

CHAPTER 13
BUILDING CODE

13.01 PURPOSE.

The purpose of this Building Code is to provide minimum regulations, provisions and requirements in the Village of Allouez to insure safety to persons and property, safe and stable design, good workmanlike methods of construction, and the use of proper materials in any building constructed, enlarged, altered, repaired, moved, and/or converted to other uses or demolished; to regulate the equipment, maintenance, condition, use, occupancy and safety of all buildings; and to promote public health, safety and general welfare.

13.015 DEFINITIONS.

Agricultural Land Use. The use of land for planting, growing, cultivating and harvesting of crops for human or livestock consumption and pasturing or yarding of livestock.

Commercial Land Use. The use of land for the retail or wholesale sale of goods or services.

Construction Site Erosion Control Measure. A control measure used to meet the requirements of Section 11.15.

Erosion. The detachment and movement of soil, sediment or rock fragments by water, wind, ice, or gravity.

Erosion Control Measure. A practice, or combination of practices, to control erosion and attendant pollution.

Erosion Control Plan. A written description of the number, locations, sizes, and other pertinent information of control measures designed to meet the requirements of this ordinance submitted by the applicant for review and approval by the Public Works Director or Building Inspector.

Inactive. No construction activity taking place in the site.

Land Development activity. The construction of buildings, roads, parking lots, paved storage areas and similar facilities.

Land Disturbing Construction Activity. Any man-made change of the land surface including removing vegetative cover, excavating, filling and grading but not including agricultural land uses such as planting, growing, cultivating and harvesting of crops; growing and tending of gardens; harvesting of trees; and landscaping modifications.

Landowner. Any person holding title to or having interest in land.

Land User. Any person operating, leasing, renting, or having made other arrangements with the landowner by which the landowner authorizes use of his or her land.

Public Utility Easement. Any strip of land reserved by the subdivider for public utilities, drainage, sanitation or other specified uses having limitations, the title to which shall remain in the property owner, subject to the right of use designated in the reservation of servitude.

Right-of-Way. A strip of land occupied or intended to be occupied for a special use. Right-of-ways intended for streets, crosswalks, water mains, sanitary sewers, storm drains or any other use involving maintenance by a public agency shall be dedicated to public use by the maker of the plat on which such right-of-way is established.

Runoff. The rainfall, snow melt, or irrigation water flowing over the ground surface.

Set of One Year Design Storms shall mean the following rain intensities and rain volumes for the storm durations of 0.5, 1, 2, 3, 6, 12 and 24 hours that occur approximately once per year.

Storm Duration (Hours)	Average Rain Intensity (Inches/Hour)	Total Rain (Inches)
0.5	1.8	0.9
1	1.1	1.1
2	0.7	1.3
3	0.5	1.5
6	0.3	1.7
12	0.2	2.0
24	0.1	2.3

Site. The entire area included in the legal description of the land on which the land disturbing construction activity or land development activity is proposed in the permit application.

13.02 SCOPE.

- A. This Building Code shall apply to new structures and to alterations and additions to existing structures within the Village of Allouez.
- B. The sections contained in this Building Code shall be binding alike upon every owner of a building, every person in charge of or responsible for or who causes the construction, repair or alteration of any building or structure, and upon every architect, professional engineer, or other person who shall prepare plans for the construction, alteration, or addition to any building or structure in the Village of Allouez.

13.03 VILLAGE BUILDING INSPECTOR.

A. Appointment, Duties, and Qualifications.

The Village Board shall appoint a Village Building Inspector who shall have the power and duty to enforce the provisions of this Building Code and of all other ordinances, laws and orders of the State of Wisconsin which relate to building construction and shall be certified by the State of Wisconsin in accordance with Chapter Comm 5 of the Wisconsin Administrative Code.

B. Right of Entry.

In the discharge of his duties, the Building Inspector shall have the authority to enter any building, structure or premises when any one or more of the following conditions exists: The owner or his

authorized agent gives consent to the inspection; or an emergency situation exists. As a condition of the granting of a building permit, the inspector shall have the right to enter the premises for which the permit was issued, at any reasonable time during the course of the work and until final inspection and approval thereof have been given.

