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TOWNSHIP OF CHRISTIANA

SAFETY & BUILDING TOWNSHIP ORDINANCE

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Promoting Public Health, Safety, and Welfare

CHAPTER 14 BUILDING REGULATIONS

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ADMINISTRATION

14.01 PURPOSE.

The purpose of this chapter is to promote public health, safety, and welfare by establishing performance minimums and minimum standards for the design, construction, alteration, use and occupancy of buildings, structures, and parts thereof and of all systems, including plumbing, power, generation, distribution, sub-transmission, structural strength, quality of materials, proper listings, adequate egress, facilities, sanitary facilities, natural lighting, heating and ventilating, energy conservation and fire safety for buildings, fire protection installations, to regulate the maintenance of buildings and structures, equipment and sanitation and to regulate and use of all buildings, structures and premises within the Township. Authority having jurisdiction (AHJ) is a broad term referring to the agency or municipal responsible for enforcing code compliance. The Town of Christiana is the authority having jurisdiction. The Towns adopted ordinances define something as approved only when it's "acceptable to the AHJ" and the project is in compliance with the Towns use policies.

14.02 DEPARTMENT OF BUILDING REGULATIONS.

(1) CREATED. There is hereby created the Department of Building Regulations to administer and enforce the provisions of this chapter. The Department shall be a division of Public Works.

Codes are approved by local, state, or federal governments and can carry the force of law. The main purpose of codes is to protect the public by setting up the minimum acceptable level of safety for buildings, products, and processes.

(2) RULES AND REGULATIONS. Subject to approval by the Town Board, the appointed Chief Inspector shall make rules and regulations for the efficient safe operation of the Department of Building Regulations, to enforce the provisions of the building and zoning code by conducting inspections and reinspection's, and by issuing orders to correct violations or to stop work whenever a building, structure, equipment or premises is being erected, constructed, installed, enlarged, altered, repaired, removed, converted to other uses, razed, demolished, occupied, used or maintained contrary to the provisions of the building and zoning code, including:

(a) Authority to enter premises.

(b) Collection and deposit of fees.

(c) Reports to Town Board.

(d) Plan examination.

(e) To ensure the proper maintenance of land drainage systems and facilities

(F) Failure to Request Inspection. When a contractor/builder/developer/owner fails to request a required inspection for a permit open for more than 6 months beyond the date of issuance, the Town may send written notice to schedule the required inspection. The contractor/builder/developer/owner shall be charged the fee specified by the Town for failure to schedule the inspection within 15 days of written

notice from the inspector. Failure to pay the additional fee after one notice may result in withholding or withdrawing permits.

14.03 OFFICERS AND DUTIES.

(1) INSPECTORS. Inspector shall be vested with the authority and responsibility of enforcing all the provisions of this chapter and shall be responsible to the Town Board.

(2) COMBINING OFFICES. Any or all of the offices described in subsections (1) through (3) above may be combined and the duties thereof performed by one officer.

14.04 PERMIT FEES.

The fees for any permits issued under this chapter shall be as established by the Town Board.

Applicants for permits for projects, buildings or structures, or additions to existing buildings or structures, shall furnish an evaluation of the purpose thereof as a basis for determining the fee. The number shall be as determined in project size. Such computations of size shall be subject to review by the Town Board.

14.09 PENALTY.

Any person who shall violate any provision of this chapter, or any regulations, rule or order made hereunder, shall be subject to a penalty as provided herein.

CONSTRUCTION CODE

14.10 CODES ADOPTED.

The following Wisconsin Administrative Codes, their referenced codes and standards, and subsequent revisions are hereby made a part of this code and adopted for municipal enforcement by the building, electrical, plumbing and heating, ventilating, and air conditioning (HVAC) inspector, whom shall be certified as DSPS Inspector(s) by the Wisconsin Department of Safety and Professional Services in both UDC and non-UDC (including commercial and industrial) and other categories.

Electrical Code

SPS 316 Electrical—This chapter is adopted in its entirety with local modifications and amendments.

ICC Codes

2015 International Building Code (IBC), with Wisconsin Amendments

2015 International Energy Conservation Code (1ECC), with Wisconsin Amendments

2015 International Mechanical Code (IMC), with Wisconsin Amendments

2015 International Fuel Gas Code (IFGC), with Wisconsin Amendments

2015 International Existing Building Code (IEBC), with Wisconsin Amendments

Wisconsin Commercial Building Code

SPS 360 Erosion control, sediment control and storm water management

SPS 361 Administration and enforcement

SPS 362 Buildings and structures

SPS 363 Energy conservation

SPS 364 Heating, ventilating and air conditioning

SPS 365 Fuel gas appliances

SPS 366 Existing buildings

SPS 360 366 Appendixes A and B

Fire Codes

International Fire Code

National Fire Code 1, 2012 Edition

14.101 CODE ADOPTED

(1) PURPOSE. The purpose of this section is to: safeguard persons and property.

