

CHAPTER 14
BUILDING CODE

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14.01 TITLE. This chapter shall be known as the “Building Code of the City of St. Croix Falls” and shall be referred to in this chapter as “this code.”

14.02 PURPOSE. This code provides certain minimum standards, provisions and requirements for safe and stable design, methods of construction and uses of materials in buildings or structures hereafter erected, constructed, enlarged, altered, repaired, moved, converted to other uses or demolished, and regulates the equipment, maintenance, use and occupancy of all such building and/or structures. Its purpose is to protect and foster the health, safety and well being of persons occupying or using such building and the general public.

14.03 SCOPE. New buildings hereafter erected in, or any building hereafter moved within or into, the City shall conform to all the requirements of this code except as they are herein specifically exempted from part or all of its provisions. Any alteration, enlargement or demolition of an existing building and any installation therein of electrical, heating, plumbing or ventilating equipment which affects the health or safety of the users thereof or any other persons is a “new building” to the extent of such change. Any existing building shall be considered a “new building” for the purposes of this code whenever it is used for dwelling, commercial or industrial purposes unless it was being used for such purpose at the time this code was enacted. The provisions of this code supplement the laws of the State pertaining to construction and use and the Zoning Code of the City and amendments thereto to the date this chapter was adopted and in no way supersede or nullify such laws and the Zoning Code.

14.04 STATE CODES ADOPTED. (1) WISCONSIN ADMINISTRATIVE BUILDING AND HEATING, VENTILATING AND AIR CONDITIONING CODE. The Wisconsin Administrative Building and Heating, Ventilating and Air Conditioning Code COMM 50 through 65, the Flammable Liquids Code COMM 8, and all amendments thereto are hereby made a part of this chapter by reference with respect to those classes of buildings to which such provisions apply. A copy of said codes is on file in the office of the City Clerk.

(2) WISCONSIN UNIFORM DWELLING CODE. The Wisconsin Uniform Dwelling Code, Wis. Adm. Code COMM 20 through 25 and all amendments thereto are hereby made a part of this chapter by reference and shall apply to all new and existing one- and 2-family dwellings and all alterations and additions thereto. A copy of said code is on file in the office of the City Clerk.

14.05 BUILDING INSPECTOR. (1) APPOINTMENT. See sec. 1.03 of this Code.

(2) QUALIFICATIONS. (a) The Building Inspector shall have the necessary qualifications required by the State to determine compliance with applicable State and local building codes relating to the construction of buildings.

(b) The Building Inspector shall be certified by the Wisconsin Department of Commerce to administer and enforce all the provisions of the Wisconsin Uniform Dwelling Code.

(3) GENERAL POWERS AND DUTIES. The Building Inspector shall enforce the provisions of this chapter and of all other ordinances and the laws and orders of the State which relate to building construction, plumbing and electrical installations and for these purposes may at all reasonable times enter buildings and premises. He may pass upon any questions arising under the provisions of this chapter relating to buildings, subject to conditions contained in this chapter. No person shall interfere with the Inspector while in the performance of the duties prescribed in this chapter.

(4) **RECORDS.** The Building Inspector shall keep a record of all applications for building permits in a book and regularly number each permit in the order of issuance. He shall keep a record showing the number, description and size of all buildings erected during his term of office, indicating the kind of materials used, the cost of each building and the aggregate cost of all buildings of the various classes. He shall keep a record of all inspections made and of all removal and condemnation of buildings. He shall make a report to the Council upon request.

(5) **APPEALS.** Any person feeling himself aggrieved by any order or ruling of the Building Inspector may, within 20 days thereafter, appeal from such order or ruling to the Board of Zoning Appeals, such appeal to be in writing.

14.06 BUILDING PERMITS AND INSPECTION. (1) **PERMIT REQUIRED.** No building of any kind shall be moved within or into the City and no new building or structure, or any part thereof, shall hereafter be erected, or ground broken for the same, or enlarged, altered, moved, demolished or used within the City, except as herein provided, until a permit therefor shall first have been obtained by the owner, or his authorized agent, from the Building Inspector.

