

STATE OF WISCONSIN

Town of Clearfield

Juneau County

Ordinance 7-2021

**Adoption of Wisconsin Building Codes, Inspections, Building Permits**

1.01 AUTHORITY. These regulations are adopted under the authority granted by chapter 101.65, Wis. Stats. Where this ordinance conflicts with applicable uniform state codes, the latter shall govern.

1.02 PURPOSE. The purpose of this building code is to promote the health, safety, and welfare of our municipality. Town of Clearfield Ordinance 21-2004 (Adoption of the Wisconsin Uniform Dwelling Code) and Ordinance 7-2017 (Building Ordinance) – is hereby revoked and replaced by Ordinance 7-2021 (Adoption of Wisconsin Building Codes, Inspections, and Building Permits) which provides that the Town of Clearfield will assume jurisdiction over the enforcement of all Wisconsin Building Codes as stated herein, including the Uniform State Dwelling Code.

1.03 SCOPE. This building code applies to all dwellings, commercial buildings, apartment buildings, swimming pools, garages, sheds, and other outbuildings.

1.04 PERMIT REQUIRED. Prior to commencing any of the following work, the owner or agent shall obtain a valid permit from:

(a) The Town of Clearfield Clerk shall be responsible for issuing permits for the following:

1. Any structures including, but not limited to decks, outbuildings, pole buildings, sheds, and garages regardless of whether the construction of the structure occurs on site or is brought to the site in a partially completed or fully completed form.
2. Additions that increase the physical dimensions of a building.
3. Alterations to the building structure, as required by the building inspector.

(b) The Town of Clearfield Town Board shall be responsible for issuing permits for the following:

1. Non-conventional buildings, additional permits may be required.

(c) The Town of Clearfield Building Inspector shall be responsible for issuing the following permits:

1. New single and multi-family dwellings.
2. Alterations to the building's plumbing systems. Single and multi-family dwellings are exempted.
3. Alterations to the electrical service equipment, including interconnected electric power production equipment, upgrading service equipment, adding or replacing transfer switches, replacing meter sockets and load center(s), and main service disconnect(s).
4. Replacement of major building equipment, including, but not limited to furnaces and central air conditioners. Water heater replacements shall require a permit if the plumbing, venting, electrical, or gas supply systems are altered. Single and two-family dwellings are exempted.

(d) Permitting requirements shall not apply to the following:

1. Re-roofing, residing, replacing windows and doors of the same size, finishing of interior surfaces and installation of cabinetry shall be exempted from permit requirements.

1.05 ADOPTION OF CODES. The following Wisconsin Codes and subsequent revisions are adopted by the Town of Clearfield for municipal enforcement:

Ch. SPS 305	Credentials
Ch. SPS 316	Electrical Code
Ch. SPS 320-325	Uniform Dwelling Code
Ch. SPS 328	Smoke Detectors
Ch. SPS 361-66	Commercial Building and Heating, Ventilating and Air Conditioning Code
Ch. SPS 370	Historic Building Code
Ch. SPS 375-379	Existing Buildings Code
Ch. SPS 381-387	Uniform Plumbing Code
Ch. SPS 327	Campgrounds

1.06 NON-CONVENTIONAL BUILDINGS. Any non-conventional building not addressed within the scope of this ordinance shall require pre-approval from the Town Board of Clearfield before being placed upon the property. The town Board may require additional approvals from a licensed structural/building engineer before any work may commence.

(a) Shipping containers in their natural form are non-compliant and not allowed under zoning ordinance 25, except for temporary use such as construction or a moving pod, for a maximum use up to six months within a twelve-month period, and with a permit from the Town of Clearfield. Placement or use of a shipping container without a permit shall be assessed a violation fee of *see Town of Clearfield fee schedule, Resolution 16-2010*, in addition to the Town of Clearfield's legal fees for the enforcement of the Town ordinances.

(b) Use of shipping container as a building, when approved by the Town Board for Clearfield for permanent use, must be placed on a concrete slab, the exterior walls must be sided, and have a pitched roof of a minimum of 3 inches of rise every 12 inches of horizontal measurement. A non-renewable one-year building permit from the Town Board of Clearfield is required.

(c) Use of more than one shipping container to form one building will require prior approval from the Town Board of Clearfield as set forth in section 1.06. The Town Board may require inspections or engineering by a licensed engineering entity. A non-renewable one-year building permit from the Town Board for Clearfield is required.

(d) Use of shipping containers as a dwelling shall require approval from a licensed engineering entity, may require state approval, and shall require approval from the Town Board of Clearfield as set forth in section 1.06, before any work is to commence. Inspections are required.

1.07 SCOPE OF UNIFORM DWELLING CODE EXPANDED. The scope of this ordinance includes the construction and inspection of single and multifamily dwellings built since June 1, 1980.

Notwithstanding s. SPS 320.05 or any other exemptions of the Uniform Dwelling Code, the scope of this ordinance also includes the construction and inspection of alterations and additions to single and multifamily dwellings built before June 1, 1980. Because such projects are not under state jurisdiction, petitions for variance and final appeals under ss. SPS 320.19 and 320.21, respectively, shall be decided by the Town Board of Clearfield. Petitions for variance shall be decided per s. SPS 320.19 (Intro.)

Notwithstanding s. SPS 320.05 or any other exemptions of the Uniform Dwelling Code, the scope of this ordinance also includes the construction and inspection of attached garages serving single and multifamily dwellings. The building structure and any heating, electrical or plumbing systems shall comply with the requirements of the Uniform Dwelling Code, other than for smoke alarms, carbon monoxide alarms and frost protection of footings, which shall be determined by the code official. Petitions for variance and appeals shall be handled by Town Board of Clearfield.

