

Unless specifically noticed otherwise, this meeting and all other meetings of this body are open to the public. Proper notice has been posted and given to the media in accordance with Wisconsin Statutes so that citizens may be aware of the time, place and purpose of the meeting.

## **MEETING NOTICE**

Planning Commission Agenda

**Thursday, February 27, 2020 – 5:00 PM**

Council Chambers – New London Municipal Building

1. Call to Order
2. Adopt Agenda
3. Roll Call
4. Approval of the January 23, 2020 meeting minutes
5. CSM- Approval, Jim Rieckmann
6. Approve Murals presented by Wolf River Art League
7. Municipal Code – recodification of the following chapters:
  - A. Chapter 195 – Building Code
  - B. Chapter 270 – Smoke and Carbon Monoxide Detectors
  - C. Chapter 497 – Article VI - Moving Buildings
  - D. Chapter 421 – Plumbing Code
  - E. Chapter 249 – Electrical Code
8. Update on Planning Issues and other Agenda Items
9. Adjournment

\*Agenda items are listed so as to accurately describe the actions or issue being considered instead of simply the document listing title or the parties to a contract. This is done as such titles or a list of parties to a contract conveys insufficient information to the public on whether a topic or project they are interested in is being considered. It is the policy of the City of New London to comply in good faith with all applicable regulations, guidelines, etc. put forth in the Americans with Disabilities Act (ADA). To that end, it is the City's intent to provide equal opportunity for everyone to participate in all programs and/or services offered, to attend every public meeting scheduled, and to utilize all public facilities available. Any person(s) in need of an alternative format (i.e. larger print, audio tapes, Braille, readers, interpreters, amplifiers, transcription) regarding information disseminated by the City of New London should notify the City 48 hours prior to a meeting, etc., or allow 48 hours after a request for a copy of brochures, notices, etc. for delivery of that alternative format. Contact ADA Coordinator Chad Hoerth by telephone through: (Relay Wisconsin) – 920/ 982-8500 or (Voice) – 920/982-8500 and in person/letter at 215 N. Shawano Street, New London, WI 54961.

**City of New London**  
**Planning Commission Minutes**  
**January 23, 2020**

**Call to Order:** The January 23, 2020 Planning Commission meeting was called to order by Chairman Steinhorst at 5:00 PM.

**Adopt Agenda:** Motion by Gabert, second by Steingraber to adopt the agenda with dropping item 6, approval of downtown murals. Motion carried 7/0.

**Roll Call:** Those in attendance were Goller, Steingraber, Henke, Steinhorst, Gabert, Thompson and Noel . Spilman excused.

**Approval of the January 2, 2020 Planning Commission Minutes:** Motion by Goller, second by Noel to approve the January 2, 2020 meeting minutes with as presented . Motion carried 7/0

**John Dailey Garage exceeding 15 feet in height:** The plans for a new garage exceeding 15 feet in height were presented and discussed. Motion by Thompson, Second by Gabert to approve the request for the Dailey garage at 305 W. Beacon Avenue to exceed 15 feet in height. Carried 7/0.

**Municipal Code Recodification:** Henke explained the upcoming recodification process that the committee will be working on the next few months with the assistance of Paul Hanlon, Building Inspector.

**Update on Planning Issues and other upcoming agenda items:** None other than recodification project.

**Adjournment:** Motion by Gabert, Ssecond by Steingraber to adjourn. Carried 7/0. Meeting adjourned at 5:16 pm.

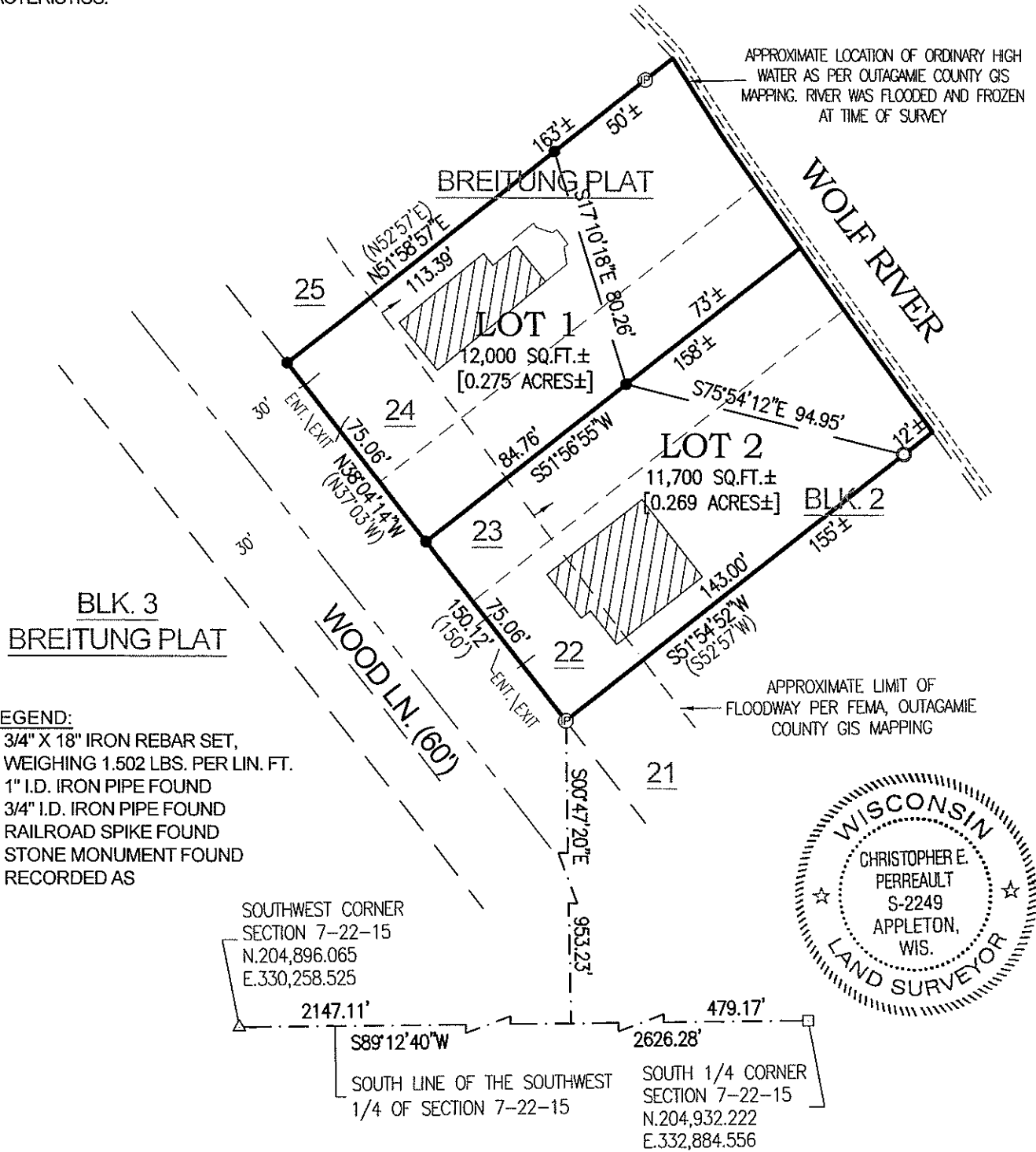
Next Meeting is scheduled for February 27, 2020