C. Records.

The Building Inspector shall keep a record of all permits, fees and inspections, and shall make an annual report thereon to the Village Board.

13.04 BUILDING PERMITS.

A. Required.

No building or structure, or any part thereof, shall hereafter be built, enlarged, altered, moved or demolished within the Village of Allouez, except as provided in this chapter, unless a permit therefor shall first be obtained by the owner or his agent from the building inspector. The term "building" shall include any building or structure, any enlargement, alteration, movement or demolishing thereof, and also any new heating plant or any material alteration in any existing heating plant, toilet room or elevator. Where sanitary sewers are not installed and/or are not ready for immediate connection to proposed structures, no building permit shall be issued by the Building Inspector.

B. Issuance of Building Permit.

Applications for Building Permits shall be filed at the office of the Building Inspector on forms provided by the Village of Allouez. The application shall contain a complete set of drawings and specifications for the proposed project. A detailed plot plan showing the location of all existing and proposed structures, driveways, and parking areas, relative to lot lines and building setback lines shall be provided as a part of the application. The Building Inspector shall have authority to require that such plot plans be verified and stamped by a registered Land Surveyor and/or to require that a survey signed by a registered Land Surveyor be provided as a part of the application. If the application, plans, specifications, and site drawings are in conformity with the requirements of the Village of Allouez Zoning Ordinance and with all other applicable state and local Building Codes, the Building Inspector shall date and endorse the plans as "approved", and upon receipt of the required fee, shall issue the appropriate permits for the work.

- (1) A building permit shall become void and of no further force or effect if the work authorized by the permit has not been commenced within six (6) months of the date of the permit, and has not been completed within twelve (12) months from the date of the permit. If further construction is necessary after the expiration of the twelve (12) month period, the permit holder shall make written application to the Building Inspector upon such form as required by the Building Inspector, at least thirty (30) days prior to the expiration date of the building permit. The reasons for the extension for the permit shall be fully set forth in the request for the extension, and the Building Inspector shall make an appropriate recommendation to the Village Board as to whether or not the permit should be extended. A permit shall be extended only by action of the Village Board.
- (2) If the Building Inspector determines that the owner of the property, the permit holder, or any person engaged in construction under the authority of the permit, has violated any statute, ordinance, law, rule or regulation, relating to the construction or has not complied with any order, plan or specification, the Building Inspector may notify the permit holder of the inspector's intent to revoke the permit. Such notice of intent shall

be in writing and shall be served on the owner of the land, on the permit holder, and on the general contractor or the person in charge of the phase of work in which the error or violation has occurred, either by personal service or by certified mail to the last known mailing address of such person; and a copy of the said notice shall be posted on the work site. The permit shall be revoked unless within ten (10) calendar days following the service and posting of the said notice, the owner or permit holder requests a hearing before the Village Board to appeal the determination of the Building Inspector and to reinstate the building permit. The Village Board shall hold a hearing on such request within ten (10) days after such request is filed in the office of the Village Clerk.

- (3) No person shall do any further work upon the building site after the expiration of a building permit or after the posting of the notice of intent to revoke the permit until such time as the permit is extended, reinstated or renewed, or the work is otherwise authorized, by action of the Village Board.

C. Building Contractors.

- (1) Licensed Required.

It shall be unlawful for any building contractor, or person engaged in the business of a building contractor, as defined herein, to engage in such business within the limits of the Village of Allouez without first obtaining a license as hereinafter provided and to hold a valid license to so do during the course of such business.

- (2) Definitions.

- (a) **Building Contractor.** The term "building contractor", as used herein shall mean and include any person, firm, corporation, association or partnership engaged in the business of cement or concrete contracting, either flat, form or wall work; or as a masonry contractor; or as a carpenter contractor; or as a general building contractor; or the construction, alteration or repair of buildings or other structures or sidewalk or street pavements.

- (b) **Business of a Building Contractor.** Doing "business as a building contractor" as used herein shall mean and include engaging in the construction, repair or alteration of any building, structure, or street or sidewalk pavement in the Village for which a building permit is required under any ordinance of the Village. Such term shall further include any person doing business as a sub-contractor.

