

# Sub-Chapter B To Chapter 14, Building Code

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## COMMERCIAL BUILDING CODE

- 14.35 General Provisions
- 14.36 State Commercial, Existing and Historic Building Code Adopted
- 14.37 Enforcement by Building Inspector
- 14.38 Building Permits
- 14.39 Fees for Building Permits and Inspections
- 14.40 Violation and Penalties
- 14.41 Appeal to Board of Appeals
- 14.42 Liability for Damages

### 14.35 General Provisions

- (1) Authority – These regulations are adopted pursuant to authority granted by Subchapter I of Wisconsin Statute Ch. 101 (§§ 101.01 - 101.599), and Wisconsin Administrative Code Comm 61-65.
- (2) Purpose – The purpose and intent of this subchapter is to:
  - (a) Exercise jurisdiction over the construction and inspection of all new construction, alterations, and additions concerning public buildings, multi-family dwellings and places of employment (hereafter "commercial building");
  - (b) Provide inspections for commercial buildings covered by this code by inspectors certified by the Department of Commerce;
  - (c) Establish and collect fees to defray administrative and enforcement costs; and
  - (d) Establish remedies and penalties for violations.

### 14.36 State Commercial, Existing and Historic Building Codes Adopted

The regulations and other provisions with respect to commercial buildings covered by this code in the Wisconsin Administrative Code (Department of Commerce) Chapters Comm 61-65 (Commercial Building Code), Comm 75-79 (Existing Buildings Code), and Comm 70 (Historic Building Code), as amended from time to time, are hereby adopted and by reference made a part of this ordinance as if fully set forth herein.

### 14.37 Enforcement by Building Inspector

- (1) The administration and enforcement of this subchapter shall be carried out by the City Building Inspector or his/her designee.
- (2) Anyone performing inspections and issuing permits pursuant to this subchapter shall be certified to do so, as required by the State of Wisconsin.

### 14.38 Building Permits

- (1) Building Permits Required – No new commercial building or additions or alterations to existing buildings covered by this code of which initial construction shall be commenced after the effective date of this section, shall be built, enlarged, altered, or repaired unless a building permit for that work shall first be obtained by the owner, or agent, from the Building Inspector. Application for a commercial building permit shall be made in writing upon form(s) designated by the Building Inspector.
- (2) Plan Review – Plan review shall remain the responsibility of the State of Wisconsin, Department of Commerce.
- (3) Issuance of Permit – If the Building Inspector finds that the proposed building, repair, or addition complies with all City ordinances and the adopted state building codes, and the plans have been approved by the State as necessary, then the Building Inspector shall approve the application and a building permit shall be subsequently issued to the applicant. The issued building permit shall be posted in a conspicuous place at the

building site. A copy of any issued building permit shall be kept on file with the Building Inspector.

- (4) Work Requiring a Building Permit – A building permit is required for all repair or remodeling work when the project cost, with materials and labor, exceeds \$500.00. When the owner is furnishing repair or remodeling work, the owner's labor shall be calculated to be equal to the cost of materials, and therefore, when materials cost more than \$250.00, a permit is required.
- (5) Occupancy Permit – An occupancy permit is required to be issued by the Building Inspector prior to any person occupying a newly constructed building. Failure to acquire an occupancy permit prior to occupying a new building will result in a fine of \$100.00 per day per unit to be paid by the applicant or general contractor.
- (6) Site Plan – A site plan is required for improvements made to any property where the on-site flow or storage of water is altered. This site plan must address where storm water run-off will drain as to not allow on-site water to be deposited onto adjacent property. See also this Municipal Code Chapter 26: Storm Water Management.
- (7) Erosion Control – Installation of silt fencing is mandatory in all areas with hard surfaces, streets, concrete curb and gutters, and storm sewers. This fencing shall be installed along the inside of the curb line of all areas of excavation or in all excavated areas within ten (10) feet of the inside of the curb line, and along temporary driveways. Additional silt fencing may be necessary around areas of stock-piled soil and on lots with slanting topography based on survey. If the front ten (10) feet of the lot from curb line is planted in established grass and is left undisturbed by excavation, no silt fencing will be needed along the curb line, but fencing may be required adjacent to side lots lines, driveway areas and around stock-piled soils. See also this Municipal Code Chapter 27: Erosion Control.
- (8) Temporary Driveway – All temporary driveways for properties fronting on hard surface street (concrete or blacktop) must have a two-inch (2"-) to three-inch (3"-) crushed stone driveway. Road gravel or smaller stone temporary driveways are not allowed and construction will be halted until proper stone is installed. It is the responsibility of the general contractor to maintain silt fencing and temporary driveways throughout construction and to keep the street and curb line in front of a construction site clean and free of dirt and gravel or construction may be halted.

