

**Town of Gardner**  
**Ordinance Adopting Wisconsin Uniform Dwelling Code**  
**ORDINANCE No. 01-2005**

1.1 AUTHORITY. This Ordinance is adopted under the authority granted by s. 101.65, Wisconsin Statutes

1.2 PURPOSE. The purpose of this ordinance is to promote the general health, safety and welfare and to maintain required local uniformity with the administrative and technical requirements of the Wisconsin Uniform Dwelling Code.

1.3 SCOPE. The scope of this ordinance includes the construction and inspection of one- and two-family dwellings in the Town of Gardner.

1.4 WISCONSIN UNIFORM DWELLING CODE ADOPTED. The Wisconsin Uniform Dwelling Code, Chs. Comm 20-25 of the Wisconsin Administrative Code, and all amendments thereto, is adopted and incorporated by reference and shall apply to all buildings within the scope of this ordinance.

1.5 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 Safety & Buildings, as specified by Wisconsin Statutes, Section 101.66(2), in the category of Uniform Dwelling Code Construction Inspector. Additionally, this or other assistant inspectors shall possess the certification categories of UDC HVAC, UDC Electrical, and UDC Plumbing.

1.6 UDC BUILDING PERMIT REQUIRED. Any person, firm, or entity who alters or adds onto a single or two family residential building, built after June 1, 1980 in excess of \$5000.00 value in any twelve month period, or builds a new single or two family residential building, within the scope of this ordinance, shall first obtain an UDC building permit for such work from the building inspector.

Any structural changes or major changes to mechanical systems that involve extensions shall require permits if over the forgoing thresholds. Restoration or repair of an installation to its previous code-complaints condition as determined by the building inspector is exempted from permit requirements. Residing, re-roofing, finishing or interior surfaces, installation of cabinetry, and replacement of windows and doors shall be exempted from UDC permit requirements.

1.7 AGRICULTURAL, GARAGE, AND ACCESSORY BUILDINGS. This ordinance adopting the Uniform Dwelling Code, shall not apply and no UDC building permit shall be required for agricultural, detached garages, and other accessory buildings not attached to a dwelling. Administrative Building Permits for construction or alteration of such structures continue to be required under Town of Gardner Ordinance.

1.8 BUILDING PERMIT FEE. The building permit fees shall be determined by resolution of the Town Board.

1.9 PENALTIES AND ENFORCEMENT. 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 forfeitures and injunctive action. Any person, firm, or entity violating any provision of this Ordinance shall be subject to forfeiture of not less than \$100.00 nor more than \$1,000.00 for each day of noncompliance together with the costs of prosecution and reasonable attorney fees incurred by the Town in enforcing the Ordinance. In addition, the Town of Gardner may apply for and obtain injunctive relief to enforce the provisions of this Ordinance.

2.0 EFFECTIVE DATE. This ordinance shall be effective on January 1, 2005.

This ordinance shall take effect on May 11, 2005 and shall amend town ordinance 01-2004.

Adopted this 11, day of May, 2005

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Paul DeWitt, Town Chairman

Attest: \_\_\_\_\_

Amy Sacotte, Town Clerk