- (3) Exceptions.

The following persons are not required to obtain a license under the provisions of this ordinance:

- (a) An employee of a person, firm, corporation, association or partnership who or which is licensed under this ordinance.
- (b) An electrical, plumbing, roofing or sheet metal contractor or sub-contractor, who is not otherwise a "building contractor", or engaged in the "business of a building contractor", as defined herein.
- (c) A person who remodels or repairs his own home or builds a home in which he intends to live. The building of more than one home in one two-year period

shall be considered evidence that the person is engaged in the "business of a building contractor".

(7) Licenses.

Licenses issued under this ordinance, unless otherwise herein provided, shall be in effect for a period of three years from July 1st through June 30th of the third year, and may be renewed without the necessity for re-examination from year to year. All licenses and renewals shall carry a serial number identified in the Village's records, and the said number shall be placed on each building permit issued by the Village. Applications for licenses may be made with the Building Inspector. See Section 8.03 A for fees.

(8) Corporate, Partnership and Association Licenses.

- (a) Any business other than one operated by a sole proprietor wishing to obtain a Residential Building Contractor's license shall have in its employ a person who is a duly licensed building contractor; said person shall be registered in the records of the Village as the agent of the said building contractor business.
- (b) At any time such business shall fail to have a duly licensed employee agent as provided above, its license will be automatically suspended, and its operations must terminate until it shall again have a duly licensed employee-agent in its employ.

(9) Revocation of License.

- (a) The Building Inspector may revoke or refuse to issue a license to any building contractor who has been found guilty of conduct involving fraud, dishonesty, incompetency or gross negligence in the conduct of a building contractor's business by a court of law.
 - (1) Has violated the Village Building or Zoning Codes on three or more occasions in a one-year period;
 - (2) Has violated county, state or federal building regulations more than three times in a one-year period;
 - (3) Has been convicted of a felony, or a misdemeanor evidencing a high degree of moral turpitude including fraud or dishonesty;
 - (4) Has on three or more occasions willfully disobeyed an order of the Village Building Inspector, or of inspectors charged with enforcement of county, state and federal building or zoning regulations.

(11) Penalties.

Any person or persons, and/or the members of any firm, co-partnership, corporation, association or other organization, or any combination thereof, presenting or attempting to file or use the license of another, or who shall give false or forged evidence of any kind to the Board or to any member thereof in obtaining or maintaining a license, or who shall falsely impersonate another, or who shall use an expired or revoked license, or who shall violate any one or more of the provisions of any section of this ordinance, shall upon conviction be punished by a forfeiture of not less than \$20.00 nor more than \$200.00.

13.05 PERMIT FEES. See Section 8.03 B for the various building permit fees.

13.06 COMPLIANCE WITH STATE CODES.

- A. Chapters Comm 20-25, and 50-70, of the Wisconsin Administrative Code, are hereby adopted by reference and made a part hereof the same as if they were set forth in full herein. Any violation of any part of the provisions thereof, shall be a violation of this Chapter.
- B. Every landowner and land user of a building or facility as described in Chapter Comm 50 to 70, inclusive, of the Wisconsin Administrative Code, and the construction of which is completed or which is remodeled, or which is expanded by 50% or more in floor area, after the effective date of this ordinance, shall provide an adequate designated area for the separation, temporary storage, and collection, of solid waste and recyclables, either within or adjacent to the building.

13.07 LIABILITY OF VILLAGE.

This Building Code shall not be interpreted to mean or construed as an assumption of any liability by the Village for damages to anyone injured or for property damaged or destroyed due to a building defect, or due to a defect in any heating, plumbing or electrical wiring.

13.08 UNSAFE BUILDINGS.

- A. The Building Inspector may order the owner of the premises upon which is located any building or part thereof which in his judgment is so old, dilapidated, or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for occupancy, use or human habitation if it would be unreasonable to repair the same, to raze and remove such building or part thereof, or if it can be made safe by repairs to repair and make safe and sanitary or to raze and remove it at the owner's option. Where there has been a cessation of normal construction of any building or structure for a period of more than two years, the Building Inspector may order the owner to raze and remove such building or part thereof.

