

**BUILDING REGULATIONS**

**CHAPTER 15**

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## BUILDING REGULATIONS

### 15.01 ABANDONED EXCAVATIONS, WELLS AND BUILDING FOUNDATIONS.

- (1) TIME BUILDING EXCAVATIONS MAY REMAIN OPEN. No excavation for building or for any other purpose in the City whether or not completed, shall be left open for more than a 6 month period without proceeding with the erection of a building thereon. If any such excavation remains open for more than 6 months, the General Inspector of the City shall order that the erection of a building on the excavation begin forthwith or in the alternative that the excavation be filled to grade.
- (2) SERVICE OF ORDER. Such order shall be served up on the owner of record or his agent, where the agent is in charge of the premises and upon the holder of any encumbrance of record in the manner provided for service of a summons in the Circuit Court. If the owner or a holder of an encumbrance of record cannot be found the order may be served by posting it on the premises and by publishing in the official newspaper for 2 consecutive publications, at least 10 days before the time limited in the order commences to run.
- (3) GENERAL INSPECTOR MAY FILL EXCAVATION. If the owner of the land fails to comply with the order within 15 days after the service thereof upon him, the General Inspector shall cause the excavation to be filled to grade and the cost shall be charged against the real estate and entered in the next succeeding tax roll as a special tax, and shall bear interest at the rate of 6% per annum from the date of the report by the General Inspector of the cost thereof.
- (4) DEFINITION OF EXCAVATION. The term "excavations" shall include depressions caused by filling 2 or more sides of a plot of land, and shall include excavations for any purpose, basements, part basements, or other excavations left as a residue of a burned or razed building and such basements or excavations shall, after 6 months be subject to the same provisions as excavations made for the purpose of erecting new structures. This section shall not apply to excavations made for the purpose of erecting new structures. This section shall not apply to excavations in streets regulated by other ordinances of the City.
- (5) WELLS, ETC., TO BE COVERED OR FILLED. All wells, septic tanks, cesspools and similar structures being used within the City shall be protected by adequate sound covering of sufficient strength to prevent injury to any human being or animal. All wells, septic tanks, cesspools or similar structures in the City which are abandoned and have not been used for 6 months or more shall be filled to grade by the owner of the land upon which the same is situated with properly ramped back filling with adequate provision for settling, so as to remove such abandoned well as a hazard to human and animal life and limb.
- (6) ORDER OF GENERAL INSPECTOR. The General Inspector may at any time order any well in the City to be adequately covered or filled to grade as herein provided, and as the facts warrant. Such order shall be in writing and be served upon the owner of or lien holder on the land, if any, in the same manner as herein before provided in the case of excavations.

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- (7) GENERAL INSPECTOR MAY COVER OR FILL. Should the owner fail within 15 days after service of such order to properly cover or fill such well, the General Inspector shall cause the same to be done and the cost thereof shall be a lien on the real estate upon which such well is situated and entered upon the next succeeding tax roll as a special tax, and shall bear interest at the rate of 6% per annum from the date of the General Inspector's report of the cost thereof.

### 15.02 FENCES.

- (1) PERMIT REQUIRED. No person shall erect or construct any fence on any premises in the City, without first obtaining a permit from the Building Inspector.
- (2) RESTRICTIONS ON FENCES. The provisions herein contained in sub. (1) shall be subject to the following restrictions and conditions:
- (a) No fence shall exceed 7 feet in height.
  - (b) That portion of the fence located from the building setback line to the street line shall not exceed 4½ feet in height.
  - (c) The finished side of the fence shall face the abutting property.
  - (d) No barbed wire or electrically charged fence shall be permitted in the City.
  - (e) On corner lots where a front or side yard is required, no fence hedge, building or other obstruction more than 3 feet in height measured from the established grade of the street shall be placed so as to interfere with clear vision from one street to the other across the corner.

