

## CHAPTER 43

### BUILDING INFORMATION PERMIT

#### SECTION 1 – TITLE AND PURPOSE

The purpose of this ordinance is for the Town to have information regarding the type, size, and location of all buildings and structures constructed, reconstructed, remodeled, removed, or demolished after the effective date of this ordinance.

#### SECTION 2 – AUTHORITY

The Town Board of the Town has the authority under s. 60.61, Wis. Stats., and general authority under its powers under s. 60.22, Wis. Stats., to adopt this ordinance.

#### SECTION 3 –DEFINITIONS

In this ordinance:

- A. “Building” means any building or structure and any installation, construction, reconstruction, or remodeling, enlargement, alteration, removal, or demolishing of a building or structure within the Town, including but not limited to one- and two-family dwellings, manufactured homes, mobile homes, temporary or seasonal dwellings, garages, agricultural structures, and outbuildings.
- B. “Mobile Home” means a manufactured home that is HUD certified and labeled under the National Mobile Home Construction and Safety Standards Act of 1974. A mobile home is a transportable structure, being eight (8) feet or more in width (not including the overhang of the roof), built on the chassis and designated to be used as a dwelling with or when connected to the required utilities.
- C. “Owner” means any person having a legal or equitable interest in a building. “Owner” does not include any person whose legal or equitable interest in a building is a security interest derived solely from the extension of credit to permit construction or remodeling of the building or purchase of the building by a third party.
- D. “Town” means the Town of Auburn, Chippewa County, Wisconsin, and includes the Town’s officers, employees, and agents when appropriate.
- E. “Town Board” means the Board of Supervisors for the Town of Auburn, or any person designated to act for the Town Board.
- F. “Town Clerk” means the Clerk of the Town of Auburn or his or her deputy or agent.

- G. "Wis. Stats." means the Wisconsin Statutes, as currently adopted and including successor provisions.

#### **SECTION 4 – REQUIREMENT FOR BUILDING INFORMATION PERMIT**

The owner of any building or structure in the Town, unless exempt under this ordinance, who constructs, installs, remodels, reconstructs, enlarges, alters, removes, or demolishes any Building within the Town shall seek and obtain from the Town a Town Building Information Permit prior to commencing, or causing the commencement of any construction, installation, remodeling, reconstruction, enlargement, altering, removing, or demolishing of any building.

#### **SECTION 5 – EXEMPTIONS FROM PERMIT REQUIREMENT**

The requirement in Section VI to obtain a Town Building Information Permit shall not apply to any of the following:

- A. Buildings or structures owned by the Town.
- B. Additions, remodeling, reconstruction, enlargement, or alterations to Buildings, when the cost of the work, including labor, shall be less than \$1,000.00 within a 12-month period.
- C. The restoration or repair of building equipment, such as furnaces, central air conditioners, water heaters, and similar mechanical equipment and building repairs (such as new roofing), without the alteration of or addition to the building or structure.
- D. Fences or other similar enclosures.
- E. New Buildings of less than 200 square feet.

#### **SECTION 6 – OTHER REQUIREMENTS REMAIN APPLICABLE**

The issuance of this Town Building Information Permit does not relieve the owner from any of the following:

- A. Obtaining any permit that may be required by any other state law or local ordinance, including but not limited to any of the following:
  - 1. County sanitary permits.
  - 2. Town, county, or state driveway permits.
  - 3. State one- and 2-family dwelling code permits.

4. Any other applicable permit under Town or county ordinance or state law.

B. Complying with any other requirement, ordinance, or law, including, but not limited to those governing zoning, subdivision, land division, and setbacks.

#### **SECTION 7 – TOWN BUILDING PERMIT FORM, ISSUANCE AND FEE**

The Town Board is authorized to approve by resolution a Town Building Information permit form, designate the person or persons authorized to issue the permits, and establish a fee for issuance of the permits.

A. The fees for new structures and for altering an existing structure can be found in Ordinance Chapter 80, “Schedules and Fees and Forfeitures”. Each structure shall require a separate fee.

B. All three Town Board members shall approve or deny each application in writing within 30 days after the date of filing. Any application not acted on in a timely manner shall be deemed denied.

C. Applications for building permits shall be made to the Town of Auburn through the Town Board members on forms furnished by the Town and shall include the following:

1. The name and address of the applicant; the owner of the lot; the builder or contractor or architect or engineer.

2. A copy of the deed, real estate tax record or other similar evidence confirming applicant’s ownership of the property. If the applicant is not the owner, then the applicant shall describe the capacity in which the applicant is appearing and provide written authorization from the owner of record.

3. A plat of survey, certified survey and/or a subdivision plat map that is determined by the Town Board or its designee, to be sufficient to identify the boundaries of the property and show the location of the property in relation to adjacent lands.

4. A description of the proposed site for the structure, including a location sketch showing the size of the lot or parcel involved, the exact location, and the proposed use to be made of the structure.