The order shall specify a time in which the owner shall comply therewith, and specify the repairs, if any. It shall be served on the owner of record or his agent where an agent is in charge of the building and upon the holder of any encumbrance of record in the manner provided for service of a summons in the Circuit Court. If the owner or a holder of an encumbrance of record cannot be found within the State of Wisconsin, the order may be served by posting it on the main entrance of the building and by publishing it in a newspaper circulated in the Village of Allouez for two consecutive publications at least 10 days before the time limited in the order commences to run.

- B. If the owner shall fail or refuse to comply within the time prescribed, the Building Inspector shall cause such building or part thereof to be razed and removed either through any available public agency or by contract or arrangement with private persons, or closed if unfit for human habitation, occupancy, or use. The cost of such razing and removal or closing shall be charged against the real estate, and shall be assessed and collected as a special tax. When any building has been ordered razed and removed, the Building Inspector may sell the salvage and valuable material at the highest price obtainable. The proceeds of such sale, after deducting the expense of such razing and removal, shall be promptly remitted to the Circuit Court with a report of such sale or transaction, including the items of expense and the amounts deducted, for the use of the person who may be entitled thereto, subject to the order of the court. If there remains no surplus to be turned over to the

court, the report shall so state. If the Building Inspector shall post a placard on the premises containing the following words: "This building Cannot be Used for Human Habitation, Occupancy, or Use", it shall be the duty of the Building Inspector or his authorized agent to prohibit the use of the building which has been condemned for human habitation, occupancy or use. Any person receiving notice as hereinbefore provided who shall fail or neglect to comply with the directions therein contained, shall be subject to the penalties provided for violating this code.

13.09 RAZING OF BUILDINGS.

- A. No person shall raze any building in the Village of Allouez without first securing a permit from the Building Inspector. No permit shall be granted unless a certificate of insurance, holding the Village harmless from liability for the specific job, shall be filed with the Village Clerk-Treasurer. The amount of insurance shall be set by the insurance counselor for the Village, and shall be determined by the amount of the Village's exposure on the particular job. The person granted a permit shall comply with the following requirements within a time limit of 3 months.
- B. Street, alley or private property shall be properly protected by erecting proper fencing and scaffolds. If scaffolds are to be built on streets or alleys, they shall be properly protected with a top cover of planks, guard rails, and toe-boards, to prevent falling of debris on sidewalk or street. The top of the scaffold shall be at least eight feet above sidewalk or alley.
- C. It shall be unlawful to remove horizontal support and let exterior walls or partitions stand unsupported.
- D. In buildings more than one story in height, the exterior walls, interior partitions and other supports to be removed shall be by floor-to-floor using the floor below as protection against falling debris, and to hold exterior walls and interior walls to prevent them from collapsing.
- E. No walls, chimneys, or other construction shall be allowed to fall en masse on a floor, and bulky material such as beams and columns shall be lowered and not thrown.
- F. Cranes may be used in wrecking or demolition of buildings providing the methods stated in this section are complied with.
- G. When a building is moved or demolished, the building sewer shall be located at a point outside the foundation lines. The sewer shall be sealed off. The plug or seal shall not be covered until an approval has been given by the Plumbing Inspector.
- H. No person shall leave litter, building debris, excavations or ground piles on property on which a building is being razed or has been moved off. Where work is being done in an unsatisfactory manner, or where work is not progressing, and causes a hazard and/or nuisance to the public safety, the Building Inspector shall give written notice to the owner specifying a definite time limit to clean up the property and level off the ground to the adjoining level. If notice is not complied with, the Building Inspector shall cause work to be undertaken by the Village or a firm hired by the Village, and the cost thereof to be charged back to the property or property owner.

13.10 MOVING OF BUILDINGS.

- A. Permit Required.

No person shall move any building within the Village without a permit from the Village Board. Formal approval of such permit shall be given at a regular Village Board meeting. Abutting property owners shall be notified in advance by a mailing of the meeting agenda on which this item appears.

