

**ORDINANCE NO. 2021-05
VILLAGE OF BELLEVILLE**

JUL 19 2021

Belleville
Village Board

**AN ORDINANCE AMENDING CHAPTER 218
OF THE VILLAGE OF BELLEVILLE CODE OF ORDINANCES**

PURPOSE:

This ordinance adopts the State of Wisconsin Commercial Building Code and will allow the Village's building inspector to perform commercial building inspections.

The Village Board of the Village of Belleville, Dane and Green County, Wisconsin, ordains as follows:

1. Create Section 218-16 to read as follows:

§ 218-16 Commercial Buildings.

A. Permit Required.

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

- 1) The construction which shall require a building permit includes, but is not limited to:
 - a) New commercial buildings including agricultural buildings, detached structures (decks), and detached accessory buildings.
 - b) Additions that increase the physical dimensions of a building, including, but not limited to, decks.
 - c) Alterations to the building structure cost shall include market labor value, or alterations to the building's heating, electrical, or plumbing systems.
 - d) Replacement of major building equipment, including furnaces and central air conditioners, water heaters, and any other major piece of equipment.
 - 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) Any HVAC for new construction or remodeling.
 - g) Any plumbing for new construction or remodeling.
 - h) Any new or re-wired electrical service, including services for agricultural buildings.

B. Adoption of State Codes.

- 1) The following Chapters of the Wisconsin Administrative Code, as well as all subsequent revisions, are adopted by the Village and shall be enforced by the Building Inspector.

Ch. SPS 302.31-Fee Schedule, Subch. III - Buildings
Ch. SPS 305 Licenses, Certifications, and Registrations
Ch. SPS 316 Electrical
Chs. SPS 320-325 Uniform Dwelling Code
Ch. SPS 327 Camping Units

Chs. SPS 361-366 Commercial Building Code
Chs. SPS 375-379 Buildings Constructed Prior To 1914
Chs. SPS 380-387 Plumbing

C. Certified Municipality Status.

- 1) Certified Municipality. The Village has adopted the Certified Municipality Status as described in § SPS 361.60 of the Wisconsin Administrative Code.
 - a) Responsibilities. The Village shall assume the following responsibilities for the Department of Safety and Professional Services (Department):
 1. Provide inspection of commercial buildings with certified commercial building inspectors.
 2. Provide plan examination of commercial buildings with certified commercial building inspectors.
 - b) Plan Examination. Drawings, specifications, and calculations for all types of buildings and structures, except state-owned buildings and structures, to be constructed within the limits of the municipality shall be submitted, if the plans are for any of the following:
 1. A new building or structure containing less than 50,000 cubic feet of total volume.
 2. An addition to a building or structure where the area of the addition results in the entire building or structure containing less than 50,000 cubic feet of total volume.
 3. An addition containing no more than 2,500 square feet of total floor area and no more than one floor level, provided the largest roof span does not exceed 18 feet and the exterior wall height does not exceed 12 feet.
 4. An alteration of a space involving less than 100,000 cubic feet of total volume.
 5. A certified municipality may waive its jurisdiction for the plan review of a specific project or types of projects, or components thereof, in which case plans and specifications shall be submitted to the Department for review and approval.
 6. The Department may waive its jurisdiction for the plan review of a specific project, where agreed to by a certified municipality, in which case plans and specifications shall be submitted to the certified municipality for review and approval.
 - c) Plan Submission Procedures. All commercial buildings, structures, and alterations, including new buildings and additions less than 25,000 cubic feet, require plan submission as follows:
 1. Building permit application.
 2. Application for review - SBD-118.
 - a. Fees per Wis. Admin. Code § SPS 302.31
 - b. Fees apply to all commercial projects.
 3. Four sets of plans.
 - a. Signed and sealed per § SPS 361.31.
 - b. One set of specifications.

- c. Component and system plans.
- d. Calculations showing code compliance.

D. Building-HVAC-Electrical-Plumbing Inspector.

- 1) The Building Inspector shall be certified for inspection purposes by the Department in the required categories specific under § SPS 305, Wisconsin Administrative Code.
- 2) Assistants. The Building Inspector may employ, assign, or appoint, as necessary, assistant inspectors. Any assistant hired to inspect buildings shall be certified as defined in § SPS 305, Wisconsin Administrative Code by the Department.
- 3) Duties. The Building Inspector shall administer and enforce all provisions of this section.
- 4) Powers. The Building Inspector or an authorized certified 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 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 Section 66.0119, Wis. Stats.

