

CHAPTER 16. BUILDING CODE

SECTION 16.01 UNIFORM SYSTEM OF NUMBERING HOUSES AND BUILDINGS

(1) There is hereby established a uniform system of numbering houses and buildings fronting on all streets, avenues and public ways in the City of Mondovi and all houses and buildings shall be numbered in accordance with the provisions of this ordinance.

(2) Street Numbering Directionally

(a) Main Street shall constitute the base line for numbering along all streets running North and South, and Eau Claire Street shall constitute the base line for numbering along all streets running East and West.

(i) All buildings and lots North of Main Street shall be known as located at Number _____ hundred North _____ Street.

(ii) All buildings and lots South of Main Street shall be known as located at Number _____ hundred South _____ Street.

(iii) All buildings and lots West of Eau Claire Street shall be known as located at Number _____ hundred West _____ Street.

(iv) All buildings and lots East of Eau Claire Street shall be known as located at Number _____ hundred East _____ Street.

(b) All buildings and lots on diagonal streets shall be numbered the same as North and South streets if the diagonal runs more from North to South and same on East and West if the diagonal runs more from East to West.

(3) Street Numbering

(a) The numbering for each street shall begin at the base line. The numbers within the first block shall be from 100 to 199, and the numbers in each succeeding block shall increase from the base line in units of 100, thus the second block shall be 200 to 299 and the third block shall be 300 to 399 and thus forth.

(b) Where blocks of different length occur on opposite sides of a street, the numbers on both sides shall be assigned on the basis of the shorter blocks.

(c) Each block as it is presently laid out shall constitute a block excepting the frontage on streets as follows:

(i) North of Eau Claire Street from the intersection of Glen Avenue to intersection with Columbia Avenue shall constitute three blocks, the “400” block beginning at Glen Avenue, the “500” block beginning at the South line of Lot 144 of the 11940 Assessor’s Plat of the South Line of Lot 133 of the 1940 Assessor’s Plat of said City.

(ii) South Eau Claire Street from the intersection of Riverside Avenue to the City limits shall constitute five blocks, the “4000” block beginning with the

intersection of Riverside Avenue, the “500” block beginning with the South Line of Lot 411 of the 1940 Assessor’s Plat of the City of Mondovi, the “600” block beginning with the South line of Lot 410 B of the 1940 Assessor’s Plat of said City, the “700” block beginning with the South line of Lot 425 of the 1940 Assessor’s Plat of said City and the “800” block beginning with the South line of Lot 421 of the 1940 Assessor’s Plat of said City.

- (iii) On North Franklin from the intersection of Glen Avenue to the intersection of Columbia Avenue, the block dividing points will correspond with those fronting North Eau Claire Street.
- (iv) On Jackson Street from the intersection of Mill Street to the intersection with Columbia Avenue, the block dividing points will correspond with those fronting North Franklin Street.
- (v) West Main Street from the intersection of State Street and the intersection of Harrison Street constitute three blocks, the “400” block beginning with the intersection of State Street, the “500” block beginning at a point $346\frac{1}{2}$ feet West of the west line of State Street, and the “600” block beginning at the west line of Lot 238 of the 1940 Assessor’s Plat of said City.
- (vi) East Main Street, from the intersection of Howard Street to the intersection of Washington Street shall constitute two blocks, the “200” block beginning at the intersection with Howard Street, and the “300” block beginning at a line corresponding to the East line of Canal Street.
- (vii) West Hudson Street from the intersection of South Franklin Street to the intersection South State, shall constitute two blocks, the “200” block beginning at the intersection of South Franklin Street, and the “300” block beginning at the East Line of Lot 281 of the 1940 Assessor’s Plat of said City.
- (viii) West Hudson Street, from the intersection of South State Street to the intersection of South Harrison Street, shall constitute three blocks, the “400” block beginning at the intersection of South State Street, the “500” block beginning at a line corresponding with the West line of Van Buren Street and the “600” block beginning at a line corresponding with the West line of Lincoln Street.
- (ix) West Riverside Avenue, from the intersection of South Eau Claire Street to the intersection of Union Street shall constitute two blocks, the “100” block beginning at the intersection of South Eau Claire Street, the “200” block beginning at a line corresponding to the West line of Franklin Street.
- (x) West Riverside Avenue, from the intersection of South State Street to the City limits shall constitute five blocks, the “400” block beginning at intersection of State Street, the “500” block beginning at a line corresponding to the West line of Van Buren Street, the “600” block beginning at a line corresponding to the West line of Lincoln Street, the “700” block beginning at a line corresponding to the West line of Harrison Street, the “800” block beginning at a line corresponding to the west line of Cleveland Street, and the “900” block beginning at the west line of Lot 394 of the 1940 Assessor’s Plat of said City of Mondovi.
- (xi) North Washington Street from intersection of East Main Street to the intersection of Oak Street shall constitute three blocks, the “200” block

beginning at the intersection of East Main Street, the “200” block on a line corresponding to the North line of Vine Street, and the “300” block on a line corresponding to the North line of Mill Street.

- (d) All future numbering on new blocks and streets added to the City shall correspond with the uniform division made in this ordinance.
 - (e) One number shall be assigned to each 10 feet of frontage within the blocks as established, except within the following, to wit: In the “700” block on West Mill Street, West Vine Street, West Main Street, in the “600”, “700”, “800”, and “900” block on West Riverside Avenue, the “200” block on East Water Street, and the “200” block on East Main Street where one number shall be assigned to each 15 feet of frontage within that road.
- (4) All lots and houses on the North and East side of the streets shall be numbered with even numbers, each commencing with the hundred assigned to the block, and all lots and houses on the South and West side of the street shall be numbered with odd numbers, each commencing with the hundred assigned to that block.
- (5) All streets not extending through to the base line shall be assigned the same relative number as if the said street had extended to the said base line.

