

## Chapter 30

### BUILDING CONSTRUCTION

**[HISTORY: Adopted by the Common Council of the City of Buffalo City 12-9-1968 by Ord. No. 59. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Mobile homes — See Ch. 190.  
Property maintenance — See Ch. 244.  
Zoning — See Ch. 350.

#### ARTICLE I Permits

##### **§ 30-1. Permit required.**

No building, plumbing, or electrical work costing more than \$1000 shall be performed in the City of Buffalo City unless a permit therefor is obtained as required in the provisions of this chapter.

##### **§ 30-2. Payment of fees.**

All fees shall be paid to the City Treasurer and his receipt, showing that the fees prescribed by ordinance have been paid, presented to the Building Inspector before the Inspector shall issue to the owner, or his agent, a building, electrical or plumbing permit.

##### **§ 30-3. Expiration of permit.**

A building, electrical or plumbing permit shall lapse and be void unless the work or construction authorized by the permit is commenced within six months from the date of issuance thereof and completed within one year of the date of issuance.

##### **§ 30-4. Revocation.**

If the Building Inspector shall find at any time that any ordinances, laws, orders, plans and specifications are not being complied with, and that the holder of the permit refuses to conform after a written warning or instruction has been issued to him, he shall revoke the building, electrical or plumbing permit by written notice posted at the site of the work. When any such permit is revoked, it shall be unlawful to do any further work thereunder until the permit is reissued, excepting such work as the Building Inspector may order to be done as a condition precedent to the reissuance of the permit, or as he may require for the preservation of human life and safety or property.

##### **§ 30-5. Report on violations.**

It shall be the duty of all police officers to report at once to the Building Inspector any building, electrical or plumbing work which is being carried on without a permit as required by this chapter.

##### **§ 30-6. Records.**

The Building Inspector shall keep a record of all permits, fees, and inspections and shall make a semiannual report thereon to the Common Council.

**§ 30-7. Building Inspector.** [Added 10-8-1984]

It shall be the duty of the Common Council or a committee appointed thereby to exercise the functions of the Building Inspector as set forth in this chapter.

ARTICLE II  
**Building Standards**

**§ 30-8. Building permits and inspection.**

- A. Permit required. No building or any part thereof shall hereafter be erected within the City of Buffalo City or ground broken for the same, except as hereinafter provided, until a permit therefor shall first have been obtained from the Building Inspector by the owner, or his authorized agent. The term "building" as used in this article shall include any building or structure, and any enlargement, alteration, heating or ventilating installation, moving or demolishing, or anything affecting the fire hazards or safety of any building or structure.
- B. Application. Application for a building permit shall be made in writing upon a form furnished by the Building Inspector and shall state the name and address of the owner of the land, and also of the owner of the building, if different, the legal description of the land upon which the building is to be located, and shall contain such other information as the Building Inspector may require for effective enforcement of this article.
- C. Plans. With such application there shall be submitted two complete sets of plans and specifications, including a plot plan showing the location of the proposed building with respect to adjoining streets, alleys, lot lines, and buildings. Plans for buildings required to comply with the State Building Code shall bear a stamp of approval from the Department of Commerce. Such plans and specifications shall be submitted in duplicate; one set shall be returned after approval as hereinafter provided; the other one set shall remain on file in the office of the Clerk. All plans and specifications shall be signed by the designer.
- D. Waiver of plans. If the Building Inspector finds that the character of the work is sufficiently described in the application, he may waive the filing of plans for alterations, repairs or moving provided the cost of such work does not exceed \$2,000.
- E. Approval of plans. If the Building Inspector determines that the proposed building will comply in every respect with all ordinances of the City and all applicable laws and orders of the State of Wisconsin, he shall officially approve and stamp one set of the plans and return it to the owner, and issue a building permit therefor which shall be kept and displayed at the site of the proposed building. After being approved, the plans and specifications shall not be altered in any respect which involves any of the above-mentioned ordinances, laws and orders, or which involves the safety of the building or occupants, except with the written consent of the Building Inspector.
- F. Minor repairs. The Building Inspector may authorize minor repairs or alterations valued at less than \$100 which do not change the occupancy, area, structural strength, fire protection, exits, light or ventilation of the building without issuing a building permit.