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING ALL OF LOTS 22, 23 & 24, BLOCK 2, BREITUNG PLAT, LOCATED IN GOVERNMENT LOT 1, SECTION 7, TOWNSHIP 22 NORTH, RANGE 15 EAST, CITY OF NEW LONDON, OUTAGAMIE COUNTY, WISCONSIN.

**NOTES:**

- THE ORDINARY HIGH WATER MARK SETBACK IS NOT BASED ON AN OFFICIAL DETERMINATION AND PRIOR TO ANY BUILDING, AN OFFICIAL DETERMINATION OF THE ORDINARY HIGH WATER MUST BE MADE BY THE OUTAGAMIE COUNTY ZONING DEPARTMENT OR OTHER AUTHORIZED PERSON. ALSO ALL BUILDING SETBACKS AND OTHER LAND USE REQUIREMENTS SHOULD BE VERIFIED BY THE CITY OF NEW LONDON PRIOR TO ANY CONSTRUCTION OR OTHER LAND USE ACTIVITY.
- ANY LAND BELOW THE ORDINARY HIGH WATER MARK OF A LAKE OR A NAVIGABLE STREAM IS SUBJECT TO THE PUBLIC TRUST IN NAVIGABLE WATERS THAT IS ESTABLISHED UNDER ARTICLE IX, SECTION 1 OF THE STATE CONSTITUTION.
- THE LOCATION OF THE APPROXIMATE ORDINARY HIGH WATER MARK SHALL BE THE POINT ON THE BANK OF A NAVIGABLE STREAM OR ON THE SHORE OF A LAKE UP TO WHICH THE PRESENCE AND ACTION OF SURFACE WATER IS SO CONTINUOUS AS TO LEAVE A DISTINCTIVE MARK BY EROSION, DESTRUCTION OF TERRESTRIAL VEGETATION, OR OTHER EASILY RECOGNIZED CHARACTERISTICS.



*Christopher E. Perreault*  
 CHRISTOPHER E. PERREAULT, PLS-2249 DATED  
 CAROW LAND SURVEYING CO., INC.  
 615 N. LYNNDAL DR., P.O. BOX 1297  
 APPLETON, WISCONSIN 54912-1297  
 PHONE: (920)731-4168  
 A1912.22 DATED: 1-16-2020  
 DRAFTED BY: (cep RDD)

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

BEING ALL OF LOTS 22, 23 & 24, BLOCK 2, BREITUNG PLAT, LOCATED IN GOVERNMENT LOT 1, SECTION 7, TOWNSHIP 22 NORTH, RANGE 15 EAST, CITY OF NEW LONDON, OUTAGAMIE COUNTY, WISCONSIN.

**NOTES:**

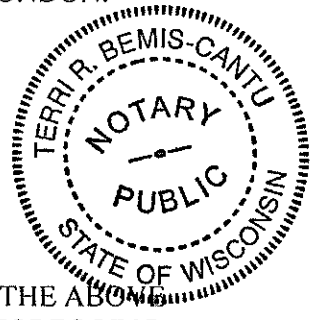
- 1) THE OWNER(S) OF RECORD ARE: JAMES R. RIECKMANN AND ROBERTA H. EICH.
- 2) THIS CERTIFIED SURVEY MAP IS ALL OF TAX PARCEL: 333054000, 333054100 & 333054200.
- 3) THE PROPERTY IS CONTAINED WHOLLY WITHIN THE FOLLOWING RECORDED DOCUMENTS: JACKET 7953, IMAGE 27 AND DOCUMENT NO. 2096775.

**OWNER'S CERTIFICATE:**

AS OWNER (S), I (WE) CERTIFY THAT I (WE) CAUSED THE LANDS DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED HEREON. I (WE) FURTHER CERTIFY THAT THIS MAP IS REQUIRED BY S.236.10 OR S.236.12 OF THE WISCONSIN STATUTES TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: CITY OF NEW LONDON.