(6) Pertaining to Numbers

- (a) The Common Council has caused the necessary survey to be made and there is assigned to each house and building located on every street, avenue, alley or highway in said City its respective number under the uniform system provided for in this ordinance. The owner, occupant, or agent shall place or cause to be placed upon each house or building controlled by him/her the number assigned under the uniform system provided in this ordinance.
- (b) Such number shall be furnished by the City and distributed by the City Clerk to such owners, occupants, or agents, who shall call for the same at the office of said City Clerk. The number shall be placed upon said buildings within 30 days after the passage and publication of this ordinance. The cost of the numbers shall be paid for by the City, and replacements of numbers shall be procured from the City Clerk and paid for by the owner at the cost thereof. The numbers issued shall be not less than three inches in height.
- (c) The numbers shall be conspicuously placed immediately above, on, or on the side of the proper door of each building, so that the number can be seen plainly from the street. Whenever any building is situated more than fifty feet from the street line, the number of such building shall be conspicuously displayed at the street line, near the walk, driveway, fence, tree, post or other appropriate place so as to be easily discerned from the sidewalk.

(7) New Numbers

- (a) A complete card index record showing the numbers assigned to all houses and building shall be kept on file in the office of the City Clerk, and shall be open to inspection of all persons during office hours of the City Clerk.
 - (b) It shall be the duty of the City Clerk to inform any party applying therefor, of the number of numbers belonging or embraced within the limits of said lot or property. In case of doubt, as to the proper number to be assigned to any lot or building, the Clerk shall determine the number of such lot or building.
 - (c) Whenever any house, building or structure shall be erected or located in the City of Mondovi, hereafter, in order to preserve the continuity and uniformity of numbers of the houses, buildings and structures, it shall be the duty of the owner to procure the correct number from the City Clerk for said property and to immediately fasten said number or numbers so assigned upon said building as provided in this ordinance. No building permit shall be issued for any house, building or structure until the owner has procured from the City Clerk and the official number assigned to the premises.
- (8) It shall be the duty of all police officers of the City of Mondovi to report violation of any provision of this ordinance.
- (9) If the owner or occupant of any building required to be numbered by this ordinance shall neglect for the period of 30 days to duly attach and maintain the proper number on such building, the City Clerk shall serve up on him/her a notice requiring such owner or occupant to properly number the same, and if he/she neglect to do so for 10 days after service of such notice, he/she shall be deemed to have violated this ordinance. Upon conviction thereof he/she shall forfeit not less than \$1.00 nor more than \$10.00

SECTION 16.02 BUILDING REGULATIONS

(1) Permits Required

(a) General Permit Required

No building, plumbing or electrical work shall be performed in the City of Mondovi unless a permit thereof is obtained as required in the provisions of this ordinance.

(b) Payment of Fees

All fees shall be paid to the City Treasurer and his/her receipt showing that the fees prescribed by this ordinance have been paid presented to the Building Inspector before the Inspector shall issue to the owner or his/her agent a building, electrical or plumbing permit.

(c) Permit Lapses

A building, electrical or plumbing permit shall lapse and be void unless operations under the permit are commenced within six (6) months from the date of issuance thereof.

(d) Revocation

If the Building Inspector shall find at any time that the above mentioned ordinances, laws, orders, plans and specifications are not being complied with and that the holder of the permit refuses to conform after a written warning or the instruction has been issued to him/her, he/she shall revoke the building, electrical or plumbing permit by written notice posted at the site of the work. When any such permit is revoked it shall be unlawful to do any further work thereunder until the permit is reissued, excepting such work as the Building Instructor may order to be done as a condition precedent to the issuance of the permit or as he/she may require for the preservation of human life and safety or property.

(e) Report of Violations

It shall be the duty of all police officers to report at once to the Building Inspector any building, electrical or plumbing work which is being carried on without a permit as required by their ordinance.

(f) Records

The Building Inspector shall keep a record of all permits, fees and inspections and shall make an annual report thereon to the Common Council.

(2) Building Code

(a) Permit Required

No building or any part thereof shall hereafter be erected within the City of Mondovi or ground broken for the same, except as hereinafter provided, until a permit therefor shall first have been obtained from the Building Inspector by the owner of his/her authorized agent. Any new one of the two family dwellings must have a State uniform building permit. Any alterations on addition may use permit provided by the City of Mondovi.

(b) Application

Application for a building permit shall be made in writing upon a form furnished by the Building Inspector. It shall state the name and address of the owner of the land and also the owner of the building if different. The legal description of the land upon which the building is so located and shall contain other such information as the Building Inspector may require for effective enforcement of this section.

(c) Plans

With such application there shall be submitted to complete sets of plans and specification including a plot plan showing the location of the proposed building with respect to adjoining streets, alleys, lot lines and buildings. Plans for building required to comply with the State Building Code shall bear stamp of approval from the Industrial Commission. Such plans and specification shall be submitted in duplicate. One set shall be returned after approval is hereinafter provided and the other shall remain on file in the office of the Clerk. All plans and specifications shall be signed by the designer.