#### 1.08 BUILDING INSPECTOR.

- (a) **CREATION AND APPOINTMENT.** There is hereby created the office of Building Inspector, the Town Board of Clearfield shall appoint the building inspector. The building inspector shall be certified for inspections purposes by the state in the required categories specified under SPS 305, Wisconsin Administrative Code.
- (b) **SUBORDINATES.** The building inspector may appoint, as necessary, subordinate inspectors. Any subordinate retained to inspect buildings shall be certified as necessary under SPS 305, Wisconsin Administrative Code, by the state.
- (c) **DUTIES.** The building inspector shall administer and enforce all provisions of this ordinance.
- (d) **POWERS.** Within the limits of the law, the building inspector may at all reasonable hours enter upon any public or private premises for inspections purposes and may require the production of the permit for any building, plumbing, electrical or heating work.
- (e) **RECORDS.** The building inspector shall perform all administrative tasks required by the applicable codes. In addition, the inspector shall keep a record of all applications for building permits in a book for such purpose and regularly number each permit in the order of its issuance.

1.09 BUILDING INSPECTIONS REQUIRED. Building inspections are required for all of the following:

- (a) Any structure placed on a parcel with the absence of a single or multifamily dwelling
- (b) Any new one- and two-family dwellings.
- (c) All commercial buildings.
- (d) Any commercial electrical additions, changes, or upgrades.
- (e) Alterations to the building's heating, or plumbing systems. Single and multifamily dwellings are exempted.
- (f) Alterations to the electrical service equipment, including interconnected electric power production equipment, upgrading service equipment, adding, or replacing transfer switches, replacing meter sockets and load center(s), and main service disconnect(s).
- (g) Replacement of major building equipment, including furnaces and central air conditioners. Water heater replacements shall require a permit if the plumbing, venting, electrical, or gas supply systems are altered. Single and multifamily dwellings are exempted.

- (h) Any building using non-conventional building techniques. Use of one shipping container as a storage shed is exempted from inspection unless there is absence of a dwelling on the parcel.
- (i) Any building converted from a residential dwelling to a commercial building.
- (j) Any accessory building, garage, shed, pole building, barn, or any other type of building other than a dwelling to be converted to a single or multifamily dwelling.
- (k) Attached garages to an existing single and multifamily dwelling.
- (l) Additions and alterations to single and multifamily dwellings built prior to June 1, 1980.
- (m) Any building or structure that is not covered by this section may require building inspections.

1.10 SUBMISSION OF PLANS. Two sets of building plans shall be submitted for any work which expands the size of a building, any new building, or as required by the building inspector. Plans shall be submitted one to the building inspector and one to the Town of Clearfield. If a new building or building addition is proposed, then a plot plan showing such proposed work, and existing buildings and property lines shall be submitted.

1.11 ISSUANCE OF PERMIT. The building inspector shall issue the requested permit after all state, county, and local submission requirements are satisfied. If a permit card is issued, it shall be posted at the job site in a visible location. Permits are valid for two years for one- and two-family dwellings, or one year if the work has not commenced. All other building permits are valid for one year. Any request for a building permit to be renewed will need approval from the Town of Clearfield, Town Board.

1.12 OCCUPANCY PERMIT. If the building inspector finds that there are no compliance violations, the building inspector shall allow occupancy. If building inspector finds minor non-compliance issues exist, other than health or safety items, the inspector may, in his or her discretion, allow temporary occupancy for a specified term. Occupancy may not be taken until the inspector allow occupancy.

1.13 FEES. At the time of building permit application, the applicant shall pay fees as established periodically by the municipal governing body found in the *Town of Clearfield Fee Schedule, Resolution 16-2010*. If work commences prior to permit issuance, there may be addition fees from the Town of Clearfield and the building inspector.

1.14 VIOLATIONS AND PENALTIES. The enforcement of this Ordinance and all other laws relating to building shall authorize the withholding of building permits, imposition of forfeitures and injunctive action. The forfeiture amounts are subject to change by the Town Board of Clearfield, *Town of Clearfield Fee Schedule*, for each day of non-compliance, is as set forth in Resolution 16-2010

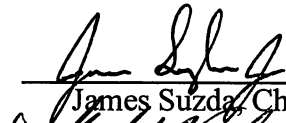
1.15 STOP WORK ORDER. The inspector may issue a stop work order against a project to prevent further non-complying work.

1.16 LIABILITY FOR DAMAGES. This ordinance shall not be construed as an assumption of liability by the municipality or inspector for damages because of injuries sustained or property destroyed by any defect in any installation or on any premises.

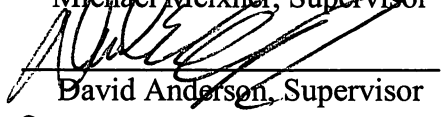
1.17 EFFECTIVE DATE. This ordinance shall be effective December 14, 2021, upon passage and publication as provided by law.

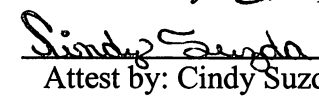
Adopted this 14<sup>th</sup> day of December. Published December 16, 2021

**CLEARFIELD TOWN BOARD**

  
James Suzda, Chairperson

  
Michael Meixner, Supervisor

  
David Anderson, Supervisor

  
Attest by: Cindy Suzda, Clerk