

BUILDING INSPECTION AND PERMIT ORDINANCE

Town of Martell

Pierce County, Wisconsin

The Town Board of Martell does ordain as follows:

- 1.1 **AUTHORITY.** The Town of Martell, County of Pierce adopts these regulations under the authority granted by s. 101.65, Wisconsin Statutes and 101.12, Wisconsin Statutes.
- 1.2 **PURPOSE.** The purpose of this Ordinance is to promote the general health, safety and welfare of town residents, to protect property values, and to maintain required local uniformity with the administrative and technical requirements of the Wisconsin Uniform Dwelling Code and Commercial Building Codes.
- 1.3 **SCOPE.** This chapter applies to all dwellings, commercial buildings/structures, swimming pools (over 5000 gallons,) garages, outbuildings, residential accessory buildings and structures as further defined in section 1.8. This includes any structural changes or major changes to mechanical systems, electrical systems, or plumbing systems that involve extensions shall require permits.
- 1.4 **ADOPTION OF CODES.** The Wisconsin Uniform Dwelling Code, Chs. SPS 320-325, and Ch. SPS 327 and its successors, of the Wisconsin Administrative Code, and all amendments thereto, is adopted and incorporated by reference and shall apply to all buildings within the scope of this Ordinance.

The following Wisconsin Administrative Codes, their referenced codes and standards, and subsequent revisions are adopted for municipal enforcement by the Building Inspector, who shall be commercially certified by the WI Division of Industry Services.

Chs. SPS 360-366	Wisconsin Commercial Building Codes
Chs. SPS 375-379	Buildings Constructed Prior to 1914 Code
Chs. SPS 316	Electrical
Chs. SPS 381-387	Plumbing

- 1.5 **BUILDING INSPECTOR.** The Building Inspector authorized by the municipality to enforce the adopted codes shall be properly certified by the Division of Industry Services.
- 1.6 **RESIDENTIAL BUILDING PERMIT REQUIRED.** No person shall alter, build or add onto any structure as defined in 1.3 without first obtaining a Building Permit for such work from the building inspector.
- 1.7 **DEFINITIONS.** As used in this chapter, the following terms shall have the meanings indicated:

BUILDING - Includes but is not limited to a structure having a roof supported by columns or walls used or intended to be used for the shelter for enclosure of persons, animals, equipment, machinery, materials or any type of vehicles or semi-tractor- trailers.

BUILDING INSPECTOR - The Building Inspector of the Town of Martell unless indicated otherwise in this chapter.

DWELLING - Includes but is not limited to a building or sections of a building or other residential structure devoted to the shelter of one family or a detached building containing two separate dwelling (or living) units designated for occupancy by not more than two families.

THEY/THEM - is used for simplicity and is not meant to specify gender.

STRUCTURE - Includes but is not limited to erection or construction such as a building, towers, masts, poles, decks, booms, signs, permanent decoration, carports, stationary machinery and equipment and sight barriers.

SWIMMING POOL - Includes but is not limited to all swimming pools (both above-ground and in-ground), spas and hot tubs that require ground to be broken and/or excavation for their installation and/or those that exceed 5,000 gallons.

UDC - Uniform Dwelling Code.

1.8 EXEMPTIONS FROM PERMIT REQUIREMENTS.

- 1.8.1 Minor repairs or alterations which cost less than \$15,000 (Fifteen thousand dollars) and which do not change occupancy area, structural strength, fire protection, exits, natural light, or ventilation do not require a permit. Repairs or alterations that change any one of the above items require a permit. Repairs and alterations costing more than \$15,000 (Fifteen thousand dollars) require a permit
- 1.8.2 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 building or structure.
- 1.8.3 Fences or other similar enclosures.
- 1.8.4 Re-roofing projects that do not involve the repair or replacement of any structural elements.
- 1.8.5 Outbuildings less than 240 square feet (SF) and without electric, HVAC or plumbing. Meaning any outbuilding over 240 SF requires a building permit. Any size outbuilding with electric, plumbing, or HVAC requires a building permit.
- 1.8.6 Restoration or repair of an installation to its previous code-compliant condition as determined by the building inspector on a case-by-case basis.
- 1.8.7 Residing, finishing of interior surfaces and installation of cabinetry
- 1.8.8 Replacement of same size windows and doors
- 1.8.9 Landscaping, not including decks, can be done without a permit