E. Violations and Penalties

- 1) Prohibition. No person, entity, or firm may construct, remodel, demolish, or repair any building in a manner which violates any provision or provisions of this ordinance.
- 2) Every person, firm, or entity which violates this code shall, upon conviction, forfeit not less than \$25.00 and nor more than \$1,000.00 for each day of non-compliance, together with the costs of prosecution. Each day of non-compliance shall be a separate violation.
- 3) Violations discovered by the Building Inspector shall be corrected within 30 days, or more if allowed by the Building Inspector, after written notice is given. Violations involving life safety issues shall be corrected in a reasonable time frame established by the Building Inspector.
- 4) Compliance with the requirements of this ordinance is necessary to promote the safety, health, and well-being of the community and the owners, occupants, and frequenters of buildings. Therefore, violations of this ordinance shall constitute a public nuisance that may be enjoined in a civil action.

The above and foregoing ordinance was duly adopted by the Village Board of the Village of Belleville at its meeting held on July 19, 2021.

APPROVED:



Dale Yurs, Village President

ATTEST:



Rhea McGee, Deputy-Village Clerk

APPROVED: July 19, 2021

PUBLISHED: July 29, 2021





5/18/2018

Application for Delegated Municipality Authority

Complete this application to request agent municipality delegation authority from the State of Wisconsin Department of Safety & Professional Services, Division of Industry Services based on the request described below. See the attached list of delegated municipality general obligations. Complete a separate application for each delegation request.

Select All Delegation you are Requesting:

Commercial Building

- 1. (Base Delegation) As a municipality (city, village, town or county) per s. SPS 361.60(5)(c) to do **plan review and inspections** of **small** commercial buildings.
- 2. As a municipality (city, village, town or county) per s. SPS 361.60(5)(c) to do **plan review** of **small** commercial building projects **and** authorization per s. 101.12(3)(g), Wis Stats., to do **inspections** of **all size** buildings in lieu of the department.
- 3. Per s. 101.12(3)(g), Wis Stats., to do **inspections only** of **all size** buildings within the municipality in lieu of the department.
- 4. As a **second class city** per s. SPS 361.60(5)(b) to do **plan review and inspections** for all the types of buildings and structures.
- 5. As an **appointed agent** per s. 101.12(3)(g) Wis Stats. whereby a municipality (city, village, town or county) may request desired administrative responsibilities (e.g., fire sprinkler & fire alarm plan review only, or other expanded plan review beyond the limits outlined in options #1 & #2).
If appointed agent status is requested, fill in the desired enforcement responsibilities:

Fire Suppression/Fire Alarm Systems

- 1. Fire sprinkler and fire alarm plan review delegation for all types of buildings and structures.
- 2. Fire sprinkler and fire alarm inspection delegation for all types of buildings and structures.

Plumbing

- 1. Plan review and inspection of all plumbing projects in accordance with SPS 382.20 and Table 382.20-2.

Private On-Site Wastewater Treatment System (POWTS)

- 1. Plan review for POWTS that will completely utilize approved component manuals and products (check all that apply):
 - Commercial Residential
 - At Grade for DWF up to: _____ gpd
 - Non-Pressurized In-ground for DWF up to: _____ gpd
 - Pressurized In-ground for DWF up to: _____ gpd
 - Mound for DWF up to: _____ gpd
 - Drip-line for DWF up to: _____ gpd
- 2. Plan review for POWTS holding tanks based on \geq 3,000 gpd estimated flow utilizing approved component manuals and products

Elevator

- 1. SPS 318.1012 Conveyance plan review and inspections as delegated municipality. Periodic inspections require Regulated Object ID information.

Boiler

- 1. Inspections per SPS 341.10 and 341.16. Periodic inspections require Regulated Object ID information.

Other

- 1. _____

June 30, 2021


Wisconsin Department of Safety and Professional Services (DPS)

To whom it may concern:

The City/Village/Town of Belleville, Dane/Orange County, Wisconsin would like to notify DPS of our intention to assume jurisdiction for commercial building inspection and plan review, effective August 1, 2021. We have entered into a contract with General Engineering Company, Portage, WI to act as the independent inspection agency within our jurisdiction.

General Engineering Company's certified commercial building inspectors are as shown on Application for Delegated Municipality Authority.

A copy of our current building ordinances is attached.

Signed:  Title: Village President Date: 7.19.2021

General Engineering Company
P.O. Box 340
916 Silver Lake Drive
Portage, WI 53901



608-742-2169 (Office)
608-742-2592 (Fax)
gec@generalengineering.net
www.generalengineering.net

Engineers • Consultants • Inspectors

July 6, 2021

Village of Belleville
Attn: Rhea McGee
24 W Main St.
Belleville, WI 53508

Re: **Delegated Status**

Dear Rhea,

The Wisconsin Department of Safety and Professional Services (DSPS) is now requesting that municipalities verify their inspection status for providing Commercial Building Plan Review and Inspection services, otherwise referred to as "Delegated Status". As you know, a non-delegated municipality must rely on County or State reviewers and inspectors for all commercial construction projects. Becoming delegated is a quick, simple, and inexpensive method of ensuring that your municipality maintains control over the review, permitting, and inspections which take place within your Town.