IN THE PRESENCE OF:

*James R. Rieckmann*  
JAMES R. RIECKMANN



STATE OF WISCONSIN)

)SS

OUTAGAMIE COUNTY)

PERSONALLY CAME BEFORE ME THIS 10<sup>th</sup> DAY OF February, 2020, THE ABOVE NAMED PERSON (S), TO ME KNOWN TO BE THE PERSON (S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT.

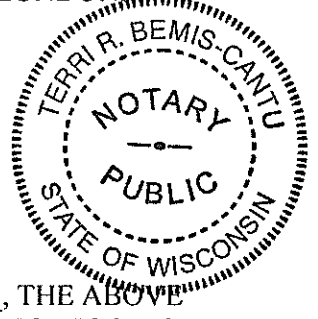
*Terri R. Bemis-Cantu*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 2-23-21

**OWNER'S CERTIFICATE:**

AS OWNER (S), I (WE) CERTIFY THAT I (WE) CAUSED THE LANDS DESCRIBED ON THIS CERTIFIED SURVEY MAP TO BE SURVEYED, DIVIDED AND MAPPED AS REPRESENTED HEREON. I (WE) FURTHER CERTIFY THAT THIS MAP IS REQUIRED BY S.236.10 OR S.236.12 OF THE WISCONSIN STATUTES TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION: CITY OF NEW LONDON.

IN THE PRESENCE OF:

*Roberta H. Eich*  
ROBERTA H. EICH



STATE OF WISCONSIN)

)SS

OUTAGAMIE COUNTY)

PERSONALLY CAME BEFORE ME THIS 10<sup>th</sup> DAY OF February, 2020, THE ABOVE NAMED PERSON (S), TO ME KNOWN TO BE THE PERSON (S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT.

*Terri R. Bemis-Cantu*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 2-23-21



*Christopher E. Perreault* 1/16/20  
CHRISTOPHER E. PERREAULT, PLS-2249 DATED  
CAROW LAND SURVEYING CO., INC.  
615 N. LYNNDAL DRIVE, P.O. BOX 1297  
APPLETON, WISCONSIN 54912-1297  
PHONE: (920)731-4168  
A1912.22 (CEP) 1-16-2020



from a distance of at least 500 feet to the front of such bicycle. Such bicycle shall also be equipped with a red reflector that has a diameter of at least two inches of surface area on the rear so mounted and maintained as to be visible from all distances from 50 to 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to, but not in lieu of, the red reflector.

- F. Every bicycle, when operated upon any street or public highway in the City, shall be operated as near to the right curb as possible.
- G. Every bicycle operator shall use an audible signal when overtaking or passing any person on any sidewalk or vehicle on any street, alley or public highway in such a manner as to sufficiently warn the person or vehicle being overtaken or passed of the approach of the bicycle.
- H. It shall be unlawful for any bicycle operator to cling or attach himself or his bicycle to any other moving vehicle upon a sidewalk, street or public highway in the City.
- I. No operator of a bicycle shall carry another person on his bicycle or pull or tow any object or carry any object in his hand while operating the bicycle. Objects may be carried on a bicycle in a basket or carrier provided for that purpose.
- J. No bicycle operator shall propel his bicycle at a speed which is not reasonable and prudent under conditions existing at the time.
- K. No bicycle operator shall participate in any race or speed contest with any person or vehicle.
- L. No bicycle operator shall engage in acrobatic or trick-riding or any other skylarking on a moving bicycle.
- M. Every bicycle operator, when emerging from any alley, shall stop and yield the right-of-way to any person or vehicle.
- N. Every bicycle operator shall stop for all arterial signs and observe all other traffic regulations applicable for other vehicles in the City.

**§ 186-8 Penalties.**

Any person violating any provisions of this section shall, upon conviction thereof, be punished by a forfeiture not to exceed \$10.

## Chapter 195 Building Construction

**[HISTORY: Adopted by the Common Council of the City of New London as indicated in article histories. Amendments noted where applicable.]**

Article I  
**Building Codes, Permits and Building Inspector**

[Adopted as §§ 14.01 to 14.09 of the 1982 Municipal Code]

§ 195-1 **Title.**

Articles **I** through **VII** of this chapter shall be known as the "Building Code of the City of New London" and will be referred to in those article as "this chapter."

§ 195-2 **Purpose.**

This chapter provides certain minimum standards, provisions and requirements for safe and stable design, methods of construction and uses of materials in buildings and/or structures hereafter erected, constructed, enlarged, altered, repaired, moved, converted to other uses or demolished, and regulates the equipment, maintenance, use and occupancy of all such buildings and/or structures. Its purpose is to protect and foster the health, safety, and well being of persons occupying or using such buildings and the general public.

§ 195-3 **Scope.**

New buildings hereafter erected in or any building hereafter moved within or into the City shall conform to all the requirements of this chapter except as they are herein specifically exempted from part or all of its provisions. Any alteration, enlargement or demolition of an existing building and any installation therein of electrical, gas, heating, plumbing or ventilating equipment which affects the health or safety of the users thereof or any other persons is a "new building" to the extent of such change. Any existing building shall be considered a "new building" for the purposes of this chapter whenever it is used for dwelling, commercial or industrial purposes unless it was being used for such purpose at the time this chapter was enacted. The provisions of this chapter supplement the laws of the State of Wisconsin pertaining to construction and use and the Zoning Code of the City and amendments thereto to the date this chapter was adopted and in no way supersede or nullify such laws and the said Zoning Code.

