

ORDINANCE NO. 2077

**An Ordinance to Amend, Where Applicable, References In The Village Code From The Department of Commerce, Safety and Buildings Division (Comm.) to the Department of Safety Professional Services, Industry Services Division (SPS)**

At a regular meeting of the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin held on this 15<sup>th</sup> day of May, 2017, a quorum being present and a majority of the Board voting therefore, said Board finds:

WHEREAS, due to restructuring of state agencies, regulatory control over matters previously handled by the Department of Commerce, Safety and Buildings Division (Comm) have been shifted to the Department of Safety and Professional Services, Industry Services Division (SPS), and;

WHEREAS, the aforementioned shift requires the Village of Shorewood to amend certain portions of the existing Code to reflect this change.

NOW THEREFORE, at a regular meeting of the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin, held on the 15<sup>th</sup> day of May, 2017, by a favorable vote of the members being present and therefore, said Board does ordain as follows:

**SECTION 1**

Subsection D, Commercial inspections, of Section 1, Permits required and codes adopted, of Article I, Building Regulations, of Chapter 225, Building Construction, of the General Ordinances of the Village of Shorewood, is hereby repealed and replaced as follows:

D.      Commercial Inspections.

Upon designations or appointment of the Village of Shorewood by the State of Wisconsin Department of Safety and Professional Services to do commercial building inspections, the Building Inspector shall conduct such inspections under the provisions of the following Wisconsin Administrative Codes, Chs. SPS 361-366 Wisconsin Commercial Building Code and Chs. SPS 375-379 Existing Building Code, their referenced codes and standards, and subsequent revisions which are hereby adopted by reference. Fees for permits or inspections for commercial buildings subject to this subsection shall be enumerated in the Village Fee Schedule. In the event there are any conflicts with other provisions of the Shorewood Building Code, the provisions of this subsection shall apply to all commercial building inspections regardless of Subsection C above.

## **SECTION 2**

The following definitions in Subsection A, Definitions, of Section 3, One- and two-family dwellings, of Article I, Building Regulations, of Chapter 225, Building Construction, are hereby repealed and replaced as follows:

### **DEPARTMENT.**

The Department of Safety and Professional Services.

### **UNIFORM DWELLING CODE**

Those Administrative Code provisions, and any future amendments, revisions or modifications thereto, contained in the following chapters of the Wisconsin Administrative Code:

- (1) Chapter SPS 320, Administration and Enforcement.
- (2) Chapter SPS 321, Construction Standards.
- (3) Chapter SPS 322, Energy Conservation.
- (4) Chapter SPS 323, Heating, Ventilating, and Air-conditioning.
- (5) Chapter SPS 324, Electrical Standards.
- (6) Chapter SPS 325, Plumbing.

## **SECTION 3**

Parts (1) and (2) of Subsection C, Building Inspector, of Section 3, One- and two-family dwellings, of Article I, Building Regulations, of Chapter 225, Building Construction, are hereby repealed and replaced as follows:

- (1) Certification. The Building Inspector, or his designee, shall be certified for inspection purposes by the Department in each of the categories specified under Chapter SPS 305, Wisconsin Administrative Code.
- (2) Subordinates. The Building Inspector may designate, as necessary, subordinates to inspect buildings within the Village after each subordinate obtains certification by the Department under Chapter SPS 305, Wisconsin Administrative Code.

## **SECTION 4**

Part (1) of Subsection D, Building permits, of Section 3, One- and two-family dwellings, of Article I, Building Regulations, of Chapter 225, Building Construction, is hereby repealed and replaced as follows:

- (1) Building permit required. No one- or two-family dwelling of which initial construction shall be commenced after the first day of June, 1980 shall be built, enlarged, or altered or repaired unless a building permit for that work shall first be obtained by the owner or his agents from the Planning and Development

Department. Application for a building permit for a new construction shall be made in writing upon the form designated as the Wisconsin Uniform Building Permit Application furnished by the Department of Safety and Professional Services.