(a) Exercise jurisdiction over the construction and inspection of Agriculture, Industrial, and Commercial facilities, and one- and 2-family dwellings.

(b) Provide plan review and onsite inspections of electrical construction by inspectors certified by the Department of Commerce.

(c) Establish and collect fees to defray administrative and enforcement costs.

(d) Establish remedies and penalties for violations.

(e) Establish use of the Wisconsin Uniform Building Permit as prescribed by the Department of Commerce.
(2) The Administrative Code provisions describing and defining regulations with respect to one- and 2-family dwellings in Chs. SPS 320-325, Wis. Adm. Code, are hereby adopted and by reference made a part of this section as if fully set forth herein. Any act required to be performed or prohibited by these Administrative Code chapters is required or prohibited by this section. Any future amendments, revisions or modifications of such chapters are intended to be made part of this section to secure uniform statewide regulation in the Town and in the state. A copy of the Administrative Code provisions and any future amendments shall be kept on file in the Town Clerk's office.

(3) DEFINITIONS. As used in this section, certain words and phrases shall be defined as follows:

Authority Having Jurisdiction (AHJ). A broad term referring to the agency or municipal responsible for enforcing code compliance. The Town of Christiana is the authority having jurisdiction. The Towns adopted ordinances define something as approved only when it's "acceptable to the AHJ" and the project is in compliance with the Towns use policies

Alteration. A substantial change or modification other than a minor repair to Industrial, Commercial, and dwelling or systems involved within a dwelling.

Dwelling. Any building, the initial construction of which is commenced on or after the effective date of this section, which contains one- or 2-dwelling units.

Dwelling, One- or 2-Family. A building structure which contains one or separate households intended to be used as a home, residence or sleeping place by an individual or by one or 2 more individuals maintaining a common household to the exclusion of all others.

Industrial and Commercial, any non-one- and two-Family dwelling facility constructed or assembled In the Town.

Person. An individual, partnership, firm, or corporation.

Structure: Anything constructed, assembled, erected, or built in the Township.

Uniform Dwelling Code. Those Administrative Code provisions, and any future amendments, revisions, or modifications thereto, contained in the Wisconsin Administrative Code.

Electric generating equipment" means any of the following,

a. An electric generator.

b. A machine that drives an electric generator, including an engine, turbine, water wheel, or wind mill.

c. Equipment that converts a fuel or source of energy into energy that powers a machine that drives an electric generator, including a boiler, but not including a nuclear reactor.

d. A fuel or photovoltaic cell.

Electric generating facility" means electric generating equipment and associated facilities that, together, constitute a facility for the generation of electricity.

Transmission facility" means any pipe, pipeline, duct, wire, line, conduit, pole, tower, equipment or other structure used for the transmission of electric power.

Commencement of construction" means site clearing, excavation, placement of facilities or any other substantial action adversely affecting the natural environment of the site.

Safe" or "safety", means such freedom from danger to the life, health, safety or welfare of employees or frequenters, or the public, or tenants, or fire fighters.

(4) METHOD OF ENFORCEMENT. The Inspector shall administer and enforce the provisions of this ordinance.

(5) BUILDING PERMITS.

(a) Permits Required. No construction shall be commenced, built, enlarged, or repaired unless a building permit for that work shall first be obtained by the owner or his/her agent from the Building Inspector. Application for building permit shall be made in writing upon a form, designated by the Town.

(b) Submission of Plans. The applicant shall submit 2 sets of plans for all new building permit applications filed.

(c) Issuance of Permit. If the Inspector finds that the proposed building complies with this Township Code and the state Code, the Inspector shall officially approve the application and a building permit shall be subsequently issued to the applicant. The issued building permit shall be posted in a conspicuous place at the building site. A copy of any issued building permit shall be kept on file with the Building Inspector.

(7) FEES. The owner or his/her agent shall pay to the Inspector for building permits and inspection as are, from time to time, established by the Town Board.

(8) VIOLATIONS AND PENALTIES.

(a) No person shall erect, use, occupy or maintain any structure in violation of any provision of this section, or cause to permit any such violation to be committed. Any person who shall violate any provision of the Code, or any regulation, rule or order made under this section.

(b) If an inspection reveals a noncompliance with this section, the Inspector shall notify the applicant and owner, in writing, of the violation to be corrected. All cited violations shall be corrected within 30 days after written notification unless an extension of time is granted pursuant.

