

## Chapter 35

### BUILDING CONSTRUCTION

**[HISTORY: Adopted by the Town Board of the Town of Scott as indicated in article histories. Amendments noted where applicable.]**

#### GENERAL REFERENCES

Condominiums — See Ch. 68.  
Driveways — See Ch. 97.  
Subdivision of land — See Ch. 308.  
Zoning — See Ch. 375.

#### ARTICLE I Uniform Dwelling Code [Adopted 9-2-1997]

##### **§ 35-1. Authority.**

These regulations are adopted under the authority granted by § 101.65, Wis. Stats.

##### **§ 35-2. Purpose.**

The purpose of this article is to promote the general health, safety and welfare.

##### **§ 35-3. Scope.**

The scope of this article includes the construction and inspection of one- and two-family dwellings built since June 1, 1980.

##### **§ 35-4. State code adopted.**

The Wisconsin Uniform Dwelling Code, Chs. SPS 320 to 325, Wis. Adm. Code, and all amendments thereto, is adopted and incorporated by reference and shall apply to all buildings within the scope of this article.

##### **§ 35-5. Building Inspector; certifications.**

There is hereby created the position of Building Inspector, who shall administer and enforce this article and shall be certified by the Division of Safety and Buildings, as specified by § 101.66(2), Wis. Stats., in the category of Uniform Dwelling Code Construction Inspector. Additionally, this or other assistant inspectors shall possess the certification categories of UDC HVAC, UDC Electrical, and UDC Plumbing.

##### **§ 35-6. Building permit required; exceptions. <sup>1</sup>**

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<sup>1</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

No person shall alter, in excess of \$500 value in any twelve-month period, build, add onto or change any building within the scope of this article without first obtaining a building permit for such work from the Building Inspector. Any structural changes or major changes to mechanical systems that involve extensions shall require permits. Restoration or repair of an installation to its previous code-compliant condition as determined by the Building Inspector is exempted from permit requirements. Re-siding, reroofing, refinishing of interior surfaces and installation of cabinetry shall be exempted from permit requirements.

**§ 35-7. Building permit fee.** <sup>2</sup>

The building permit fee shall be determined by ordinance.

**§ 35-8. Violations and penalties.** <sup>3</sup>

Any person, firm or corporation who or which shall violate or fail to comply with any of the provisions of this code or any lawful order of the Building Inspector issued pursuant thereto shall be subject to penalty and forfeiture. Each violation and each day a violation continues or occurs shall constitute a separate offense. Forfeitures shall not be less than \$50 nor more than \$500 for each violation. If starting work without a permit, then the permit fee will be doubled when issued "after the fact."

**§ 35-9. Injunctions and restraining orders.**

In addition to other enforcement actions authorized herein, the Town Attorney may, on behalf of the Town, pursue enforcement of any or all parts of this code by court action seeking an injunction or restraining order against the person responsible for the violation for the purpose of ordering that person to restrain, correct or remove the violation or refrain from any further execution of work; restrain or correct the erection, installation or alteration of such building or structure; remove work in violation of the provisions of this code; and/or cease all occupation or use of the building or structure or part thereof in violation of this code or in violation of the plans or specifications upon which an approval, permit or certificate was issued.

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<sup>2</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).

<sup>3</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).