

# Building Code

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# Chapter 1

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## City Uniform Building Code

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### **Sec. 15-1-1 Title**

This Chapter shall be known, referred to, and cited as the "City Uniform Dwelling Code".

### **Sec. 15-1-2 Adoption of Wisconsin Uniform Dwelling Code**

1. Chapter ILHR 22 of the Uniform Dwelling Code, Wisconsin Administrative Code as adopted and effective December 1, 1978, and Chapters ILHR 20, 21, 23, 24 and 25, of the Uniform Dwelling Code, Wisconsin Administrative Code, as adopted and effective June 1, 1980, and all amendments to said Administrative Code provisions, are adopted and incorporated in this code by reference.
2. The Building Inspector of the City of Adams, as certified by the Department of Industry, Labor, and Human Relations, is hereby authorized and directed administer and enforce all the provisions of the Wisconsin Uniform Dwelling Code.
3. Any existing ordinances pertaining to the constriction of new dwellings that conflict with the Uniform Dwelling Code are hereby repealed.

### **Sec. 15-1-3**

**Building Permit Required.** No person shall build or cause to be built any one- or two-family dwelling without first obtaining a State Uniform Building Permit for such dwelling from the Building Inspector of the City of Adams.

15-1-4

### **Sec. 15-1-4**

**Building Permit Fee.** The City shall assess and collect a fee for the building permit authorized under this chapter. The building permit fee shall be based upon the number of square feet of living space within the residence. At the time of filing the application, a fee as established by resolution adopted pursuant to section 2-2-19 shall be paid to the City Clerk to cover the cost of processing such application. Said fees shall be established by resolution of the Common Council.

### **Sec. 15-1-5**

**Building Permit Application Fee.** The fee for the building permit application, electrical permit application, plumbing permit application, heating, ventilation, air conditioning (HVAC) permit application shall at the time of filing the applications, a fee as established by resolution adopted pursuant to section 2-2-19 shall be paid to the City Clerk to cover the cost of processing such application. Said fees shall be established by resolution of the Common Council.

1. 840 sq. ft. area (14'x60'), / sq. ft. beyond 840 sq. ft.
2. HUD Manufactured Home (on piers or slab): / up to and including 840 sq. ft. area (14'x60'), / sq. ft. beyond 840 sq. ft.
3. UDC & HUD Manufactured Homes (additions) sq. ft.
4. New Construction – sq. ft.
5. Moving, Razing or Wrecking a Dwelling
6. Failure to call for Inspection
7. Alteration (structural changes - up to 5 inspection points)
8. Garages and Accessory Building (Frame constructed & additions)
9. Garages and Accessory Building (Pole constructed & additions)
10. Deck – per square foot
11. Re-Inspection (one at no charge-per permit)
12. Erosion Control Permit and Application (New - <1 acre)
13. Erosion Control Permit and Application (Addition - <1 acre)
14. Erosion Control Permit and Application (<1 acre / subsequent acres)
15. Temporary Occupancy Permit per Dwelling Unit
16. In all cases when work is started prior to obtaining a permit, the fee shall be doubled or an amount established, whichever is greater.
17. Cancelled and refunded permits are subject to a 10% surcharge
18. Awning & Canopies Inspection (Temporary structure)

*(Amend. of Title 15, Subsections 15-1-1, 15-1-2, 15-1-3, and 15-1-4 of the Code of Ordinances of the City of Adams, WI is hereby created and adopted by the Council on September 5, 1995, Ordinance No.11-95) (Amendment of Section 15-1-5 created by Council on January 4, 1999 by Ordinance 1-99) (Amend. Of Title 15, Subsection 15-1-5 and creating Subsection 15-1-5 (1) through (8) of the Code of Ordinances of the City of Adams, WI adopted by the Council on January 21, 2008, Ordinance No. 03-2008). (Amend Title 15, Chapter 1, Section 4 and 5 (1 – 18), of the Code of Ordinances of the City of Adams, WI is hereby amended by the Council on January 4, 2010, Ordinance No. 22-2009).*