B. Bond.

Before a permit to move any building is granted, the person applying therefor shall give a bond in the sum of \$1,000 with good and sufficient surety as may be approved by the Building Inspector, conditioned among other things, that such person will save and indemnify the Village of Allouez and keep the Village harmless in consequence of the granting of such permit. Proof of public liability insurance shall be filed in an amount of not less than \$500,000.00 for damages arising out of personal injuries to any one person, \$500,000.00 for damages arising out of personal injuries to all persons, and \$500,000.00 for property damages, in any one accident.

C. Route.

Every permit to move a building shall state all conditions to be complied with, designate the route to be taken, and limit the time for removal, and shall have the approval of the Village Engineer. The progress in removal of a building shall be as continuous as possible during all hours of the day, and day by day, and by night if the Building Inspector so orders, until complete, with the least possible obstruction to thoroughfares. No building shall be allowed to remain overnight upon any street crossing or intersection, or so near thereto as to prevent easy access to any fire hydrant, or within 20 feet of the property line of the intersecting street so extended. Lights shall be kept in conspicuous places at each elevation of the building during the night.

D. Damage to Streets.

Every person receiving a permit to move a building shall, within one day after the building reaches its destination, report that fact to the Building Inspector. Thereupon the Village Engineer shall inspect the streets over which the building has been moved, and ascertain their condition. If the removal of the building has caused any damage to the streets, the Engineer shall, at the expense of the building mover, forthwith place them in as good repair as they were before the permit was granted. In the event that the building mover shall fail to pay promptly all bills for damage to any street caused by the moving of the building, the Village shall hold the sureties of bond given by the building mover responsible for payment of the same.

E. Trees en Route.

Permission shall in no case be granted to move a building in, along or upon the public streets of the Village of Allouez, until such buildings shall have been measured by the mover, and it shall appear from such measurement that the moving of the building upon or along the streets proposed will not injure any shade trees along such streets. Street trees shall not be trimmed or otherwise disturbed without the approval of the Village Administrator.

F. Dilapidated Buildings.

No permit shall be granted for the moving of any building from one location to another which is so dilapidated and so out of repair as to be unsanitary, unfit for human habitation, occupancy or use, or which is so out of repair that it would be unreasonable to repair the same.

G. Detrimental Buildings.

For the purpose of protecting and conserving the value of neighboring property, no permit shall be granted for the moving of any building to a location within the Village of Allouez which would be detrimental to the character of the neighboring property. Consideration shall be made on the basis of compatibility of external appearance, size and architectural quality in relationship to existing structures. The application for a moving permit shall be accompanied by three copies of a plot plan of the proposed site with such additional material as would permit an application of the foregoing standards.

H. Denial of Permit.

A refusal of a moving permit shall be in writing and contain a detailed statement as to why the relocation would be detrimental to the value of neighboring property, if such is the case.

- I. No person, firm or corporation shall move, or shall allow or permit the move of, an existing building or any part of an existing building from a location outside the boundaries of the Village to a destination within the Village. This section shall not apply to a prefabricated building of new construction, a modular building of new construction, or an historic building which is to be placed in a federal, state or local governmental park.

13.11 BILLBOARDS AND SIGNS. See Chapter 27, Signs.

13.12 AWNINGS OVER STREETS OR SIDEWALKS.

- A. No person shall erect any awning over the sidewalk or street without first obtaining a permit therefor from the Building Inspector.
- B. Any awning hereafter erected over any sidewalk or street within the Village of Allouez shall be constructed of an adjustable iron frame, firmly secured in place and covered with canvas or other suitable material. The frame shall be at least 7 ½ feet in height above the sidewalk. The lowest point of flap or fringe of such awning shall at no point be less than 6 ½ feet above the sidewalk. Permanent metal type awnings may be erected if a minimum clearance of 7 ½ feet is allowed from the sidewalk to the lowest part of the awning.

