

Ferryville Ordinance Chapter 15 DWELLING BUILDING PERMITS

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15.01 AUTHORITY

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

15.02 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.

15.03 SCOPE

The scope of this ordinance includes the construction and inspection of one and two family dwellings built since June 1, 1980. Notwithstanding s. Comm 20.05, the scope also includes the construction and inspection of alterations and additions to one and two family dwellings built before June 1, 1980. Because such projects are not under state jurisdiction, petitions for variance and final appeals under ss. Comm. 20.19 and 20.21, respectively, shall be decided by the Village Board of Appeals. Petitions for variance shall be decided per s. Comm. 20.19 Intro) so that equivalency is maintained to the intent of the rule being petitioned. As the Board of Appeals approves petitions for variance, the Building Inspector is granted the power to apply the results to similar circumstances by precedent. The building structure and any heating, electrical, or plumbing systems shall comply with the Uniform Dwelling Code. Petitions for variance and appeals shall be handled as noted in the paragraph.

15.04 DEFINITIONS

(1) BLACKWATER means wastewater contaminated by human body waste, toilet paper and any other material intended to be deposited in a receptor designed to receive urine or feces.

(2) CLEAR WATER means wastewater other than storm water, having no impurities or where impurities are below a minimum concentration considered harmful by the department, including but not limited to noncontact cooling water and condensate drainage from refrigeration compressors and air conditioning equipment, drainage of water used for equipment chilling purposes and cooled condensate from steam heating systems or other equipment.

(3) DWELLING means a structure, or that part of a structure, which is used or intended to be used as a home, residence or sleeping place by one person or by 2 or more persons maintaining a common household, to the exclusion of all others.

(4) GRAYWATER means wastewater contaminated by waste materials, exclusive of urine, feces or industrial waste, deposited into plumbing drain systems.

(5) HABITABLE LIVING SPACE - Per Comm. 20.7 (37) "Habitable room" means any room used for sleeping, living or dining purposes, excluding such enclosed places as kitchens, closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms, and similar spaces.

(6) MANUFACTURED HOME - Per Comm. 20.7 (52m) "Manufactured home" means a structure that is designed to be used as a dwelling with or without a permanent foundation and that is certified by the federal department of housing and urban development as complying with the standards established under 42 USC 5401 to 5425. A mobile home, unless a mobile home is specifically excluded under the applicable statute.

(7) MODULAR HOME - Per Comm. 20.7 (53f) "Modular Home" means (1) is of closed construction and fabricated or assembled on-site or off-site in manufacturing facilities for installation, connection or assembly and installation, at the building site: or (2) is a building of open construction which is made or assembled in manufacturing facilities away from the building site for installation, connection or assembly and installation on the building site and for which certification is sought by the manufacturer. "Modular home" does not mean any manufactured home under s.101.91 or any building of open construction which is not subject to Comm. 20.7 (53f) 2 above.

(8) OCCUPANCY means the purpose for which a building, structure, equipment, materials, or premises, or part thereof, is used or intended to be used.

(9) PLUMBING has the meaning specified under s. 145.01 (10), Wis. Stats.
Section 145.01 (10), Wis. Stats., reads "Plumbing means and includes:

(a) All piping, fixtures, appliances, equipment, devices and appurtenances in connection with the water supply, water distribution and drainage systems, including hot water storage tanks, water softeners, and water heaters connected with such water and drainage systems and also includes the installation thereof.

(b) The construction, connection or installation of any drain or waste piping system from the outside or proposed outside foundation walls of any building to the mains or other sewage system terminal within bounds of, or beneath an area subject to easement for highway purposes, including private sewage systems, and the alteration of any such systems, drains or waste piping.

(c) The water service piping from the outside or proposed outside foundation walls of any building to the main or other water utility service terminal within bounds of, or beneath an area subject to easement for highway purposes and its connection.

(d) The water pressure system other than municipal systems as provided in Ch. 281.

(e) A plumbing and drainage system so designed and vent piping so installed as to keep the air within the system in free circulation and movement; to prevent with a margin of safety unequal air pressures of such force as might blow, siphon or affect trap seals, or retard the discharge from plumbing fixtures, or permit sewer air to escape into the building; to prohibit cross-connection contamination or pollution of the potable water supply and distribution systems, and to provide adequate supply of water to properly serve, cleanse and operate all fixtures, equipment, appurtenances and appliances served by the plumbing system.

(10) Potable water means water that is both safe for drinking, personal or culinary use, and free from impurities present in amounts sufficient to cause disease of harmful physiological effects.

(11) POWTS means a private onsite wastewater treatment system.

15.05 WISCONSIN UNIFORM DWELLING CODE ADOPTED

The Wisconsin Uniform Dwelling Code, Chs. Comm. 20-25 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.