(c) If, after written notification, the violation is not corrected within 30 days, a stop work order may be served on the owner or his/her representative and a copy thereof shall be posted at the construction site. Such stop work order shall not be removed except by written notice of the Building Inspector after satisfactory evidence has been supplied that the violation has been corrected.

(d) Each day a violation continues after the 30-day written notice period has run shall constitute a separate offense. Nothing in this section shall preclude the Town from maintaining any appropriate action to prevent or remove a violation of any provision of this section or the Code.

(e) If any construction or work governed by the provisions of this section or the Code is commenced prior to the issuance of a permit, double fees shall be charged.

(9) LIABILITY FOR DAMAGES. This section shall not be construed as an assumption of liability by the Town for damages due to injuries sustained or property damaged by any defect in any commercial, industrial, dwelling or equipment.

14.11 GENERAL REGULATIONS.

(1) Plans and specifications for public buildings, shall be reviewed by the Fire Department to ensure that adequate provision has been made for fire protection.

(2) Any attic space of more than 3,000 square feet shall be divided by a one-hour fire separation.

(3) Construction materials shall be protected from the elements when stored at a job site.

(4) Only approved material shall be used.

(5) When required by the Town, a drainage plan shall be provided and approved before a building permit is issued. Final grading for drainage shall be approved before a permit is issued.

(6) All storm and rainwater shall be conducted from the roof of every building in an approved manner, either to grade or, when required, to a storm sewer.

(7) No permit shall be issued until all required connections have been made and all development fees and special assessments levied against the property have been paid or arrangements have been made with the Town for payment.

(8) The permit holder or his/her agent shall see that all required inspections are made and that the Chief Inspector is notified 24 hours in advance of any inspection required.

14.12 SPECIAL FIRE PROTECTION REGULATIONS.

In addition to the provisions of §14.11, the following regulations shall be complied with: Except as otherwise provided in this chapter, the Town adopts s. SPS 361.05, Wis. Adm. Code, as amended, and as part of this code. "NFPA" means the National Fire Protection Association.

(1) CONSTRUCTION AND DEMOLITION OPERATIONS.

(a) Combustible Materials.

1. No building lumber from boards or other combustible construction materials in excess of 2,500 cubic feet shall be delivered to any construction site unless there is a source of water satisfactory to the Fire Chief conveniently available for extinguishing fire therein.

2. All materials stored on the site awaiting use in construction operations shall be piled in an orderly manner with suitable separation between piles.

(b) Access.

1. All construction and demolition operations shall be so conducted as to maintain at all times convenient routes of access to make all parts of the job location accessible to the Fire Department for fire-fighting operations.

2. In all buildings over 50 feet in height, at least one stairway shall be maintained in usable condition at all times. This stairway shall be extended upward as each floor is installed in construction operations; and in demolition operations, such stairway shall be maintained in usable condition at least to the floor level next below the topmost remaining parts of the building.

(2) BUILDING AND OCCUPANCY USE PERMITS.

(a) Building Permits.

1. Prior to issuance of a building permit, the Inspector shall secure from the Fire Prevention Bureau written requirements relating to fire safety measures for the proposed development. Developers shall submit one set of plans for Fire Prevention use.

2. Subparagraph 1. shall apply to all new buildings and construction projects in the Town, excluding one- and 2-family dwellings, changes of use or modifications of existing buildings or structures shall follow the same procedure.

(b) Use Permits. No construction project or vacant land shall be occupied or used/energized unless a usage permit or temporary permit has been issued by the Inspector. Prior to the issuance of a permit or temporary permit, the Fire Prevention Authority shall certify to the Town Inspector that a thorough inspection has been made of the premises and all required systems are installed and functioning properly; provided such certification shall not be required for one- and 2-family dwellings.

14.13 SOIL EROSION OR SLOPE DESTABILIZATION.

No plant or tree removal or disturbance shall be permitted under this section whenever the inspector determines that the vegetation removal or disturbance would result in soil erosion or slope destabilization due to soil conditions or the existing degree of slope. In evaluating whether this requirement is satisfied, the Town shall consider such factors as existing grade, available soil surveys, maps, representative soil borings or classifications, existing vegetation in the immediate vicinity of the proposed removal, degree of site disturbance caused by the removal and any associated risks to public health and safety. If an applicant proposes removal or disturbance of a vegetation located in an area where the slope is at least 12%, the applicant shall provide a report prepared by a professional engineer that certifies the proposed removal or disturbance, when considered with any proposed mitigation measures, will not result in soil erosion or slope destabilization.