1.9 COMMERCIAL BUILDING CODE PERMITS REQUIRED. No person shall build or cause to be built any new public building or place of employment or any alteration or addition to an existing public building or place of employment without first obtaining a Commercial Building Permit from the building inspector. This permit shall be issued after receipt of State of Wisconsin approved plans, where required, and sanitary permits, if applicable, and a determination has been made of compliance with, zoning, setbacks, ordinances, and regulations of the Town of Martell the County of Pierce, and the State of Wisconsin.

1.10 BUILDING PERMIT FEE. The building permit fees schedule shall be determined by resolution. The building permit fee shall be doubled for any project requiring a permit which is commenced without a permit or prior to issuance of a permit.

1.11 OCCUPANCY/ROAD DAMAGE DEPOSIT. Any applicant for a building permit for dwellings, commercial buildings/structures shall pay an occupancy and road damage deposit to the Town in the amount of \$ 1,500 (Fifteen hundred dollars) prior to the issuance of the permit. This deposit shall be held in a non-interest bearing account by the Town. If the project is completed, final inspection conducted, and the structure has not been occupied nor road damage

observed, this deposit shall be refunded to the applicant. Any damage to Town roads due to the project shall be repaired by the Town and charged against the deposit. Any balance remaining shall be paid by the applicant within 30 (thirty) days of written invoice by the Town. Any amounts not paid within that time frame shall be charged against the property and placed on the tax roll pursuant to Wisconsin Statutes Section 66.0627.

1.12 APPLICATION PROCESS; ISSUANCE OF PERMITS.

1.12.1. Application for a building permit shall be made in writing upon a form furnished by the Building Inspector. The appropriate building requirements of the town and where applicable, of the county or the state for the contemplated improvement, shall be provided to the permit applicant by the Building Inspector at or before the submission of an application for a building permit.

1.12.2. Plans and drawings. The building permit applicant shall submit with the application two complete sets of site plans and specifications, one set of blueprints and an erosion control plan, if needed. If the building inspector finds that the character of the work is sufficiently described in the application, they may waive the filing of plans for alterations or repairs, provided that the cost of such work does not exceed \$15,000 (Fifteen thousand dollars).

1.12.3. County permits. The applicant must obtain any permits required by Pierce County and include copies of such permits with the building permit application, including a county driveway permit, if necessary. Reference the Pierce County Dept of Land Management, Home Construction Brochure for more information.

1.12.4. Driveway permits. The building permit applicant shall submit with the application a driveway permit, which shall be applied for and obtained from the Town Board for town roads or private roads. All other driveway permits are issued by the county. Town of Martell Driveway Permit fee shall be determined by the Town of Martell Board.

1.12.5. Approval of plans and issuance of building permit. If the Building Inspector determines that the proposed building, addition or alteration will comply in every respect with all the ordinances of the town and all applicable laws and regulations of the State of Wisconsin and is not in violation of the Pierce County Subdivision Ordinance or any applicable Town ordinance, they shall conditionally approve the plans and issue a building permit. After being approved, the plans and specifications shall not be altered in any respect, which involves any of the above-mentioned ordinances, laws or regulations or which involves the safety of the building or occupants. One copy of the approved plan shall be returned to the applicant. One copy shall be retained by the Building Inspector and one copy shall be provided to the Town.

1.12.6. State Uniform Dwelling Code seal. At such time as a building permit is issued for one- or two-family dwellings, it shall have affixed to it a State of Wisconsin Uniform Dwelling Code seal.

1.13 REVOCATION OF PERMIT.

1.13.1. If the Building Inspector finds at any time that the provisions of this chapter 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 them, they shall revoke the building permit by written notice posted at the site of the work and Building

Inspector shall notify the Town Board in writing.

1.13.2. When any permit is revoked, no further work shall be done until the permit is reissued, except such work as the Building Inspector may order as a condition precedent to the re-issuance of the permit or as they may require for the preservation of human life and safety.