(d) Waiver of Plans

If the Building Inspector finds that the character of the work is sufficiently described in application, he/she may waive the filing of plans for alternation, repairs, or moving provided the cost such work does not exceed \$2,500.00

(e) Approval of Plans

If the Building Inspector determines that the proposed building will comply in every respect with all ordinances of the City and all applicable laws and order of the State of Wisconsin, he/she shall officially approve and stamp one set of the plans and return it to the owner and shall issue a building permit thereof which shall be kept and displayed at the site of the proposed building. After being approved, the plans and specifications shall not be altered in any respect which involves any of the mentioned ordinances, laws and orders of which involves the safety of the building or occupants, except with the written consent of the Building Inspector.

(f) Minor Repairs

The building inspector may authorize minor repairs and alterations valued at less than \$100.00 which do not change the occupancy area, structural strength, fire protection, and exits, lights or ventilation of the building without issuing a building permit.

(g) Fees

The fees for building permits shall be \$5.00 for every \$1,000.00 or part thereof, of the cost of the proposed building, additions or alterations up to \$1,000.00; \$3.00 for each additional \$1,000.00 or part thereof up to \$5,000.00; \$2.00 for every additional \$1,000.00 or part thereof up to \$15,000.00; \$1.00 per \$1,000.00 or part thereof, in excess of \$15,000.00. The minimum fee shall be \$5.00.

(h) Inspection of Work

The builder shall notify the Building Inspector when ready and the Building Inspector shall inspect all buildings upon completion of the foundation forms or before the foundation is laid and again when ready for lath and plaster or before paneling is applied. After completion he/she shall make a final inspection of all new buildings and alterations.

(i) Construction Standards

(i) Wisconsin Uniform Dwelling Adopted Code

The following sections of the Wisconsin Uniform Dwelling Code for new one and two family dwellings and additions and alterations to existing dwellings are hereby adopted by reference as part of this ordinance: Chapter Ind. 22, Energy Conservation; Chapter Ind. 21, Construction Standards; Chapter 23, Heating Ventilating and Air Conditioning Standards; Chapter Ind. 24, Electrical Standards and Chapter Ind. 25, Plumbing and Portable Water Standards.

(ii) Dwellings

The term "dwelling" is used in this section includes every building occupied exclusively as a residence by not more than two families.

(j) New Methods and Materials

All materials, methods of construction and devices designed for use in buildings or structures covered by this ordinance and not specifically mentioned in or permitted by this ordinance shall not be so used until approved in writing by the Industrial Commission of Wisconsin for use in buildings or structures covered by

the Wisconsin State Building code, except sanitary appliances, which shall be approved in accordance with the state Plumbing code issued by the State board of Health. Such materials, methods of construction and devices, when approved must be installed or used in strict compliance with the manufacturer's specifications and any rules or conditions of use established by the Industrial Commission. The data, tests and other evidence necessary to prove the merits of such material, method of construction, or device shall be determined by the Industrial Commission.

(k) Unsafe Buildings

Whenever the Building Inspector finds any building or part thereof within the City to be in his/her judgement so old, dilapidated or so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation, occupancy or use and so that it would be unreasonable to repair the same, he/she shall order the owner to raze and remove such building or part thereof, or it can be made safe by repairs, to repair and make safe and sanitary or to raze and remove the owner's option. Such order and proceeding shall be provided in Sec. 66.05 (5) of the Wis. Stats.

(3) Electrical Code

(a) Uniform Dwelling Code Applies

All electrical work, including the placing of wires and other equipment, shall conform to the Uniform Dwelling Code, Chapter Ind. 24, and all amendments and revisions adopted to date, which is hereby made by reference a part of this ordinance.

(b) Permit

No electric wiring or other equipment shall be installed or altered without first securing a permit therefor from the City Building Inspector, except that repairs or replacements or broken or defective sockets, switches or base receptacles may be made without a permit. The application for such permit shall be on a form furnished by the Building Inspector and shall state clearly the work planned, alterations to be made, and equipment and materials to be used, and all later deviations from such plans must be submitted to and approved by the Building Inspector.

(c) Inspection of Work

After roughing in the wiring of any building and before any such work is covered up, or upon completion of any outside wiring construction work, it shall be the duty of the person doing such work to notify the building Inspector who shall at once inspect or cause to be inspected the same. Upon completion of such wiring, the Inspector shall notify and shall inspect or cause to be inspected the finished work. If he/she finds that the work conforms to the uniform Dwelling Code, he/she shall issue a certificate of compliance which shall contain the date and an outline of the results of the inspection, a duplicate of which shall be filed by location in the office of the Building Inspector. It shall be unlawful to use in such electrical equipment until such certificate has been issued.

(4) Plumbing Code

(a) Uniform Dwelling Code Applies

The construction, reconstruction, installation and alteration of all plumbing, drainage, and plumbing ventilation shall conform to the Uniform Dwelling Code, Chapter Ind. 25, and all amendments and revisions adopted to date, which is hereby made by reference a part of this ordinance.

(b) Permit

No plumbing or drainage of any kind shall be installed or altered except that of leakage or stoppage, in which case repairs shall be made. Otherwise, a permit must be secured thereof from the Building Inspector. The application for such permit shall be on a form furnished by the Building Inspector and shall state clearly the work planned, alterations to be made, and the equipment and materials to be used. All later deviations from such plan must be submitted to and approved by the Building Inspector. A fee of \$1.00 shall be charged for each permit.