§ 195-4 **Building Inspector.**

- A. General powers and duties. The Building Inspector shall enforce the provisions of this chapter and of all other ordinances and the laws and orders of the State of Wisconsin which relate to building construction, plumbing and electrical installations and for these purposes may at all reasonable times enter buildings and premises. He may pass upon any questions arising under the provisions of this chapter relating to buildings, subject to conditions contained in this chapter. No person shall interfere with the said Inspector while in the performance of the duties prescribed in this chapter. He shall direct the activities of the Assistant Building Inspector. Any person feeling himself aggrieved by any order or ruling of the Building Inspector may within 20 days thereafter appeal from such order or ruling to the Board of Zoning Appeals, such an appeal to be in writing.
- B. Qualifications.
- (1) The Building Inspector shall have the necessary qualifications required by the State of Wisconsin to supervise the general construction of buildings.
  - (2) The Building Inspector shall be certified by the Wisconsin Department of Safety and Professional Services to administer and enforce all the provisions of the Wisconsin Uniform Dwelling Code.
- C. Records. The Building Inspector shall keep a record of all applications for building permits in a book and regularly number each permit in the order of issuance. He shall keep a record showing the number, description and size of all buildings erected during his term of office, indicating the kind of materials

used, the cost of each building and the aggregate cost of all buildings of the various classes. He shall keep a record of all inspections made and of all removal and condemnation of buildings. He shall make a monthly report to the Council on the above matters.

§ 195-5 **Building permits and inspection.**

- A. Permit required. No building of any kind shall be moved within or into the City and no new building or structure, or any part thereof, shall hereafter be erected, or ground broken for the same, or enlarged, altered, moved, demolished or used within the City, except as herein provided, until a permit therefor shall first have been obtained by the owner, or his authorized agent, from the Building Inspector.
- B. Application. Application for a building permit shall be made in writing upon a form furnished by the Building Inspector and 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 to be located, the name and address of the designer, the use to which said building is to be put, and such other information as the Building Inspector may require.
- C. Dedicated street required. No building permit shall be issued unless the property on which the building is proposed to be built abuts a street that has been dedicated for street purposes.
- D. Utilities required. No building permit shall be issued for the construction of any residential building until sewer, water, grading and graveling are installed in the streets necessary to service the property for which the permit is required, and a receipt for payment of electrical hook-up is presented to the Building Inspector. No building permit shall be issued for the construction of any building other than residential until contracts have been let for the installation of sewer, water, grading and graveling in the streets necessary to service the property for which the permit is requested. No person shall occupy any building until sewer, water, grading and graveling are installed in the streets necessary to service the property and a certificate of occupancy shall not be issued until such utilities are available to service the property.
- E. Plans. With such application there shall be submitted a complete set of plans and specifications, including a plot plan showing the location of the proposed building with respect to adjoining roads, highways, streets, alleys, lot lines and buildings. Plans for buildings involving the State Building Code shall bear the stamp of approval of the State Department of Safety and Professional Services . One plan shall be submitted which shall remain on file in the office of the Building Inspector. All plans and specifications shall be signed by the designer. Plans for all new one- and two-family dwellings shall comply with the provisions of Wis. Adm. Code § SPS 320.09(4).
- F. Waiver of plans. If the Building Inspector finds that the character of the work is sufficiently described in the application, he may waive the filing of plans for alterations, repairs or moving.
- G. Approval of plans. If the Building Inspector determines that the building will comply in every respect with all ordinances and orders of the City and all applicable laws and orders of the State of Wisconsin, he shall issue a building permit, which shall state the use to which said building is to be put, 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 above-mentioned ordinances, laws or orders, or which involves the safety of the building or the occupants, except with the written consent of the Building Inspector. In case adequate plans are presented for part of the building only, the Building Inspector, at his discretion, may issue a permit for that part of the building before receiving the



plans and specifications for the entire building. No work is to be started unless a proper grade has been reviewed by the Director of Public Works, including the grade for sidewalks, curb and gutter, driveways and general construction.

H. Fees for building permits and inspections.

~~(1) At the time the application for a building permit or other designated permit is filed the applicant shall pay the following fee: [Amended by Ord. No. 972; Ord. No. 1137; Ord. No. 1192; Ord. No. 1318]~~

Type	Fee	Minimum Fee, If Applicable
<b>New Homes</b>		
<del>Single Family Dwellings Includes Construction, HVAC, Plumbing and Electric</del>		
<del>Base fee—up to 800 square feet finished</del>	<del>\$320</del>	
<del>Additional finished space</del>	<del>\$0.25/square foot</del>	
<del>Unfinished space—basements, decks, porches and attached garages</del>	<del>\$0.10/square foot</del>	
<del>Plan review</del>	<del>\$30</del>	
<del>UDC seal</del>	<del>\$35</del>	
<del>Sewer connection fee</del>	<del>\$500</del>	
<del>Zoning</del>	<del>\$25</del>	
<del>Occupancy</del>	<del>\$25</del>	
<del>Erosion Control</del>	<del>\$40</del>	
<del>Duplexes</del>	<del>Same as Single Family</del>	
<del>Mobile Homes</del>	<del>\$150</del>	
<b>Residential Additions/Alterations</b>		
<del>1 family and 2 family dwellings</del>	<del>Base fee = \$100 + \$0.25/square foot</del>	
<b>Garages and Storage Buildings</b>		
<del>Up to 120 Square Feet</del>	<del>No Fee</del>	
<del>121 to 240 Square Feet</del>	<del>\$50</del>	
<del>&gt;240 Square Feet</del>	<del>Base fee = \$50 + \$0.15/square foot</del>	
<b>Other Permits</b>		
<del>Driveways</del>	<del>\$40</del>	
<b>Decks and Patios</b>		
<del>Up to 120 square feet</del>	<del>\$25</del>	
<del>120 square feet and larger</del>	<del>\$50</del>	
<b>Fences</b>		
<del>Residential</del>	<del>\$25</del>	
<del>Commercial</del>	<del>\$50</del>	
<del>Siding Replacement</del>	<del>\$35</del>	
<del>Window Replacement</del>	<del>\$35</del>	
<b>Reroofing</b>		
<del>Without Sheathing</del>	<del>No Permit</del>	
<del>With Sheathing Replacement</del>	<del>\$35</del>	
<b>Building Demolition—Residential or Commercial</b>		
<del>&lt;1,000 square feet</del>	<del>\$50</del>	
<del>&gt;1,000 square feet</del>	<del>\$100</del>	
<b>Moving Permits</b>		

