

Chapter 15

BUILDING REGULATIONS



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15.01 Uniform Dwelling Code Adopted.

- (1) These regulations are adopted under the authority granted by Wis. Stat. §101.65.
- (2) The Wisconsin Uniform Dwelling Code, Chapters SPS 320-325 of the Wisconsin Administrative Code, and all amendments thereto are adopted and incorporated by reference and shall apply to all new buildings and additions or modifications to existing buildings within the village.
- (3) **Building Inspector.** There is hereby created the position of building inspector who shall administer and enforce this section and shall be certified by DILHR, as specified by Wis. Stats. §101.66(2) in the category of Uniform Dwelling Code Construction Inspector.
- (4) **Electrical Inspector.** The electrical inspector shall be a person who is skilled in the installation, planning, designing, superintending and inspection of electrical wiring and equipment, and who shall have had at least six years of practical experience as a journeyman wireman and is well versed in approved methods of electrical construction providing for safety to life and property, and the laws and ordinances pertaining thereto. The electrical inspector shall make all inspections required under the provisions of this chapter of all electrical wiring and equipment.
- (5) **Heating and Ventilating Inspector.** The heating and ventilating inspector shall be a person who is skilled in the installation, planning, designing, superintending and inspection of heating and ventilating equipment and systems and who shall have had at least six years of practical experience in the construction and installation, planning and designing of heating and ventilating systems and is well

versed in approved methods of heating and ventilating construction providing for safety to life and property, and the laws and ordinances pertaining thereto. The heating and ventilating inspector shall make all inspections of heating and ventilating systems and equipment.

- (6) **Plumbing inspector.** The plumbing inspector shall be a person who is skilled in the installation, planning, designing, superintending and inspection of plumbing systems and equipment, and who shall have had at least six years of practical experience as a journeyman plumber and is well versed in approved methods of plumbing construction providing for safety to life, health and property, and the laws and ordinances pertaining thereto. The plumbing inspector shall make inspections of all plumbing system construction and plumbing equipment installation.
- (7) **Inspections.** The designated inspectors appointed hereunder shall make the inspections required under this chapter and shall have the right to enter any buildings during reasonable hours in the discharge of their duties. Each inspector shall have the authority to cause the termination of any construction, maintenance work, repairs, or the installation of equipment and shall have the authority to cause the disconnection of any system or equipment or may order the use of the same discontinued where, in his judgment, the same is dangerous to life, property, health, may interfere with the work of the fire department, or may create a public hazard.
- (8) **Appointment of Inspectors.**
 - (a) All inspectors shall be appointed under the provisions of section 1.03(j) of the municipal code.
 - (b) Inspectors' positions may be combined.
 - (c) The building inspector shall perform all administrative tasks required by the department under the uniform dwelling code.
 - (d) The building 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 building inspector or the inspector's agent while in the performance of the inspector's duties.

15.02 Permits Required.

- (1) **General Permit Requirements.**
 - (a) No person shall alter, in excess of \$500 value in any 12 month period, build, or add onto any building within the scope of this chapter without first obtaining a building permit for such work from the building inspector.
 - 1. Any structural changes or major changes to mechanical systems that involve extensions shall require permits.

