

ORDINANCE 1255

AMENDING CITY CODE CHAPTER 279 BUILDING CONSTRUCTION, ARTICLE I UNIFORM BUILDING CODE, § 279-3 ADOPTION OF COMMERCIAL BUILDING CODE, § 279-6 BUILDING INSPECTOR, AND § 279-24 VIOLATIONS AND PENALTIES.

THE CITY COUNCIL OF THE CITY OF LAKE MILLS, JEFFERSON COUNTY, WISCONSIN, DOES HEREBY AMEND § 279-3 ADOPTION OF COMMERCIAL BUILDING CODE, § 279-6 BUILDING INSPECTOR, AND § 279-24 VIOLATIONS AND PENALTIES AS FOLLOWS:

Section 1. § 279-3 Adoption of Commercial Building Code. is hereby retitled and amended to adopt Wisconsin Administrative Code, Chapters SPS 305 Credentials, SPS 316 Electrical Code, SPS 320-325 Uniform Dwelling Code, SPS 327 Campgrounds, SPS 360 Erosion Control, Sediment Control & Stormwater Management, SPS 361-366 Commercial Building Code, SPS 375-379 Buildings Constructed Prior to 1914, and SPS 381 – 387 Plumbing Code as shown below:

§ 279-3 Adoption of Wisconsin Administrative Code.

The following Chapters of the Wisconsin Administrative Codes, their referenced codes and standards, and subsequent revisions, are hereby made a part of this code and adopted for municipal enforcement by the Building Inspector, who shall be certified as a SPS Building Inspector by the State of Wisconsin Department of Safety and Professional Services:

Ch. SPS 305	Credentials
Ch. SPS 316	Electrical Code
Chs. SPS 320-325	Uniform Dwelling Code
Ch. SPS 327	Campgrounds
Chs. SPS 361-366	Commercial Building Code
Chs. SPS 375-379	Buildings Constructed Prior to 1914
Chs. SPS 381-387	Plumbing Code

Section 2. § 279-6 Building Inspector. is hereby amended as follows:

§ 279-6 Building Inspector.

There is hereby created the Department of Building Inspection. The Building Inspector, appointed by the City, shall act as head of this department. The Building Inspector shall be certified for inspection purposes by the Department of Safety and Professional Services as required under Wisconsin Administrative Code Chapter SPS 305.

- A. Duties. The Building Inspector is vested with the authority and responsibility to administer and enforce all provisions of this ordinance. The Building Inspector shall make periodic inspection of existing public buildings to determine their safety. The Building Inspector shall make inspections at the site of buildings damaged, by any cause whatsoever, to determine the safety of buildings affected thereby.
- B. Powers. The Building Inspector, or an authorized certified agent of the Building Inspector, shall have the power and authority, at all reasonable hours, to 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 heating work being done or the required license therefor. No person shall interfere with or refuse to permit access to any such premises to the Building Inspector while in the performance of their duties. In the event that the Building Inspector is refused access to any such premises, then the Building Inspector is authorized to apply for a special inspection warrant pursuant to Wis. Stat. §66.0119.

Section 3. § 279-24 Violations and penalties. is hereby amended as follows:

§ 279-24 Violations and penalties.

- A. It shall be unlawful for any person, entity, or firm to construct or remodel, use, occupy, demolish, repair or maintain any building or structure in violation of any provision of this ordinance, or to cause, permit or suffer any such violations to be committed. Any person violating any provision of this ordinance shall be subject to the penalty provisions as set forth in the City Code.

- B. Upon written notice provided by the Building Inspector, it shall be the responsibility of the offender to abate a violation as expeditiously as reasonably possible and each day that such violation persists shall constitute a separate offense. If, in any action, a permit was issued it shall not constitute a defense nor shall any error, oversight or dereliction of duty on the part of the Building Inspector constitute a defense.

- C. Compliance with the requirements of this ordinance is necessary to promote the safety, health, and well-being of the public and the owners, occupants, and frequenters of buildings within the City of Lake Mills. Therefore, violations of this ordinance shall constitute a public nuisance that may be enjoined in a civil action.

Section 4. All ordinances or parts of ordinances inconsistent with or contravening the provisions of this ordinance are hereby repealed.

Section 5. This ordinance shall be in full force and effect upon passage and publication.

Dated this _____ day of _____, 2023.

Liesa Kerler, Council President

Attest:

Melissa Quest, City Clerk