

TOWN OF LIBERTY
MANITOWOC COUNTY, WISCONSIN

ORDINANCE NO. 2004-

AMENDED BUILDING PERMIT ORDINANCE

The Town Board of the Town of Liberty, Manitowoc County, Wisconsin, pursuant to its authority under Sections 60.61(1m) and 101.651, Wis. Stats., and other applicable statutes, in order to monitor construction in the Town of Liberty and to comply with Sections 101.65 and 101.651, Wis. Stats., pertaining to new one- and two-family dwellings, do ordain as follows:

1. BUILDING PERMIT.

1.1 Requirement. No person shall erect, add on to, alter, or move any structure in or into the Town of Liberty, at a cost of more than \$500.00, without first obtaining and posting a building permit. No building permit is required for work at a cost of \$500.00 or less. A building permit shall be required, by way of example, for the following: construction or installation of a home, garage, shed, barn or other structure or addition to a structure; construction or installation of a deck, porch, car port or canopy; replacing siding with aluminum, vinyl, or other siding; substantial modernization of kitchens or baths or other interior areas; addition of central air conditioning or fireplace; extensive remodeling or finishing recreation rooms or basement; window replacement; and roof replacement; and moving of structures or mobile homes.

1.2 Exceptions. No building permit shall be required for repairs or maintenance which restore the original soundness of the structure, including, but not limited to, the following: repairing walks and driveways, repairing gutters and downspouts, replacing hot water heater, repairing porches and steps, repairing original siding, patching or repairing interior walls and ceilings, exterior painting, replacing electrical fixtures, replacing furnace, repairing or

replacing weather stripping, screens, storm windows, or doors. No building permit shall be required for exterior landscaping.

2. **APPLICATION AND FEE.** An application for a building permit shall be completed on forms provided by the Town for such purpose. Each application shall provide the following information:

2.1 The owner's name, address, and telephone number.

2.2 Address of the project location and the location by section number, tract number, range number, fire number, and tax code number.

2.3 The lot size, shape, width, and length of all sides to a reasonable estimate.

2.4 The type of work and the use of the building.

2.5 The location, width, and grade of any driveway.

2.6 The cost of the project.

2.7 Such other information as requested by the Town Board or its designated agent.

2.8 Unless waived by the Town or its designee, a site plan drawn to scale of not less than one (1) inch equals ten (10) feet showing the location and use or type of all existing buildings; the location of the proposed structure, its distance from the centerline of all roads and its distance from all lot lines; and the location of the septic system and drain field or holding tank.

2.9 For New Homes only, applicant shall submit three (3) sets of Building Plans and Energy Worksheet.

2.10 All applications for a permit shall be accompanied with a fee as established by the Town Board by resolution.

3. **ISSUANCE OF BUILDING PERMIT.**

3.1 No building permit shall be issued until the applicant has obtained all other permits and approvals applicable, including, but not limited to, county set back permit, state or county sanitary permit, state building plan approval, and proof of compliance with all applicable flood plain, wetland, shoreland, and zoning requirements. Evidence of such approvals shall be submitted with the application.

3.2 The permittee of a building permit, by acceptance thereof, agrees to perform the work according to its description in the application for building permit.

4. **ONE YEAR COMPLETION.** A building permit shall authorize the work described in the application to commence upon issuance. All work shall be completed within one (1) year from the date of issuance. Failure to complete the work within one (1) year shall constitute a violation of this ordinance, unless the permit holder applies for and obtains a new permit within thirty (30) days after the expiration of the one (1) year period.

5. **DISPLAY OF PERMIT.** All building permits shall be displayed in a conspicuous location on the premises where the authorized work is in progress.

6. **INSPECTION AND ASSESSMENT.** The assessor of the Town may enter the land and building for which a building permit is issued at reasonable times for the purpose of completing the duties of assessor. The Town Building Inspector or designated agent of the Town Board and assessor may at all reasonable hours enter upon any premises for which a building permit is issued for inspection purposes and may require the production of the permit. All New Homes are subject to inspection by Building Inspector pursuant to the Uniform Dwelling Code. By acceptance of a building permit, the building permittee expressly consents to the inspection and assessment, pursuant to Section 943.13(3m), Wis. Stat. No person shall interfere with or

refuse to permit access to any such premises to the building inspector, assessor or authorized agent while in the performance of the official duties.

7. **ENFORCEMENT.** Any person who violates any provision of this ordinance shall forfeit not less than \$100.00 nor more than \$200.00, plus the cost of enforcement, together with any other required penalty, assessment, or fee imposed by the State of Wisconsin or any other enforcement agency. Each day a violation continues shall be deemed a separate offense. Any person who fails to apply for and obtain a building permit within thirty (30) days after being notified in writing by the Town or its designee shall be considered in violation and subject to a forfeiture.

8. **DEFINITIONS.** For purposes of this ordinance, the following terms shall have the following definitions:

8.1 “Add onto” or “Addition” shall mean new construction performed on an existing structure which increases the outside dimensions of the structure.

8.2 “Alter” or “Alteration” shall mean a substantial change or modification to an existing structure.

8.3 “Building” shall include one-family and two-family dwellings, multi-family dwellings, mobile homes, moved structures, commercial structures, and any other permanent structure.

8.4 “Person” shall include an individual, a corporation, partnership, association, municipal organization, limited liability company, limited liability partnership, and any other entity.

8.5 “Structure” shall mean anything constructed, installed, or erected at a permanent location on the ground or attached to a permanent location on the ground.

8.6 "Town" shall be the Town of Liberty, Manitowoc County, Wisconsin, and "Town Board" shall refer to the duly acting Town Board thereof.

9. **SEVERABILITY**. The provisions of this ordinance are severable. In the event any portion of this ordinance is determined to be unconstitutional, invalid, or unenforceable by a court of competent jurisdiction, such determination shall not affect the remainder of this ordinance. The Town Board hereby declares its intent to have passed all other provisions of this ordinance and the remainder of the ordinance shall not be affected by such determination.

10. **EFFECTIVE DATE**. This ordinance shall take effect and be in force from and after adoption and publication according to law.

Dated and adopted this 13 day of December, 2004.

ATTEST:

TOWN OF LIBERTY TOWN BOARD

S/
Earl Glaeser, Clerk

By: S/
David Schultz, Chairperson

By: S/
Greg Meidl, Supervisor

By: S/
Joel Aulik, Supervisor