2. Restoration or repair of an installation to its previous code-compliant condition as determined by the building inspector is exempted from these permit requirements.
 3. Finishing of interior surfaces and installation of cabinetry shall be exempted from these permit requirements.
- (b) No building, electrical, heating and ventilating or plumbing work shall be performed in the village unless all necessary permits required under this chapter are obtained.
- (2) **Payment of Fees.**
- (a) Building permit fees shall be as determined from time to time by resolution of the village board.
 - (b) All permit fees shall be paid to the village treasurer before the building inspector or other designated inspector shall issue to the owner or owner's agent, a building, electrical, heating or plumbing permit.
- (3) **Application.** Application for a building permit shall be made in writing upon a form furnished by the building inspector and shall state the name and address of the owner of the land, and also the owner of the building, if different, the legal description of the land upon which the building is to be located, and shall contain such other information as the building inspector may require for effective enforcement of this section.
- (4) **Permit Lapses.** Building, heating and ventilating permits shall lapse and be void unless operations under such permits are commenced within six months from the date of issuance thereof. Electrical permits shall lapse and be void unless installation of electrical wiring has commenced within twelve months from the date of issuance thereof.
- (5) **Revocation.** If the building inspector or other designated inspector shall find at any time that any ordinance, law, order, plan or specification is 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 violated permit by written notice posted 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 or other issuing 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 life and safety of property.
- (6) **Report of Violations.** It shall be the duty of all police officers to report at once to the building inspector or designated inspector any building, electrical, heating or plumbing work which is being carried on without a permit as required by this chapter.
- (7) **Records.** The building inspector shall keep a record of all permits, fees, and inspections and shall make an annual report thereon to the village board.

15.03 Electrical Code.

- (1) THIS SECTION WAS DELETED.
- (2) **State Electrical Code Applies.**
 - (a) Wisconsin Administrative Code SPS 316 is hereby adopted by reference and made part of this chapter and shall apply to the construction and inspection of new buildings and additions or modifications to existing buildings within the village.
- (3) **Permits.**
 - (a) Before any electrical wires or electrical apparatus shall be installed for lighting or power purposes, or any electrical construction work done, except minor repair work, a permit therefor shall be obtained from the electrical inspector by a licensed electrician. The application shall describe the proposed installation or work and give the location of the premises where same is to be performed. No permit shall be issued unless satisfactory proof is furnished to the electrical inspector upon his request that the applicant has been employed to perform the work or installation and will be responsible for the performance thereof in the manner required by this code and by law; nor unless proof be submitted that the applicant has paid the fees herein required.
 - (b) Repair work shall be construed to mean the replacement of broken or defective sockets, snap, push or toggle switches, convenience outlets and portable electrical appliances.
 - (c) Changes in any electrical work or in any electrical equipment after the issuance of the permit hereunder shall be approved by the electrical inspector before any work thereon or installation thereof is commenced. If such alterations increase the permit fees, any such additional fee shall be paid before a final certificate of inspection is issued.
 - (d) In cases of emergency, work may be started before a permit is issued provided the electrical inspector's office is notified the same day such work is started.
 - (e) A permit shall be required for the installation of any outlet and any electrical wiring for use on any circuit including wiring for so-called low voltage wiring for control of heating, ventilating, cooling, lighting, signal and communication equipment, excepting signal systems, operated by, and/or in conjunction with communications systems installed and maintained by a public utility.
- (4) **Inspections.**
 - (a) It shall be unlawful to connect the electrical wiring and equipment of any building to any electrical supply lines or to turn on the current, unless a certificate of inspection has been issued by the electrical inspector, and it shall be the duty of the electrical utility supplying electrical service to any

building to secure a copy of the certificate of inspection from the electrical inspector before supplying service to such building.

- (b) Upon the completion of the construction and installation of the electrical wiring and equipment of any building, it shall be the duty of the firm, person, or corporation doing the same to notify the electrical inspector who shall inspect the installation within twenty-four hours of the time such notice is given; and if the installation is found to be in compliance with the provisions of this chapter the inspector shall issue a certificate of inspection authorizing connection to the electrical service and the turning on of the current. All wires which are to be concealed shall be inspected before the concealment, and no other craft shall cover up or conceal such wires until the installation has been inspected and approved and officially tagged to this effect by the electrical inspector.
 - (c) All notifications for inspections must be made at the office of the electrical inspector not later than 4:30 pm of the day before the inspection is desired.
 - (d) No certificate of inspection shall be issued by the electrical inspector unless the electrical wiring and equipment for light, power, heat or other similar purposes is safe both with respect to life and fire hazard, and is in strict conformity with the village code, the statutes of the State of Wisconsin, and the general or specific orders of the industrial commission of the State of Wisconsin adopted under authority of the statutes.
 - (e) A copy of the final certificate of inspection together with any inspection reports shall be filed with the building inspector who shall report annually to the village board listing such inspections and the fees collected for this work.
- (5) **Permit and Inspection Fees.** The fees to be charged for permits under this section shall be as set from time to time by resolution of the village board.
- (6) **Contractors to Be Licensed.** No person may engage in the business of installing, repairing, or maintaining electrical wiring unless the person is licensed as an electrician by the Department of Safety & Professional Services. The electrical inspector may, however, issue a permit to the owner only for single-family residence, which he and his immediate family solely occupy, if the person desiring such permit does such work in conformity with all rules and regulations governing installation of electrical wiring in residence, and such person shall pay the same fee as required of electrical contractors. The electrical inspector may issue a permit to conduct low voltage work providing the person desiring such permit does such work in conformity with all rules and regulations governing installation of electrical wiring in the type of structure in which the same is to be installed. This section, however, shall not apply to the servicing of electrical appliances by the manufacturer or its duly authorized service representative.