13.13 CANOPIES AND HOODS.

- A. No permanent hood or canopy shall be constructed over any sidewalk or street unless constructed in the manner herein provided.
- B. No canopy or hood shall be erected without a permit first being secured from the Building Inspector. All such canopies or hoods shall be inspected yearly by the Building Inspector.
- C. The owner or occupant of any building erecting such canopy or hood shall furnish annually a public liability bond with sureties to be approved by the Village Board in the amount equal to \$100 per square foot, based on the area of the underside of such canopy or hood, but in no case shall any bond be less than \$5,000. If the owner or occupant of such building carries public liability insurance in an amount equal to or in excess of the amount of the bond required, he shall be exempted from furnishing a bond.

- D. There shall be a height of not less than 10 feet in the clear between the grade of the sidewalk at any point and the lowest point of any appendage or projection of any canopy or hood extending from any building into the public street.
- E. The projection of a permanent hood or canopy shall not extend over the street or within a distance nearer to the street than 2 feet from the outside face of the curb.
- F. The overall height of a canopy or hood including all projections, ornamentations, accessories or appurtenances shall not exceed 6 feet. The maximum distance to the top of any canopy including all projections, ornamentations, appurtenances, signs, or any other part of the canopy shall not exceed 16 feet from any point of the sidewalk.
- G. Any necessary appurtenance or device for a temporary or permanent installation shall be rigidly attached to the hood or canopy in a manner satisfactory to the Building Inspector. Swinging signs or accessories are prohibited.
- H. Where a projecting sign is erected above a canopy or hood, it shall not be attached to any accessory or ornament. Such sign shall be hung independently of the canopy.
- I. A hood or canopy shall have gutters and conductors connected with the sewer at the building, and any such canopy or hood shall be so drained as not to discharge any water on the sidewalk or public highway except as provided in the Plumbing Code.
- J. A canopy or hood shall be built of incombustible material throughout, and shall be capable of resisting a superimposed load of 30 pounds per square foot.
- K. A canopy or hood shall be suspended from the building with no supports resting upon the sidewalk or public highway, and must have the approval of the Building Inspector with respect to design and materials of construction.

13.14 TELEVISION AND RADIO RECEIVING ANTENNA.

- A. The requirements of this section shall apply to the outdoor portion of all apparatus more than 12 feet in height used for receiving television or radio waves.
- B. All television and radio antenna systems, including the supporting tower or mast, shall be constructed of galvanized steel or other corrosive-resistant incombustible material. Where approved by the State Department of Industry, Labor and Human Relations, towers constructed of wood or wood poles set in the ground may be used to support antenna systems, but no wood tower or wood pole may be mounted on the roof of any building or structure.
- C. The antenna and tower shall be designed to support the dead load of the structure plus an ice load at least one-half inch in radial thickness. The ice load shall be computed only upon the wires, cables, messengers, and antenna.
- D. The tower or mast shall be braced or guyed and anchored to resist a horizontal wind pressure of not less than 30 pounds for every square foot (net area) of exposed surface. Guy wires shall not be anchored to a chimney or to any roof ventilator or vent pipe.
- E. Antenna systems installed on the roof of a building shall be mounted on an independent platform or base and anchored in place. The platform or base of the tower shall be large enough to distribute

the weight of the structure over sufficient roof area so the roof construction will safely support the weight of the structure in addition to the required live and dead roof loads.