- G. Fees. The fees for building permits shall be as set from time to time by the Common Council. [Amended 10-8-1984]
- H. Inspection of work. The builder shall notify the Building Inspector when ready, and the Building Inspector shall inspect all buildings upon completion of the foundation forms, or before the foundation is laid, and again when ready for lath and plaster, or before paneling is applied. After completion he shall make a final inspection of all new buildings and alterations.

**§ 30-9. Dwellings.**

The term "dwelling" as used in this article includes every building occupied exclusively as a residence by not more than two families.

**§ 30-10. New methods and materials.**

All materials, methods of construction and devices designed for use in buildings or structures covered by this chapter and not specifically mentioned in or permitted by this chapter shall not be so used until approved in writing by the Department of Commerce of Wisconsin for use in buildings or structures covered by the Wisconsin State Building Code, except sanitary appliances, which shall be approved in accordance with the State Plumbing Code issued by the State Department of Commerce. Such materials, methods of construction and devices, when approved, must be installed or used in strict compliance with the manufacturer's specifications and any rules or conditions of use established by the Department of Commerce. The data, tests and other evidence necessary to prove the merits of such material, method of construction or device shall be determined by the Department of Commerce.

**§ 30-11. Unsafe buildings.**

Whenever the Building Inspector finds any building or part thereof within the City to be in his judgment so old, dilapidated or so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use, and so that it would be unreasonable to repair the same, he shall order the owner to raze and remove such building or part thereof, or if it can be made safe by repairs, to repair and make safe and sanitary or to raze and remove at the owner's option. Such order and proceedings shall be as provided in § 66.0413, Wis. Stats.

ARTICLE III  
**Electrical Standards**

**§ 30-12. Applicability of state standards.**

All electrical work, including the placing of wires and other equipment, shall conform to the Wisconsin State Electrical Code, Ch. Comm 16, Wis. Adm. Code, and amendments and revisions adopted to date, which is hereby made by reference a part of this chapter.

**§ 30-13. Permit required.**

- A. No electric wiring or other equipment shall be installed or altered without first securing a permit therefor from the City Building Inspector, except that repairs or replacements of broken or defective sockets, switches or base receptacles may be made without a permit. The application for such permit shall clearly state the work planned, alterations to be made, and equipment and materials to be used, and all later deviations from such plan must be

submitted to and approved by the Building Inspector. A fee as set by the Common Council shall be charged for the permit.

- B. Inspection of work. After roughing-in the wiring of any building and before any such work is covered up, or upon completion of any outside wiring construction work, it shall be the duty of the person doing such work to notify the Building Inspector who shall at once inspect, or cause to be inspected, the same. Upon completion of such wiring, the Inspector shall be notified and shall inspect or cause to be inspected the finished work. If he finds that the work conforms to the State Electrical Code, he shall issue a certificate of compliance which shall contain the date and an outline of the result of such inspection, a duplicate of which shall be filed by location in the office of the Building Inspector. It shall be unlawful to use any such electrical equipment until such certificate has been issued.

#### ARTICLE IV **Plumbing Standards**

##### **§ 30-14. Applicability of state standards.**

The construction, reconstruction, installation and alteration of all plumbing, drainage and plumbing ventilation shall conform to the Wis. Adm. Code (State Plumbing Code) adopted by the State Department of Commerce, which is hereby adopted by reference as a part of this chapter.

##### **§ 30-15. Permit required.**

No plumbing or drainage of any kind shall be installed or altered, except that leakage or stoppage repairs may be made, without first securing a permit therefor from the Building Inspector. The application for such permit shall be on a form furnished by the Building Inspector and shall state clearly the work planned, alterations to be made, and equipment and materials to be used. All later deviations from such plan must be submitted to and approved by the Building Inspector. A fee as set by the Common Council shall be charged for each permit.

##### **§ 30-16. Licensed plumber required.**

All plumbing work shall be done only by a plumber licensed by the State Department of Commerce, except that a property owner may make repairs or installations in a single-family building owned and occupied by him as his home, provided that a permit is issued and the work is done in compliance with the provisions of this chapter.