# Chapter 2

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## Reserved for Future Use



# Chapter 3

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## Swimming Pool Code

<a href="#"><u>15-3-1</u></a>	<b>Swimming Pool Code</b>
<a href="#"><u>15-3-2</u></a>	<b>Definition</b>
<a href="#"><u>15-3-3</u></a>	<b>Permit for Swimming Pools</b>
<a href="#"><u>15-3-4</u></a>	<b>Construction Requirements</b>
<a href="#"><u>15-3-5</u></a>	<b>Fences</b>
<a href="#"><u>15-3-6</u></a>	<b>Portable Pools</b>
<a href="#"><u>15-3-7</u></a>	<b>Electrical and Plumbing Requirements</b>
<a href="#"><u>15-3-8</u></a>	<b>Operation of Pool</b>
<a href="#"><u>15-3-9</u></a>	<b>Penalty</b>

### **Sec. 15-3-1 Title**

This Chapter shall be known as, referred to and cited as the "Swimming Pool Code".

### **Sec. 15-3-2 Definition**

"Swimming Pool", as used herein, means any depression in the ground, either temporary or permanent and any other structure or container, either above or below ground, in which water more than twelve inches (12") deep is contained, and which is used primarily for the purpose of bathing or swimming.

### **Sec. 15-3-3 Permit for Swimming Pools**

1. **Permit Required.** No person shall construct, install, enlarge or alter any private swimming pool unless a permit therefore has first been obtained from the Building Inspector for the City of Adams, Wisconsin.
2. **Permit Application.** Application shall be on forms provided by the Building Inspector and shall be accompanied by plans drawn to scale showing the following:
  - a. The location of the pool on the lot, including the distance from lot lines and the distance from any other structures on the lot.
  - b. The location of any septic tank, filter bed, and sewer and water lines.
  - c. The pool dimensions and the volume of water in gallons.
  - d. The location of proposed fence(s), and the size, type, and location of any proposed gates.
  - e. The location of any existing overhead electric wiring relative to the proposed pool location.

### **Sec. 15-3-4 Construction Requirements**

1. No pool shall be located, erected, constructed or maintained closer to any side or rear lot line than allowed by the City of Adams Zoning Ordinances, and the water line of any pool shall not be less than ten (10) feet from any lot line or building.
2. No connection shall be made so that water from the proposed pool may flow to the sanitary sewer or to any septic system.
3. Where topography requires, a permanent wall of concrete, masonry, or building material approved by the Building Inspector shall be constructed to prevent ground and fill from spilling into adjoining properties.
4. Gaseous chlorination systems shall not be used for disinfecting pool waters.
5. No aboveground pool shall be less than five (5) feet from any septic system.



### **Sec. 15-3-5 Fences**

1. All swimming pools not enclosed within a permanent building shall be completely enclosed by a fence of sufficient strength to prevent access to the pool, not less than five (5) feet in height, and so constructed as not to have voids, holes, or openings larger than four (4) inches in one dimension. Gates or doors shall be constructed so as to be capable of being locked, and shall be closed and secured so as to prevent unlatching by any person outside the pool at all times when the pool is not in actual use.
2. Above-ground pools with self-provided fencing to prevent unguarded entry shall be permitted without separate additional fencing, provided the self-provided fence is of the minimum height and design as herein specified.
3. Permanent access from grade to above-ground pools having stationary ladders, stairs, or ramps shall have safeguard fencing and gates equivalent to those required herein, subject to all other applicable ordinances, and subject to the following:
  - a. No fence shall be located, erected, constructed, or maintained closer than three (3) feet from the pool.
  - b. The wall of the house or building facing the pool may be incorporated as a portion of such fence.

### **Sec. 15-3-6 Portable Pools**

Portable pools over one (1) foot in depth must be fenced as provided in SEC. 15-3-5 above, or be drained or covered after each day's use in such manner as to provide safety.

### **Sec. 15-3-7 Electrical and Plumbing Requirements**

1. **Pools to Comply with Plumbing also Electrical Code.** No pool shall be installed or maintained unless all plumbing and all electrical components of the pool comply with all applicable local and state plumbing and electrical codes.
2. **Pool Lights.** If overhead flood or other artificial lights are used to illuminate the pool at night, such lights shall be shielded to direct light only on the pool.

