

## SHELBY BUILDING CODE ORDINANCE

**Section I. Title/Purpose.** This Ordinance is entitled "Shelby Building Code." The purpose of this Ordinance is as follows:

To provide certain minimum standards, provisions and requirements for safe and stable design, with methods of construction, plumbing, heating, ventilating and air conditioning installed. This covers all buildings and structures erected, constructed, enlarged, altered, repaired, moved, converted to other uses or demolished and regulates the use and occupancy of all such buildings and structures. The purpose is to protect the health, safety and well-being of persons occupying or using such buildings and the general public.

**Section II. Scope.** The provisions of this chapter shall govern the design, construction, alteration, erection, installation, additions, demolition, moving and repair of all buildings and structures, including building components and systems. No building or structure of any kind shall be constructed, altered, enlarged, moved or razed until a permit has been obtained by the owner or an authorized agent from the Town. Permits shall be obtained for outbuildings, decks, porches, garages, or any other structures where the square footage of the total structure is equal to or more than sixty-four (64') square feet in size.

**Section III. Standards/Adoption of Codes.** The following Uniform Dwelling & State Commercial Codes and Regulations including any & all updates; which are adopted in their entirety and made a part of this ordinance:

- Wis. Electrical Code (Wisconsin Administrative Code Chapter 16) SPS 316
- Wis. Elevator Code (Wisconsin Administrative Code Chapter 18) SPS 318
- Wis. Adm. Code Chapter-SPS320-Administrative and Enforcement
- Wis. Adm. Code Chapter-SPS 321-Construction Standards
- Wis. Adm. Code Chapter-SPS 322-Energy Conservation Standards
- Wis. Adm. Code Chapter-SPS 323-Heating, Ventilating and Air Conditioning
- Wis. Adm. Code Chapter-SPS 324-Electrical Standards
- Wis. Adm. Code Chapter-SPS 325-Plumbing and Potable Water Standards
- Wis. Adm. Code Chapter-SPS 361-366-Construction Standards
- Wis. Adm. Code Chapter-SPS 382-387-State Plumbing Code

These codes and provisions shall apply to the construction, plumbing, and electrical needs for every building or structure devoted to a new use; which the requirements are in any way more stringent than the requirements covering the previous use. These standards shall apply to the following:

- A. Additions made to all existing buildings.
- B. An existing building to be occupied as a one-or two-family dwelling, in which the building was not previously so occupied.
- C. An existing structure altered, or repaired in such a manner as to require a permit to be issued; Such including alteration that results in structural frame changes to floors, walls, and roofs, changes in location or sizes of stairs, exits, windows, plumbing fixtures, electrical fixtures, and electrical devices as well as any change in occupancy of existing previously unoccupied spaces. Repairs for purpose of maintenance or replacements in an existing building or structure which do not affect the structural portions of the building or structure are deemed to be minor repairs and a permit is not required.

**Section IV. Permits and Inspections.** The following are General Building Permit Requirements:

No building or structure of any kind shall be constructed, altered, enlarged, moved or razed until a permit has been obtained by the owner or authorizes agent from the Town. Permits shall be obtained for outbuildings, decks, porches, garages and any other structures where the square footage of the structure is at least sixty-four (64') square feet in size. No permit shall be required for the replacing or repairing of plumbing fixtures or removal of stoppages. Permits shall be required if plumbing pipes need to be re-routed or re-done.

The application for a building/plumbing/electrical permit shall be made in writing upon a form furnished by the Town and shall state the name and address of the owner of the land and also the owner of the building if different, the address of the building or legal description of the property and other information as required by the Town. Application shall include; two (2) sets of plans, drawn to a scale of one-quarter inch to one foot. Waiver of the plan requirement may be waived by the Town representative at their discretion.

The permit fees shall be determined by the Town Board or its Designee. Permit fees shall double when work is commenced before a permit is issued.

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Permits will be required for alterations which involve either beams, girders, bearing walls, or changes in location of stairs or exits. The minimum requirements of the ordinance shall be followed:

Repairs for purpose of maintenance or replacements in an existing building or structure which do not affect the structural portions of the building or structure are deemed to be minor repairs and a permit is not required.

Building permits shall be displayed in a conspicuous place on the premises where the building is in progress.

Inspectors of the Town or its designee, may at all reasonable hours enter upon any public or private premises for inspection purposes and may require the production of the permit for any building, plumbing, electrical, or heating work. No person shall interfere with or refuse to permit access to any such premises to a representative of the Town while in performance of their duties.

**Section V. Enforcement and Penalties.** The Town is hereby authorized, thru its delegated inspector, to administer and enforce all of the provisions of the Uniform Dwelling Code and provisions of this ordinance. Inspectors of the Town shall be certified for inspection purposes by the Department in each of the categories specified under SPS 320 Wis. Adm. Code. Inspectors of the Town or its designee, may at all reasonable hours enter upon any public or private premises for inspection purposes and may require the production of the permit for any building, plumbing, electrical, or heating work. No person shall interfere with or refuse to permit access to any such premises to a representative of the Town while in performance of their duties. Any person who violates, disobeys, or refuses to comply with, or who resists the enforcement of any provisions of this Ordinance shall, upon conviction, be subject to a forfeiture of One Hundred Fifty Dollars (\$150.00) for each such offense, each day of such violation constituting a separate offense.

**Section VI. Severability.** The provisions of this Ordinance shall be deemed severable, and it is expressly declared that the Town Board would have passed the provisions of this Ordinance irrespective of whether one or more provisions may be declared invalid, and if any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, the remainder of the Ordinance and the application of such provision to other persons or circumstances shall not be affected thereby.

**Section VII. Effective Date.** This Ordinance shall take effect upon passage and publication. The provisions of this Ordinance shall prevail over

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any previous ordinances of the Town of Shelby that are or may be in conflict there with.

Date passed: 2/19/2019

Timothy Candall  
Timothy L. Candahl, Town Chair

Timothy D. Ehler  
Timothy D. Ehler, Town Supervisor

Timothy A. Padesky  
Timothy Padesky, Town Supervisor

ATTEST:

Michelle Kind  
Michelle Kind, Town Clerk