PLUMBING CODE

14.20 STATE REGULATIONS ADOPTED.

(1) ADOPTED BY REFERENCE. (Am. MSC 86) Ch. 145, Wis. Stats., the State Plumbing Code, Chs. 81 through 86, Wis. Adm. Code, are adopted and by reference made a part of this subchapter with the same force and effect as though set out in full. Failure to comply with any of the provisions of such regulations shall constitute a violation of this subchapter, punishable according to the penalties provided in §14.09 of this chapter.

(2) TO BE ON FILE. A copy of the State Plumbing Code shall be on file in the offices of the Inspector and the Town Clerk.

14.21 PLUMBING DEFINED.

In this subchapter, "plumbing" means and includes:

(1) All piping, fixtures, appliances, equipment, devices, and appurtenances in connection with the water supply, distribution, and drainage systems, including hot water storage tanks, softeners and heaters connected with such water and drainage systems, and the installation thereof.

(2) The construction, connection or installation of any drain or waste piping system from the outside or proposed outside foundation walls of any building to the mains or other sewerage system terminal within bounds of or beneath an area subject to easement for highway purposes, including private domestic sewage treatment and disposal systems, and the alteration of any such systems, drains or waste piping.

(3) The water service piping from the outside or proposed outside foundation walls of any building to the main or other Water Utility service terminal within bounds of or beneath an area subject to easement for highway purposes and its connections.

(4) The water pressure systems other than municipal systems as provided in Ch. 144, Wis. Stats.

(5) A plumbing and drainage system so designed and vent piping so installed as to keep the air within the system in free circulation and movement; to prevent with a margin of safety unequal air pressures of such force as might blow, siphon or affect trap seals or retard the discharge from plumbing fixtures or permit sewer air to escape into the building; to prohibit cross-connection, contamination or pollution of the potable water supply and distribution systems; and to provide an adequate supply of water to properly serve, cleanse and operate all fixtures, equipment, appurtenances and appliances served by the plumbing system.

14.22 PLUMBING INSPECTOR.

(1) GENERAL. Subject to the direction of the Town the Plumbing Inspector shall enforce all provisions of this subchapter and all other State and Town provisions relating to the construction, installation, alteration, and repair of all plumbing within the Town and shall make such inspections, perform such tests and issue such orders as may be necessary for such enforcement.

(1a) PLUMBING SUPERVISOR; APPOINTMENT AND TERM. A Plumbing Supervisor shall be appointed by the Town Board as required by §145.05(l), Wis. Stats. The Plumbing Supervisor shall be a licensed plumber and may, but need not, be the Plumbing Inspector. The Plumbing Supervisor shall supervise all plumbing, new or alterations or repairs, and report to the Town Board violations of regulations, and perform such other appropriate duties as may be required. The Plumbing Supervisor's compensation shall be fixed by the Town Board. If an individual, the Plumbing Supervisor shall serve for a term of 4 years, subject to removal for just cause. If the Plumbing Supervisor is an employee of a building inspection firm under contract to the Town, the Plumbing Supervisor shall serve for the term of the contract with the employer inspection firm.

(2) AUTHORITY TO ENTER PREMISES.

(a) In the discharge of his/her duties, the Plumbing Inspector or his/her authorized agent may enter any building, upon presentation of the proper credentials, during reasonable hours for the purpose of inspection and may require the production of any permit or license required hereunder. No person shall interfere with the Inspector while in the performance of his/her duties; and any person so interfering shall be in violation of this chapter and subject to a penalty as provided by §14.09.

(b) If consent to entry to personal or real properties which are not public buildings, or to portions of public buildings which are not open to the public for inspection purposes has been denied, the Plumbing Inspector shall obtain a special inspection warrant under §§66.122 and 66.123, Wis. Stats.

(3) PERMITS. The Plumbing Inspector or his/her authorized agent shall prepare suitable forms for permit applications and permits, shall take applications and issue to qualified applicants permits as required for all work contemplated by this subchapter and shall maintain suitable records of the permits issued. He/she shall weekly submit permit fees collected by his/her office to the Town Treasurer.

(4) RECORDS AND REPORTS.

(a) To the Town Board. The Plumbing Inspector shall keep in his/her office a daily record of all the transactions of his/her office, including permits issued and fees received and shall make such reports thereon to the Town Board as it may require.

(b) To the Department of Health and Social Services. The Plumbing Inspector shall make such reports to the Department of Health and Social Services as are required under §145.04(3), Wis. Stats.