### **Sec. 15-3-8 Operation of Pool**

No pool shall be so operated as to create a nuisance, a hazard, or an eyesore or otherwise to result in a substantial adverse effect on neighboring properties.

### **Sec. 15-3-9 Penalty**

Enforcement-Penalties. The enforcement of this section may be by the seeking of injunctive relief in courts of competent jurisdiction, by prosecuting alleged violations by actions brought in a court of competent jurisdiction seeking the imposition of forfeitures, by the City's refusal to issue building permits, or by any combination of said enforcement actions. In the event that the City chooses to pursue prosecution of an alleged violation of this chapter as a forfeiture action, the general penalty provisions of the Municipal Code of the City of Adams, Wisconsin as set forth in Title 1 Chapter 1 of said Code, shall apply in establishing the penalties for such violations, as from time to time amended by the law. Prosecution of such actions shall be in accordance with Title 1 Chapter 2 of the Municipal Code of the City of Adams, Wisconsin.

# Chapter 4

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## Retention or Detention Ponds

[15-4-1](#)      **Regulation of Retention and/or Detention Ponds**

[15-4-2](#)      **Definitions**

[15-4-3](#)      **Permit Required**

[15-4-4](#)      **Permit Application**

[15-4-5](#)      **Fencing Required**

[15-4-6](#)      **Penalty and Enforcement**

### Sec. 15-4-1 Title

This Chapter shall be known as, referred to and cited as “Regulation of Retention and/or Detention Ponds.”

No person shall construct a retention or detention pond within the City of Adams, Wisconsin, except in compliance with the provisions of this chapter of the Code of Municipal Ordinances of the City of Adams, Wisconsin.

### Sec. 15-4-2 Definitions

The following definitions shall apply as used in this Chapter 15-4 of the Municipal

Code of the City of Adams:

- (a)      **Retention Pond.** Any construction, whether of earth, other materials, or any combination thereof, which either (1) is designed to retain or detain surface water run-off, or (2) which actually retains or detains surface water run-off. This definition shall apply only to structures where the surface water so retained or detained is six (6) inches or more in depth, where the surface water retained covers an area more than one hundred (100) square feet, or both.
- (b)      **Detention Pond.** Any construction, whether of earth, other materials, or any combination thereof, which either (1) is designed to detain or retain surface water run-off, or (2) which actually detains or retains surface water run-off. This definition shall apply only to structures where the surface water so detained or retained is six (6) inches or more in depth, where the surface water detained covers an area more than one hundred (100) square feet, or both.

- (c) **Person.** Any individual, combinations of individuals, or other legal entity or entities which own, or have a partial ownership interest in real estate within the City of Adams on which one or more retention ponds or detention ponds are either proposed for construction, being constructed, or actually in existence.

### **Sec. 15-4-3 Permit Required**

No person shall construct or maintain a retention pond or detention pond unless a permit for such pond has been issued by the City of Adams.

### **Sec. 15-4-4 Permit Application**

Any person wishing to maintain or construct a retention pond or detention pond shall apply for a permit to do so. Such application shall be made at the office of the City Clerk/Treasurer, on a form to be provided the applicant by that office. The content of the application form shall be subject to modification, from time to time, as approved by the City Council, provided that such application shall require the applicant to provide information which assures that the retention pond or detention in question does not interfere with, nor is generally inconsistent with the overall surface water drainage plan of the City, and further provided that the safety of the public is provided for. In any event, the fencing requirements described in 15-4-5 of this code, shall be addressed in the permit application form.

A fee of \$25.00 shall be collected by the Clerk/Treasurer for each application submitted. The City Building Inspector shall consider the application. If the Building Inspector, after consulting with City Engineers, is satisfied that the proposed structure will not interfere with the overall City plan for surface water drainage water run-off and that the safety of the public is provided for, shall issue the permit on a form provided by the Clerk/Treasurer's Office and approved by the Council. Said permit, shall on its face, require the construction and maintenance of the fencing described in Section 15-4-5.