As the Village was previously granted delegation for Commercial Electrical, we are now providing you with this information on Commercial Building Permitting, Plan Review, and Inspections. The process is not complicated - it is basically a notification to the DSPS of the Services that your municipality is providing. And we will assist you in the process.

After reviewing your Municipal Building Ordinances, it appears that you are missing most of the elements which are required by the State of Wisconsin. It is not uncommon that smaller municipalities have not updated their local ordinances to reflect the new Code requirements. Please review the attached applications for approval at your next meeting. Either the Clerk or the Chairman can sign the applications. The "business name" is your town/village/city name. I have also attached an ordinance template that covers the necessary elements which the State is looking for in your Ordinances. Please submit a copy of your DSPS compliant Commercial Building Ordinances with the applications, OR if you are updating the ordinances or in the process of codifying, you may simply submit the attached ordinance template and indicate that you are in the process of updating your ordinances.

This delegation process needs be completed for an independent inspection department to fulfill these services for your municipality. If you wish to obtain delegated authority from the State, your swift attention on this process would be appreciated. If you would prefer that GEC not provide these services, please respond with an email at your earliest convenience.

Respectfully,

GENERAL ENGINEERING COMPANY

A handwritten signature in black ink, appearing to read 'R. Douglas Hill', written over a circular stamp or seal.

R. Douglas Hill, DES
Project Manager
(608) 697-8002
dhill@generalengineering.net

Enclosures



Consulting Engineering • Structural Engineering • Building Design • Environmental Services
Grant Procurement & Administration • Land Surveying • Zoning Administration • Building Inspection • GIS Services



State Submittal Instructions

FOR COMMERCIAL BUILDING INSPECTION DELEGATION:

- 1) Sign and submit the **Application for Delegated Municipality Authority**. You must include your compliant ordinance, *or the proposed ordinance template that you will be adopting.*

FOR COMMERCIAL ELECTRICAL INSPECTION DELEGATION:

- 2) *If you have not previously done so:* Complete and submit the **Application for Inspection Agency Registration**, along with the required fees. You can submit with your application, the included Electrical Inspectors Letter which provides the names of the inspectors. In addition, you must include your compliant ordinance *or the proposed ordinance template that you will be adopting.*

Send ALL application material to:

Michael D. McNally Jr | Section Chief
Department of Safety and Professional
Services 141 NW Barstow St.
Waukesha, WI 53188
michaeld.mcnally@wisconsin.gov

Rhea McGee

From: Rhea McGee
Sent: Tuesday, July 20, 2021 9:51 AM
To: michael.d.mcnally@wisconsin.gov
Cc: Kevin Lord (KLord@msa-ps.com)
Subject: Village of Belleville Delegation Ordinance and Application
Attachments: 20210720094307.pdf

Mr. McNally,

Please see attached Delegation Ordinance and Application for the Village of Belleville. Please return a fully executed copy to me for our records. If you need anything else please let me know.

Rhea McGee

Deputy Clerk
P: 608-424-3341 ext. 103
E: RMcGee@villageofbelleville.com
Village Web: www.villageofbelleville.com

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July 30, 2019

Brian M. Wilson, ICMA-CM, Village Administrator
Village of Belleville
24 W. Main Street
P.O. Box 79
Belleville, WI 53508
bwilson@villageofbelleville.com

VIA E-MAIL

Re: Village of Belleville Jurisdiction Request for Commercial Electrical Permitting and Inspecting

Dear Brian M. Wilson,

I am pleased to inform you that your municipality has met all the requirements under the provisions of Wis. Admin. Code § SPS 316.011(1) to exercise jurisdiction over the inspection of electrical wiring installations at farms, public buildings, places of employment, campgrounds, manufactured home communities, public marinas, piers, docks, or wharves and recreational vehicle parks.

Pursuant to Wis. Stat. §§ 101.02 (5) and (15) and 101.82 (2m), the Department delegates your municipality the primary responsibility to perform commercial electrical permitting and inspecting for all installations under Wis. Admin. Code § SPS 316.012(1)(a) to be constructed within the limits of your municipality. An exception to this delegation is that our agency retains jurisdiction for permitting and inspecting for all state-owned buildings pursuant to Wis. Stat. § 13.48 (13).

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

- Maintain your municipality's registration as an inspection agency
- Provide the Department with a copy of any revisions to your municipality's electrical ordinance
- Employ or contract with certified commercial electrical inspectors or independent inspection agencies
- Provide the Department with any changes to the names of its certified commercial electrical inspectors and independent inspection agencies employed or contracted by the municipality

If your municipality chooses to relinquish jurisdiction, then please follow the provisions of Wis. Admin. Code § SPS 316.011(1)(b) by providing the Department with a 60-day notice prior to the day upon which your municipality intends to relinquish jurisdiction.

