

Town of Trade Lake Uniform Dwelling Code Ordinance

It is intended that this model will assist local jurisdictions, working with corporation counsel, through regular procedures, in adopting a local ordinance. Upon adoption of a new building code, send a certified copy to: Etta Strey, Industry Services Division, at etta.strey@wisconsin.gov, along with the completed UDC delegation application at: <https://dsps.wi.gov/Documents/Programs/DelegatedAgent/DelegatedAgentApplication.pdf>

Town of Trade Lake, County of Burnett

ORDINANCE # 2022-01

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

1.2 **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.

1.3 **SCOPE.** The scope of this ordinance includes the construction and inspection of one- and two-family dwellings built since June 1, 1980, and new camping units as defined in Wis. Admin. Code § 327.08(9).

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 of 400 sq ft and more 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. SPS 320.19 and 320.21, respectively, shall be decided by the municipal board of appeals. Petitions for variance shall be decided per s. SPS 320.19(Intro) so that equivalency is maintained to the intent of the rule being petitioned.

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 detached garages serving one and two family dwellings that have a kitchen and/or bathroom, either built or roughed in. 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 this municipality.

1.4 **WISCONSIN UNIFORM DWELLING CODE ADOPTED.** The Wisconsin Uniform Dwelling Code, § SPS 320-325 and § SPS 327, and their successors, 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.

1.5 BUILDING INSPECTOR. There is hereby created the position of Building Inspector, who shall administer and enforce this ordinance and shall be certified by the Division of Industry Services, as specified by Wisconsin Statutes, Section 101.66(2), in the category of Uniform Dwelling Code Construction Inspector. Additionally, this or other assistant inspectors shall possess the certification categories of UDC HVAC, UDC Electrical, and UDC Plumbing. (NOTE: Contact the Division of Industry Services at (608) 266-2112 for certification information.)

1.6 BUILDING PERMIT REQUIRED. If a person builds, installs or creates a new Dwelling, adds onto an existing dwelling, or builds an outbuilding that falls within the scope of this ordinance, they shall first obtain a building permit for such work from the building inspector. Restoration or repair of an installation to its previous code-complaint condition as determined by the building inspector is exempted from permit requirements. Residing, re-roofing, finishing of interior surfaces and installation of cabinetry shall be exempted from permit requirements.

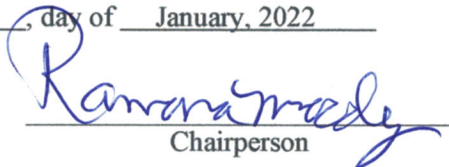
1.7 BUILDING PERMIT FEE. The building permit fees shall be determined by resolution and shall include the applicable fee per ch. SPS 302 to be forwarded to the Wisconsin Department of Safety and Professional Services for a UDC permit seal that shall be assigned to any new dwelling. Permit fees for a Wisconsin camping unit as outlined within Wis. Admin. Code § SPS 327.09 and inspection fees as outlined within Wis. Admin. Code § 327.10(3) will also be included in this resolution.

1.8 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, imposition of forfeitures and injunctive action. Forfeitures shall be not less than \$25.00 nor more than \$1,000.00 for each day of noncompliance.

1.9 EFFECTIVE DATE. This ordinance shall be effective January 13, 2022, upon passage and publication as provided by law.

1.10 The building inspector(s) shall keep a log of all inspections completed.

Adopted this 13th, day of January, 2022


Chairperson

Attest: 

Posted: January 13, 2022



Tony Evers, Governor
Dawn Crim, Secretary

January 14, 2022

Ramona Moody, Chair
Town of Trade Lake, Burnett County
2798 Evergreen Avenue
St. Croix Falls, WI 54024
chairman@townoftradelake.org

VIA EMAIL

Re: Town of Trade Lake, Burnett County Jurisdiction Request for Uniform Dwelling Code (UDC) and Camping Units Permitting and Inspecting

Dear Ramona Moody,

The Department has reviewed your most recent ordinance and I am pleased to inform you that your municipality has met all the requirements under the provisions of Wisconsin Administrative Code §§ SPS 320.06(1) and SPS 327.06(1) to exercise jurisdiction over construction and inspection of new one- and two-family dwellings and camping units.

Pursuant to Wis. Stat. §§ 101.65(1) (a) and (2m), § 101.651(2m), and §101.63(1), the Department delegates your municipality the primary responsibility to perform permitting and inspecting for all installations under Wis. Admin. Code §§ SPS 320.08(1) and SPS 327.09(1) to be constructed within the limits of your municipality.

As a condition of the delegation, you are required to comply with the following:

- Provide the Department with a certified copy of all adopted ordinances and subsequent amendments within 30 days of adoption by the municipality, and
- Maintain an approved method of enforcement as identified in Wis. Admin. Code § 320.06(1)(b).

If your municipality decides to relinquish jurisdiction, please follow the provisions of Wis. Admin. Code § SPS 320.06(1)(c)3 by providing the Department with a 30-day notice prior to the day upon which your municipality intends to relinquish jurisdiction.

I understand that Jon Mattson with Atlas Inspections will be the method of enforcement and has the proper certification to do so.

Our UDC consultant for your area, Lenny Kanter, at (608) 261-6541, is available to assist in any questions or concerns your municipality may have with implementing UDC or camping unit permitting and inspecting services.

The Division of Industry Services looks forward to working with you.

Sincerely,

A handwritten signature in blue ink that reads "Michael D. McNally Jr.".

Michael D. McNally Jr.
Section Chief, UDC Program

cc: Garry Krause, Bureau Director, Technical Services Bureau
UDC Program Staff, Technical Services Bureau