Type	Fee	Minimum Fee, If Applicable
Up to 700 square feet	\$25	
>700 square feet	\$50	
Street Excavations	\$25	
Street Excavations with sewer or water repair	\$50	
<b>Erosion Control</b>		
Residential	\$40	
Commercial	\$100	
Sewer connection fee	\$500	
<b>Sign Permits</b>		
Ground, pole or wall (per sign)	\$50	
Temporary signs	\$25	
Plumbing—Residential and Commercial	\$35 + \$7 per fixture	
<b>Residential Electric</b>		
Service upgrade	\$50	
All other work	\$40 + \$0.03/square foot	Minimum \$50
<b>Residential HVAC</b>		
Replacement Furnace or A/C	\$35 per unit	
New Installation	\$35 + \$0.03/square foot	
<b>Commercial Buildings</b>		
<b>New Buildings</b>		
Additions	\$500 + \$0.06/square foot	
Alterations	\$400 + \$0.06/square foot	
Multifamily Dwellings	\$300 + \$0.06/square foot	
Multifamily Dwellings	\$650 + \$75 per unit	
<b>Commercial HVAC</b>		
New Installations	\$50 + \$0.05/square foot	Minimum \$100
Replacement units	\$50 per unit	
Commercial Electric	\$50 + \$0.06/square foot	Minimum \$100
(Work valued at \$1,000 or less)	No Permit	
Commercial Zoning	\$50	

(2) Failure to obtain permit prior to starting work: Double all fees.

- I. Minor repairs and alterations. The Building Inspector may authorize minor repairs or alterations which do not change the occupancy area, structural strength, fire protection, exits, light or ventilation of the building without requiring a building permit to be issued.
- J. Inspection of work. The builder shall notify the Building Inspector when ready and the Building Inspector shall inspect all buildings upon the 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 shall make a final inspection of all new buildings, alterations, and existing buildings put to new uses. If he finds that the work conforms to the provisions of this chapter, he shall issue a certificate of occupancy which shall contain the date and the result of such inspection, a duplicate of which shall be filed in the office of the Building Inspector.
- K. Issuance and revocation of permit. No new building shall be occupied or otherwise used prior to the issuance of an occupancy permit. The permit may be revoked at the discretion of the Building Inspector upon 30 days' notice to the user or occupant of the building.
- L. Permit lapses. A building permit shall lapse and be void unless building operations are commenced

within six months, or no significant progress has been made within one year, from the date of issuance thereof.

- M. Revocation. If the Building, Electrical or Plumbing Inspector shall find at any time that applicable ordinances, laws, orders, plans and specifications are not being complied with, and that the holder of the permit refused to conform after written warning or instruction has been issued to him, he 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, except such work as the Building, Electrical or Plumbing Inspector may order to be done as a condition precedent to the reissuance of the permit or as he may require for the preservation of human life and safety.
- N. Report of violations. The police or other City officers shall report at once to the Building Inspector any building which is being carried on without a permit as required by this chapter.

**§ 195-6 Construction of buildings.  
[Amended by Ord. No. 1089]**

A. State codes adopted. Wisconsin Administrative Codes Chs. ~~SPS 316, SPS 361 to 365~~ SPS 316, SPS 320 to 325, SPS 361 to 366, SPS 380 to 387 are hereby adopted by reference and made a part of this chapter with respect to those classes of buildings to which said Chapters ~~SPS 361 to 365~~ SPS 316, SPS 320 to 325, SPS 361 to 366, SPS 380 to 387 and SPS specifically apply. Any future amendments, revisions and modifications of said Chapters ~~SPS 361 to 365~~ SPS 316, SPS 320 to 325, SPS 361 to 366, SPS 380 to 387 and SPS incorporated herein are intended to be made a part of this chapter. A copy of said Chapters ~~SPS 361 to 365~~ SPS 316, SPS 320 to 325, SPS 361 to 366, SPS 380 to 387 and SPS and amendments thereto shall be kept on file in the office of the Building Inspector.

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- (1) Terms. The building terms used in this chapter shall have the meaning given them by the State Building Code.
- (2) Dwellings. The term "dwelling" includes every building occupied exclusively as a residence by not more than two families.
- (3) Workmanship. Workmanship in the fabrication, preparation and the installation of materials shall conform to generally accepted as good practice.

