind. 160-164 incorporated herein, are intended to be made a part of this Section.

Section 6. Certified Municipality Classification.

The Town of Geneva shall become a Certified Municipality as described in ILHR 50.21 of the Wisconsin Administrative Code, for the purpose of administering Chapters ILHR 50-64 accordingly.

Section 7. Building Inspector.

There is hereby created the position of Town Building Inspector, who shall administer and enforce this Ordinance, who shall be certified by the Department of Industry, Labor, and Human Relations as specified by Section 101.66(2), Wisconsin Statutes. Appointment of the Building Inspector shall be made by the Town Board.

Section 8. Building Permit Required (Adopted September 10, 2012)

- A. No person shall build or cause to be built, repaired or razed any one or two-family dwelling, any accessory building, commercial building, or any remodeling without first obtaining all required building permits for such construction or razing. Such building permits shall be furnished by the Town Building Inspector. The permits shall be filed with the appropriate fees with the Town Building Inspection Department.
- B. A building permit shall have lapsed and become void unless building operations are commenced or structure completely razed within six (6) months from the date thereon, said permit shall also lapse and become void if the structure is not completed, repaired or razed within two (2) years of the date of issuance of the permit.
- C. The Building Inspector may revoke the building permit by written notice at any time that he shall find that the above mentioned Ordinances, laws, orders, plans, and specifications are not being complied with.
- D. This Ordinance shall not be construed to require a permit for all repairs or minor alterations to:
 - 1. Residential Structures: Which do not, in the opinion of the Town Building Inspector, change or impact the occupancy, area, structural strength, fire protection, exits, insulation or other code regulated component.
 - 2. Commercial or Industrial Structures: Which do not, in the opinion of the Town Building Inspector, change the occupancy, area, structural strength, fire protection, exits, lights, ventilations of a building or other code regulated component.

- E. Any person feeling himself aggrieved by any order or ruling of the Building Inspector may appeal from such order or ruling to the Town Board within five (5) days after written notice of such order or ruling shall have been delivered to him in writing, setting forth the order or ruling appealed from an filed with the Town Clerk.

Section 9. Building Permit Fee.

The building permit fees shall be determined by the appointed Building Inspector or Building Inspection Agency and approved by the Town Board.

Section 10. Moving of Buildings. (See also Section 14 – Curb Edge Protection)

- A. Before granting a permit to move any building along, across, or upon a public highway or across land not the property of the owner of the building, the party applying therefor shall provide the Town with good and sufficient sureties to be approved by said Town Board, and saving the Town harmless from and indemnifying said Town from any claim or claims arising out of the movement of said building pursuant to such permit.
- B. Every permit to move a building shall designate the route to be taken and limit the time for removal. The removal of buildings shall be continuous all hours of the day and day by day if the Building Inspector and the Town Board orders, until completion with the least possible obstruction to the thoroughfares. Lighted lanterns shall be kept in conspicuous places at each end of the building during the night.
- C. No bond shall be required for the moving of a building from one location to another on the same premises, but such an operation will require a permit.
- D. This Ordinance adopts Walworth County Zoning Ordinance, Wisconsin Plumbing Code, and State Board of Health Laws.

Section 11. Minimum Structural Specifications.

No building erected in the Town of Geneva for dwelling purposes shall have a floor area of less than 960 square feet, exclusive of porches.

Section 12. House Trailers.

In so far as this provision does not conflict with the County Zoning Ordinance adopted by the Town, trailers shall at no time be permitted in a residential district, excepting, however, while a residence is in process of construction. As to this exception, the owner or building may occupy a house trailer upon the premises for a period of not to exceed twelve (12) months from the date of issuance of the building permit for the residence.

Section 13. Signs.

It shall be unlawful for anyone to post a sign or notice regarding a building permit until application has been made for the actual building permit.

Section 14. Curb Edge Protection. (Adopted April 14, 2014 Ordinance No. 76)

No person shall commence construction or razing of any building without first providing protection for the edge of the paved roadway and adjoining right-of-way from damage caused by the exiting and entering of the paved roadway of vehicles and other equipment to and from the adjoining property. Intended protection shall be submitted to and approved by the Town Building Inspector prior to the issuance of a permit required by the ordinance. Additional protection may not be required if the adjoining property is served by an existing driveway which, in the opinion of the Town Building Inspector, is adequate to protect the edge of the roadway and access to and from the adjoining property is limited to the existing driveway.

Section 15. Penalties. (Adopted April 14, 2014 Ordinance No. 76)

The Board shall provide for the enforcement of this Section and all other laws and ordinances relating to buildings by means of the withholding of building permits, imposition of forfeitures and injunctions and injunction action. Any person violating any of the provisions of this Ordinance shall, upon conviction, forfeit not less than Ten (\$10.00) Dollars nor more than Five Thousand (\$5,000.00) Dollars, together with the costs of prosecution thereof. It shall be the responsibility of the offender to abate the violation as expeditiously as possible, and each day that such violation is permitted to continue shall constitute a separate offense.

Section 16. Severability.

If any Section, Clause, Provision, or Portion of this Ordinance is adjudged unconstitutional or invalid by a Court of competent jurisdiction, the remaining provisions shall not be affected thereby.

Section 17. Effective Date.

This Ordinance, as amended, shall be effective upon passage or posting as provided by Law.

Adopted this 7th day of September, 1993.

THE TOWN BOARD OF THE TOWN OF GENEVA,
WALWORTH COUNTY, WISCONSIN

Richard Ploch, Chairman (Signature on File)

Kenneth W. Piantino, Supervisor (Signature on File)

Richard P. Behof, Supervisor (Signature on File)

ATTEST:

Warren Schinke, Clerk (Signature on File)