(c) Licensed Plumber Required

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

(d) Inspection of Work

Upon completion of plumbing work on any premises, the person doing such work shall notify the Building Inspector before such work is covered up, and the building Inspector shall at once inspect or cause to be inspected the work. If he/she finds that the work conforms to the uniform Dwelling Code, he/she shall issue a certificate of compliance which shall contain the date and an outline of the result of such inspection, a duplicate of which shall be filed by location in the office of the Building Inspector. No person shall use or permit to be used any plumbing or drainage until it has been inspected and approved by the Building Inspector.

(5) Flammable Liquids

(a) Fire District

All that part of the City of Mondovi included within the following described territory shall be known as the fire district:

All territory embraced in blocks numbered 47, 48, 49, 51, 52, and 53 of the City of Mondovi, according to the map and survey thereof by P.W. Early.

(b) Definitions

The terms “fire resistive construction”, “Mill construction”, “ordinary construction”, “frame construction”, and “fire retardant roof coverings” shall have the meanings as defined in the Wis. Dm Code, ss. Ind. 51.001, 51.01, 51.02, 51.03, and 51.07 of the Wis. Stats. Building Code.

(c) Regulations Within Fire Districts

(i) Requirements

Every building hereafter erected, enlarged or moved within or into the fire district shall be of fire-resistive, mill or ordinary construction, except as otherwise provided by this ordinance. Enclosing walls, division walls and party walls shall be of 4-hour, fire resistive walls of a construction provided in s. Ind. 51.01, Wis. Adm. Code, which is hereby by reference made part of this ordinance with respect to all buildings and structures within the fire district.

(ii) Exceptions

No building of frame construction shall be constructed within or moved within or into the fire district except the following:

- (a) Building occupied as a private garage, not more than one story in height nor more than 750 square feet in area, located on the same lot with a dwelling provided that any such building shall be placed at least three feet from the lot lines of adjoining property.
- (b) Buildings of frame construction, except when used for a high hazard occupancy, not exceeding 2,500 square feet in area when used for a business occupancy of 1,000 square feet in area when used for other occupancies, nor more than one story in height, and having a horizontal separation of not less than ten (10) feet on all sides. Walls having a horizontal separation of less than ten (10) feet shall have a fire resistive rating of not less than one (1) hour.
- (c) Greenhouses not more than 15 feet in height.
- (d) Sheds open on the long side, not more than 15 feet in height and nor more than 500 square feet in area, located at least five feet from buildings and from adjoining lot lines.
- (e) Builders' shanties for use only in connection with a duly authorized building operation.
- (f) "Frame construction" for purpose of this subparagraph is defined as follows:

Buildings where the exterior walls are wood or other combustible materials, including construction where combustible materials are combined with other materials such as, but not limited to, brick veneer, stone veneer, wood, iron-clad and stucco on wood.

(iii) Bulk Oil Tanks Prohibited

The storage of Class I and Class II flammable liquids, as defined in s. Ind. 8.01, Wis. Adm. Code, in above ground tanks outside of buildings is prohibited within the fire district.

(d) Razing Old or Damaged Buildings

Any existing building of frame construction within the fire limits which may hereafter be damaged by fire, or which is deteriorated to an amount greater than $\frac{1}{2}$ of its value, exclusive of the foundation, as determined by the City Assessor, shall not be repaired or rebuilt but shall be ordered removed by the Building Inspector under the provisions of s. 66.05 of the Wis. Stats.

(e) Fire-Retardant Roofing

- (i) Every roof hereafter constructed within the fire district, including buildings listed in sub. (3) (b), shall be covered with a roofing having a fire-resistive rating equivalent to Class “B” or better of the Underwriters’ Laboratories, Inc. classification in their “list of Inspected Materials”, which is hereby adopted by reference and incorporated in this section as if fully set forth herein.
 - (ii) No roofing on any existing roof shall be renewed or repaired to a greater extent than $\frac{1}{10}$ of the roof surface, except in conformity with the requirements of par. (i) of this section.
- (f) The Building Inspector (or Fire Chief or other designated person) s hereby authorized and it shall be his/her duty to enforce the provisions of this ordinance.

(6) Preservation of Property Valuation Within the City

- (a) No building permit for any structure within the City of Mondovi, for which a building permit is required shall be issued unless it has been found as a fact by the Building Board by at least a majority vote of the members present, after a view of the site of the proposed structure, and an examination of the application papers for a building permit, which shall include exterior elevations of the proposed structure, that the exterior architectural appeal and functional plan of the proposed structure will, when erected, not be so at variance with nor so similar to either the exterior architectural appeal and functional plan of the structure is already constructed or in the course of construction in the immediate neighborhood or the character of the applicable district, as to cause a substantial depreciation in the property values of said neighborhood with said applicable district.
- (b) Building Board
The Building Board shall consist of the members of the Planning Board of the City of Mondovi. A majority of such board shall constitute a quorum for all purposes. The City Clerk shall be Secretary of the Building Board. The Board shall keep a record of its proceedings, shall adopt reasonable rules and regulations governing its proceedings and shall record the vote of each member on the findings of fact and its determination that a permit shall or shall not be issued as provided for in this ordinance. In case of the absence or disability of either the chairman or secretary of the Board, the Board may elect any member as acting chairman or acting secretary who shall act for such chairman or secretary as the case may be during such absence or disability.
- (c) Duties of Building Inspector