- F. All antenna systems shall be installed so that no part of the structure will be nearer to a street, or other public thoroughfare, than the height of the antenna as measured from its platform or base to the topmost point. No wires, cables or guy wires shall extend over any street or other public thoroughfare or over any electric power or communication lines.
- G. Poles used for electric power or for communication lines shall not be used for supporting or for guying any antenna system. Where antenna installations are so located that damage will be caused to adjacent power or communication lines by the falling of the antenna structures, a separate safety wire shall be attached to the top of the tower and secured in a direction away from the power or communication lines.
- H. Electric installations in connection with antenna systems, including the grounding of the tower or mast, shall comply with the requirements of the Wisconsin State Electrical Code.
- I. Earth satellite receiving antennas are permitted subject to the following regulations established in compliance with the Federal Communications Report No. DC-362 (Docket 85-87) dated January 14, 1986:
 - (1) An earth satellite receiving antenna is an accessory structure, and a building permit is required under the provisions of Section 13.04, upon payment of the permit fee set forth at Section 13.05 A.(3).
 - (2) An earth satellite receiving antenna mounted on the roof of a residential structure:
 - (a) Shall not exceed 10 feet in diameter.
 - (b) Shall not extend more than 15 feet above the existing roof measuring from the base of the antenna to the highest point of the antenna.
 - (c) Shall not exceed 35 feet in total height above the surrounding adjacent grade level.
 - (3) An earth satellite receiving antenna when not erected as an independent structure, shall be mounted:
 - (a) If mounted on a sloped roof, on that portion which is furthest from the front yard setback line.
 - (b) Within 6 feet of the rear main bearing wall of the structure to which it is attached.
 - (4) An earth satellite receiving antenna which is erected as an independent accessory structure shall not exceed a height of 15 feet above the surrounding grade level.

13.15 FENCES.

Refer to Chapter 26, Fences.

13.16 SWIMMING POOLS.

- A. Before construction of a swimming pool is started, a building permit must be taken out accompanied by a plot plan showing size, location and description of the property.
- B. See Section 8.03 C for the building permit fees.
- C. Permanent pools shall maintain minimum side and rear yard setbacks of 10 feet from adjoining property. Where necessary to keep ground and fill from going on adjoining property, a permanent wall constructed of concrete or masonry must be installed. Temporary and above ground pools shall have a side yard and rear yard setback of 4 feet from adjoining property.
- D. Portable pools over one foot in depth must be drained, fenced, or covered in such a manner as to provide public safety after each day's use.

13.17 ABANDONED OR WATER-FILLED EXCAVATIONS.

- A. Any open basement or basement excavation left unworked for a continuous period of 60 days after the commencement of building or razing shall constitute a nuisance and the owner or contractor shall, within 48 hours after written notice by the Building Inspector, cause the basement or basement excavation to be properly filled and leveled to the original grade.
- B. Filling and debris on land or lots, which is not leveled or removed within 30 days after deposit of same and which causes a public nuisance, rodent harborage, or prevents the unsightly growth of noxious weeds from being cut, shall constitute a nuisance and the owner shall, within 48 hours after written notice by the Building Inspector, cause such lot to be cleaned and leveled.
- C. Any open basement or basement excavation in which one foot or more of water is permitted to stand shall constitute a nuisance and the owner shall, within 48 hours after written notice by the Building Inspector, cause the excavation or basement to be pumped dry.
- D. If the address of the owner or contractor cannot be ascertained with reasonable diligence, the 48-hour period set forth in this section shall commence to run on the start of the day following two successive publications of the notice in the official newspaper.
- E. Failure to comply with a notice of the Building Inspector shall be cause to have the work done by the Village and the cost thereof charged to the property or property owner.

13.18 HOUSE NUMBERING.

A. House Numbering Map.

All lots and parts of lots in the Village of Allouez shall be numbered in accordance with a certain map now on file in the office of the Village Clerk-Treasurer, which is designated "A House Numbering Map". All lots and parts of lots hereafter platted shall be numbered to conform as nearly as possible to the general scheme of numbering as outlined on such map.

B. New Buildings.

The builder of or general contractor for new construction of every house, dwelling and business establishment in the Village of Allouez shall cause to be designated or attached to such structure

within 5 feet of its front entrance, or directly above the garage door of a garage which is attached to or a part of the main structure, figures indicating the number of such structure.

- C. The owner of every house, dwelling and business establishment in the Village of Allouez shall cause to be designated on or attached to such structure within 5 feet of its front entrance, or directly above the garage door of a garage which is attached to or which is a part of the main structure, and which faces the street upon which such structure is located and to which such numbering pertains, figures indicating the number of such structure, and shall maintain such numbering in a good state of repair and in attachment to the said structure.

- D. Requirements.

The figures which shall be used to indicate the number of a structure shall be no less than 3 inches in height, shall be clearly distinguishable from and of contrasting color to the color and surface of the underlying structure, and shall be able to be clearly read from a distance of 50 feet.