### 15.03 INSTALLATION OF GAS APPLIANCES.

- (1) SAFETY STANDARDS.
- (a) All gas appliances and accessories hereafter installed, sold or offered for sale shall conform to reasonable standards of safety.
  - (b) The presence of a gas appliance or accessory of a safety seal or label of a nationally recognized testing agency or a certificate or letter of approval from such agency or the inclusion of an appliance or accessory in the approved listing by such agency shall be prima facie evidence that such appliance or accessory conforms to reasonable standards of safety. Such nationally recognized testing agency should be one qualified and equipped to perform and one that does perform periodic inspections of current models of gas appliances and accessories.

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### (2) INSTALLATION OF APPLIANCES.

- (a) All gas appliances, accessories and piping systems shall be installed to conform to reasonable standards of safety.
- (b) Installation of gas appliances, equipment, accessories, and Piping that complies with the standards recommended by the American National Standards Institute in its manual entitled National Fuel Gas Code, No. Z223.1-1981, or subsequent revisions thereof shall be considered prima facie as conforming to reasonable standards of safety.
- (c) No person except an authorized agent or employee of the gas supplier shall turn on or reconnect gas in or on any premise where gas service is not at the time being rendered. This shall not prohibit an installer from turning on the supply of gas temporarily for the purpose of testing the installation made by him or from turning on gas that he had temporarily turned off for the purpose of connecting an appliance or making repairs.
- (d) No person shall sell, offer for sale, or install any gas appliances or accessories or gas piping system, if the same, when installed for use could be in violation of any of the provisions of this section or would be unsafe or dangerous.
- (e) No person shall install any gas appliance for the purpose of space heating without first determining from the gas supplier that adequate facilities are present to supply gas to such appliances in quantities that will assure reasonable safe and uninterrupted operation.
- (f) The provisions of the rules of the Industrial Commission of the State of Wisconsin, Wis. Adm. Code Chapter Ind. 9, are incorporated herein by reference as though set out in full and all such provisions and rules shall be complied with. The City Clerk shall keep available, a copy of such rules and any revisions thereof in her office for study and inspection of any interested parties.

### (3) ENFORCEMENT.

- (a) No person shall sell or offer for sale or install any gas appliance or accessories or gas piping system if the same, when installed for use would be in violation of any of the provisions of this section or would be unsafe or dangerous.

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- (b) The General Inspector may disconnect or order disconnection of any gas appliance, accessory or gas piping which does not conform to the requirements of this section or which may be found defective and in such condition as to endanger life or property. Where such disconnection has been made a notice shall be attached to such appliance, accessory or gas piping which shall state it has been disconnected and the reasons therefor, and such notice shall not be removed nor shall the appliance, accessory or gas Piping be reconnected until it shall have been made to conform with the requirements of this section and its reconnection has been authorized by the General Inspector.

### 15.04 SWIMMING POOLS.

- (1) "Swimming Pool" as used in this section as defined as any body of water used or intended to be used for wading or swimming, constructed, installed or maintained in the ground outside a residential building on private property within the City.
- (2) Every person in possession of land within the City, either as owner, purchaser under contract, lessee, tenant or licensee, upon which is situated a swimming pool, shall maintain on the lot or premises upon which such pool is located a fence or other solid structure not less than 4' in height completely enclosing such premises or swimming pool, with no opening therein (other than doors or gates) larger than 6' square. All gates or doors opening through such enclosure shall be kept securely closed at all times when not in actual use and shall be equipped with a self-closing and self-latching device designed to keep and capable of keeping such door or gate securely closed at all times when not in actual use.

### 15.05 BUILDING AND MECHANICAL CODE. (see Building Inspector)

### 15.06 BUILDING PERMIT FEE SCHEDULE. (see published Fee Schedule)

### 15.07 CERTIFICATE OF OCCUPANCY.

Certificate of Occupancy permit required: It shall be unlawful to use or permit the use of any structure or premises hereafter altered, extended or erected until the Building Inspector shall have issued a certificate of occupancy stating that the structure is ready and suitable for occupancy and is in conformity with Chapter 15 of the Municipal Code of the City of Algoma.

### 15.15 PENALTY.

Any person who shall violate any provision of this chapter or any order, rule or regulation made hereunder shall be subject to a penalty as provided in Sec. 20.04 of this Code.