##### **§ 30-17. Inspection of work.**

Upon completion of the plumbing work on any premises, the person doing such work shall notify the Building Inspector before such work is covered up, and the Building Inspector shall at once inspect or cause to be inspected the work. If he finds that the work conforms to the State Plumbing Code, he shall issue a certificate of compliance which shall contain the date and an outline of the result of such inspection, a duplicate of which shall be filed by location in the office of the Building Inspector. No person shall use or permit to be used any plumbing or drainage until it has been inspected and approved by the Building Inspector.

#### ARTICLE V **Flammable Liquids**

**§ 30-18. Adoption of standards by reference.**

Chapter Comm 10, Wis. Adm. Code, is hereby adopted by reference as a part of this chapter, and it shall be the duty of the Building Inspector to enforce the provisions thereof.

ARTICLE VI  
**Fire District Regulations**

**§ 30-19. Location of fire district.**

The fire district in the City of Buffalo City shall be the entire area within the City limits which hereafter may be zoned as Commercial.

**§ 30-20. Definitions.**

The terms "fire-resistive construction," "mill construction," "ordinary construction," "frame construction," and "fire-retardant roof coverings" shall have the meaning as defined in the Wisconsin State Building Code.

**§ 30-21. Regulations within fire districts.**

- A. Requirements. Every building hereafter erected, enlarged or moved within or into the fire district shall be of fire-resistive, mill or ordinary construction, except as otherwise provided by this chapter.
- B. Exceptions. No building of frame construction shall be constructed within or moved within or into the fire district except the following:
  - (1) Buildings occupied as a private garage, not more than one story in height nor more than 750 square feet in area, located on the same lot with a dwelling; provided that any such building shall be placed at least three feet from the lot lines of adjoining property.
  - (2) Buildings of frame construction, except when used for a high hazard occupancy, not exceeding 2,500 square feet in area when used for a business occupancy or 1,000 square feet in area when used for other occupancies, nor more than one story in height, and having a horizontal separation of not less than 10 feet on all sides. Walls having a horizontal separation of less than 10 feet shall have a fire-resistance rating of not less than one hour.
  - (3) Greenhouses not more than 15 feet in height.
  - (4) Sheds open on the long side, not more than 15 feet in height nor more than 500 square feet in area, located at least five feet from buildings and from adjoining lot lines.
  - (5) Builders' shanties for use only in connection with a duly authorized building operation.

**§ 30-22. Bulk oil tanks prohibited.**

The storage of Class I and Class II flammable liquids, as defined in § Comm 10.01, Wis. Adm. Code, in aboveground tanks outside of buildings is prohibited within the fire district, but this section shall not apply to farms.

**§ 30-23. Razing old or damaged buildings.**

Any existing building of frame construction within the fire limits which may hereafter be damaged by fire, or which has deteriorated to an amount greater than 1/2 of its value, exclusive of the foundation, as determined by the City Assessor, shall not be repaired or rebuilt, but shall be ordered removed by the Building Inspector under the provisions of § 66.0413, Wis. Stats.

**§ 30-24. Fire-retardant roofing.**

- A. Every roof hereafter constructed within the fire district, including buildings listed in § 30-21B, shall be covered with roofing having a fire-resistive rating equivalent to Class "B" or better of the Underwriters' Laboratories, Inc., classification in their "List of Inspected Materials," which is hereby adopted by reference and incorporated in this article as if fully set forth herein.
- B. No roofing on an existing roof shall be renewed or repaired to a greater extent than 1/10 of the roof surface, except in conformity with the requirements of Subsection A of this section.

**§ 30-25. Enforcement.**

The Building Inspector (or Fire Chief or other designated person) is hereby authorized and it shall be his duty to enforce the provisions of this article.

ARTICLE VII  
**Penalties**

**§ 30-26. Violations and penalties.**

In addition to the revocation provisions herein, the penalty for violating any provision of this chapter shall be not more than \$10 for each separate offense, plus costs of prosecution. A separate offense shall be deemed committed on each day of which a violation of any provision of this chapter occurs or continues.