

ORDINANCE NO. 2020-1 (a)

STATE OF WISCONSIN  
TOWN OF NORTH BEND  
JACKSON COUNTY

THE TOWN BOARD OF THE TOWN OF NORTH BEND HEREBY ORDAIN AS FOLLOWS:

SECTION I – TITLE AND PURPOSE

The title of this ordinance is the Town of North Bend Building Information Permit Ordinance. The purpose of this ordinance is for the town to have information regarding the type, size, and location of all buildings and structures constructed or enlarged after the effective date of this ordinance.

SECTION II – AUTHORITY

The town board of the town has the authority under s. 60.61, Wis. stats., and general authority under its village powers under s. 60.22, Wis. stats., to adopt this ordinance.

SECTION III – ADOPTION OF ORDINANCE

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, requires a town building information permit for all buildings constructed or enlarged provided in this ordinance.

SECTION IV – DEFINITIONS

In this ordinance:

A. “Building” means any building or structure and any installation constructed or enlarged for any use within the town, including but not limited to one- and two-family dwellings, manufactured homes, mobile homes, temporary or seasonal dwellings, garages, agricultural structures, and outbuildings.

B. “Owner” means any person having a legal or equitable interest in a building. “Owner” does not include any person whose legal or equitable interest in a building is a security interest derived solely from the extension of credit to permit construction or enlargement of the building or purchase of the building by a third party.

- C. "Town" means the Town of North Bend, Jackson County, Wisconsin, and includes the town's officers, employees, and agents when appropriate.
- D. "Town board" means the Board of Supervisors for the Town of North Bend, or any person designated to act for the town board.
- E. "Town clerk" means the Clerk of the Town of North Bend or his or her deputy or agent.
- F. "Wis. stats." means the Wisconsin Statutes, including successor provisions.

#### SECTION V – REQUIREMENT FOR BUILDING INFORMATION PERMIT

The owner of any building or structure in the town, unless exempt under this ordinance, who constructs or enlarges any building or structure **larger than 120 square feet** within the town shall seek and obtain from the town a Town Building Information Permit prior to commencing, or causing the commencement of, any construction, installation, or enlargement.

#### SECTION VI - EXEMPTIONS FROM PERMIT REQUIREMENT

The requirement in Section VI to obtain a Town Building Information Permit shall **not** apply to any of the following:

- A. Buildings or structures owned by the town.
- B. Additions and/or reconstruction when the footprint of the existing building **does not** change; or enlargement when the cost of the work, including labor, **shall be less than** \$1,000.00 within a 12-month period.
- C. The restoration or repair of building equipment, such as furnaces, central air conditioners, water heaters, and similar mechanical equipment without the alteration or addition to the building or structure.
- D. Fences or other similar enclosures.
- E. Interior remodeling.

#### SECTION VII - OTHER REQUIREMENTS REMAIN APPLICABLE

The issuance of this Town Building Information Permit does not relieve the owner from any of the following:

A. Obtaining any permit that may be required by any other state law or local ordinance, including but not limited to any of the following:

1. County sanitary permits.
2. Town, county, or state driveway permits.
3. State one- and 2-family dwelling code permits.
4. Any other applicable permit under town or county ordinance or state law.

B. Complying with any other requirement, ordinance, or law, including, but not limited to, those governing zoning, subdivision, land division, and setbacks.

#### SECTION VIII - TOWN BUILDING PERMIT FORM, ISSUANCE, AND FEE

The town board is authorized to approve by resolution a Town Building Information Permit form, designate the person or persons authorized to issue the permits, and establish a fee for issuance of the permits, which fee shall initially be set at \$25.00. If construction commences prior to issuance of the permit required hereunder, the fee shall then double in addition to the penalties set forth in Section IX below.

#### SECTION IX – PENALTY PROVISION

Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than \$100.00 nor more than \$500.00, plus the applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.

#### SECTION X – SEVERABILITY CLAUSE

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that

can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION XI – EFFECTIVE DATE

This ordinance is effective on publication or posting.

The town clerk shall properly post or publish this ordinance as required under s. 60.80, Wis. stats.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

In Favor:

Opposed:

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Attest:

\_\_\_\_\_  
Town Clerk