(2) **APPLICATION.** Application for a building permit shall be made in writing upon a form furnished by the Building Inspector which may be obtained at the office of the City Clerk and shall state the name and address of the owner of the land and also the owner of the building if different, the legal description of the land upon which the building is to be located, the name and address of the designer, the use to which said building is to be put, and such other information as the Building Inspector may require.

(3) **UTILITIES REQUIRED.** No occupancy permit shall be issued for the construction of any residential building until sewer is installed and grading and graveling of the street necessary to service the property for which the permit is required is completed. See ch. 17 of this Code.

(4) **PLANS.** With each application there shall be submitted 3 complete sets of plans and specifications, including a plot, plan showing the location of the proposed building with respect to adjoining roads, highways, streets, alleys, lot lines and buildings. Plans for public, commercial and industrial buildings involving the State Building Code shall bear the stamp of approval of the State Department of Commerce, if necessary. One plan shall be submitted which shall remain on file in the office of the Building Inspector. All plans and specifications shall be signed by the designer. Plans for all new one- and 2-family dwellings shall comply with the provisions of Wis. Adm. Code COMM 20.09(4).

(5) **PLOT PLAN REQUIRED.** A plot plan prepared by a registered land surveyor shall be submitted to the Building Inspector showing the location, boundaries, dimensions, elevations, uses and size of the following:

- (a) The subject site.
- (b) The existing and proposed structures.
- (c) The existing and proposed easements, streets and other public ways.
- (d) Off-street parking, loading areas and driveway.
- (e) The existing highway access restrictions.

- (f) The existing and proposed street, side and rear yards.

In addition, the plot plan shall show the location, elevation and use of any abutting lands and their structures within 60 feet of the subject site. The Building Inspector may waive any portion or all of the requirements of this subsection.

(6) **APPROVAL OF PLANS.** If the Building Inspector determines that the building will comply in every respect with all ordinances and orders of the City and all applicable laws and orders of the State, he shall issue a building permit which shall state the use to which said building is to be put, 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 or orders, or which involves the safety of the building or the occupants, except with the submittal and approval of revised plans. In case adequate plans are presented for part of the building only, the Building Inspector, at his discretion, may issue a permit for that part of the building before receiving the plans and specifications for the entire building. The finished grade adjacent to all new construction shall be at least one foot above the finished or proposed grade of the center line of the adjacent street.

(7) **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.

(8) **GRANT OR DENIAL OF PERMIT.** After the receipt of an application and plans required by this section, the Building Inspector shall grant or deny the application within 10 business days.

(9) **MINOR REPAIRS, MAINTENANCE AND ALTERATIONS.** Minor repairs, maintenance and alterations, including re-shingling, residing and replacing same size windows which do not change the occupancy area, structural strength, fire protection, exits, light or ventilation of the building and which will cost less than \$10,000 shall not require a building permit.

(10) **INSPECTION OF WORK.** The permittee or an authorized representative shall, in writing or orally, request inspections by the Building Inspector at appropriate times required for the enforcement of this code. The Inspector shall perform the requested inspection within 48 hours after notification, except the final inspection. Construction may not proceed beyond the point of inspection until the inspection has been completed, except if inspection has not taken place within 48 hours of notification, excluding Saturdays, Sundays and holidays, unless otherwise agreed upon between the permittee and the Inspector.

(11) **PERMIT LAPSES.** A building permit shall lapse and be void unless building operations are commenced within 12 months, or no significant progress has been made within 2 construction seasons, from the date of issuance thereof. In any event, all permits shall lapse 2 years from the date of issuance.

(12) **REVOCATION.** If the Building, Plumbing or Electrical Inspector shall find at any time that applicable ordinances, laws, orders, plans and specifications are not being complied with, and that the holder of the permit refused to conform after 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, except such work as the Building, Electrical or Plumbing Inspector may order to be done as a condition precedent to the re-issuance of the permit or as he may require for the preservation of human life and safety.

(13) EROSION CONTROL PERMIT REQUIRED. See ch. 17 of this Code.

(14) REPORT OF VIOLATIONS. The police or other City employes shall report at once to the Building Inspector any construction which is being carried on without a permit as required by this chapter.