15.04 Heating, Ventilating and Air Conditioning Code.

- (1) **State Mechanical Code Applies.**

- (a) Wisconsin Administrative Code SPS 364 is hereby adopted by reference and made part of this chapter and shall apply to the construction and inspection of all new buildings and additions or modifications to existing buildings within the village.

(2) Permits.

- (a) Before any heating or ventilating system or apparatus therefor shall be installed or any heating or ventilating construction work done, except minor repair work, a permit therefor shall be obtained from the heating and ventilating inspector. The application shall describe the proposed installation or work and give the location of the premise where the same is to be performed. No permit shall be issued unless said proof is furnished to the heating and ventilating inspector upon the inspector's request that the applicant has been employed to perform the work or installation and will be responsible for the performance thereof in the manner required by this code and by law; nor unless proof be submitted that the applicant has paid the fees herein required.
- (b) Repair work shall be construed to mean the replacement of defective equipment or existing facilities with similar equipment or facilities not in excess of \$50.00 in cost.
- (c) Changes in any heating or ventilating system or in any equipment a part thereof, after the issuance of the permit hereunder shall be approved by the heating and ventilating inspector before any work thereon or installation thereof is commenced. If such alterations increase the permit fees, any such additional fees shall be paid before a final certificate of inspection is issued.
- (d) In cases of emergency, work may be started before a permit is issued provided the heating and ventilating inspector's office is notified the same day such work is started.

(3) Inspections.

- (a) It shall be unlawful to connect any heating or ventilating system or equipment to any source of power or fuel unless a certificate of inspection has been issued by the heating and ventilating inspector, and it shall be the duty of any utility supplying power or fuel to any building to secure a copy of the certificate of inspection from the heating and ventilating inspector before supplying service to the building.
- (b) Upon the completion of the construction and installation of any heating or ventilating system or equipment in any building, it shall be the duty of the firm, person, or corporation doing the same to notify the heating and ventilating inspector who shall inspect the installation within twenty-four hours of the time such notice is given; and if the installation is found to be in compliance with the provisions of this chapter, he shall issue a certificate of inspection authorizing the connection to the appropriate

power or fuel service and the turning on of the same. All parts of any system or any equipment which is to be concealed shall be inspected before concealment, and no other craft shall cover up or conceal such before the installation has been inspected and approved and officially tagged by the heating and ventilating inspector.