### 14.39 Fees for Building Permits and Inspections

- (1) Permit Fees – At the time an application for a building permit is filed pursuant to this sub-chapter, the applicant shall pay the fees indicated in Appendix 14B-1: Commercial Building Permit Fee Schedule.
- (2) Inspection Fees – At the time an application for a building permit is filed pursuant to this sub-chapter, the applicant shall pay the fees indicated in Appendix 14B-2: Commercial Building Inspection Fee Schedule.
- (3) Failure to Obtain a Building Permit – Failure to obtain a permit prior to start of any work requiring a building permit results in doubling the permit fee for the first offense; the second offense will result in doubling the permit fee plus a fine of \$100.00; the third offense and all other offenses thereafter will result in doubling the fee, plus a fine of \$250.00.

**14.40 Violation and Penalties**

- (1) Forfeiture (see Municipal Code Section 25.04).
- (2) If an inspection reveals a noncompliance with this subchapter or the adopted state building codes, the Building Inspector shall notify the applicant and the owner in writing of the violation(s) to be corrected. All cited violations shall be corrected within five (5) days after written notification unless an extension of time is granted in writing.
- (3) If, after written notification, the violation(s) is not timely corrected pursuant to the notification or any written extension, a stop-work order may be served on the owner or his or her representative and a copy thereof shall be posted at the construction site. Such stop-work order shall not be removed except by written notice of the Building Inspector after satisfactory evidence has been supplied that the cited violation(s) has been corrected.
- (4) Each day each violation continues after the time indicated in said notice, or any extension thereof, shall constitute a separate offense. Nothing in this ordinance shall preclude the City from maintaining any appropriate action to prevent or remove a violation of any provision of this ordinance or the Commercial Building Code.

**14.41 Appeal to Board of Appeals**

Any person aggrieved by an order or a determination of the Building Inspector may appeal such order or determination to the Board of Appeals. Those procedures customarily used to effectuate an appeal to the Board of Appeals shall apply. All costs associated with appeals to the Board of Appeals shall be paid by the petitioner. A fee of \$25.00 shall be paid to the Board of Appeals for any appeal.

**14.42 Liability for Damages**

This ordinance shall not be construed as an assumption of liability by the City for damages because of injuries sustained or property destroyed by any defect in any building or equipment.