~~B. Wisconsin Uniform Dwelling Code adopted.~~

- ~~(1) Wisconsin Administrative Codes Chs. SPS 320 to 325 are hereby adopted by reference and made a part of this chapter and shall apply to all new one and two family dwellings and all additions to existing and new one and two family dwellings.~~
- ~~(2) Wisconsin Administrative Code Chapters SPS 320 to 325 are hereby adopted by reference and made a part of this chapter and shall pertain to all remodeling or alterations in existing one and two family dwellings.~~

**§ 195-7 Accessory structures.**

A. Garages. Private garages shall be built in accordance to the general construction standards established in

the Wisconsin Uniform Dwelling Code. Private garages shall be located not less than three feet from the adjoining lot line and not less than five feet from any other building on the same premises when not a part of the building. If a greater distance is required by some other section of this chapter or by some other ordinance or regulation, the most rigid requirement shall be applicable. Whenever a garage is constructed as part of any building, the ceiling and the walls or wall separating the garage from other portions of the building shall be of not less than 45 minute fire-resistive construction as specified in ~~Wis. Adm. Code Chs. SPS 361 to 365, SPS 321.08.~~

- B. Accessory structure limitation. Accessory structures, as defined in 17.08-6(2) (§ **620-60B**) of this City's Code, shall be limited in capacity and number so that they do not cover more than 30% of the rear yard area of the lot they are situated on. The calculation of the rear yard area shall exclude the space occupied by a freestanding garage. **[Added by Ord. No. 677]**

§ 195-8 **New methods and materials.**

All materials, methods of construction and devices designed for use in buildings or structures covered by this chapter and not specifically mentioned in or permitted by this chapter shall not be so used until approved in writing by the State Department of Safety and Professional Services. 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 State Department of Safety and Professional Services. The date, tests and other evidence necessary to prove the merits of such material, method of construction or device shall be determined by the State Department of Safety and Professional Services.

~~§ 195-9 **Signs.**~~

- ~~A. **Permit required. No sign except those signs excepted in § 17.40(2) [??] of this Code shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered until a building permit is obtained from the Building Inspector.**~~
- ~~B. **Fee. The sign permit fee shall be \$7.50.**~~
- ~~C. **Additional requirements. All signs shall conform with the provisions of § 17.40 [??] of this Code.**~~

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~~Article II  
Fire Districts and Building Requirements~~

~~[Adopted as § 14.10 of the 1982 Municipal Code]~~

~~§ 195-10 **Fire district boundaries.**~~

~~All that part of the City described herein is designated as the fire district:~~

- ~~A. **All of Blocks 1, 2, 3, 4, 5, 6, 7 and 8 and Lots 1, 2 and 3 of Block 9, Reeder Smith Village Plat and all of the land not heretofore described lying north of North Water Street, east of St. John's Place and south and west of the Embarrass River.**~~
- ~~B. **All of Blocks 1, 2, 3, 4, 5, 7, 8 and 9; all of Lots 4, 5, 6, 7, 3, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 22 of Block 6 and all that land that lies between Lincoln Court and the east line of Lots 4 through 8 of said Block 6; the south 10 feet of Lot 3, Block 15; all of Lots 4, 5, 6, 7, 20 and 21 of Block 15; Lots 1, 2 and 3 of Block 12; all of Lots 13 and 14 of Block 13; Lots 5 and 6 of Block 16; all in Millard and Taft's Village Plat.**~~
- ~~C. **Lots 1, 2 and 3 of Block 11; Lots 4, 5 and 6 of Block 12; Lots 3, 4, 5 and 6 of Block 15; Lots 1 and 2 of**~~

~~Block 16; Lots 1, 2, 3, 4, 9, 10, 11 and 12 of Block 19; Lots 3, 4, 5, 6, 7 and 8 of Block 20; all of Block 23; Lots 1, 2, 3, 4, 11 and 12 of Block 24; the west 1/2 of Lot 10, all of Lots 1, 2, 11 and 12 of Block 27; all of Block 28; Lots 1, 2, 3 and 4 of Block 57; Lots 1, 2, 3, 4, 5, 6, 7 and 8 of Block 58; all in Reeder-Smith Village Plat.~~

~~D.— All that part of Blocks 122, 123 and 125 of Bannister, Bowen and Smith's addition that is zoned by the Zoning Code as a business district.~~

~~E.— All land, not heretofore described, that is now zoned by the Zoning Code as a business district.~~

~~F.— All lands that may hereafter be properly zoned or rezoned by a City ordinance as a business district.~~

~~§ 195-11 Definitions.~~

~~The terms "fire-resistive construction," "mill construction," "ordinary construction," "frame construction" and "fire-retardant roof covering" shall have the meanings as defined in Wis. Adm. Code §§ SPS 375.02, 375.03, 375.04, 375.05 and 375.07.~~

~~§ 195-12 Regulations within fire districts.~~

~~A.— 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 chapter. Enclosing walls, division walls and party walls shall be of four-hour fire-resistive walls of a construction as provided in Wis. Adm. Code § SPS 375.08, which is hereby made a part of this subchapter with respect to all buildings and structures within the fire district. No building of frame construction shall hereafter be built within or moved into the fire district.~~

~~B.— Exceptions. No building of frame construction shall be constructed within the fire district, except the following:~~

~~(1) Temporary one-story frame buildings for use of builders.~~

~~(2) One-story sheds not over 15 feet high, open on the long side and with an area not exceeding 500 square feet. A wooden fence shall not form the back or side of such sheds.~~

~~(3) Greenhouses not more than 15 feet in height.~~

~~(4) Private garages for not more than two noncommercial automobiles, if not over 15 feet high and not more than 750 square feet in area, having exterior walls of metal, concrete or masonry, located on the same lot with a dwelling.~~

~~(5) 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 or 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 10 feet on all sides. Walls having a horizontal separation of less than 10 feet shall have a fire-resistive rating of not less than one hour.~~

