

## CHAPTER 23 UNIFORM DWELLING CODE

### 23.01 Adopting Wisconsin Uniform Dwelling Code.

#### 23.01 ADOPTING WISCONSIN UNIFORM DWELLING CODE

- (1) **Authority.** These regulations are adopted under the authority granted by s. 101.65, Wisconsin Statutes.
  - (a) This ordinance shall apply in all Trempealeau County town, cities and villages, which have not adopted their own ordinance and have requested County enforcement of the Wisconsin Uniform Dwelling Code (UDC), which currently includes the Town of Albion, Town of Burnside, Town of Caledonia, Town of Chimney Rock, Town of Dodge, Town of Ettrick, Town of Gale, Town of Hale, Town of Lincoln, Town of Pigeon, Town of Preston, Town of Sumner, Town of Trempealeau, Town of Unity, Village of Eleva, Village of Ettrick, Village of Pigeon Falls, Village of Strum, City of Independence, City of Osseo, and City of Whitehall, and in other municipalities where the Wisconsin Department of Safety & Professional Services has delegated enforcement to this County. The request for enforcement from municipalities shall be by resolution placed on file with the County Clerk.
- (2) **Purpose.** The purpose of this ordinance is to promote the general health, safety and welfare and to maintain required uniformity with the administrative and technical requirements of the UDC.
- (3) **Wisconsin Uniform Dwelling Code Adopted.** The UDC Chs. SPS 320-325 of the Wisconsin Administrative Code, and all amendments thereto, is hereby adopted and incorporated by reference and shall apply to all buildings within the scope of this ordinance.
- (4) **Scope.**
  - (a) The scope of this ordinance includes the construction and inspection of all new construction and of alterations and additions to one- and two-family dwellings built since June 1, 1980.
  - (b) Notwithstanding s. SPS 320.05 or any other exemptions of the UDC, the scope of this ordinance also includes the construction and inspection of alterations and additions to one- and two-family dwellings built before June 1, 1980. Because such projects are not under state jurisdiction, petitions for variance and final appeals under ss. SPS 320.19 and 320.21, respectively, shall be decided by the county

Board of Adjustment. Petitions for variance shall be decided per s. SPS 320.19 (Intro.) so that equivalency is maintained to the intent of the rule being petitioned.

- (c) Notwithstanding s. SPS 320.05 or any other exemptions of the UDC, the scope of this ordinance also includes the construction and inspection of all detached garages, as specified in subsection (5) below.

(5) **Standards for Detached Garages.**

- (a) **Definition of Detached Garage.** A “Detached Garage” as used in this ordinance is defined as a structure that is designed for the storage of motorized vehicles, has any more than 2 sides completely enclosed, and is not attached to a dwelling. A “Detached Garage” for the purposes of this ordinance does not include any buildings used exclusively for farm operations, as defined in the UDC.
- (b) All mechanical systems of a detached garage, such as heating, electrical, or plumbing shall comply with the requirements of the UDC. In addition, construction of a detached garage shall meet at least the standards set forth in the following sections of the UDC:
  - (i) Section SPS 321.08. If the garage wall is within 10 feet of the dwelling wall, a fire wall constructed per s. SPS 321.08(a) may be required per Table 321.08.
  - (ii) Section SPS 321.10. Bottom plates that rest on concrete or masonry, if less than 8 inches above final exterior grade, must be pressure treated or be a naturally decay resistant species of wood.
  - (iii) Section SPS 321.25(3). Headers and supporting framing for headers shall meet this section and the supporting tables (Table 321.25-B, Table 321.25-C, and Table 321.25-D) headers for longer spans shall be designed by an engineering method under s. SPS 321.02.
  - (iv) Section SPS 321.27. The roof shall be designed to support the live and dead loads per Figure 321.02 in s. SPS 321.02. The live load requirement is 30 psf. in Zone 2, which includes Trempealeau County.
  - (v) Section SPS 321.27(3). Roof framing members spanning 6 feet or more shall be permanently fastened to the top plate using engineered clips, straps, or hangers. Use of timber lock-type screws from below the top plate into roof member is acceptable.
- (6) **Drain Tile Systems.** All new dwellings shall have a drain tile system installed pursuant to s. SPS 321.17, unless an independent person or firm who has expertise in soil types submits a soil report indicating that a drain tile system would not be required due to the soil type at the proposed dwelling site.

- (7) **Building Inspector.** There is hereby created the position of Building Inspector, who shall administer and enforce this ordinance and shall be certified by the Division of Professional Credential Processing, as specified by Wisconsin Statutes, Section 101.66(2), in the category of Uniform Dwelling Code Construction Inspector. Additionally, this or other assistance inspectors shall possess the certification categories of UDC HVAC, UDC Electrical, and UDC Plumbing.
- (8) **Building Permit Required.** If a person adds onto a building or builds a new building, within the scope of this ordinance, they shall first obtain a building permit for such work from the building inspector. Such permit would be in addition to any permits required by local municipal ordinances other than the County. Any structural changes or major changes to mechanical systems shall require permits. An electrical permit shall be required for in-ground swimming pools. Residing, re-roofing, furnace replacement, finishing of interior surfaces and installation of cabinetry shall be exempt from permit requirements.
- (9) **Building Permit Fee.** The building permit fees shall be determined by the Environment & Land Use Committee and shall include the applicable fee per ch. SPS 302 to be forwarded to the Wisconsin Department of Safety and Professional Services for a UDC permit seal that shall be assigned to any new dwelling.
- (10) **Penalties.** The enforcement of this section and all other laws and ordinances relating to building shall be by means of the withholding of building permits, imposition of the forfeitures and injunctive action. Forfeitures shall be not less than \$25.00 nor more than \$1,000.00 for each day of noncompliance.

(History: Res. 06/16/1980; Res. 2004-12-06; Res. 2016-06-04; Res. 2016-11-05 (eff. 1/1/17))