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ORDINANCE NO. 2025-~~014~~
**AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE TOWN OF
LINN, WALWORTH COUNTY, WISCONSIN, SECTION 12, BUILDING CODE**

Chapter 12 Building Code

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- § 12-1 **Authority.**

These regulations are adopted under the authority granted by Chs. 59, 60, 61, 62, 66 and 101, Wis. Stats.

§ 12-2 Purpose.

The purpose of this Building Code is to promote the health, safety and welfare of our municipality.

§ 12-3 Scope.

This Building Code applies to all dwellings, commercial buildings, swimming pools, garages and other outbuildings. Unless a project includes installation of electrical wiring, excepted are outbuildings of less than 100 square feet used exclusively for agricultural purposes, children's play structures, dog kennels, or storage sheds.

§ 12-4 Permit required.

No owner or contractor may commence construction of any building or mechanical system prior to obtaining a valid permit from the Municipal Building Inspector.

(1) The construction which shall require a building permit includes, but is not limited to:

- (a) New one- and two-family dwellings, and commercial buildings, including agricultural buildings, detached structures (decks), and detached accessory buildings.
- (b) Additions that increase the physical dimensions of a building, including decks.
- (c) Alterations to an existing building structure, ~~cost shall include market labor value, all as determined by the Building Inspector, or alterations to the existing building's~~ heating, electrical or plumbing system.
- (d) 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 system is altered.
- (e) Any electrical wiring for new construction or remodeling excluding new wiring for existing industrial and manufacturing facilities that do not require state-mandated building plan review.
- (f) New public building containing less than 50,000 cubic feet in total volume or alteration of a public building involving less than 100,000 cubic feet in total volume.
- (g) All SPS 361.60, Wis. Adm. Code, building occupancies and storage garages of less than 25,000 cubic feet.
- (h) All larger commercial buildings, which must be state--reviewed but locally inspected.
- (i) Any HVAC or plumbing for new construction or remodeling.
- (j) Any new or re-wired electrical service, including services for agricultural buildings.

(2) Moving buildings across, along or upon a public highway.

(a) Before a permit to move any building along, across or upon a public highway or across land not the property of the owner of the building is granted by the Building Inspector, the party applying therefor shall give a bond in the sum of \$51,000 ~~with good and sufficient sureties to besaid bond to be executed by a corporate surety or two personal sureties to be~~ approved by the Town Board, conditioned among other things that said party will save and indemnify the Town for any costs or expenses incurred by it in connection with any claim for damages to any persons or property, and the payment of any judgment together with the costs and expenses incurred by the Town in connection therewith arising out of the removal of the building for which the permit is issued. which may in any way accrue against the Town and The applicant shall keep the Town harmless against all liabilities, judgments and costs.

(b) Proof of public liability insurance covering injury to one person in the sum of not less than \$500,000 and for one accident in a sum not less than \$1,000,000, together with property damage insurance in a sum not less than \$250,000, or such other coverage as deemed necessary.

~~(c)~~ Every permit to move a building shall designate the route to be taken and limit the time for removal. The removal of buildings shall be continuous all hours of the day and day by day and at night, if the Building Inspector and the Town Board order, until completion with the least possible obstruction to the thoroughfares. Lighted lanterns shall be kept in conspicuous places at each end of the building during the night.

(d) Within one business day after the building reaches its destination, the Town shall inspect the trees, streets, highways and curbs and gutters over which the building has been moved and ascertain their condition. If the move has caused any damage to any property, street or highway, the person to whom the permit was issued shall be responsible for replacing them in as good repair as they were before the permit was granted within ten days. If the repairs are not complete to the satisfaction of the Town within ten days, the Town will seek action to repair the damage done to such streets and / or property and hold the person obtaining such permit and the sureties on his bond responsible for the payment of same.