~~§ 195-13 Fire-retardant roofing.~~

~~A.— Every roof hereafter constructed within the fire district, including buildings listed in § 195-12 above, shall be covered with a roofing having a fire-resistive rating equivalent to Class "B" or better of the~~

~~Underwriter's Laboratories, Inc., classification.~~

~~B. No roofing on an existing roof shall be renewed or repaired to a greater extent than 1/10 of the roof surface, except in conformity with the requirements of Subsection A above.~~

~~§ 195-14 Condemnation of buildings as fire hazards.~~

~~Whenever the Fire Chief shall condemn any frame building within the fire limits as a fire hazard because of its condition or location in reference to other buildings, the Building Inspector shall serve written notice upon the owner to, within 10 days, start to remove or raze such building and to give a reasonable time within which to complete such removal or razing. Should the owner refuse or neglect to remove or raze such building within the time specified, the Building Inspector shall have the work done and assess the cost thereof against the property of the same as taxes.~~

~~§ 195-15 Razing of old or damaged buildings.~~

~~Any existing building of frame construction within the fire limits which may hereafter be damaged by fire, or which has deteriorated to any amount greater than 50% of its value, exclusive of the foundation, as determined by the City Assessor, shall not be repaired or rebuilt, but shall be removed by the Building Inspector under the provisions of § 66.0413, Wis. Stats.~~

### Article III Unsafe Buildings and Demolition

[Adopted as §§ 14.11 and 14.11m of the 1982 Municipal Code]

§ 195-16 **Unsafe buildings.**

Whenever the Building Inspector finds any building or part thereof within the City to be in his judgment so old, dilapidated or so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use, and so that it would be unreasonable to repair the same, he shall order the owner to raze and remove it at the owner's option. Such order and proceedings shall be carried out in the manner prescribed for the razing of buildings in § 66.0413, Wis. Stats. Where the public safety requires immediate action, the Building Inspector shall enter upon the premises with such assistance as may be necessary, and cause the building or structure to be made safe or to be removed, and the expenses of such work may be recovered by the City in an action against the owner or tenant.

§ 195-17 **Demolition of buildings.**

[Added by Ord. No. 1200]

A. Findings regarding demolition of structures: The City of New London finds that demolition, unless properly and timely conducted, presents a hazard to public safety and can have a blighting effect on the City neighborhoods.

§ 195-18 **Definitions.**

As used in this article, the following terms shall have the meanings indicated:

#### **DECONSTRUCTION**

Nonstructural deconstruction, also known as "soft stripping" which consists of reclaiming non-structural components, appliances, doors, windows and finish materials.

#### **DEMOLITION**

The total removal of a building or structure, including the foundation, and the termination of all utilities

per local and state codes.

**§ 195-19 Permit required for demolition.**

No person may demolish any structure enclosing more than 200 square feet of floor area or footprint or may demolish any structure that is more than 20 feet high unless a Demolition Permit to do so has first been obtained from the Building Inspector as provided in this article. Such Demolition Permit is valid for 30 days from issuance, except that the Building Inspector may grant one thirty-day extension for cause. The requirements for the demolition permit stated in this article are in addition to any other federal, state or City regulations and permits that may apply.

**§ 195-20 Required steps for demolition of structures.**

Any person wishing to demolish a Structure must comply with the following required steps:

- A. Complete the application for a Demolition Permit on the form provided by the Building Inspector.
- B. Pay all applicable fees.

**§ 195-21 General conditions applicable to all demolition projects.**

- A. All work must be conducted in a manner that protects life and property, including neighboring parcels and public property. The contractor shall provide and maintain barricades, lights, fencing, flagmen, watchmen, and such other facilities or personnel as may be necessary and prescribed by the Building Inspector or Department of Public Works.
- B. Existing trees, shrubs, and grass areas that do not have to be disturbed must be preserved, including replacement if damaged in conjunction with demolition work;
- C. All dry mortar, lime, brick dust, or other flying material, before and during removal, must be dampened sufficiently to prevent it from floating or being blown into the street or on adjoining property, and all sidewalks must be protected by fences and scaffolds to the satisfaction of the Building Inspector;
- D. The owner and/or contractor is responsible for cleaning and repairing streets, curbs, driveways, sidewalks, and alleys that were damaged or soiled or upon which materials were deposited as a result of any Demolition activity to the satisfaction of the Building Inspector;
- E. Waste material and rubbish may not be stored nor allowed to accumulate within the Building or in the immediate vicinity, but shall be removed from the premises as rapidly as practicable; all materials deposited as a result of any Demolition activity to the satisfaction of the Building Inspector;
- F. Burning and/or brick cleaning are not permitted on the job site;
- G. No decomposable material or material that contains debris may be used as fill;
- H. Owner is responsible for the successful germination of seed and ongoing condition of the site until vegetation is re-established, including dust control and erosion;
- I. The contractor shall furnish, install, and maintain ample sanitary facilities for workers;
- J. Upon failure by the owner to comply with this section, the Building Inspector may enter upon the premises with such assistance as may be necessary, causing the existing conditions to be corrected and

the cost thereof charged against the property. The resulting lien thereon will be collected as a special tax;

- K. All wells, underground storage tanks, septic tanks, and other subterranean structures must be abandoned or removed in accordance with this section and applicable state and federal law;
- L. No material may be stored within the public right-of-way without the approval of the Department of Public Works;
- M. The site shall be restored and ~~backfilled~~ back filled, or construction of a new permitted structure commenced, within 30 days of completion of demolition.

**§ 195-22 Special conditions applicable to commercial and manufacturing demolition projects.**

Prior to the issuance of a demolition permit for a commercial or manufacturing structure the owner must provide the following to the City Clerk:

- A. Financial sureties as described in § 620-22A of this Code.
- B. Written proof that all property and personal taxes owed on the structure are paid.

