

## CHAPTER 42

### BUILDING ORDINANCE

#### SECTION 1. PURPOSE

The purpose of this ordinance is to provide for the orderly growth and development of the Town of Auburn, and the enhancement of health, safety, and general welfare of the public:

#### SECTION 2. MINIMUM SUBDIVISION REQUIREMENTS

All subdivisions within the Township of Auburn, in addition to meeting the requests of *Wis. Stat.* Chapter 236, as amended from time to time, and any Chippewa County subdivision ordinance, shall meet the following minimum requirements:

1. Access to each lot shall be provided from a public street or highway by the Real Estate Developer or person submitting the subdivision plat, or the seller of the property.
2. Any access road or driveway constructed must comply with the terms of the Township of Auburn Driveway Ordinance.
3. All streets and highways in such plats shall be of comparable width, but in no event less than four (4) rods wide, to other streets and highways in the general area. All new roads shall be surfaced with a minimum of six (6) inches of gravel and bituminous surfacing.
4. The minimum lot size for all lots shall be five acres. Any parcel less than five (5) acres previously owned prior to the ordinance may be issued a building permit. However, a parcel under five (5) acres totally, that was created before this ordinance, must be sold in its entirety and may not be further subdivided.

#### SECTION 3. ALTERATIONS AND IMPROVEMENTS

No building shall hereinafter be erected, placed upon, converted, enlarged; or structurally altered to the extent of increasing the square foot interior area of said building or structure without first obtaining a building permit.

1. No permit shall be issued for the erection or placement of more than one (1) single family dwelling on any five (5)-acre parcel or lot with no more than four (4) dwellings on a forty (40)-acre parcel. Parcels created by an instrument recorded prior to this ordinance are exempt from this restriction.

2. No dwelling shall be erected or placed upon any parcel or lot of less than five (5) acres in size. Smaller parcels created by an instrument recorded prior to this ordinance are exempt from this restriction.

#### **SECTION 4. APPLICATIONS FOR BUILDING PERMITS**

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.

#### **SECTION 5. PERMIT FEES**

The application for the building permit, when filed, shall be accompanied by a fee for new dwelling construction and a fee for additions onto existing dwellings. *See Fee Schedule* adopted by resolution of the Town Board. State building permits or inspection fees for building code inspections as mandated by the State as of May 1980, are separate additional charges.

An application for a building permit shall be granted or denied in writing by the Town Board within thirty (30) days after the date of filing thereof.

The permit shall expire within two (2) years from the time it is issued unless substantial work has been completed. Any permit issued as a result of any false or misleading statement made in the application for the permit shall be null and void.

No permit for the erection of a dwelling or the placement of a dwelling on any premises shall be granted unless the building shall be of a size of not less than 720 square feet. No permit for a structure to be used as a dwelling shall be granted unless the lot of area upon which the same is to be placed is at least five (5) acres or has been platted prior to the adoption of this ordinance subject to the requirements of Section 2 D.

#### **SECTION 6. SETBACK RESTRICTIONS**

No permit shall be granted for the erection or placement of any structure closer than fifty (50) feet from the boundary line of adjoining properties, nor shall such permit be granted unless the entire sewage disposal system, including the septic tank and rain field, for the use of said premises is at least 50 feet from the lot line of the applicant.

The structure must be 80 feet minimum from the center of a public road.

#### **SECTION 7. HEALTH, SAFETY, AND ENVIRONMENTAL RISKS**

No permit shall be issued if the proposed location of the building or structure shall increase the fire hazard of the area or if the building or structure is to be used for a purpose which would be hazardous to the general area in which it would be located.

In areas of the Township where the Town Board judges there is a significant public health or environmental risk due to the potential of ground or surface water contamination from sewage systems, the Town Board shall have the authority to deny building permits unless the applicant can present plans for a sewage treatment system that has no discharge to ground or surface water.

#### **SECTION 8. FORFEITURES**

Any person, firm, or corporation who violates, disobeys, neglects, omits; tries to willfully circumvent the intent of the ordinance, refuses to comply with this ordinance, or resists enforcement of any of its provisions, shall be subject to forfeiture in the amount of not less than \$10.00 no more than \$100.00. Each day of continuing violation shall constitute a separate violation. Nothing herein shall prevent the Township of Auburn from enforcement of its rights by a criminal or civil process.

**TOWN OF AUBURN**  
**Ordinance #15-03**  
**Ordinance Amending Chapter 42**  
**Building Information Permit**

The Town Board of the Town of Auburn, at a duly noticed meeting and following adequate review and consideration, does hereby ordain as follows:

**Town Ordinance sec. 42.04 is hereby replaced with the following:**

*(Note: Tracked changes are included below for convenience in review only and shall be removed when the revised sec. 42.04 is incorporated in Chapter 42.)*

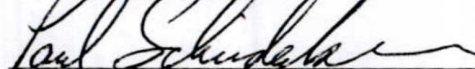
**Section 4 – Applications for Building Permits**

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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.
24. 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.
35. 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.
46. 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
57. The proposed manner in which an adequate and safe supply of water will be provided and the approximate date of its completion.
68. Such additional information as the Town Board may from time to time require.

**ADOPTED** by a vote of 3 for and 0 against at a duly constituted meeting of the Town Board on this 6 day of August, 2015.

TOWN OF AUBURN

  
Paul Scheidecker, Town Board Chairperson