

Town of Webster, Vernon County, Wisconsin
Building Information Permit Ordinance - 2020 - 1

SECTION I - TITLE AND PURPOSE

The title of this ordinance is the Town of Webster Building Information Permit Ordinance. The purpose of this ordinance is for the town to have information regarding the type, size, and location of all buildings and structures constructed, reconstructed, or remodeled after the effective date of this ordinance. This is necessary to keep the Town in compliance with property assessment values and protect the health safety and welfare of Town residents by assuring that any construction will comply with:

- A. County and State Sanitary Permit requirements
- B. County and State Floodplain, wetland and shoreland zoning requirements
- C. Any other State mandated or County zoning ordinances that exist at the time of construction
- D. State building plan approval procedures for commercial building or any residential building with three or more living units.
- E. Minimum township or county requirements for driveway access, site development and construction standards.
- F. Town efforts to locate and record buildings for purposes of providing emergency services and for assessment purposes

This ordinance will set forth an orderly procedure for obtaining a Building Information Permit and authorize the Town to establish permit fees and penalties for failure to comply with the requirements of this ordinance.

SECTION II - AUTHORITY

The town board of the town has the authority under s. [60.61](#), Wis. stats., and general authority under its village powers under s. [60.22](#), Wis. stats., to adopt this ordinance.

SECTION III - ADOPTION OF ORDINANCE

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, requires a Town Building Information Permit for all buildings constructed, reconstructed, or remodeled, as provided in this ordinance.

SECTION IV - DEFINITIONS

In this ordinance:

- A. "Building" means any building or structure and any installation constructed, reconstructed, remodeled, enlarged, or altered for any use within the town, including but not limited to one- and two-family dwellings, manufactured homes, mobile homes, temporary or seasonal dwellings, garages, agricultural structures, and outbuildings.
- B. "Owner" means any person having a legal or equitable interest in a building. "Owner" does not include any person whose legal or equitable interest in a building is a security interest derived solely from the extension of credit to permit construction or remodeling of the building or purchase of the building by a third party.
- C. Building Information Permit is the official name for a 'Site Permit'.
- D. "Town" means the Town of Webster, Vernon County, Wisconsin, and includes the town's officers, employees, and agents when appropriate.
- E. "Town board" means the Board of Supervisors for the Town of Webster, or any person designated to act for the town board.
- F. "Town clerk" means the Clerk of the Town of Webster or his or her deputy or agent.
- G. "Wis. stats." means the Wisconsin Statutes, including successor provisions.

SECTION V - SUBDIVISION AND NUMBERING OF THIS ORDINANCE

This ordinance is divided into sections designated by uppercase Roman numerals. Sections may be divided into subsections designated by uppercase letters. Subsections may be divided into paragraphs designated by numbers. Paragraphs may be divided into subdivisions designated by lowercase letters. Subdivisions may be divided into subdivision paragraphs designated by lowercase Roman numerals. Reference to a "section," "subsection," "paragraph," or "subdivision" includes all divisions of the referenced section, subsection, paragraph, or subdivision.

SECTION VI - REQUIREMENT FOR BUILDING INFORMATION PERMIT

The owner of any building or structure in the town, unless exempt under this ordinance, who constructs, installs, remodels, reconstructs, enlarges, or alters any building or structure within the town shall seek and obtain from the town a Town Building Information Permit prior to commencing, or causing the commencement of, any construction, installation, remodeling, reconstruction, enlargement, altering of any building.

SECTION VII - EXEMPTIONS FROM PERMIT REQUIREMENT

The requirement in Section VI to obtain a Town Building Information Permit shall not apply to any of the following:

- A. Buildings or structures owned by the town.
- B. Additions, remodeling, reconstruction, enlargement, or alterations to buildings, when the cost of the work, including labor, shall be less than \$5000 within a 12-month period.
- C. The restoration or repair of building equipment, such as furnaces, central air conditioners, water heaters, and similar mechanical equipment without the alteration or addition to the building or structure.
- D. Fences or other similar enclosures.

SECTION VIII - OTHER REQUIREMENTS REMAIN APPLICABLE

The issuance of this Town Building Information Permit does not relieve the owner from any of the following, and is conditional on:

- A. Obtaining any permit that may be required by any other state law or local ordinance, including but not limited to any of the following:
 - 1. County sanitary permits.
 - 2. Town, county, or state driveway permits.
 - 3. State one- and 2-family Uniform Dwelling Code permits.
 - 4. Application for and obtaining a Vernon County Uniform Addressing System Number, or 'E-911 Fire Number'.
 - 5. Any other applicable permit under town or county ordinance or state law.
- B. Complying with any other requirement, ordinance, or law, including, but not limited to, those governing zoning, subdivision, land division, and setbacks.
 - 1. Applicant must provide written verification from Vernon County Zoning Department that the proposed building is in compliance with Vernon County floodplain, shoreland and wetland ordinances, and any other state mandated or county ordinances that may be relevant to the site.
 - 2. No construction will be allowed within 30 feet of a town right-of-way line. (For example, in the case of a 4 rod road, the right-of-way line is 33 feet from the centerline of the road, therefore no construction will be allowed within 66 feet of the centerline of the road. For a county highway, the minimum setback will be 75 feet from the center of the road, or 42 feet from the right-of-way, whichever is greater. No construction will be allowed within 30 feet of any other boundaries of the parcel or lot.

3. Applicant has read and understands Section 70.05(4n) of the Wisconsin State Statutes and agrees to allow the Town of Webster Assessor to conduct a site inspection of the exterior improvements and land on the premises. Any interior inspection will be permitted by the consent of the owner or occupant only.

SECTION IX - TOWN BUILDING PERMIT FORM, ISSUANCE, AND FEE

The town board is authorized to approve by this Ordinance a Town Building Information Permit form, designate the person or persons authorized to issue the permits, and establish a fee for issuance of the permits.

SECTION X - PENALTIES

Any person that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of \$500, plus the applicable surcharges, assessments and costs for each violation. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.

SECTION XI - SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION XII - EFFECTIVE DATE

This ordinance is effective on January 1, 2021

The town clerk shall properly publish this ordinance as required under s. [60.80](#), Wis. stats.

Adopted this 17 day of November, 2020.

John Young, Town Chairman _____

Daniel Arnold, Supervisor _____

Gordon Nemec, Supervisor _____

Attest:

Ole Yttri, Town Clerk _____