(e) The applicants' site plan, building plan, elevation plan, and heat loss calculations shall be approved by the Town Building Inspector prior to moving the proposed building(s) along a public highway or across land not the property of the owner.

(f) Inspections. If the building is within the Town or being moved into the Town, a Premove inspection is needed prior to the building leaving the existing site to verify that the building is in a sound and stable condition and of such construction that it will meet the requirements of the Building Code in all respects. Also, an inspection is required to verify that proper termination of all services to the structure is completed.

(ge) No bond shall be required for the moving of a building from one location to another on the same premises, but such an operation will require a permit.

~~(3) Restoration or repair of an installation to its previous code-compliant condition as determined by the Building Inspector is exempted from permit requirements. Residing, reroofing and finishing of interior surfaces and installation of cabinetry shall be exempted from permit requirements. However, unless structural calculations are provided, no more than two layers of roofing shall be installed on a roof.~~

§ 12-5 **Adoption of codes.**

The following Wisconsin Administrative Code chapters and subsequent revisions are adopted for municipal enforcement:

Ch. SPS 302.31, Buildings, structures, heating, ventilation and fire protection systems

Ch. SPS 305, Credentials

Ch. SPS 316, Electrical Code

Chs. SPS 320 through 325 and 327, Uniform Dwelling Code

Chs. SPS 361 through 366, Commercial Building Code

Chs. SPS 375 through 379, Buildings Constructed Prior to 1914

Chs. SPS 381 through 387, Uniform Plumbing Code

§ 12-6 **Scope of Uniform Dwelling Code expanded.**

For the purposes of this code, the scope of the Wisconsin Uniform Dwelling Code is revised to include:

A. Additions, alterations and major equipment replacements for one- and two-family dwellings built prior to June 1, 1980.

B. Detached garages serving one- and two-family dwellings.

C. Residential sheds of ~~over 1020~~ square feet or more in area.

§ 12-7 **Building Inspector.**

A. Creation and appointment. There is hereby created the office of Building Inspector. The Building Inspector shall be appointed by the Town. The Building Inspector shall be certified for inspection purposes by the state in the required categories specified under-SPS 305, Wis. Adm. Code.

B. Assistants. The Building Inspector may appoint as necessary and by approval of the Town Board or Town Chairman, if necessary, assistant inspectors. Any assistant hired to inspect buildings shall be certified as defined in SPS 305, Wis. Adm. Code by the Department.

C. Duties. The Building Inspector shall administer and enforce all provisions of this chapter.

D. Powers. The Building Inspector or an authorized agent of the Building Inspector may, at all reasonable hours, enter upon any public or private premises for inspection purposes. The Building Inspector may require the production of the permit for any building, plumbing, electrical, or heat work. No person shall interfere with or refuse to permit access to any such premises to the Building Inspector or his/her agent while in the performance of his/her duties. In the event that the Inspector is refused access to any such premises, then the Inspector is authorized to apply for a special inspection warrant pursuant to § 66.0119, Wis. Stats.

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 or digital system accessible to the Town for such purpose and shall regularly number each permit in the order of its issuance.

§ 12-8 Submission of plans.

Digital or tTwo sets of building plans (8 ½ x 11" paper size) shall be submitted by electronically or delivered to the Building Inspector for ~~any work valued over \$5,000~~, any work which expands the size of a building, any new building, or as required by the Building Inspector. 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.

§ 12-9 Issuance of permit; posting; term.

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.

§ 12-10 ~~Completion deposit required. Administrative Fee~~

~~An administrative fee for the purpose of repairing damages to Town roads caused by building construction hauling and equipment shall be added to all permits issued by the Building Inspector. The fee amount shall be determined by the Town Board. deposit of \$100 is required for all projects of over \$5,000 in total value. It shall be refunded after the project is completed and no noncompliances are found by the Building Inspector and all other fees are paid. It shall be forfeited if occupancy occurs before permit or extends after a temporary occupancy permit expires. It shall also be forfeited if the exterior is not finished per § 12-12 within two years of permit issuance.~~

§ 12-11 Occupancy.