14.061 SITE PLANS. (1) PURPOSE. The purpose of the site plan requirements set forth below are as follows:

- (a) To maintain and improve the quality of the environment.
- (b) To encourage the compatibility of the design and construction of new development with adjacent and nearby land uses.
- (c) To identify and resolve potential site planning problems prior to the preparation of final construction plans.
- (d) To provide that new development is approved and constructed in accordance with the availability of public facilities.
- (e) To administer effectively all adopted City ordinances and standards with respect to new development.
- (f) To provide clear and uniform site plan submittal and review procedures and requirements for applicants and the general public.
- (g) To provide the Plan Commission and the Council with relevant information required to evaluate proposed site plans effectively.
- (h) To facilitate the efficient and effective public review of site plans.

(2) WHEN REQUIRED. Site plans shall be submitted and reviewed by the Plan Commission and approved by the Council prior to the issuance of a building permit for all new construction of properties with uses described as Planned Unit Development, Multi-Family (4-plex or larger), Commercial or Industrial.

(3) PROCEDURE. (a) An application for site plan approval and the applicable fee shall be submitted to the City Clerk no less than 10 working days prior to the Plan Commission meeting at which the application shall be considered. The application shall be accompanied by 12 copies of the site plan, written material and other information required in sub. (4) below and one 8-1/2" x 11" reduction of the site plan. Site Plans should first be reviewed by city staff especially for larger scale developments and may be subjected to architectural design review.

(b) The City Clerk shall review the site plan and accompanying material for conformance to this section and shall coordinate accompanying review as may be appropriate by other City departments and the City Engineer. The Clerk shall then refer the site plan and materials to the Plan Commission for its consideration of the application.

(c) When reviewing an application, the Plan Commission shall consider the review criteria of sub. (5) below. The action of the Commission shall be to recommend approval of the site plan with or without conditions, recommend denial of the site plan or recommend deferral for further study. The Commission shall provide its report and recommendation to the

Council within 30 days of receipt of the application. The Plan Commission, in recommending deferral for further study, may require review of the site plan by a certified city appointed architect to ensure design is in keeping with city codes and community character, such fees secured as part of the escrow fees defined in section (3) (b).

(d) Upon receipt of the report and recommendation of the Plan Commission, the Council shall consider the proposed site plan in relation to the Commission report and the review criteria of sub. (5) below. The action of the Council shall be to approve the site plan with or without conditions, deny it or defer it for further study, subject to the limitations of sub. (5) below.

(e) Following approval of a site plan and prior to issuance of a building permit, the applicant shall be responsible for submittal to the Council of 4 copies of the final approved site plan which shall include all changes or other pertinent information required by the Council.

(f) An applicant who wishes to change an approved site plan, if such proposed changes increase density by more than 5%, or otherwise substantially alters parking, principal uses, drainage or similar principal site plan elements, such changes shall be reviewed and decided upon in the same procedure as set forth in this subsection.

(3a) FEES. (a) Site Plan Application Fee. The site plan application fee shall be established at \$200 to be paid by the applicant at the time of the filing of the application.

(b) Site Plan Review Escrow Fee. The site plan review escrow fee shall be established at an initial deposit of \$2,500 which shall be paid by the applicant at the time of the filing of the application. The review fee escrow shall be used to cover any engineering review costs as well as architectural review fees, and any other costs incurred by the City in the review of the site plan, including administrative review. In the event that the review costs exceed the initial deposit of \$2,500, the applicant shall be required to deliver an additional escrow deposit in such amount as prescribed by the City Clerk.

(4) SUBMITTAL REQUIREMENTS A list of items to be submitted with a site plan may be obtained from the City Clerk.

(5) REVIEW CRITERIA. Within 60 days of the receipt of the report and recommendation of the Plan Commission by the Council, the Council shall render a decision. If no decision is made by the Council within said 60 day period, the site plan shall be considered approved. The Council shall approve, deny or approve subject to compliance with such modifications or conditions as it may deem necessary to carry out the purpose of these regulations and insure that the external design and site plan for all developments are in accordance with the provisions of this section. The Council shall impose such conditions as are necessary to carry out policies adopted by ordinance or resolution of the Council. When acting upon an application, the Council shall rely upon generally accepted site planning and design principles. In addition to the provisions and intent of this section, the comprehensive plan, all other applicable ordinances and such policies as may be adopted by the Council, the Council shall also give important consideration during the review process to the following criteria for approval:

- (a) The existing natural topographic and landscape features of a site shall be incorporated into a development plan. Such plan shall include all prudent and necessary steps required to protect the natural environment of the site and surrounding areas during and after construction.

