

Ordinance No. 07-11-05-02

An Ordinance Repealing and Recreating Section 14.96 of the Village of Fontana on Geneva Lake Municipal Code Regarding Building Permits and Inspections

The Village Board of the Village of Fontana on Geneva Lake, Walworth County, Wisconsin, do hereby ordain as follows:

Section I. Section 14.96 of the municipal code for the Village of Fontana on Geneva Lake Municipal Code is hereby repealed and recreated as follows:

Sec. 14-96. Building permits and inspection.

- (a) *Permit required.* No building or any part of a building shall be erected or ground broken for the building or moved to a location within the village except as provided in this article, until a permit shall first have been obtained by the owner or his authorized agent from the building inspector. The term "building" as used in this section includes 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 such other information as the building inspector may require.
- (c) *Plans and Surveys.* With such application, there shall be submitted the following:
- (1) ~~two~~ three complete sets of plans and specifications, One set shall be returned after approval, one set shall be kept at the construction site during the period of construction, and the other set shall remain on file in the office of the clerk building inspector.
 - (2) ~~including~~ a survey of the property with a then current date prepared by a registered land surveyor, which survey shall locate and describe the property, all improvements on the property, all boundary lines, and zoning setback dimensions in relation to the improvements, the greatest horizontal cross-section (total size of buildings including overhangs) and existing height of all structures in addition to building foundations, all adjacent roadways and other means of access and limitations, all utilities on or adjacent to the property, the area of the property (to the nearest thousandth of an acre, net of roadways), all encroachments affecting the property, whether fixed or to the ground or not, and overlaps, and shall otherwise satisfy all ALTA survey standards, Said survey, or a separate survey, shall also depict all proposed improvements, the proposed setback dimensions, proposed greatest horizontal cross-sections, proposed building height, and all other information as required by the building inspector.
 - (3) a topographical survey to determine the actual existing contours of the subject property. The survey shall describe the locations of all existing natural and manmade features, contour intervals and elevations, paths and roadways, buildings, water features, swamps, marshes, trees, rocks, utilities, curb and gutters. Said survey, or a separate survey, shall also depict all proposed changes to the contours of the property, including proposed contour intervals and elevations, and all other information as required by the building inspector.
 - (4) ~~In addition there shall be submitted with such application~~ a construction site management plan which depicts material and equipment staging areas, equipment use areas, parking to be available on the site, the grading proposed for the construction site, proposed erosion control and storm water plan for the construction site, and those methods to be used for the protection of existing trees and beneficial natural vegetation.
- (d) The building inspector shall have the discretion to request an engineered site plan on demand.

Plans for buildings ~~required to comply with the state building code requiring state approval~~ shall bear a stamp of approval from the department of industry, labor and human relations safety and buildings. Such plans and specifications shall be submitted in ~~duplicate~~ triplicate. One set shall be returned after approval, one set shall be kept at the construction site during the period of

construction, and the other set shall remain on file in the office of the ~~clerk~~ building inspector. All plans and specifications shall be signed by the designer.

The building inspector may waive the requirement of a survey and may, in its place, under appropriate circumstances, including, but not limited to, plans for building on vacant lots, plans for building which do not involve enlargement of the existing structure, etc., accept a plot plan showing the location of the proposed building with respect to adjoining streets, alleys, lot lines and buildings.

(d) *Waiver of plans and surveys.* 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 limited construction, alterations, repairs or moving. ~~provided the cost of such work does not exceed \$2,000.00.~~ The building inspector may waive the requirement of a survey and may, in its place, under appropriate circumstances, including, but not limited to, plans for construction which does not involve enlargement of the existing structure, etc., accept a plot plan showing the location of the proposed building with respect to adjoining streets, alleys, lot lines and buildings.

(e) *Approval of plans.* If the building inspector determines that the proposed building will comply in every respect with all ordinances of the village and all applicable laws and orders of the state, he shall officially approve and stamp one set of the plans and return it to the owner, and shall issue a building permit, which shall be kept and displayed at the site of the proposed building. After being approved, the plans and specifications shall be not be altered in any respect which involves any applicable ordinances, laws and orders, or which involves the safety of the building or occupants, except with the written consent of the building inspector. A copy of the original, approved plans shall be kept at the construction site during the period of construction.

(f) *Approval of permits for public buildings.* An application for a permit for a building requiring approval of the state department of ~~industry, labor and human relations~~ safety and buildings shall be referred by the building inspector to the village board. No such permit shall be issued until its issuance is approved by the village board.