I understand that General Engineering Company will be the commercial electrical inspector responsible for enforcement.

Our electrical consultant for your area, Anthony Tadyak, at (262) 895-9078, is available to assist in any questions or concerns your municipality may have with implementing commercial permitting and inspecting services.

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

Sincerely,

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

Michael D. McNally Jr.
Section Chief, Electrical Program

cc: Garry Krause, Bureau Director, Technical Services Bureau
Anthony "Tony" Tadyak, Electrical Consultant, Technical Services Bureau

ORDINANCE 2021-05

Affidavit of Publication

STATE OF WISCONSIN }
COUNTY OF GREEN }

Amanda Henning, being duly sworn, says:

That she is an authorized representative of the Post Messenger Recorder, a weekly newspaper of general circulation, printed and published in New Glarus, Green County, Wisconsin; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:
July 29, 2021

That said newspaper was regularly issued and circulated on those dates.
SIGNED _____

Subscribed to and sworn to me this 29th day of July 2021.

Diane S Baumgartner
Diane S Baumgartner, Notary Public, State of Wisconsin, Green County, Wisconsin

My commission expires: September 09, 2022
of Lines _____ # of Weeks Published _____
Printers Fee \$ _____ Proof of Publication \$ _____
Total \$ _____
-or- See monthly invoice for cost
Received Payment _____

11103007 00520543 424-3423
VILLAGE OF BELLEVILLE
24 W MAIN ST, PO BOX 79
BELLEVILLE, WI 53508



...addressed the Board indicating ne...
by the Village Board for a three-year term of office. The members
Board for cause upon written charges and upon public hearing.
gnate one of the members as Chairman.
of Appeals shall have the following powers:
ls where it is alleged there is error in any order, requirement, deci-
administrative official in the enforcement of the Zoning Code or
62.23, 61.35 or 62.231 (wetlands), 87.30 or 281.31 (floodplains) or
on), Wis. Stats.
l exceptions to the terms of the Village zoning and floodplain zoning
ng Board of Appeals is required to pass.
in specific cases, such variance from the terms of the Village zon-
trary to the public interest where, owing to special conditions, a lit-
ractical difficulty or unnecessary hardship, so that the spirit of the
public safety and welfare secured and substantial justice done; pro-
ion shall have the effect of establishing in any district a use or uses
Zoning Board of Appeals shall not grant use variances in floodplain
tricts. In all other districts, no use variance shall be granted unless
for a zoning amendment or a conditional use permit, if applicable,
wful and feasible use of the subject property can be made in the
se variance granted shall be limited to the specific use described in
ot permit variances in yard, area or other requirements of the district
use of a building or premises in any location subject to appropriate
rmony with the general purposes of the Zoning Code for such pur-
essary for public convenience and welfare.
als may reverse or affirm wholly or in part or may modify any order,
nation appealed from, and may make such order, requirement, deci-
sion ought to be made, and to that end shall have all the powers of
is taken, and may issue and direct the issuance of a permit. A sim-
of the Zoning Board of Appeals shall be necessary to reverse any
etermination appealed from or to decide in favor of the applicant on
to pass or to effect any variation in the requirements of the Zoning
determination shall be stated and recorded. No order of the Zoning
ance shall be valid for a period longer than six months from the date
permit is obtained within such period and the erection or alteration
is commenced within such period.[2]
time of adoption of Code (see Ch. 1, General Provisions, Art. II).
of the Zoning Board of Appeals shall be open to the public, except
utive session to deliberate after a hearing or an appeal. The final
in in open session by roll call vote, recorded and open for public
ublic notice of all regular and special meetings shall be given to the
ed by the Wisconsin Open Meeting Law.[3]
et seq., Wis. Stats.
called by the Chairman or at the request of two members.
ny regular or special meeting at the time set by the Chairman.
or hearing shall consist of three (3) members, but a lesser number
fied time.
tes of its proceedings, showing the vote of each member upon each
vote, indicating such fact, and shall keep records of its examina-
of which shall be immediately filed in the office of the Village Clerk-
ord. The Board shall adopt its own rules of procedure not in conflict
able Wisconsin Statutes.
rticipate in the decision of or vote upon any case in which the mem-
tly or indirectly, but the Chairman shall direct an alternate member
of a member for interest shall not decrease the number of votes
er, but such member may be counted in determining whether a quo-
of business.
shall provide suitable offices for holding hearings and the presenta-
ccounts
xt the day after passage and publication as provided by law.
Roger Truttman, Village President
Lynne R. Erb, Village Clerk