- (b) Site coverage, paved areas, lawn areas, building scale, setbacks and open spaces shall be in proportion with existing and planned structures and spaces in the surrounding area.
- (c) Buildings shall be sited in an orderly nonrandom fashion. Excessively long, unbroken building facades shall be avoided. Building materials and design features shall be consistent with the general design theme of the development.
- (d) Access to the site shall be provided by curb cuts which are limited and located in a manner to minimize traffic congestion and difficult turning movements.
- (e) The interior circulation of the site shall be designed to provide for the convenient and safe flow of pedestrians and non-pedestrian traffic on the site and onto and from public streets or sidewalks.
- (f) Sites shall be lighted with fixtures, when required, which relate to the scale and design of the development and which have an intensity high enough to maintain security and low enough to avoid being a nuisance. All lighting shall be downward reflecting and solar powered lighting is encouraged and may be required as a condition to plan approval.
- (g) Paved areas shall be only as large as necessary to serve parking, circulation and open space needs. The appearance of paved areas shall be enhanced by landscaping. Monotonous, extended, or unbroken parking areas, driveways and carport or garage structures shall be avoided. Parking structures and areas shall be separated from residential buildings by landscaped areas.
- (h) Outdoor activity areas, parking lots, storage yards, trash areas and other exterior features or uses shall be adequately landscaped or screened to minimize any potential nuisance features of the use of the site on existing or potential adjacent land uses.
- (i) Recyclable materials storage areas will be provided for any use which generates significant amounts of recyclable materials and such area shall be appropriately screened.
- (j) The requirements of sec. 8.15 of this Code regulating storm water drainage, on-site detention and runoff control.
- (k) The projected load of the development on city water and sewer capacity. In reviewing such loads the City may require, as a condition to plan approval, water conservation standards, such as low-flow shower heads, on demand water heaters, and energy efficient dishwashers. In addition, the city may require provisions that the proposed development provide sufficiently for its water and/or waste-water needs.

In addition to the above criteria, review of a site plan shall also include consideration of the conformance of the site plan with the ability of the City to provide in a timely and efficient fashion the needed public services and facilities required to adequately serve the proposed development.

Public services reviewed shall include, but not be limited to, water, sanitary sewer, storm sewer, streets, sidewalks, traffic control, fire and police protection.

14.07 PERMIT FEES . A schedule of permit fees is available in the office of the Building Inspector.

14.08 SMOKE DETECTORS REQUIRED. In all one- and 2-family dwellings one smoke detector shall be installed on each floor.

14.09 RESIDENTIAL GARAGES. Residential attached garages shall be built in accordance with the general construction standards established in the Wisconsin Uniform Dwelling Code. Residential garages shall be located in accordance with ch. 17 of this Code and not less than 10 feet from any other building on the same premises when not a part of the building. Whenever a garage is constructed as part of any building, the ceiling and the walls or wall separating the garage from other portions of the building shall be of not less than one-hour fire-resistive construction as specified in Wis. Adm. Code COMM 21.08.

14.10 PRIVATE SWIMMING POOLS. No person shall construct, install or enlarge a residential swimming pool not enclosed in a permanent building in the City except in accordance with the following regulations:

(1) **DEFINITION.** “Swimming pool” means any depression in the ground, either temporary or permanent, or a container of water, either temporary or permanent and either above or below the ground, in which water more than 2 feet deep is contained and which is used primarily for the purpose of bathing or swimming.

(2) **PERMIT.** (a) Required. No person shall construct, install, enlarge or alter any private swimming pool unless a permit therefor has first been obtained from the Building Inspector.

(b) Application. Application shall be on a form provided by the Building Inspector and shall be accompanied by plans drawn to scale showing the following:

1. Location of pool on lot, distance from lot lines and distance from structures.
2. Location of septic tank, filter bed and sewer lines.
3. Pool dimensions and volume of water in gallons.
4. Location and size of fence and gate location.
5. Existing overhead wiring relative to proposed pool.