- (i) The Building Inspector must be certified by the Department of Industry, Labor and Human Relations to administer and enforce all of the provisions of Wisconsin Uniform Dwelling Code.
- (ii) Whenever an application is filed with the Building Inspector for a building permit pursuant to City Ordinance of the City of Mondovi for any structure to be built, enlarged, altered or demolished within said City as provided for by City Ordinances and the Building Inspector finds that said application, plans, and specifications, and plot plans submitted therewith comply in all respects with all other ordinances of the City of Mondovi, but that said application papers provide for a structure, the exterior design and appearance of which, in the opinion of the Building Inspector, may be so at variance with or similar to either the exterior architectural appeal and functional plan of the structures already constructed or in the course of construction in the immediate neighborhood, or the character of the applicable district as to cause a substantial depreciation generally in the property values of said neighborhood within said applicable district, the Building Inspector shall, within three days after the receipt of the application papers file the same and such written opinion signed by him/her with the City Clerk who shall then notify the Building Board within twenty-four (24) hours (Sundays and Holidays excluded) after receipt of such application papers, setting up a date for hearing the application, stating the purpose of the hearing, the location of the proposed building and the time and place for hearing which should not be more than five (5) days from the receipt of the application papers by the said City Clerk. The Building Board shall then meet, shall view the premises in the neighborhood before ordering a hearing, and at the hearing the Building Board may examine the application appears, hear all the applicants, together with any other person whether residents or property owners desiring to be heard, giving such notice of hearing as they may deem sufficient under the circumstances. Such hearing shall or may be adjourned from time to time but not for more than forty-eight (48) hours after the close of the hearing the Building Board shall in writing refuse to make order advising the Building Inspector to issue permit for such building and file the determination in the office for the City Clerk who shall forward a copy of the same to the Building Inspector.

(d) Board of Appeals

- (i) On an appeal to the Board of Appeals, in the absence of proof to the contrary adduced before the Board of Appeals, a refusal to grant the building permit because refusal to the Building Board to make the finding required by section (a) hereof, shall be deemed to be based on facts supporting the conclusion that the exterior architectural appeal and functional plan of the proposed structure for which a building permit was refused would, when erected, be so at variance with or similar to all the exterior architectural appeal and functional plan of structures already constructed or in the course of construction in the immediate neighborhood, or the character of the applicable district, as to

cause a substantial depreciation in the property value of said neighbored within said applicable district.

- (ii) Any person entitled to appeal from the grant of, or refusal of the building Inspector to grant, said building permit, may appeal to the Board of Appeals of the City of Mondovi in the same manner and with the same force and effect as if this ordinance had not been adopted and the Building Inspector ad taken such action independently of the Building Board.

(7) Penalties

(a) General Penalty

Any person who shall violate any of the provisions of this ordinance shall upon conviction thereof forfeit no less than \$25.00 nor more than \$100.00 for each violation plus costs of prosecution.

SECTION 16.03 HOUSING CODE

(1) Definitions

The following definitions will apply in the interpretation and enforcement of this ordinance:

Basement — A space of full story height below the first floor which is not designed or used primarily for year-round living accommodations. Space partly below grade, which is designed and finished as habitable space is not defined as basement space.

Board of Appeals — The Board of Appeals established pursuant to Section 18.07 (45) of the Municipal Code.

Cellar — A portion of a building located partly or wholly underground and having two-thirds or more of its clear floor-to-ceiling height below the average grade of the adjoining ground (See paragraph title “Basement” for more reference).

Dwelling — Any building which is wholly or partly used or intended to be used for living or sleeping by human occupants, provided that temporary housing is hereinafter defined shall not be regarded as a dwelling.

Dwelling Unit — Any room or group of rooms located within a dwelling and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating.

Extermination — The control and elimination of insects, rodents, or other pests by eliminating their harborage places, by removing or making inaccessible materials which may serve as their food, by poisoning, spraying, fumigating, trapping or by other recognized and legal pest elimination methods approved by the health officer.

Plumbing — Shall mean and include all of the following supplied facilities and equipment, gas pipes, gas burning equipment, water pipes, garbage disposal equipment, waste pipes, water closet, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents, floor drains, laundry traps, drinking fountains, gutters, downspouts, area drains, lines, sanitary and storm sewer systems, also subsoil drainage and any other supplied fixtures together with all connection to water, sewer or gas lines.

Rooming Unit — Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping but not for cooking or eating purposes.

Rooming House — Any dwelling or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to five or more persons who are not husband or wife, sister or brother, son or daughter of father or mother of the owner or operators.

Rubbish — Combustible or non-combustible waste materials, except garbage; and the terms shall include the residue from the burning of wood, coal, coke and other combustible material, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, leaves, tin cans, metals, mineral matter, glass, crockery or glass.

Superintendent of Inspections — The Superintendent of Inspections of the City of Mondovi, Wisconsin, or his/her duly authorized representative.

Supplied — Paid for, furnished or provided by or under the control of the owner or operator.

Temporary Housing — Any tent, trailer, or other structure used for human shelter which is designed to be transportable and which is not attached to the ground, to another structure, or to any utilities system on the same premises for more than thirty (30) consecutive days.

Whenever the words “dwelling” or “dwelling unit”, “rooming house”, “rooming unit”, or “premises” are used in this ordinance, they shall be construed as though they were followed by the words “or any part thereof”.