5. Existing public highways and other access routes to the property and the building site. Proper access requires direct access to a public highway via a driveway with a driveway permit issued in accordance with the Town’s Driveway Permit Ordinance. Field roads are not acceptable access to residential properties.

6. Permits for the adequate and safe private sewage disposal system or plans to hook up to a public systems, which approximate date of its completion

7. The proposed manner in which an adequate and safe supply of water will be provided and the approximate date of its completion.

8. Such additional information as the Town Board may from time to time require.

9. If the dwelling is a mobile home, the following additional information is required: the manufacturer, model number, date of manufacture, the size of the mobile home, and a certificate of inspection by the Town Board or its authorized representative who shall inspect the mobile home before it is installed to insure that it is in good repair and does not present any hazards

to health or safety. The inspection requirement is waived for new mobile homes.

9. Such additional information as the Town Board may, from time to time, require.
- D. The building permit shall expire two years from the date it is issued unless substantial work has been completed.
- E. A permit issued as a result of any false or misleading statement contained in the application for the permit shall be null and void.
- F. Failure to comply with any condition stated on a permit shall be violation of this ordinance.

## **SECTION 8 – PERMIT REQUIREMENTS**

No permit shall be issued for:

1. The erection or placement of any Building on any lot or parcel that does not comply with the minimum lot size required under separate Town ordinances.
2. The erection or placement of any Building closer than 50 feet from the boundary line of adjoining properties.
3. The erection or placement of any Building closer than 80 feet from the center of any public road.
4. The erection or placement of any Building unless the entire sewage disposal system for use on the property, including the septic tank and drain field, is at least 50 feet from any boundary of the lot or parcel.
5. The placement of any Mobile Home on any lot or parcel unless the Mobile Home complies with the requirements of the National Manufactured Home Construction and Safety Standards Act (42 U.S.C. §§ 5401 to 5426) and Chapter 101 of the Wisconsin Statutes.

## **SECTION 9 – MOBILE HOME REQUIREMENTS**

All Mobile Homes located in the Town shall comply with the following requirements:

- A. Except as provided herein, all Mobile Homes shall be permanently affixed to the real estate so as to be an integral part thereof, using one of the following methods:
  1. Footings: Concrete footings not less than 12 inches in diameter shall be placed not more than 10 feet apart and installed to a depth of not less than

48 inches below the surface of the ground. A support pier that is either cylindrical in shape or 8 inches by 6 inches in size shall be placed upon each footing, but not less than 10 feet apart and the Mobile Home shall be held fast to the piers by anchors at its four corners.

2. Slab: A concrete slab not less than 4 inches thick, and the width and length of the Mobile Home shall be placed on the surface of the ground, and the Mobile Home shall be held fast to the slab by anchors at its four corners.
- B. Except as provided herein, no Mobile Home shall be transported to or placed or stored on any lot or parcel or on any street or highway within the Town or used or occupied by any person until footings and well and sanitary sewage systems shall be first installed, inspected and found to be in compliance with the provisions of this ordinance.
  - C. Skirting made of metal, wood, fiberglass, or other suitable material that is compatible in appearance with the Mobile Home's exterior shall be installed and maintained so as to cover the space between the bottom of the Mobile Home and the surface of the ground or slab and extend around the Mobile Home to its complete length and width.
  - D. The Mobile Home site shall be inspected to verify proper installation of the footings, if that method is used, to determine that the foundation, the septic and the well have been properly installed. A final inspection shall be performed to determine that the Mobile Home has been properly anchored. The inspector shall be approved by the Town and the cost of inspection paid by the owner of the lot or parcel.
  - E. Footings shall not be installed until the excavation of the footings has been inspected. The owner of the lot or parcel on which the Mobile Home is intended to be placed shall notify the inspector not less than 24 hours before the installation of the concrete footings.
  - F. A Mobile Home may be placed on a lot or parcel for which a building permit has been issued and may be occupied by the owner of such lot or parcel for a period of time not to exceed two years from the date of the permit without complying with the requirements of paragraph A of this section, provided that a permanent building is in the construction process.

## **SECTION 10 – PENALTIES**

Any person that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than \$100.00, nor more than \$2,500.00, plus the applicable surcharges, assessments and costs for each violation. Each day a violation exists or

continues constitutes a separate offense under this ordinance. In addition, the Town Board may seek injunctive relief from a court of record to enjoin further violations.

## **SECTION 11 – SPECIAL ASSESSMENT**

Should any driveway or highway access be constructed in violation hereof and the owner of the parcel refuses or neglects to correct the same within thirty (30) days of notice being sent to the record owner, then, in that event, the Town may enter on the premises without further notice and correct any violations found. The costs of said corrections shall be chargeable against the owner and may be assessed against and collected from the affected real estate as a special assessment or special tax. This remedy is in addition to all other available under this ordinance or otherwise provided for by law.