## **SECTION 5**

Part (2) Subsection F, Violation and Penalties, of Section 3, One- and two-family dwellings, of Article I, Building Regulations, of Chapter 225, Building Construction, is hereby repealed and replaced as follows:

- (2) If an inspection reveals a noncompliance with this section or any applicable building codes, the Building Inspector, or his designee, shall notify the applicant and the owner, in writing of the violation(s) to be corrected. All cited violations shall be corrected within 30 days after written notification unless an extension of time is granted pursuant to § SPS 320.20(3)(b).

## **SECTION 6**

Subsection A of Section 13, Energy conservation under Uniform Dwelling Code, of Article II, Supplemental Building Regulations, of Chapter 225, Building Construction, is hereby repealed and replaced as follows:

- A. The State of Wisconsin Administrative Code, Chapter SPS 322, Energy Conservation, as part of the State Uniform Dwelling Code, as adopted and effective December 1, 1978, and all amendments thereto, is adopted and incorporated in this article by reference.

## **SECTION 7**

Subsection G of Section 40, Cross-connections, of Article X, Protection of Public Safety and Health, of Chapter 514, Water and Sewers, is hereby repealed and replaced as follows:

- G. The Village of Shorewood adopts, by reference, the State Plumbing Code of Wisconsin, being Chs. SPS 381 to 387, Wis. Adm. Code.

## **SECTION 8**

Subsection O, Installation of house laterals, of Section 47, User rules and regulations, of Article XII, Sanitary Sewer Use Regulations and Charges, of Chapter 514, Water and Sewers, is hereby repealed and replaced as follows:

- O. Installation of house laterals. All service pipes (laterals) on private property will be installed in accordance with Ch. SPS 382, Wis. Adm. Code. All laterals shall be inspected.

## **SECTION 9**

Part (4) of Subsection D, Prohibited Uses, of Section 7, Floodway District (FW), of Chapter 536, Zoning- Floodplain Regulations, is hereby repealed and replaced as follows:

- (4) Any private or public sewage systems, except portable latrines that are removed prior to flooding and systems associated with recreational areas and Department-approved campgrounds that meet the applicable provisions of local ordinances and Ch. SPS 383, Wis. Adm. Code.

## **SECTION 10**

Part (7), Sewage systems, of Subsection C, Standards for development in flood fringe areas, of Section 8, Flood fringe District (FF), of Chapter 536, Zoning- Floodplain Regulations, of the General Ordinances of the Village of Shorewood, is hereby repealed and replaced as follows:

- (7) Sewage systems. All on-site sewage disposal systems shall be floodproofed, pursuant to § 536-11F, to the flood-protection elevation and shall meet the provisions of all local ordinances and Ch. SPS 383, Wis. Adm. Code.

## **SECTION 11**

Part (2) of subsection B, Floodway areas, of Section 10, Nonconforming uses, of Chapter 536, Zoning- Floodplain Regulations, shall be hereby repealed and replaced as follows:

- (2) No new on-site sewage disposal system or addition to an existing on-site sewage disposal system, except where an addition has been ordered by a government agency to correct a hazard to public health, shall be allowed in a floodway area. Any replacement, repair or maintenance of an existing on-site sewage disposal system in a floodway area shall meet the applicable requirements of all municipal ordinances and Ch. SPS 383, Wis. Adm. Code.

## **SECTION 12**

That all Ordinances or parts of Ordinances conflicting with the provisions of this Ordinance are hereby to such extent repealed.

## **SECTION 13**

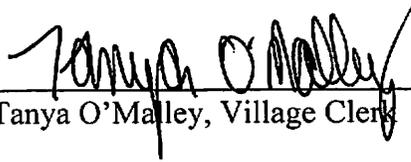
That this Ordinance shall take effect and be in force from and after its passage and posting.

PASSED AND ADOPTED by the Village Board of the Village of Shorewood, Milwaukee County, Wisconsin, this 15th day of May, 2017.

A handwritten signature in black ink, appearing to read 'Guy Johnson', written over a horizontal line.

Guy Johnson, Village President

Countersigned:

A handwritten signature in black ink, appearing to read 'Tanya O'Malley', written over a horizontal line.

Tanya O'Malley, Village Clerk