1.14 EXPIRATION OF PERMIT. A building permit should be lapse and void unless construction is commenced within 6 (six) months or if construction has not been completed within 24 (twenty-four) months of the date of issuance thereof,

notwithstanding work pursuant to SPS 316 which shall expire within 1 year of the date if the work has not been commenced. All work to be done pursuant to a commercial building permit must be completed within two years of the date of issuance. Per SPS 320, new dwelling permits shall expire 24 (twenty-four) months after issuance if the dwelling exterior has not been completed. Once a permit has lapsed, no further work shall be performed under such lapsed permit until such time as a new permit has been issued.

1.15 INSPECTIONS.

1.15.1. All inspections for the purpose of administering and enforcing the UDC and Commercial Building Code shall be performed by a certified inspector who shall conduct inspections according to the respective codes being applied and enforced and the timelines thereof.

1.15.2. Witness to inspection. It is recommended that a representative of the developer, contractor, builder or owner be present at each required inspection. It shall be the responsibility of the developer, contractor, builder or owner to coordinate inspection times and dates with the Building Inspector.

1.15.3. Re-inspections. Any re-inspections necessary due to incomplete work or non-complying conditions shall be subject to an additional fee per inspection to be paid in full prior to the issuance of the occupancy permit.

1.16 OCCUPANCY PERMITS. No single-family dwelling or multiple family dwelling or commercial structure may be occupied by any person or party until an occupancy permit has been issued. An occupancy permit will be issued only after all inspections have been satisfactorily completed, all required fees associated with this ordinance paid, and all required terms of the ordinance have been met. No occupancy permit shall be issued when occupancy is taken prior to final inspection. A penalty of \$100 per day will be charged to the Occupancy and Damage Deposit, if a dwelling is occupied prior to issuance of an occupancy permit.

1.17 RIGHT OF ENTRY. The Building Inspector may, at all reasonable hours, enter upon any public or private premises for inspection purposes, and may require the production of the permit for any building, plumbing, electrical, or heating work. No person shall interfere with, or refuse access to any such premises, the Building Inspector while in the performance of his duties.

1.18 UNSAFE BUILDINGS. Whenever the Building Inspector finds any building or part thereof within the Town of Martell to be, in their judgment, so old, dilapidated, or out of repair as to be dangerous, unsafe, unsanitary, unreasonable to repair or otherwise unfit for human habitation, occupancy, or use, shall order the owner to raze and remove such building or part thereof. If a building or part thereof can be made safe by repairs, the owner shall make it safe and sanitary. The owner shall perform the remedial action in a timely fashion at their own expense.

1.19 PETITIONS FOR VARIANCE. Any person feeling aggrieved by an order or a determination of the Building Inspector may appeal from such order or determination to the Town Board. Those procedures customarily used to effectuate an appeal to the Town Board shall apply.

1.20 PENALTIES. The enforcement of this section and all other laws and ordinances relating to WI State Building Codes shall be by means of the withholding of building permits, imposition of forfeitures and injunctive action. Forfeitures shall be not less than \$250.00 (Two hundred and fifty dollars) nor more than \$1,000.00 (One thousand dollars) for each day of noncompliance.

1.21 NON-LIABILITY OF TOWN.

This ordinance shall not be construed as creating or assuming any liability on the part of the Town or any official or employee thereof for damages to anyone injured or for any property destroyed by any defect in any building or equipment in any plumbing or electric wiring or equipment.

1.22 SEVERABILITY.

If any section, clause, provision, or portion of this chapter or Wisconsin Administrative Code chapters are adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall not be affected thereby.

1.23 EFFECTIVE DATE. This Ordinance shall repeal and replace all previous Building Inspection and Permit Ordinances and be effective Sept 10, 2025 upon passage and publication as provided by law.

Adopted by the Martell Town Board this 9th day of Sept, 2025.

Dale Brathol
Dale Brathol, Board Chairperson
Town of Martell Board of Supervisors

Attested to by:

Robin Boles
Robin Boles, Town Clerk

Published: Sept 10, 2025