

VILLAGE OF BIRNAMWOOD

ORDINANCE #20-8-6

BUILDING AND OR UTILITY INFORMATION PERMIT ORDINANCE

Section 1 – Purpose

A. The purpose of this ordinance is for the Village to have information and a record regarding the type, size, and location of all buildings and structures constructed, reconstructed, remodeled, removed, or demolished after the effective date of this ordinance.

B. The purpose of this ordinance also requires all Utility Companies to obtain a permit from the Village prior to the start of any and all utility work including but not limited to the following; telephone, cable, gas, electric and sewer and water

Section 2 - Definitions

In this ordinance:

A. “Building” means any building or structure and any installation constructed, reconstructed, remodeled, enlarged, altered, removed, or demolished 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. “Village” means the Village of Birnamwood, Wisconsin, and includes the Village's officers, employees, and agents when appropriate.

D. “Village board” means the Board of Trustees for the Village of Birnamwood, or any person designated to act for the Village board.

E. “Village clerk” means the Clerk of the Village of Birnamwood or his or her deputy or agent.

F. “Wis. stats.” means the Wisconsin Statutes, including successor provisions.

Section 3 – Requirement for Building Information Permit

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

Section 4 – Exemptions from Permit Requirements

The requirement in Section 3 to obtain a Village Building Information Permit shall not apply to any of the following:

A. Buildings or structures owned by the Village.

B. Additions, remodeling, reconstruction, enlargement, or alterations to buildings, when the cost of the work, including labor, shall be less than \$1000 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.

Section 5 – Other Requirements Remain Applicable

The issuance of this Village Building Information Permit does not relieve the owner from any of the following:

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. Village, county, or state driveway permits.

- 3. State one- and 2-family dwelling code permits.
- 4. Any other applicable permit under Village 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.

Section 6 – Village Building Permit Form, Issuance and Fee

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

Section 7 - Penalties

Any person that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than \$25 nor more than \$100, plus the applicable surcharges, assessments and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance. In addition, the Village board may seek injunctive relief from a court of record to enjoin further violations.

Section 8 - 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 9 - Effective and termination date.

This ordinance is in effect as of the adoption date, by the Village Board, Village of Birnamwood. Ordinance can be revised, suspended or revoked by the Village Board at any time.

The Village clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this _____ day of _____, 20__.

(Signature of Village President) _____

Attest: (Signature of Village clerk) _____