(3) **CONSTRUCTION REQUIREMENTS.** (a) No pool shall be located, erected, constructed or maintained closer to any side or rear lot line than allowed by ch. 17 of this Code for permitted accessory building uses, and the waterline of any pool shall not be less than 5 feet from any setback line or building.

(b) No connection shall be made to the sanitary sewer or septic system.

- (c) Gaseous chlorination systems shall not be used for disinfecting pool waters.
- (d) No above-ground pool shall be less than 5 feet from any septic system.

(4) **PLUMBING AND ELECTRICAL REQUIREMENTS.** (a) To Comply With Plumbing and Electrical Codes. All plumbing and electrical installations shall require separate permits and shall be governed by the City or State Plumbing and Electrical Codes.

(b) Pool Lights. If overhead flood or other artificial lights are used to illuminate the pool at night, such lights shall be shielded to direct light only on the pool.

(5) **FENCE REQUIREMENTS.** All private residential swimming pools, whether in ground or above ground, shall be enclosed with an adequate and secure fence at least 6 feet high above adjoining ground. Required fences shall be constructed so as to prohibit the passage of a 6 inch diameter sphere between fence members. Any gates installed shall be provided with self-closing and self-latching devices which shall be on the inside of the gate at least 30 inches above ground level. A pool dome or pool top fencing attached to the pool to extend at least 6 feet above the ground, or a pool cover capable of supporting 100 pounds per square foot of area, are acceptable substitutes for fencing. Pool covers shall be fixed securely in place at all times when pool is not supervised by a responsible person. Above ground pools with walls that are at least 48 inches high at all points around said pool or have platforms and railings that are 48 inches or more in height above ground are not required to be enclosed as provided in this section; however, all ladders and stairways providing access to such pools shall be adequately fenced and fitted with gates to prevent entry when the pool is not in use.

(6) **USE OF POOL.** No pool shall be so operated as to create a nuisance, a hazard or an eyesore or otherwise to result in a substantial adverse effect on neighboring properties.

(7) **VARIANCES.** The Board of Zoning Appeals may grant variances to the requirements of this section, pursuant to ch. 17 of this Code.

14.11 FENCES AND WALLS. (1) **PERMIT REQUIRED.** No person shall construct a fence in the City without first obtaining a permit from the Building Inspector.

(2) **APPLICATION; FEE.** Application for a permit shall be filed with the Building Inspector on a form supplied by the Inspector, together with a sketch of the proposed fence and the payment of the required fee as provided in sec. 14.07 of this chapter.

(3) **GENERAL REQUIREMENTS.** (a) Fences and Walls in Front Yards. On any corner lot, no fence, wall or shrub shall be within the vision triangle prescribed in ch. 17 of this Code. Fences, walls or shrub plantings shall not be erected on any lot within 10 feet of the front property line in such a manner as to interfere with traffic visibility from a driveway. No fence, wall or planting in a residential area shall exceed 3 feet in height in that part of a front yard which extends 25 feet back from the property line, except a variance may be granted where State law or other laws, ordinances and rules require a more restrictive compliance, especially where health, welfare and safety of the citizens and the public is concerned.

- (b) Fences in Side Yards. No fence or wall, other than a retaining wall, along a side line of a lot shall be higher than 6 feet unless the adjoining lot is not in a residential district. Except as provided in par. (a) above, no side yard fence or wall shall extend into the required street setback area.

- (c) Fences in Rear Yards. Fences having a height of 6 feet or less may be located within the required rear yards in residential districts.
- (d) Property Line Fences. Fences shall be erected not closer than 3 feet from the property line so as to be normally serviceable by the owner.
- (e) Dog Pens and Runs. Dog pens and runs shall be erected in the rear yard only and shall be located at least 20 feet from any property line.

14.12 NEW METHODS AND MATERIALS. All materials, methods of construction and devices designed for use in buildings or structures covered by this code and not specifically mentioned in or permitted by this code shall not be so used until approved in writing by the State Department of Commerce. Such materials, methods of construction and devices, when approved, shall be installed or used in strict compliance with the manufacturer's specifications and any rules or conditions of use established by the State Department of Commerce. The date, 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.