- (c) All requests for inspection must be made at the office of the heating and ventilating inspector not later than 4:30 pm the day before the inspection is desired.
 - (d) No certificate of inspection shall be issued by the heating and ventilating inspector unless the heating and ventilating system and/or equipment is safe both with respect to life and fire hazard and is with strict compliance with the code of the village, the statutes of the State of Wisconsin and the general or special orders of the industrial commission of the State of Wisconsin adopted under authority of the statutes.
 - (e) A copy of the final certificate of inspection together with any inspection reports shall be filed with the building inspector who shall report annually to the village board listing such inspections and the fees collected for this work.
- (4) **Permit and Inspection Fees.** The fees shall be set from time to time by resolution of the village board.
- (5) **Mechanics and Installers to Be Licensed.** No person, either individually, as a member of a firm, or as an officer or employee of a corporation shall install, alter or repair any heating or ventilating equipment or systems except those employees working for an authorized licensee, unless such person shall have a license issued by the City of Madison under the provisions of chapter 30 of the municipal code of the City of Madison or its subsequent amendments. The heating and ventilating inspector may, however, issue a permit to conduct such work providing the person desiring such permit can prove that he is competent to do such work in conformity with all rules and regulations governing the installation of heating and ventilating systems and equipment in the type of structure in which the same is to be installed. This section, however shall not apply to the servicing of heating or air conditioning equipment by the manufacturer or its duly authorized service representative.

15.05 Plumbing Code.

- (1) **State Plumbing Code Applies.**
 - (a) Wisconsin Administrative Code SPS 380-386 is hereby adopted by reference and made part of this chapter and shall apply to the construction and inspection of new buildings and additions or modifications to existing buildings within the village.
- (2) **Permit.**
 - (a) No plumbing or drainage of any kind shall be installed or altered except

minor repair work, without first securing a permit therefore from the plumbing inspector. The application shall describe the proposed plumbing or drainage to be installed or altered and give the location of the premise where the same is located or to be performed. No permit shall be issued unless proof is furnished to be plumbing inspector, upon the inspector's request, that the applicant has been employed to perform the work or installation and will be responsible for the performance thereof in the manner required by this code and by law, nor unless proof be submitted that the applicant has paid fees herein required.

- (b) Repair work shall be construed to mean repairs necessary to prevent leakage or to alleviate stoppage provided that the same shall not involve the installation of any additional pipes or equipment in excess of \$50.00 in cost.
- (c) Changes in any plumbing or drainage system or in any equipment a part thereof, after the issuance of the permit hereunder, shall be approved by the plumbing inspector before any work thereon or installation thereof is commenced. If such alterations increase the permit fees, any such additional fee shall be paid before a final certificate of inspection is issued.
- (d) In case of emergency, work may be started before a permit is issued, providing the plumbing inspector's office is notified the same day such work is started.

(3) Inspection.

- (a) It shall be unlawful to connect any plumbing or drainage system or equipment to a source of water or to any sewer or drain unless a certificate of inspection has been issued by the plumbing inspector and it shall be the duty of any utility supplying water or sewerage mains to any building to secure a copy of the certificate of inspection from the plumbing inspector before supplying water or connecting any drains to such building.
- (b) Upon the completion of the construction and installation of any plumbing or drainage system or equipment in any building, it shall be the duty of the firm, person, or corporation doing the same to notify the plumbing inspector who shall inspect the installation within twenty-four hours of the time such notice is given; and if the installation is found to be in compliance with the provisions of this chapter, the inspector shall issue a certificate of inspection authorizing the connection of said system to the appropriate source of water or drain and the use of the same. All parts of any system or any equipment which is to be concealed shall be inspected before concealment and no other craft shall cover up or conceal such before the installation has been inspected and approved and officially tagged by the plumbing inspector.
- (c) All requests for inspection must be made at the office of the plumbing inspector not later than 4:30 pm the day before the inspection is desired.