If no noncompliance's are found by the Building Inspector, then the Building Inspector shall allow occupancy. If minor noncompliance's, other than health or safety items, are in existence, the Inspector may allow temporary occupancy for a specified term. Occupancy may not be taken until occupancy is allowed by the Inspector.

§ 12-12 Exterior finish.

All buildings shall have a weather-resistant, uniform and neighborhood-compatible exterior finish. Tar paper or similar material is not acceptable.

§ 12-13 Maintenance of buildings.

All buildings shall be maintained so that they do not lose value or become noncomplying with applicable codes.

§ 12-14 **Maintenance of yards. [1]**

Yards shall be kept free of weeds, trash, open storage or non-licensed or disabled vehicles.

§ 12-15 **Fees.**

At the time of building permit application, the applicant shall pay fees as established periodically by the Town Board. If work commences prior to permit issuance, ~~then double additional~~ fees may be charged by the Building Inspector. The fee for an after-the-fact permit shall be determined by the Town Board.

~~§ 12-16 Automatic fire sprinklers.~~

~~A. Definitions. As used in this section, the following words and phrases shall have the meanings as hereinafter set forth:~~

~~**APPROVED**~~

~~(1) As applied to automatic fire sprinkler equipment means approval by the authority charged with the enforcement of this section.~~

~~(2) As applied to automatic fire sprinklers and devices means approval by a recognized testing laboratory.~~

~~**AREA**~~

~~The maximum horizontal projected area on one floor of buildings or structures within the exterior walls or between approved fire walls.~~

~~**AUTOMATIC FIRE SPRINKLER EQUIPMENT**~~

~~A system of piping connected to an adequate water supply provided with approved automatic fire sprinklers and devices so arranged and located as to discharge water automatically to the seat of the fire.~~

~~**BASEMENT**~~

~~Any story where less than half the height between the floor and ceiling is above the average level of street, sidewalk or finished grade.~~

~~**COMBUSTIBLE**~~

~~A material or structure which can burn. "Combustible" is a relative term; many materials which will burn under one set of conditions will not burn under others, e.g., structural steel is noncombustible, but fine steel wool is combustible. The term "combustible" does not usually indicate ease of ignition, burning intensity or rate of burning, except when modified by a word such as "highly" as in "highly combustible interior finish."~~

~~**FIRE-RESISTIVE**~~

~~The type of construction in which the structural members, including walls, partitions, columns, floor and roof construction, are of noncombustible materials with fire-resistive ratings not less than those specified in the following table. (The two classifications are identified by the required fire resistance as a matter of convenience.)~~

Fire-Resistance Rating of Structural Members in Hours	Classification	
	3-Hour	2-Hour
Bearing walls, or bearing portion of walls, exterior or interior	4	4
Nonbearing walls or portions of walls, exterior or interior	NC	NC
Principal supporting members, including columns, trusses, girders and beams for more than 1 floor or roof	4	3
Secondary floor construction members such as beams, slabs and joints not affecting the stability of the building	3	2
Secondary roof construction members such as beams, purlins and slabs not affecting the stability of the building	2	1-1/2
Interior partitions enclosing stairways and other openings through floors	2	2

FIRE WALL

A wall which has a fire-resistance rating of not less than four hours and which subdivides a building or separate buildings to restrict the spread of fire, including a three-foot parapet wall.

INCOMBUSTIBLE

The same as "noncombustible." Because it is subject to misunderstanding, "noncombustible" is preferred.

MULTIFAMILY HOUSE

A building or portion thereof containing three or more dwelling units, including a tenement house, apartment house or flat.

NONCOMBUSTIBLE (NC)

Not combustible.

NONFLAMMABLE

Not flammable.

STORY

That part of a building comprised between a floor and the floor or roof next above.