(2) Inspection of Dwellings, Dwelling Units, Rooming Unites, and Premises

The Health Officer and Superintendent of Inspections are hereby severally authorized and directed to make inspections to determine the conditions of dwelling, dwelling units, and premises located within this City, in order that they may perform their duty of safeguarding the health and safety of the occupants of dwellings and of the general public. For the purpose of making such inspections the Health Officer and Superintendent of Inspections are hereby severally authorized to enter, examine, and survey, at proper times after due notice, all dwelling units, rooming units, and premises. The owner or occupant of every welling, dwelling unit and rooming unit, or

the person in charge thereof, shall give the Health Officer and Superintendent of Inspection access to such dwelling, dwelling unit or rooming unit and its premises, at proper times after due notice, for the purpose of such inspection examination and survey. Every occupant of a dwelling unit or dwelling shall give the owner thereof, or his/her agent or employee, access to any part of such dwelling or dwelling unit, or its premises, at all reasonable times for the purpose of making such repairs or alterations as are necessary to effect compliance with the provisions of this ordinance.

(3) Enforcement –Service of Notice and Orders-Hearings

- (a) Whenever the health officer determines that there are reasonable grounds to believe that there has been a violation of any provisions of this ordinance which affects the health of the occupants of any dwelling, dwelling unit or rooming unit or the health of the general public, or whenever the City building Inspector determines that there are reasonable grounds to believe that there has been a violation of any such provisions which affects the safety of any such occupants or the safety of the general public, the health officer or City Building Inspector, as the case may be, shall give notice of such alleged violation to the person or persons responsible thereof, and to any known agent of such person, as hereinafter provided. Such notice shall:
- (i) Be put in writing;
 - (ii) Include a statement of the reasons why it is being issued;
 - (iii) Allow a reasonable time for the performance of any act it requires;
 - (iv) Be served upon the owner or his/her agent, or the occupant, as the case may require; provided that such notice shall be deemed to be properly served upon such owner or agent, or upon such occupant, if a copy thereof is served upon his/her personally, or if a copy thereof is sent by registered mail to his/her last known address, or if a copy is thereof posted in a conspicuous place or about the dwelling affected by the notice, or if he/she is served with such notice by any other method authorized or required under the laws of this state.
 - (v) Such notice must contain an outline of remedial action which, if taken, will affect compliance with the provisions of this ordinance.
- (b) Any person affected by any such notice issued by the health officer or City Building Inspector may request and shall be granted a hearing on the matter before the board of appeals of the City of Mondovi, provided that such person shall file in the office of the health officer or City Building Inspector, as the case may be, within ten (10) days after service of the notice, a written petition requesting such hearing and setting forth a brief statement of the grounds therefore. Upon receipt of such petition, the health officer or City Building Inspector, respectively, shall arrange a time and place of such hearing and shall give the petitioner written notice thereof. Such hearing shall be held as soon as practicable after the receipt of request therefor. At such hearing the petitioner shall be given an opportunity to be heard and to show cause why such notice should not be complied with.

- (c) After such hearing the board shall sustain, modify or withdraw the notice and depending upon its findings as to whether the provisions of this ordinance have been complied with. IF the board shall sustain or modify such notice, it shall be deemed to be in order. Any notice served pursuant to subsection (3) of this ordinance shall automatically become an order if a written petition for a hearing is not filed in the office of the health Officer or City Building Inspector within ten (10) days after such notice is served. After a hearing in the case of any notice suspending any permit required by this ordinance, when such notice has been sustained by the board, the permit which has been suspended by a notice shall be deemed to be automatically revoked if a petition for hearing is not filed in the office of the health office or city Building Inspector within ten (10) days after such notice is served.
- (d) The proceeding at such hearing, including the findings and decisions of the board shall be summarized, reduced to writing and entered as a matter of public record in the offices of the board. Such record shall also include a copy of every notice or order issued in connection with the matter. Any person aggrieved by the decision of the board may seek relief therefrom in any court of competent jurisdiction, as provided by the laws of this state.
- (e) Whenever the health officer finds that an emergency exists which requires immediate action to protect the public health, he/she may, without notice or hearing, issue an order reciting the existence of such an emergency exists requiring that such action be taken as he/she deems necessary to meet the emergency. Notwithstanding the other provisions of this ordinance, such order shall be effective immediately, but upon petition to the Health Officer shall be afforded a hearing as soon as possible, in the manner provided in subsection (3)
- (b). After such hearing, depending upon the findings as to whether the provisions of this ordinance have been complied with, the board shall continue such order in effect, or modify it, or revoke it.

(4) Minimum Standards for Basic Equipment and Facilities

No person shall occupy as owner or occupant or let to another for occupancy any dwelling or dwelling unit for the purpose of living, sleeping, cooking or eating therein, which does not comply with the following requirements:

- (a) Every dwelling unit shall contain a kitchen sink and laundry tray in good working condition and properly connected to a water and sanitary sewer system approved by plumbing division of the City building inspector.
- (b) Every dwelling unit shall contain a room within its walls separate from the habitable rooms, which affords privacy to a person within said room and which is equipped with a flush water closet, a lavatory basin, and a bathtub or shower and the necessary fixtures and accessories therefor in good working condition and properly connected to hot and cold water lines and sanitary sewer system approved by the health officer or city building inspector.
- (c) At the expiration of a period of two years from the effective date of this ordinance, every kitchen sink, lavatory basin and bathtub or shower shall be

properly connected with water line and sanitary sewer system according to the provisions of subsection (a) and (b) of Section 4 of this ordinance.

- (d) Every dwelling unit shall be provide with adequate rubbish storage facilities.
- (e) Every dwelling unit shall have adequate garbage disposal facilities or garbage storage containers, and the owner shall be responsible for its proper removal from the premises.
- (f) Every dwelling unit shall have safe, unobstructed means of egress leading to safe and open space at ground level, as required by the laws of the State of Wisconsin and the ordinances of the City of Mondovi.