- (d) No certificate of inspection shall be issued by the plumbing inspector unless the plumbing or drainage system and/or equipment is safe with respect to health and property safety and is in strict compliance with the code of the village, the statutes of the State of Wisconsin and the general or special orders of the industrial commission of the State of Wisconsin adopted under authority of the statutes.
 - (e) A copy of the final certificate of inspection together with any inspection reports shall be filed with the building inspector who shall report annually to the village board listing such inspections and the fees collected for this work.
- (4) **Permit and Inspection Fees.** The fees for a plumbing permit shall be set from time to time by resolution of the village board.
- (5) **Plumbers to Be Licensed.** The license requirements under the provisions of Wis. Stats. §145.06 shall be met by persons engaging in plumbing in the village.
- (6) **Permit to connect with public sewer system.**
 - (a) No person, firm or corporation shall open any street or other public place for the purpose of connecting to a sewer lateral or other terminal, lay any building sewer or drain public or make any attachment or extension to any old drain or building sewer or do any kind of work whatsoever in connection to any building except repairs, without first obtaining from the village engineer a written permit to connect with the public sewer system according to section 14.04(2) of this code.
 - (b) Such permit shall be granted only upon written application by a licensed master plumber, authorized by the owner of the premises or the owner's agent, desiring to make such connection, extension or alteration, stating the name of the owner, and that the owner and such master plumber will be bound by and be subject to all the rules and regulations prescribed by the village board, and giving the exact location of the premises, stating the purpose for which the connection, extension or alteration is to be used and the time when the work is to be done, and all other particulars in respect thereto.
 - (c) No work of laying building sewers or storm drains shall be commenced or continued without the required permit to connect with the public sewer system being on the premises and in the hands of the master plumber or one employed by him.
- (7) **Grease Interceptors.**
 - (a) *General* All plumbing installations for occupancies where grease, fats, oils or similar waste products are introduced into the drain system, other than dwelling units, shall be provided with grease interceptors in accordance with this subsection. All drains and drain piping carrying oil, grease or fats shall be directed through one or more interceptors specified in

sections (b), (c) and (d).

- (b) *New Plumbing Systems* Notwithstanding the State Plumbing Code, all new plumbing systems which discharge grease, fats, oils or similar waste products into public sewers or private onsite wastewater treatment systems, other than plumbing systems for dwelling units, shall be provided with one or more exterior grease interceptors.
- (c) *Altered or Remodeled Plumbing Systems.* Notwithstanding the State Plumbing Code, all existing plumbing systems that discharge to public sewers or private sewerage systems and that receive or carry grease, fats, oil or similar waste products, other than plumbing systems for dwelling units, which are altered or remodeled as to that part of the plumbing system with discharges from kitchens or food processing areas, shall be provided with on or more exterior grease receptors.
- (d) *Existing Installations* The Village Administrator may require the installation of interior or exterior grease receptors or both, for existing plumbing installations where the waterway of a drain system, sewer system or private onsite wastewater treatment system is reduced or filled due to congealed grease, or where congealed grease otherwise impairs the proper functioning of the system.
- (e) *Exterior Grease Interceptors* Exterior grease interceptors shall receive the entire waste discharge from kitchens or food processing areas. All exterior interceptors shall be designed, constructed and installed in accordance with the standards contained in Wisconsin Administrative Code committee 82.34(5)(b).
- (f) *Prohibited Treatment.* The introduction of grease or fat emulsifiers, chemicals, enzymes, live bacteria or other grease cutters or additives into a grease interceptor is prohibited.

15.06 Flammable Liquids.

The Wisconsin Administrative Code, Chapter IND 8 (Flammable Liquids Code), issued by the industrial commission of the State of Wisconsin, is hereby adopted by reference as a part of this chapter, and it shall be the duty of the building inspector to enforce the provisions thereof.

15.07 Fire Code.

(1) General Provisions.

(a) Adoption of Standards.

1. City of Madison General Ordinances. Except as expressly provided in this section, City of Madison General Ordinances (MGO) Chapters 34 and 40, and as they may be amended, are hereby adopted and incorporated by reference in this Code. Sections 34.01(10) and (11), MGO are not adopted.

2. Other Standards.

- a. The National Fire Protection Association standards, International Fire Code sections, Wisconsin State Statutes, and Wisconsin Administrative Code sections adopted in Chapters 34 and 40, MGO, including but not limited to the following, are adopted:

SPS 314 – Fire prevention
SPS 318 – Elevators, escalators and lift devices
SPS 361 – Administration and enforcement
SPS 362 – Building and structures
SPS 364 – Heating, ventilating, and air conditioning
SPS 365 – Fuel gas appliances
SPS 366 – Existing buildings.