B. Installation required. Approved automatic fire sprinkler equipment shall be installed and maintained in the applicable buildings or structures in the Town of Linn per the 2015 International Building Code, Chapter 9.

(1) Buildings for the manufacture, storage or sale of combustible goods or merchandise.

(a) Throughout every fire-resistive building occupied in whole for the manufacture, storage or sale of combustible goods or merchandise if:

{1} Over 10,000 square feet in area.

{2} Over one story in height and exceeding 6,000 square feet in average area.

{3} Over four stories in height, regardless of area.

~~(b) Throughout every nonfire-resistive building occupied, in whole or in part, for the manufacture, storage, sale of combustible goods or merchandise if:~~

~~{1} Over 7,000 square feet in area;~~

~~{2} Over one story in height and exceeding 4,000 square feet per floor in average area; or~~

~~{3} Over three stories in height, regardless of area.~~

~~(2) Garages:~~

~~(a) In fire-resistive buildings over 10,000 square feet in total area exceeding four stories in height;~~

~~(b) In nonfire-resistive buildings over 6,000 square feet in total or exceeding four stories in height;~~

~~(c) Basement and subbasement garages and garages above or below other occupancies in excess of three passenger vehicles; and~~

~~(d) Garages used as passenger terminals.~~

~~(3) Basements. Basements having an area exceeding 2,500 square feet when for the sale or storage of combustible goods or merchandise (not including garages):~~

~~(a) Where automatic sprinklers are required in a basement only, the supply shall be from a Town water main. Where there is no Town water supply, such basement sprinklers need not be installed, but at such time as a Town water supply becomes available, such required basement sprinklers shall be installed.¹⁴~~

~~(b) Every basement sprinkler system shall also include sprinklers in all shafts (except elevator shafts) leading to the story above.~~

~~(4) Multifamily houses:~~

~~(a) In fire-resistive buildings in basements, stairways and all corridors.~~

~~(b) In nonfire-resistive buildings in:~~

~~{1} Basements, stairways and all corridors.~~

~~{2} Throughout entire buildings if over two stories.~~

~~(5) Theaters and assembly halls:~~

~~(a) Throughout all buildings of nonfire-resistive construction; and~~

~~(b) In buildings of fire-resistive construction in such places as the stage, under the roof of the stage, gridiron, fly galleries and bridges, in dressing rooms, work rooms, property rooms and on the stage side of the proscenium opening.~~

~~(6) Hospitals:~~

~~(a) Throughout all buildings of nonfire-resistive construction; and~~

~~(b) In buildings of fire-resistive construction throughout all basements, kitchens, shops, laundries, laboratories, stairways, corridors and throughout all other areas where combustible materials are handled.~~

~~(7) Nursing, convalescent, old age and other like institutional buildings. Throughout all nursing, convalescent, old age and other like institutional buildings:~~

~~(8) Schools, colleges and universities:~~

~~(a) Throughout all buildings of nonfire-resistive construction:~~

~~(b) In buildings of fire-resistive construction throughout basements, workshops, laboratories, stairways, corridors, stage area of auditoriums, janitor closets, kitchens, cafeterias and throughout all other areas where combustible materials are handled or stored. An Underwriters' Laboratories approved automatic fire or smoke detection system wired to fire stations may be substituted for automatic sprinkler protection.~~