(5) Minimum Standards for Light, Ventilation and Heating

No person shall occupy as owner-occupant or let to another for occupancy any dwelling or dwelling unit for the purpose of living therein, which does not comply with the following requirements:

- (a) Every habitable room shall have at least one window or skylight facing directly to the outdoors. The minimum total window area, measured between stops, for every habitable room shall be ten percent (10%) of the floor area of such room (See federal housing administration bulletin No. 300 Minimum Property Requirements for Skylight Area).
- (b) Every habitable room shall have at least one window or skylight which can be easily opened, or such device as will adequately ventilate the room. The total of openable window area in every habitable room shall be equal to not less than four percent (4%) of the floor area except where there is supplied a mechanical device affording adequate ventilation per Federal Housing Administration Regulations.
- (c) Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms contained in subsection (5) (a) and (5) (b) of this section, except that no window or skylight shall be required in bathrooms and water closet compartments equipped with a mechanical ventilation system per Federal Housing Administration Regulations approved by the health officer or city building inspector.
- (d) Every dwelling shall have heating facilities which are properly installed, are maintained in safe and good working condition, and are capable of safety and adequately heating all habitable rooms, bathrooms and water closet compartments in every dwelling unit located therein to a temperature of at least 70 degrees Fahrenheit at a distance of thirty inches above floor level, under ordinary minimum winter conditions.

(6) Missing

- (a) Every supplied facility, piece of equipment, or utility which is required under this ordinance shall be so constructed or installed that will function safely and effectively and shall be maintained in satisfactory working conditions.
- (b) No owner, operator, or occupant shall cause any service facility, equipment or utility which is required under this ordinance to be removed from or shut off from or discontinued for any occupied dwelling let or occupied by him/her, except for

such temporary interruption as may be necessary while actual repair or alterations are in progress, or during temporary emergencies or when discontinuance of service is approved by the health officer or City Building Inspector.

- (c) No owner shall occupy or let to any other occupant any vacant dwelling unit unless it is clean, sanitary and fit for human occupancy.

(7) Minimum Space, Use and Location Requirements

No person shall occupy or let to another for occupancy any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements.

- (a) Every dwelling unit shall contain a minimum gross floor area of not less than 150 square feet for the first occupancy, 100 square feet for the second occupant, and 75 square feet for each additional occupant.
- (b) In every dwelling unit of two or more rooms, every room occupied for sleeping purposes by one occupant shall contain at least 80 square feet of floor space, and every room occupied for sleeping purposes by more than one occupant shall contain at least 40 square feet of floor space for each occupant thereof over 12 years of age and at least 30 square feet for each occupant thereof under 12 years of age.
- (c) At least one half of the floor area of every habitable room shall have a ceiling height of that at least seven feet six inches and the floor area of that part of any room where the ceiling height is less than five feet shall not be considered as part of the floor area computing the total floor area for the room for the purpose of determining the maximum permissible occupancy thereof.
- (d) Bathtub, shower, and laundry facility or other similar units, at a temperature of not less than one hundred thirty (130) degrees Fahrenheit at any time needed.
- (e) Electrical Service and minimum number of electrical outlets and/or fixtures per room
Where there is electrical service available to the building, every habitable room of a dwelling unit shall contain at least two (2) separate and remote outlets, one (1) of which may be a ceiling or wall-type electric light fixture. Every public hall, bathroom, laundry room or furnace room shall contain at least one (1) electric light fixture. In addition, every bathroom and laundry room shall be provided with at least one (1) electric outlet.
- (f) Screen Requirements
From May 1st to October 1st, in every dwelling unit for protection against mosquitos, flies and other insects, every door opening directly from a dwelling unit to outdoor space shall have supplied and installed screens and a self-closing device; and every window or other device with openings to outdoor space used or intended to be used for ventilation shall likewise be supplied with screens installed.

(8) Responsibilities of Owners and Occupants

- (a) Every owner of a dwelling containing more than four dwelling units shall be responsible for maintaining a clean and sanitary condition the share or public are of the dwelling and premises thereof.
- (b) Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which he/she occupies and controls.
- (c) Every occupant of a dwelling or dwelling unit shall dispose of all his/her rubbish.
- (d) Every occupant of a dwelling or dwelling unit shall dispose of all his/her garbage and any other organic waste which might provide food for rodents in a clean and sanitary manner, by placing it in the garbage disposal facilities or seeing that the same is removed from the premises. It shall be the responsibility of the owner to provide such facilities or containers for all dwelling units in a dwelling container more than four dwelling units and from all dwelling units located on premises where more than four dwelling units share the same premises. In all other case it shall be the responsibility of the occupant to furnish such facilities or removal thereof.

(9) Rooming House

- (a) No person shall operate a rooming house unless he/she holds a valid rooming house license issued by the office of the City Clerk in the name of the operator and for the specific dwelling unit. The operator shall apply to the office of City Building Inspector for a permit license, which shall be issued by the office of City Clerk, upon compliance by the operator to the satisfaction of the City Building Inspector, with the applicable provisions of this Ordinance. This license shall be displayed in a conspicuous place within the rooming house, at all times. NO such license shall be transferable. Every person holding such a license shall give notice in writing to the office of the City Clerk and the City Building Inspector within 24 hours after having sold, transferred, given away or otherwise disposed of ownership of, interest in or control of any rooming house. Such notice shall include the name and address of the person succeeding to the ownership of or control of such rooming house. Every rooming house license shall expire at the end of one year following its date of issuance, unless sooner suspended or revoked as hereinafter provided.
- (b) Any person whose application for a permit to obtain a license to operate a rooming house has been denied may request and shall be granted a hearing on the matter, under the procedure provided by Section (3) of this ordinance.
- (c) Whenever upon inspection of any rooming house the health officer or city building inspector finds that conditions or practices exist which are in violation of any provision of this ordinance, the health officer or city building inspector as the case may be, shall give notice in writing to the operator of such rooming house that unless conditions or practices are corrected within a reasonable period to the determined by the health officer or City building inspector respectively, the operator's rooming house license will be suspended. At the end of such period the health officer or City building inspector as the case may be, shall inspect again such rooming house, and if he/she find that such conditions or practices have not