(g) *Fees.* The fees for building permits for the following shall be as determined by the board:

(1) *Commercial-industrial:*

- a. New building.
- b. Remodel.
- c. Occupancy and change of use permit.
- d. Reinspection fee.
- e. Permit to start construction of footings and foundation (early start).
- f. Minimum inspection fee.

(2) *Agricultural buildings (unheated):*

- a. New buildings.
- b. Remodel.

(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. Inspections shall be conducted by the municipality administering and enforcing this code to ascertain whether or not the constructions or installations conform to the conditionally approved plans, the approved building permit application and the provisions of the Wisconsin uniform dwelling code and shall notify the permit holder and/or the owner of any violations to be corrected. The following inspections and verification shall be performed for the purpose of determining if the work complies with this code:~~

- (1) Natural Resource Conservation Ordinance compliance inspections performed prior to the start of the project, and continued periodically through completion of the project
- (2) Erosion Control inspections, performed concurrently with all other required inspections.
- (3) Footing and foundation inspection, before the foundation is laid.
- (4) Foundation certification, verifying setback locations and foundation wall height, before any first floor framing is commenced.

(5) Rough inspections for each inspection category listed below, after the rough work is constructed but before it is concealed.

- (a) general construction, including framing
- (b) rough electrical
- (c) rough plumbing
- (d) rough heating, ventilating and air conditioning
- (e) basement drain tiles

(6) Height certification, within ten days of the highest portion of the roof is installed.

(7) Insulation inspection, including vapor retarder, after they are installed but before they are concealed

(8) Electric service inspections, including temporary and permanent services.

(9) As-Built survey, verifying the actual placement, height, greatest horizontal cross section as measured to the overhangs, and all pertinent topographical information.

(10) Final Inspection prior to occupancy

(11) Occupancy Permit. The dwelling may not be occupied until an occupancy permit has been issued to the permit holder and/or owner. An occupancy may only be issued if the municipality determines no critical violations of the uniform dwelling code exist, no zoning violations exist as a result of this construction, and the permit holder and/or owner has met all the conditions of his conditional use permit and developer's agreement, if applicable.

(i) *Protection of trees and natural vegetation during construction.* All construction activity undertaken pursuant to a building permit issued pursuant to this section shall be undertaken in such a way so as to preserve and protect trees and beneficial vegetation. ~~The following steps actions taken shall comply with all the requirements described in Section 18-28, Natural Resource Conservation Ordinance be followed during said construction activity and may additionally be imposed as conditions with regard to any building permit issued by the village:~~


- ~~1. Clearly marked protective barriers shall be placed at the drip line around all trees which are not to be removed. Said protective barriers shall be a minimum of four feet high, and shall be kept in place until construction activity is complete.~~
- ~~2. The grade of land located within the drip line shall not be raised or lowered more than one inch.~~
- ~~3. No soil stockpiling, storage of materials, discharge of contaminants into the soil, movement of construction equipment or vehicles shall be permitted within the drip line of any trees which are not to be removed.~~
- ~~4. No attachments shall be made to any trees which are not subject to be removed.~~

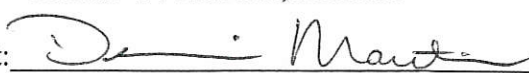
~~The village may utilize the services of a certified arborist to advise the village with regard to the adequacy of a construction site management plan submitted pursuant to this Code and the appropriateness and adequacy of those steps taken to protect trees and natural vegetation during construction as set forth herein, with the cost of said certified arborist to be paid the property owner prior to issuance of an occupancy permit. For purposes of this section, a certified "arborist" means a person who has successfully completed the International Society of Arboriculture ("ISA") professional certification program, has been certified or recertified by the certification board of ISA and holds a valid and current certification.~~

(Code 1989, § 15.02(1); Ord. No. 07-14-03-1, §§ 1--3, 7-14-2003; Ord. No. 11-03-03-1, § 1, 11-3-2003)

Effective Date: This ordinance shall be in full force and effect upon and from its passage, approval and publication as required by law.

Passed and Adopted by the Village Board of Trustees of the Village of Fontana on Geneva Lake, Walworth County, Wisconsin, this 11th day of July, 2005.

By: 
Thomas W. Howell, President

Attest: 
Dennis L. Martin, Clerk