(c) Record of Special Locations. The Plumbing Inspector or the Utility shall keep a record of all sewer and water connections and shall make maps showing the locations of the same and the positions of all house drains, connections, junctions, and other data necessary for the efficient operation of his/her office.

(5) STOP WORK ORDERS. The Plumbing Inspector may order work stopped on the construction, installation, alteration, or repair of plumbing when such work is being done in violation of this subchapter. Work so stopped shall not be resumed except with written permission of the Plumbing Inspector, provided if the stop work order is an oral one, it shall be followed by a written order within a reasonable period of time.

14.23 PLUMBING PERMITS.

(1) REQUIRED. No work contemplated by this subchapter shall be started until a permit therefor has been obtained from the Plumbing Inspector or his/her authorized agent, provided no permit shall be required for minor repairs to faucets or the removal of stoppages in soil and waste pipes.

(2) APPLICATION. The application shall be in writing upon forms which the Plumbing Inspector shall provide and shall include the name of the owner and the description of the property on which the work is to be done, along with such pertinent information as the Plumbing Inspector may require and shall state that the property owner and the applicant will be bound by and subject to the provisions of this subchapter.

(3) ISSUANCE, TERM, SUSPENSION AND REVOCATION. When the Plumbing Inspector is satisfied that the work proposed by the applicant can be done in conformity with the provisions of this subchapter, and after the appropriate fees have been paid to him, he/she shall issue the permit. Such permit shall be good for the continuous performance of the work named thereon. A permit shall automatically expire when work ceases for a period of 60 days without good and reasonable cause for same and shall automatically expire on completion of the work for which it was issued; provided the Plumbing Inspector may, upon notice, suspend or revoke such permit for violation of the provisions of this subchapter.

(4) RESTRICTIONS ON ISSUANCE.

(a) No plumbing permit shall be issued to any person who is in violation of this subchapter until such violation has been corrected.

(b) No plumbing permit shall be issued to any person against whom an order issued by the Plumbing Inspector is pending, provided this restriction may be waived by the Plumbing Inspector.

(5) APPEALS FOR FAILURE TO ISSUE, SUSPENSION AND REVOCATION. Any person directly interested who is aggrieved by the decision of the Plumbing Inspector to refuse to issue a permit or to suspend or revoke such permit or to order work stopped under §14.22(5) of this chapter may obtain review of such determination under Ch. 68, Wis. Stats.

(6) FEES.

(a) Fee Schedule. The permit fees established by resolution of the Town Board shall be paid to the Plumbing Inspector before the plumbing permit is issued.

(b) Penalty for Failure to Obtain Permit. If plumbing work is begun before the permit has been obtained, double the applicable fees shall be charged.

14.24 PLUMBERS TO BE LICENSED.

All plumbing work shall be done only by a plumber licensed by the State for such work, provided a property owner may make repairs or installations in a single-family building owned and occupied by him/her as his/her home if a permit therefor is issued and the work is done in compliance with the provisions of this subchapter.

14.25 REGISTRATION OF PLUMBERS.

(1) TO BE ON FILE. All master plumbers engaged in the business of plumbing in the Town and all journeymen plumbers and apprentice plumbers working at the plumbing trade in the Town shall register with the Plumbing Inspector, who shall keep such registration on file in his/her office.

(2) INFORMATION TO BE SUPPLIED. Such registration shall consist of the full name and address, license number and current receipt number of each master or journeyman licensee. For an apprentice, the year of apprenticeship and the shop to which he/she is indentured shall be indicated.

(3) REGISTRATION REQUIREMENTS LIMITED. The purpose of this section is solely to provide for the administration of State licensing requirements and this subchapter. No fee shall be charged for any plumber's registration, nor shall any information other than that specified in subsection (2) of this section be required.

14.26 ROAD/STREET EXCAVATIONS.

Permits for street openings shall be issued by the Town Board or its designee.

14.30 ELECTRICAL REGULATIONS ADOPTED.

The National Electrical Code, the National Electrical Safety Code, the State Electrical Code, Vol. 2, Occupational Safety and Health Act (OSHA) (OSHA was meant to address tangible, measurable workplace hazards) and the National Fire Protection Association 101 Life Safety Code, (NFPA), IEEE, NFPA 70E-2018, Standard for Electrical Safety in the Workplace, for electrical safety requirements, IEEE Standard 519, including, but not limited to, IEEE Standard 519-1992 Rule 92D and IEEE Standard 519-1992 Rule 215B, and Wisconsin Administrative Code Chapter SPS 316 are adopted by and Wisconsin Administrative Code Chapter SPS 316 are adopted by reference and made a part of this subchapter as though set forth in full. All electrical equipment and electric generating equipment must be used in the condition as supplied by the manufacturer – in accordance with NE Code rules and any instructions covered in the UL listing in the Electrical Construction Materials List (the UL green book) “Listed or labeled equipment shall be used or installed in accordance with any instructions included in the listing or labeling.” And product rules that appear in UL literature “are, in effect, mandatory requirements.”