13.19 HEATING AND CENTRAL AIR CONDITIONING.

- A. Permits.

No person, firm or corporation shall construct, install, convert or otherwise modify any heating unit or central air conditioning unit, or any appurtenance thereto, without first making written application for and securing a permit from the Village Building Inspector. Such application shall set forth the nature and extent of the work to be performed, and contain such information, specifications and/or drawings as are required to show compliance with existing building, health and fire codes. The Village Building Inspector shall promptly issue a heating and air conditioning permit if the written application indicates the proposed work meets requirements of state and local building, health and fire codes.

- B. Inspection.

Every person, firm or corporation engaged in the construction, installation, conversion or modification of any heating unit or central air conditioning unit or any appurtenance thereto, and each owner and lessee of the premises upon which such construction, installation, conversion or modification is being conducted, or any one of them, shall notify the Building Inspector of completion of all portions of such work which shall thereafter be concealed or covered and shall not allow or permit further work to be done upon any portion which is to be so subject to be concealed or covered until the same shall be inspected and approved by the Building Inspector. As soon as reasonably can be done after receiving such notification, the Building Inspector shall inspect such construction, installation and work and shall approve the same unless it is in violation of state or Village building, health or fire codes, or jeopardizes the structural integrity of any structure or dwelling, or adversely affects the health, safety or well-being of any occupant of any such structure. If he does not approve such work, the Building Inspector shall order the work stopped and post a notice to this effect at the job site, and no further work shall then be done, except for corrective work, until all violations have been corrected and the work has been approved by the Building Inspector.

- C. Heating and air conditioning permit fees are listed at Section 8.03 D.

13.20 CONSTRUCTION SITE EROSION CONTROL.

- A. Statutory Authorization.

This ordinance is adopted pursuant to the authorization in Section 62.234, Wisconsin Statutes.

B. Purpose.

It is the purpose of this ordinance to preserve the natural resources; to protect the quality of the waters of the State and the Village; and to protect and promote the health, safety and welfare of the people, to the extent practicable by minimizing the amount of sediment and other pollutants carried in runoff or discharged from construction sites to lakes, streams, rivers, and wetlands.

C. Applicability of Ordinance.

This ordinance applies to land-disturbing construction and land-developing activities on lands within the boundaries and jurisdiction of the Village.

D. Definitions.

The definitions for this ordinance shall be as set forth in Construction Site Erosion Control, Chapter 52.

E. Technical Standards.

The technical standards for this ordinance shall be as set forth in Construction Site Erosion Control, Chapter 52.

F. Performance Standards.

The performance standards for this ordinance shall be as set forth in Construction Site Erosion Control, Chapter 52.

G. Permitting Requirements, Procedures and Fees.

The permitting requirements, procedures and fees for this ordinance shall be as set forth in Construction Site Erosion Control, Chapter 52.

H. Erosion and Sediment Control Plan, Statement, and Amendments.

The erosion and sediment control plan, statement, and amendments for this ordinance shall be as set forth in Construction Site Erosion Control, Chapter 52.

I. Fee Schedule.

The fee schedule for this ordinance shall be as set forth in Construction Site Erosion Control, Chapter 52.

J. Inspection, Enforcement, and Appeals.

Inspections, enforcement, and appeals for this ordinance shall be as set forth in Construction Site Erosion Control, Chapter 52.

13.30 SEVERABILITY.

If a court of competent jurisdiction judges any section, clause, provision or portion of this ordinance unconstitutional or invalid, the remainder of the ordinance shall remain in force and not be affected by such judgment.

13.40 PENALTY.

Any person who shall violate any provision of this chapter shall, upon conviction, forfeit not less than \$1.00 nor more than \$10,000.00 for each violation, together with the costs of prosecution, and in default of the payment thereof shall be imprisoned in the county jail for not to exceed 90 days or until such forfeiture and costs are paid. Each violation and each day a violation continues or occurs shall constitute a separate offense. This section shall not prevent the Village from maintaining any appropriate action to prevent or remove a violation of this chapter.