14.13 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 it at the owner's expense. Such order and proceedings shall be carried out in the manner prescribed for the razing of buildings in §66.0413, Wis. Stats. Where the public safety requires immediate action, the Building Inspector shall enter upon the premises with such assistance as may be necessary and shall cause the building or structure to be made safe or to be removed, and the expenses of such work may be recovered by the City in an action against the owner or tenant

14.14 MOVING BUILDINGS. See ch. 8 of this Code.

14.141 REGULATION FOR REMOVAL OR DEMOLITION OF BUILDINGS.

(1) **BUILDING DEFINED.** A building shall be defined as a combination of materials forming a structure, including any portion thereof, that is safe and stable and adapted to the permanent or continuous occupancy for assembly, business, education, high hazard, industrial, institutional, mercantile, residential or storage purposes, and which is subject to the requirement for a building permit in order to be erected elsewhere in this Code.

(2) **PERMIT REQUIREMENT.** No building, as defined herein, shall be razed, demolished, removed or wrecked without a razing permit from the City. The fee for a razing permit shall be \$.20 per 100 cubic feet, but not less than \$15. A person seeking a razing permit shall also pay a fee of \$25 to the City at the time of receipt of the permit for costs associated with the plugging of any existing sanitary lateral or laterals associated with the property. Razing permits shall lapse and be void unless the work authorized thereby is commenced within 6 months from the date the permit is issued and completed within 30 days from the date of commencement of said work. The City may, on good cause shown, grant extensions to the specified time requirements.

(3) **SANITARY SEWER AND WATER MAIN LATERALS.** Prior to the razing or removal of a building, the permittee shall determine, with the assistance of the Public Works Department, if there are existing sanitary sewer or water main laterals on or serving the property along any public right of way or easement. If such lateral or laterals serve the property, the permittee shall notify the Director of Public Works or the City Engineer at least 24 hours in advance

of the commencement of any razing or removal operations and shall permit City personnel entry on the property to perform or to supervise the abandonment of the lateral or laterals. The City personnel shall disconnect any sanitary lateral at the property line and affix a watertight plug, or supervise the operation to insure that it is performed to the City's satisfaction and standards. City personnel shall likewise disconnect any water lateral from the main or shut off and secure the main or hall supervise the operation to insure that it is performed to the City's satisfaction and standards. The permittee shall backfill the excavation under the supervision and to the satisfaction of the Director of Public Works or the City Engineer to insure that no damage is caused to any sanitary sewer or water main by the backfill operation. The owner of the property shall assume all responsibility for any damage to persons or property due to the abandonment of the lateral or laterals.

(4) **PEST CONTROLS.** Prior to the razing or removal of a building, the permittee shall take all necessary steps to treat the building so as to prevent the spread and migration of rodents and insects therefrom during and after the razing and removal of the building.

(5) **REQUIRED BARRICADES.** A snow fence or other approved barricade shall be erected by the permittee as soon as any portion of the building is removed and shall remain during razing operations.

(6) **AIRBORNE CONTAMINENT CONTROL.** If the razing or removal operation results in, or is likely to result in, an excessive amount of dust particles being released into the air, thereby creating a nuisance in the vicinity, the permittee shall take necessary steps to eliminate such a nuisance.

(7) **FOUNDATION REQUIREMENTS.** After all razing operations are completed, the foundation shall be filled at least one foot above the adjacent grade, the property shall be raked clean and all debris shall be hauled away.

(8) **DEBRIS REMOVAL.** All debris, including combustible materials, shall be removed at the end of each work day. Combustible materials shall not be used for backfill. Burning of any materials at the site is prohibited.

(9) **PENALTIES.** Any person who razes, demolishes, removes or wrecks any existing building without a permit from the City shall forfeit not more than \$500 per day. Each day the violation continues shall be considered to be a separate violation. Any person who violates any other provision of this section shall be subject to a forfeiture of not more than \$25 per day. Each day the violation continues shall be considered to be a separate day.

14.15 SATELLITE TELEVISION ANTENNAS. (1) **PERMIT REQUIRED.** Except for satellite television antennas less than 3 feet in diameter, no person shall install a satellite television antenna within the City until a permit is obtained from the Building Inspector.