The NESC is typically not enforced as closely as the NEC. Its basic governing principle is that “sound engineering applies.” In other words, compliance with the NESC is largely self-regulating. On February 16, 1972, while discussing its adoption of the NEC, OSHA also published revisions to its binding regulations regarding construction safety, stating: “All electrical work, installations, and wire capacities shall be in accordance with . . . the National Electrical Safety Code, National Bureau of Standards, Part 4.” (Federal Register, Volume 37, Number 32, Part I, page 3433.) Part 4 of the NESC provides “work rules” that “apply to the construction, maintenance, and operation of electric-supply and communications lines and equipment of public utilities.” (NESC, 1977, page 295.) Some examples of these rules are: that utility workers must “be instructed as to the character of the equipment” and work methods before beginning any work, rather than improvising in the field (NESC, 1977, page 296); that “employees who do not normally work on or about electric-supply lines and equipment but whose work brings them into these areas for certain tasks shall proceed with this work only when authorized by a qualified person” (NESC, 1977, page 298); and that “if an employee is in doubt as to the safe performance of any work assigned to him, he shall request instructions from his supervisor” (NESC, 1977, page 298). Thus, NESC compliance – like NEC compliance – requires that workers be knowledgeable and trained by their employers in safe work practices.

The Township is the Authority Having Jurisdiction for all Electrical Regulations Adopted. Authority having jurisdiction (AHJ) is a broad term referring to the agency or municipal responsible for enforcing code compliance. The Town of Christiana is the authority having jurisdiction.

The Towns adopted ordinances define something as approved only when it’s “acceptable to the AHJ” and the project is in compliance with the Towns use policies.

The OSHA standards covering electrical hazards associated with the electric equipment, are contained in 29 CFR, Subpart S, Sections 29 CFR 1910.302 through 1910.308. Pursuant to 29 CFR §1910.303(a), workplace electric conductors and equipment must be approved to be acceptable to OSHA.

Equipment is "acceptable" to OSHA and approved within the meaning of 29 CFR 1910 Subpart S is if it is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory (NRTL). Furthermore, 29 CFR 1910.303(b)(2) requires that listed or labeled equipment shall be used or installed in accordance with any instructions included in the listing or labeling. The definitions for "listed" or "labeled" are stated in Section 29 CFR 1910.399 as follows:

Equipment is "listed" if it is of a kind mentioned in a list that (a) is published by a nationally recognized laboratory, which makes periodic inspection of the production of such equipment, and (b) states such equipment meets nationally recognized standards or has been tested and found safe for use in a specified manner.

Equipment is "labeled" if there is attached to it a label, symbol, or other identifying mark of a NRTL (a) which makes periodic inspections of the production of such equipment, and (b) whose labeling indicates compliance with nationally recognized standards or tests to determine safe use in a specified manner.

OSHA is at the center of all safety requirements in the workplace and is federally enforceable – “It’s the Law.” Safety violations are governed by the regulations of OSHA Title 29 CFR but, in many cases, OSHA only provides general rules regarding safety. Based on OSHA’s general duty clause, consensus standards such as NFPA 70E must be used for the details and are proof that an employer was being reasonable in providing a safe workplace. Although NFPA 70E was developed to specifically assist OSHA in the area of electrical safety, portions of the NEC are incorporated into NFPA 70E. Each of these pieces of the puzzle fits together to form the big picture in electrical safety. This strategy provides for a safe installation and safe work practices necessary for worker safety, and the NEC and NFPA 70E are a practical consensus-based solution to the OSHA regulations.

14.32 ELECTRICAL PERMITS.

(1) REQUIRED. No person shall alter, install, or repair any electrical wiring, device, or equipment within the Town without a permit therefor. Only licensed contractors shall receive permits and all permitted work shall be performed by the permit holder or his/her employees, provided a property owner may be issued a permit to personally install electric wiring and equipment in compliance with this subchapter in a single-family dwelling owned and occupied by him/her.

(2) REFUSAL TO ISSUE. The townships Inspector may refuse to issue a permit to any person who has not complied with any lawful order or who has failed to complete work allowed by prior permits in reasonable time and in a workmanlike manner. The person refused a permit may have such refusal reviewed under Ch. 68, Wis. Stats.

