

**Town of Cadiz
Green County
Ordinance - Building Inspection**

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1.1 TITLE

This ordinance shall be known as the Building Inspection Ordinance of the Town of Cadiz, Green County, Wisconsin.

1.2 AUTHORITY

These regulations are adopted under the authority granted by §101.65, Wisconsin Statutes.

1.3 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 Uniform Dwelling Code.

1.4 SCOPE

The scope of this ordinance includes the construction and inspection of one- and two-family dwellings built since June 1, 1980, and new camping units as defined in Wis. Admin. Code § 327.08(9). Also included in the scope of this ordinance are any changes to the exterior dimensions of a residence.

1.5 WISCONSIN UNIFORM DWELLING CODE ADOPTED

The Wisconsin Uniform Dwelling Code, § SPS 320-325 and § SPS 327, and their successors, of the Wisconsin Administrative Code, and all amendments thereto, is adopted and incorporated by reference and shall apply to all buildings within the scope of this ordinance.

1.6 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, §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 Electrical, and UDC Plumbing. (**NOTE:** Contact the Division of Industry Services at (608) 266-2112 for certification information.)

1.7 BUILDING PERMIT REQUIRED

If a person alters a residence by adding onto a building or builds a new residence, within the scope of this ordinance, they shall first obtain a building permit for such work from the building inspector. Re-siding, re-roofing, finishing of interior surfaces and installation of cabinetry or mechanical equipment on existing buildings shall be exempted from permit requirements.

Any person desiring a permit required by this ordinance shall file an application on the State of Wisconsin Electronic Safety and Licensing application (eSLA). Alternatively, the form may be prepared in writing on a form to be furnished by the building inspector for that purpose. The town clerk may assist in transferring the application to eSLA, if desired. The application shall be made by the owner, the owner's agent, or the architect, engineer or builder employed in connection with the proposed work.

1.8 BUILDING PERMIT FEE

The building permit fees shall be determined by resolution of the town board and shall include the addition of the applicable fee per § SPS 302 to be forwarded to the Wisconsin Department of Safety and Professional Services for a UDC permit seal that shall be assigned to any new dwelling. Permit fees for a Wisconsin camping unit as outlined within Wis. Admin. Code § SPS 327.09 and inspection fees as outlined within Wis. Admin. Code § 327.10(3) will also be included in this resolution.

1.9 CERTIFICATE OF OCCUPANCY

It shall be unlawful for an owner to use or permit the use of any new residence until a certificate of occupancy shall have been issued by the building inspector. Such certificate shall show that the residence and the proposed use thereof are in conformity with the provisions of this ordinance and any other regulations of the town.

1.10 POWERS AND DUTIES OF BUILDING INSPECTOR

(A) **Enforcement.** The building inspector is hereby authorized and directed to enforce all of the provisions of this ordinance.

(B) **Right of entry.** The building inspector or his or her authorized representative may enter any building or structure during reasonable hours to perform his or her duties and responsibilities under this ordinance or to prevent violations of this ordinance, upon presentation of proper credentials.

(C) **Work stoppage.** Whenever any work is being done contrary to the provisions of this ordinance, or in an unsafe, unworkmanlike or dangerous manner, the building inspector may order the work stopped by notice in writing served on any person engaged in the doing or causing such work to be done, and any such person shall immediately stop such work until authorized by the building inspector to recommence and proceed with the work.

(D) **Unlawful use of building or structure.** Whenever any building or structure or portion thereof is being used or occupied contrary to the provisions of this ordinance, the building inspector shall order such use or occupancy discontinued, and the building or structure or portion thereof vacated, by notice served on any person using or causing such use or occupancy to be continued, and such person shall vacate such building or structure or portion thereof within 10 days after receipt of such notice, or make the building or structure or portion thereof comply with the requirements of this ordinance.

(I) **Failure to comply.** If at the expiration of the time as set forth in the first notice, the instructions as stated have not been complied with, a second notice shall be served personally upon the owner, his or her agent or the person in possession, charge or control of such building or structure or part thereof; stating such precautionary measures as may be necessary or advisable to place such building or structure or part thereof in a safe condition. Should the necessary changes not be made within 30 days after service of such second notice, the building inspector shall begin an appropriate action or proceeding at law or in equity to restrain, correct or remove such violations and compel compliance. In case of emergency or where such second notice has not been complied with, the building inspector may proceed with the work specified in such notice, and cause the cost of same to be paid and levied as a lien against the property.

1.11 PROHIBITIONS.

It shall be unlawful for any person to maintain, occupy or use a building or structure, or part thereof, that has been constructed, enlarged, altered or repaired in violation of this ordinance.