15.06 BUILDING INSPECTOR

There is hereby created the position of Building Inspector, which shall be by contract with the Village Board, and the contract renewed annually, who shall administer and enforce this ordinance and shall be certified by the Division of Safety and Buildings, as specified by Wisconsin Statutes, section 101.62 (2), in the category of Uniform Dwelling Code Construction Inspector. Additionally, this inspector shall possess the certification of UDC HVAC, UDC Electrical, and UDC Plumbing.

15.07 BUILDING PERMIT REQUIRED

If a person alters a building in excess of \$3,500.00 value in any twelve-month period, adds onto a building in excess of 100 square feet in any twelve-month period, or builds a new building, within the scope of this ordinance, they shall first obtain a building permit for such work from the Village Building Inspector. Any structural changes or major changes to mechanical systems that involve extensions shall require permits if over the forging thresholds. Restoration or repair of an installation to its previous code-compliant condition as determined by the Village Building Inspector is exempted from permit requirements. Residing, re-roofing, finishing of interior surfaces and installation of cabinetry shall be exempted from permit requirements.

15.08 BUILDING PERMIT FEES

The building permit fees shall be determined by Village Board resolution.

15.09 GENERAL NEW CONSTRUCTION REGULATIONS

(1) All new Dwellings by definition of Comm. 81.01 (83) shall conform to these requirements.

(a) Shall be built on a permanent foundation. Note: If the foundation construction is not walls, the space between the ground and the structure must be enclosed and sealed, to be weather and vermin proof, and meet approval by the Building Inspector.

(b) Shall have a private potable well or be able to hook onto an open well share.

(c) Shall be hooked up to the Village sewage system if within 100' of an existing Village sewer main, or an approved waste water system (POWTS) or an approved holding tank permit given by the County Sanitarian and approved by the Village Board. Note: No privies (earthen, cement vault or chemical type privies or a composting, incinerating and non-water based toilets, installed or placed within the Village limits)

15.10 EAGLE MOUNTAIN SUB-DIVISION RESTRICTIONS

(repealed and recreated effective 09-24-2025)

(1) The following restrictions apply to new dwellings constructed in the Eagle Mountain Sub- division:

(a) The dwelling shall not be visible from Highway 35, the Great River Road, during summer months.

(b) No part of the dwelling can be placed within the road right-of-way set back line of 30 feet.

(c) Inside habitable living space, excluding basement and garage area must be 700 square feet or greater (see definition).

(d) No permit may be granted for placement of a manufactured home or trailer.

(e) Property sites must be graded to prevent landslide and include an erosion plan to prevent loss of soil.

(f) Restrictions (a) and (b) are exempted for Eagle Mountain Sub-division Lots "1 south thru 9 south".

(2) Notwithstanding Section 15.03, SCOPE or any amendments to that code section or any amendment to the Administrative Code references therein set forth any request for a variance as to any of the provisions of Sections 15.10(1)(a) through (f), inclusive, shall be undertaken as follows:

(a) Application for a variance shall be in writing, signed and dated by the property owner(s) to the Village Board of the Village of Ferryville requesting the variance and filed with the Village Clerk for the Village of Ferryville.

(b) Said Application shall clearly set forth the specific provision or provisions of Section 15.10 (1) (a) through (f), inclusive, from which a variance is requested and a clear and precise statement setting for the reason or reasons for the requested variance.

(c) The Village Clerk for the Village of Ferryville shall within ten (10) days of filing of the Application for a variance hereunder mail a copy of same via U.S. Mail, proper postage attached to all Eagle Mountain Sub-division land owners.

(d) Within thirty (30) days of the mailing required under sub (c) above, the Village Clerk for the Village of Ferryville shall schedule a meeting of the Village Board in open session to hold a hearing on said variance request and make a determination as to the request after said hearing. The hearing above referenced shall be in open session and any person who is an adult resident of the Village or any such person's representative may speak at said hearing either for or against the Application for variance. The Village Board, after all who wish to be heard have had an opportunity may deliberate their decision in closed session if properly so noticed however any decision as to the request for variance shall be given in open session. Further, the Board's decision on said variance request shall be reduced to writing within ten (10) days after said hearing and filed in the office of the Village Clerk.

(e) The Village Board may, upon application and hearing, grant a variance to one or more of the above restrictions only if the application of one or more of the above restrictions would result in a hardship or particular difficulty to the applicant. Provided, however, no variance shall be granted if the granting of same would cause a lowering of the level of health, safety and/or welfare intended by the restrictions from which a variance is requested.

(f) Appeal to a determination by the Village Board as to an Application for a variance hereunder shall be to the Circuit Court for Crawford County, Wisconsin.

15.11 PENALTIES

The enforcement of this section and all other laws and ordinances relating to building shall be by means of the withholding of building permits, or imposition of forfeitures and injunctive action. Forfeitures shall be not less than \$25.00 and no more than \$1,000.00 for each day of noncompliance.