(3) FEES. Before receiving an electrical permit, the owner or his/her agent shall pay to the Townships Electrical Inspector such fees as are from time to time established by resolution of the Town Board. Fees will be determined on a cost causer cost payer basis.

14.33 ELECTRICAL LICENSES.

(1) REQUIRED. No person shall alter, install, or repair electrical wires, devices, or equipment within the Town without a license therefor.

(2) TYPES OF LICENSES. Types of licenses shall be as set forth in, Wis. Adm. Code.

(3) ADMINISTRATIVE REGULATIONS ADOPTED. The administrative rules and regulations Wisc. Adm. Code are hereby adopted by reference and made a part of this subchapter as if fully set forth herein.

Only qualified Persons shall be permitted to perform electrical work. The term Qualified Person as defined: "One who has skills and knowledge related to the construction and operation of the electrical equipment and installations and has received safety training to recognize and avoid the hazards involved. In this State and in the Township, skilled electrician and linemen ratios are 1:1, 2nd apprentice at 3 or 4 journeymen; two more journeymen than apprentices between 5 and 12 journeymen; then 1:3. Masters are not counted as Journeyman." Any person who is not a master electrician may **not** install, repair, or maintain electrical wiring unless a master electrician is at all times responsible for the person's work.

14.34 INSPECTIONS.

The electrician in charge shall notify the Electrical Inspector when any work is ready for inspection and such work shall be left exposed until it has been inspected and approved. The Inspector shall furnish the electrician with a certificate of approval and authorize energizing of the electrical project.

Certified, listed, labeled, or otherwise determined to be safe by a NRTL recognized under §1910.7 are required. A Field Inspection Body is not a NRTL, so its approval would not make the equipment or installation "acceptable" for purposes of this ordinance. The Township will not except a Field Evaluation Body (FEB) in lieu of a NRTL listing. Installing and connecting unlisted equipment violates law, and state code as adopted.

14.35 AUTHORITY TO CUT OFF ELECTRICITY.

The Electrical Inspector may order current to be cut off to any electrical system which is found to be in an unsafe condition and may order the cutting off of electric current in cases of emergency and where such electric current is dangerous to life and property or may interfere with the work of the Fire Department. No person shall reconnect any equipment thus cut off without the permission of the Electrical Inspector.

14.36 NOTICE OF VIOLATION.

(1) ISSUANCE. The Electrical Inspector may notify any person installing, owning, using, or operating any electrical system found to be improperly installed or in a dangerous condition to correct the work or place the wiring in a safe condition within 10 days. Failure to comply with any such order shall constitute a violation of this subchapter.

(2) REVIEW. When the Electrical Inspector condemns all or part of the electrical installation in any building, the owner may within 5 days after receiving written notice from the Electrical Inspector file a petition in writing with the Town for review of such action. Upon receipt of such petition, the Town shall submit the petition to the Board, which shall at once proceed to determine whether such electrical installation complies with this subchapter and shall decide in accordance with its findings as expediently as possible.

14.40 APPLICABILITY.

This subchapter shall apply to private swimming pools, as defined in §14.41. In addition, the provisions of §14.42(4) and (5) shall apply to all pools within the Town.

14.41 PRIVATE SWIMMING POOL DEFINED.

A swimming pool is a receptacle for water, below ground, intended for use by the owner and his/her friends and guests for bathing or swimming.

14.42 CONSTRUCTION REQUIREMENTS.

In addition to such other requirements as may be reasonably imposed by them, Township Inspector, no permit for the construction of any private swimming pool or for any alterations, additions, remodeling, or other improvements to an existing private swimming pool shall be issued unless the following construction requirements are observed:

(1) MATERIALS. Such private swimming pool shall be built of approved poured concrete or approved masonry construction or of other suitable material approved by the Building Inspector.

(2) RECIRCULATION SYSTEM. A satisfactory recirculation and purification system shall be installed and shall at all times be operated while the pool is being used.

(3) FENCES.

(a) Required. Every outdoor private swimming pool shall be completely surrounded by a fence or wall not less than 4 feet in height, which shall be constructed without openings, holes, or gaps larger than 4 inches in any dimension except for doors and gates; if a picket fence is erected or maintained, the horizontal dimension shall not exceed 4 inches. A dwelling house or accessory building may be used as a part of such enclosure. All gates or doors in such enclosure shall be equipped with self-closing and self-latching devices for keeping such gates or doors securely closed when not in actual use.

(b) Modifications. The Board may make modifications in individual cases, upon a showing of good cause, with respect to the height, nature or location of the fence, wall, gates or latches, or the necessity therefor, provided the protection sought hereunder is not reduced thereby.