### **Sec. 15-4-5 Fencing Required**

All retention ponds or detention ponds shall be completely enclosed by a fence of efficient strength to prevent access to the pond. Such fence shall be not less than five (5) feet in height and shall be so constructed as to not have voids, holes or openings larger than four (4) inches in one dimension. Access to the pond shall be by gate or gates which shall be constructed so as to be capable of being locked, and such gates shall be closed and locked at all times when there is water in the pond, except when the permit holder or his agents or employees are physically present within the fenced in area surrounding the pond. Such fence shall be erected, constructed, located at a distance of three (3) or more feet from the anticipated high water level of waters which the pond is either designed or anticipated to hold.

## **Sec. 15-4-6 Penalty and Enforcement**

The enforcement of this Chapter 15-4-6 of the Municipal Code of the City of Adams, Wisconsin, may be made by seeking injunctive relief in Courts of competent jurisdiction by prosecuting alleged violations by action brought in such Courts, seeking the imposition of forfeitures, by the City's refusal to issue a building permit, zoning changes, conditional use permits, or by any combination of said enforcement actions. In the event the City chooses to pursue prosecution of an alleged violation of this chapter as a forfeiture action, the general penalty provisions of the Municipal Code of the City of Adams, Wisconsin as set forth in Title 1 of said Code, as from time to time amended, shall apply in establishing the penalties for such violations. Prosecutions of such actions shall be in accordance with Title 1, Chapter 2 of the Municipal Code of the City of Adams, Wisconsin.



# Chapter 5

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## Regulation of Screening, Landscaping, Fences and Hedges

### 15-5-1 Screening and Landscaping Regulations

### 15-5-2 Fences and Hedges

### 15-5-3 Penalty and Enforcement

#### **Sec. 15-5-1 Screening and Landscaping Regulations.**

Any nonresidential use which is in, abuts, is adjacent to, or is across from any residential district and which is not conducted within a completely enclosed building (junkyards, storage yards, lumber and building materials yards, and parking lots, for example), shall be entirely enclosed by a fence or landscaping sufficient to effectively shield such uses. Uses such as nurseries and the display for sales purposes of new and used vehicles, or other outdoor display for sales purposes shall provide screening from abutting residential uses. Such fencing, landscaping or screening shall substantially prevent the visual observance of the display.

#### **Sec. 15-5-2 Fences and Hedges.**

- (a) **Planning Commission Approval.** Plans and site design for the construction of fences consisting of shrubs, hedges, trees, or landscaping shall be reviewed by the Planning Commission prior to the issuance of a building permit. Building permits for all other fences shall be issued by the Building Inspector/Zoning Administrator. The Commission may require that moneys be placed in escrow for a period not to exceed one (1) year.
- (b) **Maintenance.** Any fencing or landscaping erected or planted under this Chapter shall be maintained in good order to achieve the objective of this Chapter. Failure to maintain fencing or permitting shrubs or landscaping to die without replacing same shall be considered a violation of this division.
- (c) **Definitions.** For the purposes of this Section, the following definitions shall apply:
  - (1) **Fences.** A barrier made of wood, iron, stone or other material.
  - (2) **Hedge.** A barrier consisting of natural or artificial vegetation.
  - (3) **Back Yard.** Houses on corner lots having street numbers based on one of the streets that abut their lot(s). This street will be herein referred to as the street-numbered street. For purposes of this subsection, a back yard is defined as that portion of the lot or lots upon which the principal structure rests that is on the opposite side of the principal structure from the side which abuts the street-numbered street. The backyard is bounded on three sides by the property lines of the lot and on a house side by the back yard facing side of the house extended laterally to the side lot lines of the lot.