been corrected, he/she shall give notice in writing to the operator that the latter's license has been suspended. Upon receipt of a notice of suspension, such operator shall immediately cease operation of such rooming house, and no person shall occupy for sleeping or living purposes any rooming unit therein.

- (d) Any person whose license to operate a rooming house has been suspended or who has received notice from the health officer or City Building Inspector that his/her license is to be suspended unless existing conditions or practices at his/her rooming house are corrected may request and shall be granted a hearing on the matter before the board of appeals, under the procedure provided by section (3) of this ordinance., provided that if no petition for such hearing is filed within ten days following the day on which such license was suspended, such license shall be deemed to have automatically revoked.
- (e) At least one flush water closet, lavatory basin and bathtub or shower, properly connected to a water and sanitary sewer system approved by the city Building Inspector and in good working condition shall be supplied for each ten (10) persons or fraction thereof residing within a rooming house, including members of the operator's family wherever they share the use of said facilities, provided that in a rooming house where rooms are let only to males, tank system urinals of the floor-resting type may be substituted for not more than one-half of the required number of water closets. All such facilities shall be so located within the dwelling as to be reasonably accessible from a common hall or passage way to all persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot water at all times. No such facilities shall be located in a basement except by written approval of the Health Officer or City Building Inspector.
- (f) The operator of every rooming house shall change supplied bed linen and towels therein at least once a week and prior to the letting of any room to any occupant. The operator shall be responsible for the maintenance of all supplied bedding a clean and sanitary manner.
- (g) Every room occupied for sleeping purposes by one person shall contain at least 80 square feet of floor space, and every room occupied for sleeping purposes by more than one person shall contain at least 40 square feet of floor space for each occupant over 12 years of age and at least 30 square feet of floor space for each occupant therein under 12 years of age, as computed in accordance with subsection (7) (c) of this Ordinance.
- (h) Every rooming unit shall have safe, unobstructed means of egress leading to a safe and open space at ground level, as required by the laws of this state and this City.
- (i) The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings, and for maintenance of sanitary conditions in every other part of the rooming house and shall be further responsible for the sanitary maintenance of the entire premises where leased or occupied by the operator.
- (j) Every provision of this ordinance which applies to rooming houses shall also apply to efficiency apartments, motels, cabins, hotels, and similar accommodations except to the extent that any such provisions may be found in

conflict with the laws of this state or with the lawful regulations of any state board of agency.

- (k) The health officer is empowered to suspend the operation of subsection (7) (a), (7) (b), and/or (9) (g) hereof by special or general order in writing when he/she shall deem an emergency exists, which in his/her discretion shall warrant such suspension; provided, however, that no such general or special order so suspending operation of subsection (7) (a) and (9) (g) shall be of a duration longer than ten (10) days.

(10) Designation of Unfit Dwellers and Legal Procedures of Condemnation

- (a) The designation of dwellers or dwelling units is unfit for human habitation and the procedure for the condemnation and placarding of such unfit dwelling units shall be carried out in compliance with the following requirements:
 - (i) Any dwelling or dwelling unit which shall be found to have any of the following defects shall be so designated and placarded by the Health Officer or City Building Inspector.
 - (ii) One which is so damaged, decayed, dilapidated, unsanitary, unsafe, or vermin-infested that it creates a serious hazard to the health or safety of the occupants or of the public.
 - (iii) One which lacks illumination, ventilation or sanitary facilities adequate to protect the health and safety of the occupants or of the public.
 - (iv) One which because of its general condition or location is insanitary or otherwise dangerous to the health or safety of occupants or the public.
- (b) Any dwelling or dwelling unit condemned as unfit for human habitation and so designated and placarded by the health officer or City Building Inspector shall be vacated within 60 days as order by the Health officer or City Building Inspector.
- (c) No dwelling or dwelling unit which has been condemned and placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from and such placard is removed by the health officer or city building inspector. The health officer or City Building Inspector shall remove such placard whenever the defect or defects upon which condemnation and placarding action were based on have been eliminated.
- (d) No person shall deface or remove the placard from any dwelling or dwelling unit which has been condemned as unfit for human habitation and placarded as such, except as provided in subsection (10) (c).
- (e) Any person affected by any notice or order relating to the condemnation and placarding of a dwelling or dwelling unit as unfit for human habitation may request and shall be granted a hearing on the matter before the board of appeals under the procedure set forth in Section (3) of this ordinance.

(11) Penalties

Any person, firm or corporation violating any of the terms of this ordinance shall forfeit a fine of not less than \$5.00 nor more than \$25.00 together with costs of

prosecution, provided that for violation of any condition in said ordinance which condition can be corrected by modification or repair, then failure to correct or rectify such defect within a reasonable time that shall constitute a separate violation and be subject to penalties herein provided. Each day of such violation, or of failure to correct such violation following the expiration of reasonable time to correct, shall constitute a separate offense.