(2) **APPLICATION.** Application for a permit shall be made on a form provided by the Building Inspector.

(3) **PERMIT FEES.** See sec. 14.07 of this chapter.

(4) **DEFINITIONS.** (a) Satellite Television Antenna. An apparatus capable of receiving communications from a transmitter or a transmitter relay located in planetary orbit.

- (b) Usable Satellite Signal. A satellite signal which, when viewed on a conventional television set, is at least equal in picture quality to that received from local commercial television stations or by way of cable television.
- (5) **SIZE AND HEIGHT LIMITATIONS.** (a) Antennas shall not extend more than 10 feet above the height limit established for a zone in which the structure is located.
- (b) Antennas shall not exceed 11 feet in diameter in a residential zone.
- (6) **LOCATION AND CONSTRUCTION REQUIREMENTS.** (a) Subject to par. (d) below, in any business, commercial, agricultural or manufacturing zone, such antenna may be located anywhere on the lot or building thereon.
- (b) In a residential zone, subject to the provisions contained herein, such antenna shall be located either in the rear yard of any lot or on the roof. If usable satellite signal cannot be obtained from such rear yard or roof, the antenna may be located on the side or front yard of the property, subject to the requirements contained herein.
 - (c) Ground-mounted antenna shall be located at least 5 feet from the nearest part of the main building on the same lot and at least 5 feet from any rear or side property line; no antenna shall be located in the front setback.
 - (d) No antenna on a corner lot shall be constructed within a vision triangle contrary to ch. 17 of this Code.
 - (e) Except in business, commercial, agricultural or manufacturing zones, antenna shall be located and designed to reduce visual impact from surrounding properties at street level and from public streets.
 - (f) Not more than one satellite antenna shall be allowed in any residential zone on any lot less than one acre in size.
 - (g) All antennas and the construction and installation thereof shall conform to applicable regulations and requirements of the this chapter and the Electrical Code.
 - (h) Antenna shall meet all manufacturers' specifications, shall be on noncombustible and corrosive-resistant materials, and shall be erected in a secure, wind-resistant manner.
 - (i) Every antenna must be adequately grounded for protection against a direct strike of lightning.
- (7) **LOCATION, CONDITIONAL.** The construction location, installation and erection of a satellite antenna shall be on a conditional basis and, in the event said satellite antenna interferes with radio or television reception on adjacent properties, such satellite antenna shall be moved or shielded to eliminate said interference.
- (8) **TEMPORARY PLACEMENT PERMITTED.** Satellite antennas may be temporarily located on a lot or parcel for the purpose of testing reception for a period

not to exceed 10 days in any calendar year without a permit, provided that the provisions of this section are complied with.

- (9) **PREVIOUSLY ERECTED ANTENNAS.** Subject to sub. (7) above, this section shall not affect any satellite antenna erected prior to the adoption of this section. (pre 1999)

14.151 ALTERNATIVE ENERGY SYSTEMS REGULATED. See sec. 17.181 of this Code

14.16 NON-ASSUMPTION OF LIABILITY. This chapter shall not be considered as assuming any liability on the part of the City or any official or employe thereof for damages to anyone injured or for any property destroyed by any defect in any building or equipment, or in any plumbing or electric wiring or equipment.

14.20 PENALTIES AND VIOLATIONS. Any building or structure hereafter erected, enlarged, altered, repaired or moved, or any use hereafter established, in violation of the provisions of this chapter, shall be deemed an unlawful building, structure or use. The Building Inspector shall promptly report all such violations to the City Attorney, who shall bring an action to enjoin the erection, enlargement, alteration, repair or moving of such building or structure or the establishment of such use, or to cause such building, structure or use to be removed and may also be subject to a penalty as provided in sec. 25.04 of this Code. Each day a violation continues may be deemed a separate offense. In any such action, the fact that a permit was issued shall not constitute a defense, nor shall any error, oversight or dereliction of duty on the part of the Building Inspector constitute a defense. Compliance with the provisions of this chapter may also be enforced by injunction order at the suit of the owner or owners of any real estate within the jurisdiction of this chapter.