~~(9) Dormitories, fraternities and sorority houses:~~

- ~~(a) Throughout all buildings of nonfire-resistive construction; and~~
- ~~(b) In buildings of fire-resistive construction in such places as linen rooms, storage rooms, boiler rooms, kitchens, stairways, corridors and throughout all other areas where combustible materials are handled or stored.~~
- ~~(10) Hazardous properties. In buildings or structures, the occupancy or use of which involves a highly combustible, highly flammable or explosive material or that has characteristics that constitute a special fire hazard, including among others:~~
 - ~~(a) Aluminum powder factories.~~
 - ~~(b) Cellulose nitrate plastic factories.~~
 - ~~(c) Cereal mills.~~
 - ~~(d) Distilleries.~~
 - ~~(e) Explosives and pyrotechnics and manufacturing.~~
 - ~~(f) Flour and feed mills.~~
 - ~~(g) Gasoline bulk plants.~~
 - ~~(h) Grain elevators.~~
 - ~~(i) Lacquer and paint factories and paint shops, linseed oil and varnish works.~~
 - ~~(j) Liquefied petroleum gas (LPG) bulk plants.~~
 - ~~(k) Mattress factories.~~
 - ~~(l) Wastepaper plants.~~
 - ~~(m) Aircraft hangers.~~
 - ~~(n) Chemical works.~~
 - ~~(o) Linoleum and oil cloth, shade, and cloth manufacturing.~~
 - ~~(p) Oil refineries.~~
 - ~~(q) Pyroloxin plastic manufacturing and processing.~~
 - ~~(r) Other occupancies involving the processing, mixing, storage and dispensing of volatile liquids.~~
- ~~(11) Condominiums. Throughout all buildings of nonfire-resistive construction.~~

C. Installation.

- ~~(1) Approved automatic fire sprinkler equipment shall be installed in accord with the current edition of Pamphlet No. 13, titled "Standards for the Installation of Sprinkler Systems," and other applicable standards of the National Fire Protection Association and Ch. Comm 14, Wis. Adm. Code, or other applicable State of Wisconsin regulations, all of which are in effect at the time of installation.~~
- ~~(2) Required automatic sprinkler systems shall be designed and constructed in conformity with good established practice. Reinstallation of used sprinkler heads is prohibited, and other secondhand devices may be installed only by special permission of the Town Fire Chief and the Town Board.~~

D. Applicability of section.

- ~~(1) This section shall apply to all new buildings and structures listed in Subsection B hereof and to existing buildings in which the Fire Chief shall determine a severe life hazard exists to the occupants and users thereof without automatic sprinklers, subject to appeal to the Town Board of such determination.¹²¹~~
- ~~(2) Nothing contained herein shall be construed as requiring the installation of automatic fire sprinklers in safe deposit or other vaults; places where the application of water may cause or increase combustion; or in any other location where the installation of sprinklers may increase~~

~~the hazard, nor shall it be construed in any way to prohibit the substitution of other automatic protective equipment when approved by and under conditions acceptable to the Fire Chief and the Town Board.~~

§ 12-1~~69~~**Violations and penalties.**

Except where another penalty is provided, violations of this code shall, upon conviction, be subject to a forfeiture of not less than \$50 nor more than \$1,000 for each day of noncompliance, together with the costs of prosecution. Violations discovered by the Building Inspector shall be corrected within 30 days, or more if allowed by the Inspector, after written notice is given.

§ 12-1~~720~~**Stop-work order.**

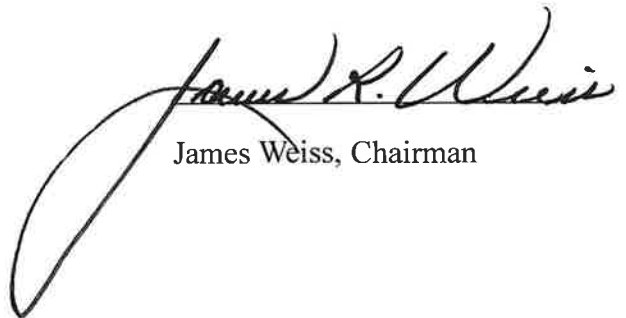
The inspector may issue a stop-work order against a project to prevent further noncomplying work.

§ 12-1~~824~~**Liability for damages.**

This chapter 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.

Adopted this 9th day of June, 2025.

Attest: Alyson Morris
Alyson Morris, Clerk


James Weiss, Chairman