1.12 ZONING RESTRICTIONS

The restrictions of the county zoning regulations with respect to the location of trade and industries, the use and occupancy of buildings or structures, the height and bulk of buildings or structures, and the areas of yards, courts and other open spaces, shall not be considered modified by any provisions of this ordinance, and such restrictions shall be controlling except insofar as this ordinance imposes greater restrictions by reason of the type of construction used, in which case the provisions of this ordinance shall control.

1.13 PENALTIES

If a building permit is not obtained, the owner will have five working days from the date notice is received from the building inspector to obtain a building permit. After that time the building permit fees will double. The enforcement of this section and all other laws and ordinances relating to building shall be by means of the withholding of building permits, doubling of fees and injunctive action.

1.14 APPEAL FROM BUILDING INSPECTOR ORDER

Any person aggrieved by a decision of the building inspector may appeal the decision to the town board. A two-thirds vote of the supervisors shall be necessary to reverse the decision of the building inspector. The building inspector's decision shall be assumed to be correct if there is no evidence showing it to be incorrect.

1.15 REPAIRS TO BUILDINGS OR STRUCTURES; DAMAGED BUILDINGS OR STRUCTURES.

(A) Every building or structure shall be kept in good repair to maintain the conditions of safety and habitability prescribed by this ordinance.

(B) Every building or structure that may be damaged by fire or otherwise shall be examined by the building inspector before a permit is issued to repair or replace the same, and such parts of said building or structure as in his or her opinion are unsafe or damaged to an extent that will impair the safety of the reconstructed building or structure, shall be taken down.

1.16 UNSAFE BUILDINGS OR STRUCTURES.

(A) If a building or structure is or becomes dangerous or unsafe shall, unless made safe and secure, be taken down and removed.

(B) A building or structure declared structurally unsafe by the building inspector may be restored to safe condition; provided, that if the cost of reconstruction or restoration is greater than 50 percent of the assessed valuation of the building or structure exclusive of foundations, such building or structure, exclusive of foundations, if reconstructed or restored, shall be made to conform with respect to materials and type of construction to the requirements for construction of new buildings and structures.

(C) Upon receipt of information that a building or structure or part thereof is dangerous to life, health or adjoining property, by reason of bad conditions, defective construction, overloaded floors, decay, lack of guards against fire, general dilapidation or other cause, the building inspector shall make or cause to be made an inspection and if it is found that an unsafe condition exists, he or she shall serve or cause to be served on the owner or some one of the owners, executors, administrators, agents or lessees or other persons who may have a vested or contingent interest in the same a written notice containing a description of the building or structure found to be unsafe, a statement of particulars in which the building or structure is unsafe, and an order requiring the same to be made safe and secure or removed as in the judgment of the building inspector may be necessary; and he or she shall affix a notice of such order by placing a card with the inscription "This building cannot be used for human habitation, occupancy or use" in a conspicuous place on the outside wall of the building or structure, and no person shall remove or deface such notice. The owner or person upon whom such notice was served shall thereupon immediately cause the same to be made safe or to be removed, as ordered; and if any such building or structure is used for any purpose requiring a license, the building inspector may cause such license to be revoked until the building or structure is made safe to comply with the requirements of this ordinance.

(D) If the person served with a notice or order to remove or repair an unsafe building or structure shall fail, within a reasonable time, to comply with the requirements thereof, or where the public safety requires

immediate action, the building inspector may enter upon the premises, with such assistance as may be necessary, and cause the building or structure to be made safe or to be removed, and the cost of such work may be recovered by the town in an action against the owner or tenant or cause the same to be paid and levied as a lien against the property.

1.15 RECORDS

The building inspector(s) shall keep a log of all inspections completed and shall return all paperwork for each building permit to the municipal clerk.

1.16 EFFECTIVE DATE

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

Adopted this 10th day of November, 2021.

Kenneth Goodman

Kenneth Goodman, Jr, Chairman

Attested by the Town Clerk:

Karen A. Signer

Karen Signer, Town Clerk

This ordinance, as amended, was filed in the office of the Town Clerk and properly posted or published as required by law on the 12nd day of November, 2021.

Karen A. Signer

Karen Signer, Town Clerk

Addendum A

**Town of Cadiz
Green County, Wisconsin
BUILDING INSPECTION FEES**

New Residential Construction Fees:

Building permit	\$0.27 per square foot Minimum fee of \$450
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Alterations to Existing Buildings where the exterior dimensions are changed:

Building permit	\$0.27 per square foot on square footage of additions only Minimum fee \$450
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Deck permits	\$100
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Wisconsin Uniform Building Permit Seal	\$50 per seal (for new residences only)
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Residential plan review	\$100 single family \$200 multiple family
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Erosion control permits	\$100
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