- b. To the extent that any of the foregoing codes and standards in subsection a. have been modified by Chapters 34 and 40, MGO, such codes and standards are adopted as modified by Chapters 34 and 40, MGO.

(b) *Authority of the City of Madison Fire Chief.* The Chief of the Madison Fire Department and the Chief’s designee is authorized to issue permits, licenses, and notices or orders to correct violations pursuant to this section and any other Village ordinances relating to fire prevention, and to take any other action to enforce this section that he or she could take to enforce Chapters 34 and 40, MGO.

(c) *Interpretation.* In their interpretation and application, the provisions of this section shall be held to be minimum requirements liberally construed in favor of the Village and for the utmost protection of public health and safety and shall not be deemed a limitation on or repeal of any other power granted by state law.

(2) **Definitions.** For the purposes of this section, the following terms used in City of Madison General Ordinances (MGO) Chapters 34 and 40 are defined as follows:

(a) “Citizens of Madison” shall also mean Citizens of the Village of Shorewood Hills.

(b) “City” shall also mean the Village.

(c) “City of Madison” shall also mean the Village of Shorewood Hills. Notwithstanding the foregoing, where a provision of Chapters 34 or 40, MGO requires payment of a fee to the City of Madison, the fee shall be paid to the City of Madison.

(d) “City Clerk” shall mean the City Clerk of the City of Madison, not the Village Clerk of the Village of Shorewood Hills.

15.09 Fire Protection Area.

The general fire limits of the village shall be coincident with the limits of the village.

15.10 Permits and Site Surveys Required.

(1) General Permit Requirements.

- (a) A permit issued by the Village Zoning Administrator with fees paid is required prior to grading and filling on property involving in excess of ten cubic yards of soil and for all building demolitions.
- (b) Applications for demolition and/ filling and grading permits shall require that a boundary and contour survey on the lot be performed at one foot intervals across the entire property.

 - 1. In addition to the contour survey, spot elevations to the nearest one foot on key features such as building corners, floor elevations, walls, drainage swales, berms or other permanent land features. Elevations in other areas shall be shown utilizing a twenty-five foot grid pattern across the lot.
 - 2. Surveys shall note existing basement elevations and first floor elevations, lowest exposed elevation and note any accessory structures on the lot including elevations.
 - 3. Abutting street elevations across the entire frontage of the lot.
 - 4. Locations and elevations two feet into the roadway, sidewalks and utilities such as storm water, sanitary sewer, water mains, gas mains overhead and buried electric cable and telephone.
 - 5. All impervious areas such as driveways, walks and patios shall be located and elevations noted.
 - 6. Surveys shall be based on valid North American Vertical (NAV 88) datum and benchmarks and shall be produced at a recognizable scale no higher than 1" = 40' and should contain the date of survey, a north arrow, name and address of applicant, surveyor and surveyor's seal. Horizontal datum shall be based on the Dane County coordinate system.
- (c) A completed application shall also include a comprehensive site erosion control plan prepared to meet the performance standards of the Dane County erosion control storm water management ordinance and Village of Shorewood Hills storm water management and erosion control ordinances whichever is more stringent.

- (2) **Payment of Fees.** This permit is \$350.00 payable upon submission of application.

15.12 Appeals.

Whenever the fire chief or building inspector disapproves an application or refuses to grant a permit, or when it is claimed that the provisions of this code do not apply or that the true intent

and meaning of the code have been misconstrued or wrongly interpreted, any person or persons feeling aggrieved by such order or determinations may appeal to the board of appeals. Those procedures customarily used to effectuate an appeal to the board of appeals shall apply.

15.25 Penalty.

- (1) The fire chief may issue citations for violations of any provision of this code of ordinances. Persons cited under this provision are subject to penalties as provided in the general penalty provisions of the Village of Shorewood Hills code of ordinances. The fire chief shall also have the power granted under section 24.06 of this code and under state law to abate violations of the fire code which constitute public nuisances.
- (2) In addition to the other penalties and the revocation provisions stated herein, a penalty as prescribed by 31.05 of this code may be imposed.