(4) DRAINAGE. Every private swimming pool and every other pool shall be provided with suitable drainage, and no pool shall be drained onto lands of other property owners in the vicinity.

14.43 BUILDING PERMIT REQUIRED.

Before work is commenced on the construction of a private swimming pool or on any alterations, additions, remodeling or other improvements to a private swimming pool, an application for a permit therefor, made as provided in the Building Code, and the plans and specifications and pertinent explanatory data shall be submitted to the Building Inspector. No work shall be commenced until such permit has been issued by the Building Inspector and the applicable fee paid by the applicant.

14.44 USE PERMIT REQUIRED.

No private swimming pool for which a building permit has been issued shall be used by the owner, operator, or lessee of the same without a use permit from the Building Inspector, who shall issue such use permit only after he/she has inspected the swimming pool and ascertained that the same conforms in all respects with the provisions of this subchapter and the zoning laws of the Town applicable thereto.

14.45 ADOPTION OF STATE CODE.

Except as otherwise provided in this chapter, the Township adopts ss. SPS 361.04, 361.05(1) and 362.0202, Wis. Adm. Code, as amended, as part of this code.

14.46 RULES OF CONSTRUCTION.

(1) Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular member includes the plural and the plural the singular.

2. Whenever the words "dwelling," "dwelling unit," "rooming house," "rooming unit," "hotel," "hotel unit," commercial project, industrial project, generating facility, or "premises" are used in this chapter, they shall be construed as though they were followed by the words "or any part thereof."

14.47 PENALTIES

(1) GENERAL. Any person, firm or corporation who fails to comply with the provisions of this Code or any order of the Town Inspector shall, upon conviction thereof, forfeit not less than $10.00 nor more than $1200.00 and the costs of prosecution for each violation and in default of payment of such forfeiture and costs shall be imprisoned in the County Jail until payment thereof, but not exceeding 30 days. Each day a violation exists or continues shall constitute a separate offense.

(2) TOWN CORRECTION OF VIOLATION. In addition to any other penalty imposed for a violation of the provisions of this Chapter, the Town reserves and maintains the continued right to abate violations of this Chapter.

(3) HAZARDOUS CONDITIONS. If the Inspector determines that a violation of this Chapter exists, and further determines that the nature of such violation poses a great and immediate danger to the public health, safety, peace, morals or decency, the Inspector shall cause the violation to be abated. Costs associated with said abatement shall be charged to the owner/developer of the property on which said violation has occurred. The Inspector is hereby authorized to abate a violation of this Chapter.

(4) NON-HAZARDOUS CONDITIONS. If the Inspector determines that a violation of this Chapter exists, and further determines that the nature of such violation is not such as to pose great and immediate danger to the public health, safety, peace, morals or decency, the Inspector shall serve written notice on the current owner of the property on which said violation is occurring to remove said violation within ten working days. If such violation is not removed within such ten working days, the Inspector may cause the violation to be abated. Costs associated with said abatement shall be charged to the owner of the property on which said violation has occurred.

(5) COSTS OF ABATEMENT. In addition to any other penalty imposed by this Subchapter for a violation of the provisions of this Chapter, the cost of abating a violation of this Chapter shall be collected as a debt from the owner of the property on which said violation has occurred. An account of the expenses incurred by the Town to abate the violation shall be kept and such expenses shall be charged to and paid by the property owner. Notice of the bill for abatement of the violation shall be mailed to the last known address of said property owner/developer and shall be payable within 30 calendar days from the receipt thereof. Within 60 days after such costs and expenses are incurred and remain unpaid, the Town shall enter such charges onto the tax roll as a special tax as provided by State Statute.

(6) STOPPING OF CONSTRUCTION WORK; UNSAFE CONSTRUCTION. Whenever the construction of any building, structure, equipment, or additions thereto, or alterations, or repairs thereto, or removal, or demolition thereof is being done contrary to the regulations of this ordinance or the conditions of a permit issued pursuant thereto, or is being done in an unsafe or dangerous manner, or not in accordance with the approved plans, specifications, and data, or with the terms of the permit granted therefor, the Town may, by means of a placard posted on the premises, order such work to be stopped at once and thereafter confirm such order by a written order served on the owner of the premises and on the person engaged in doing or causing such work to be done, and any such persons shall immediately stop all such work until satisfactory evidence is presented to the Town that all of the provisions of the permit and the conditions of the permit issued pursuant thereto, Wisconsin Administrative Code, all other lawful orders of the Wisconsin department of safety and professional services and other laws and ordinances applicable thereto will be complied with, at which time work can again be resumed providing authority is procured from the Town to recommence with the work.