**Appendix 14B-1<sup>1</sup>**  
**Commercial Building Permit Fee Schedule**

- A. New Construction –
1. Plan Examination (with no state-approved plans) ..... \$ 75.00
  2. Inspections ..... See separate Appendix
  3. State stamp ..... None required
  4. Excavation..... 10.00
  5. Stormwater/erosion control ..... 50.00
  6. Trade Permits
    - Electric ..... 50.00
    - Plumbing ..... 50.00
    - HVAC ..... 40.00
  7. Construction–based on total cubic feet (\$20.00 minimum)
    - a. Commercial, business, institutional and office buildings ..... \$2.50 per 1,000 ft.<sup>3</sup>
    - b. Manufacturing and industrial building ..... \$2.00 per 1,000 ft.<sup>3</sup>
- B. Remodeling/Additions –
1. Plan examination (with no state-approved plans) ..... \$ 50.00
  2. Inspections ..... See separate Appendix
  3. State Stamp ..... None required
  4. Excavation..... 10.00
  5. Stormwater/erosion control ..... 50.00
  6. Trade Permits (If Required)
    - Electric ..... 75.00
    - Plumbing ..... 50.00
    - HVAC ..... 40.00
  7. Construction–based on floor area
    - 1 to 300 sq. ft. .... 50.00
    - 301 to 500 sq. ft. .... 75.00
    - 500 > sq. ft. .... 100.00
- C. Electrical Permits  
 One percent (1%) of total cost of electrical installation (\$25.00 minimum)
- D. Plumbing Permits –
1. Remodeling and additions. .... \$50.00
  2. Sprinkler systems..... \$25.00
  3. Sewer lateral repair or replacement..... \$25.00
  4. Clearwater compliance inspections ..... \$25.00
- E. Heating, Ventilation, and Air Conditioning (HVAC) Permits –
1. Hot water and steam systems:
    - a. New installation ..... \$20.00
    - b. Replacement boiler to existing piping ..... \$15.00
    - c. Installation additional radiation to existing system..... \$15.00

<sup>1</sup> Amended by Ordinance No. 2009-8. Enacted on November 3, 2009.

- 2. Warm air heating systems:
  - a. New installation ..... \$20.00
  - b. Replacement furnace to existing duct work ..... \$15.00
  - c. Install additional radiation to existing duct work..... \$15.00
  
- 3. Central air conditioning:
  - a. New installation ..... \$20.00
  - b. Replacement central air ..... \$15.00
  
- 4. Air to air heat exchanger – new installation ..... \$15.00
- 5. Conversions ..... \$15.00
- 6. Oil or gas burner assembly ..... \$15.00
- 7. Unit heaters – gas or oil-fired – per unit..... \$15.00

**Appendix 14B-2<sup>2</sup>**  
**Commercial Building Inspection Fees**

CONSTRUCTION

|  |                                      |
|--|--------------------------------------|
| Multi-family dwellings, business office, institutional or additions thereto:                   | \$.20 per sq ft*                     |
| Manufacturing, industrial or additions thereto   | First 3,500 sq. ft. \$.15 per sq ft* |
|  | Additional sq. ft. \$.10 per sq ft*  |
| *Maximum fee: \$7,000.00 for single level building; full fee applies to Multi-level buildings. |                                      |
| Minimum fee for any commercial remodel/addition requiring inspection work:                     | \$350.00                             |
| Interior remodeling, opening walls, etc., for affected area                                    | \$.08 per sq ft                      |
| "Build out" for new commercial tenant spaces (all disciplines included)                        | \$200.00                             |

HVAC

|                                       |                   |
|---------------------------------------|-------------------|
| Replacement or new installation       | Minimum \$ 50.00  |
| New construction/remodel installation | \$.03 per sq. ft. |

ELECTRICAL

|   |                   |
|---|-------------------|
| Electrical service upgrade/service change | Minimum \$75.00   |
| New construction/remodel installation     | \$.04 per sq. ft. |

PLUMBING

|  |                   |
|--|-------------------|
| Plumbing work that requires inspection<br>(e.g., installation of new drain/water piping) | Minimum \$50.00   |
| New construction/remodel installation  | \$.04 per sq. ft. |
| MINIMUM "PER INSPECTION" FEE   | \$50.00           |

EXAMPLES:

1. Application for an eight-unit residential apartment building: 68' x 120' x 2 stories = 16,320 sq. ft.  
 16,320 sq. ft. x \$ .20 per sq. ft. = \$3,264.00 inspection fees for the "building" permit
  
2. Application for an addition to an industrial facility: 4,300 sq. ft.  
 First 3,500 sq. ft. x \$.15 = ..... \$525.00  
4,300 – 3,500 = 800 sq. ft. x \$.10 =..... + 80.00  
 Total inspection fees: ..... \$605.00

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<sup>2</sup> Amended by Ordinance No. 2009-8. Enacted on November 3, 2009.