- (4) **Front Yard.** Front yard is defined as a yard abutting a street other than an alley. Front yards on corner lots will remain subject to a 25' setback as set forth in Sec. 13-1-24.
- (d) **Fence Permit.** No person should erect a fence or plant a boundary hedge in the City unless a permit is first obtained by the owner or his agent from the Building Inspector. At the time of filing the application, a fee as established by resolution adopted pursuant to section 2-2-19 shall be paid to the City Clerk for failure to obtain such permit. Said fees shall be established by resolution of the Common Council.
- (e) **Property Boundary Determinations.** Fences and hedges shall be erected on owner's property and responsibility for establishing the property line shall rest with the property owner erecting the fence or planting the hedge or upon mutual agreement with the adjoining property owner.
- (f) **Construction and Maintenance.** Every fence shall be constructed and shall be maintained and repaired. No fence or hedge shall be allowed to deteriorate into an unsightly or hazardous condition. The finished side of the fence shall be faced to the outside of the property lines.
- (g) **Prohibited Construction Materials.** The use of barbed wire, electric wire or double or triple strand wire, spike or picket fences except those with rounded tops, and solid structure type fences are prohibited without approval of the Planning Commission. No fence shall be constructed of used or discarded materials in disrepair, including, but not limited to, pallets, tree trunks, trash, ores, junk, or other similar items. Materials not specifically manufactured for fencing, such as railroad ties, wooden doors, landscape timbers or utility poles shall not be used for, or in the construction of a fence.
- (h) **Nonconforming Fences and Hedges.** All fences and hedges which exist on August 1, 2005, and do not conform to this division may be maintained; however, no alteration, modification or improvement on such nonconforming fence or hedge shall be permitted unless said nonconforming fence has been destroyed by an act of God or by the criminal acts of another person.
- (i) **Residential Fences and Hedges.** Fences and hedges in a residential district shall conform to the following conditions:
- (1) All back yard fences or hedges shall not exceed six (6) feet in height. Fences of solid construction shall have a five (5) foot setback from the rear lot line, providing the alley is being used or open.
  - (2) All side yard fences or hedges shall not exceed six (6) feet in height and must stop at the front line of the principal building, a minimum of twenty-five (25) feet from the front yard lot line;
  - (3) All front yard fences or hedges abutting any street shall be no higher than three (3) feet in height except for chain link type fences be allowed no more than 48" in height. Front yard fences shall be at least fifty percent (50%) open to vision. Any fence within twenty-five feet of the front lot line must meet the front yard fence requirements.
- (j) **Business and Commercial Fences and Hedges.** In a business or commercial zone, a fence consisting of chain links without barbed wire shall be allowed in the rear yard, front yard and side yards; however, the fence shall abide by the regulations of residential fences and hedges.
- (k) **Industrial Fences.** In an industrial zone, a chain link fence not exceeding eight (8) feet in height with two (2) barbed wires tilting into the inside of the property will be permitted in the rear yard, front yard and side yards. The fencing material requirements and fencing/hedge requirements of the other zoned areas shall also be permitted in the industrial zone.
- (l) **Public Zone Fences.** On city-owned land, a chain link fence not exceeding eight (8) feet will be permitted. Any fence or hedge constructed of other materials shall comply with regulation of residential fences or with site plan approval of Planning Commission.



- (m) **Agricultural Zone Fences.** In an Agricultural zone, fences within 300 feet of lands zoned for any other purpose shall meet the standards of that other zone. Where a fence is within 300 feet of more than one other zone, it shall meet the standards of the zone with the greatest restrictions on fencing. No barbed wire fencing may be constructed.
- (n) **Appeals.** Upon appeal to the Zoning Board of Appeals, an aggrieved property owner can receive a variance to the terms of this Section in order to avoid unreasonable or impractical application of the strict interpretation of the law due to unique characteristics of the site.
- (o) **Special Exception; Property Owner Agreement.** Upon written agreement between the property owner who erects the fence or hedge and the property owner who immediately abuts the fence or hedge, a special exception to the terms of this Section is granted provided that such exception does not allow the dimensional requirements of this Section to be exceeded by more than twenty percent (20%). The property owner erecting the fence or hedge shall file the agreement with the Building Inspector and shall record the agreement with the Adams County Register of Deeds in order to provide constructive notice to future owners of the properties. This special agreement between property owners shall not supersede any existing or future requirements or prohibitions mandated by the City due to the concern for public health, safety and morals.

### **Sec. 15-5-3 Penalty**

Title 1 General Provisions for use of Code of Ordinances shall apply, with penalties as provided in Sec. 1-1-7 of the Code of Ordinances of the City of Adams, Wisconsin.