**§ 195-23 Deconstruction without demolition not allowed.**

All demolition permits will require the structure to be removed as described in the permit. No "soft stripping" of any structure will be allowed without demolition.

**§ 195-24 Penalties and completion of performance.**

Each day of violation of any provision of this article shall be considered a separate violation subject to the penalty provisions of § 620-22D of this Code. The City Administrator may direct that any requirement of this article which has not been performed by the owner of a property subject to demolition permit requirements be performed by City employees or third-party contractors and that the cost of such work, including administrative costs, be placed on the property tax bill of the property pursuant to § 66.027, Wis. Stats.

**§ 195-25 Fees.**

~~The following fees are hereby established:~~

- ~~A. A fee of \$50 applies to the Demolition of any structure greater than 200 and up to 1,000 square feet; and~~
- ~~B. A fee of \$100 applies to the Demolition of any structure 1,000 square feet or larger; and~~
- ~~C. The fee for a thirty day extension of the permit (which fee may be reduced by the Building Inspector on a finding of hardship) shall be half of the original permit fee. Adopt a fee schedule resolution for all City fees~~

Article IV

**Salvage of Nonstructural Materials from Vacant Building**

[Adopted by Ord. No. 1302 (§ 14.11S of the 1982 Municipal Code)]

**§ 195-26 Purpose.**

The purpose of this article is to regulate the removal of salvageable materials from vacated buildings, not otherwise occurring as part of an approved demolition plan or for the purposes of remodeling, for any purpose other than personal re-use by the owner or personal re-use or required removal by a tenant of the



property from which it was removed, without immediate functional replacement thereof.

**§ 195-27 Authorities.**

Building Inspector.

**§ 195-28 Definitions.**

As used in this article, the following terms shall have the meanings indicated:

**CODE OFFICIAL(S)**

Building Inspector.

**ISSUING BODY**

Refers to the Code Official.

**OPERATOR**

Any person, corporation or other business entity or holder of a security interest that undertakes the removal of salvageable material from a vacated building within the jurisdictional limits of the City of New London, or which directs or allows such removal.

**OWNER**

The title holder(s) to real property on which stands any vacated building or structure from which any salvageable material is removed.

**SALVAGEABLE MATERIAL**

A. Real or tangible personal property that:

- (1) Is man-made;
- (2) Is affixed to real property or any improvement to real property;
- (3) Is detachable from real property or any improvement to real property;
- (4) Is removed for potential or intended re-use, repurposing or scrap.

B. Such materials shall include any such materials that were detached from real property or any improvement to real property without a permit after the effective date of this article.

**TENANT**

A person or entity entitled by written agreement to occupy the building or structure, or portion of the building or structure, from which any salvageable material is removed.

**VACATED BUILDING**

A building or structure, or portion of a building or structure, that had a principal nonresidential use as its most recent use allowed by law, which principal use has ceased. The cessation of the primary activities constituting the principal use shall be determinative of whether the principal use had ceased. The presence of personnel in the building or structure is not determinative of whether the use has ceased.

**§ 195-29 Exclusions.**

This article does not apply to the following:

- A. Salvaging operations at structures where its most recent allowable use by law was residential;
- B. Salvage operations at nonresidential structures under 200 square feet;
- C. Items/materials removed where replacement will occur as part of a remodeling process over time, pursuant to a valid and subsisting building, heating, plumbing, or electrical permit;
- D. Salvaging operations that occur as part of an approved demolition plan, pursuant to a valid demolition permit or otherwise, in which the permit holder/owner/operator is obligated to complete said demolition within a specified time frame;
- E. Equipment, items or supplies removed by the owner for personal re-use; and
- F. Equipment, items or supplies owned and removed by the tenant during the term of a written lease.

**§ 195-30 Recycling.**

- A. The permit holder shall cause to be salvaged, reused or recycled all of the following material/items removed and debris produced on site as part of the salvaging permit activities:

- (1) Wood that has not been rendered ~~nonrecyclable~~ non-recyclable or non-~~reusable~~ reusable by the application or attachment of paint, stains, varnish or other liquids or solids;
- (2) Non-toxic metals; and
- (3) Non-asbestos containing shingles.

- B. The City of New London, by recommendation of the Code Official, maintains the right to suspend requirements of this section if the market for above materials changes, making compliance unattainable, or if the condition of the material(s) and/or proximity to recycling/re-use facilities makes compliance impracticable, as determined by the Code Official.

**§ 195-31 Partial exemption.**

A partial exemption is allowed under this article for items and materials removed for the sole purpose of historical or cultural preservation. A request for exemption shall be filed with the City Clerk on forms created by the Code Official and provided by the City of New London. The request for exemption shall include documentation of historical or cultural significance acceptable to the Code Official, which may include written request for preservation by historic society or equivalent.

**§ 195-32 Permit.**

No person, corporation or other business entity or holder of a security interest may remove, direct the removal of, or allow to be removed any salvageable material from a vacated building unless such removal is performed pursuant to a permit granted by the issuing body and issued to the applicant pursuant to this article. The owner and permit holder shall be jointly responsible for complying with any permit issued pursuant to this article.

**§ 195-33 Permit application.**

- A. The applicant may be the owner of the real estate, or a contractor hired by the owner, tenant or the holder of a security interest in the property, vacated building or structure, or the salvageable material. Under all circumstances, the applicant, if other than the owner, shall be jointly and severally responsible

for compliance with the terms of this article.

B. Application for a permit, whether initial or renewal, shall be filed with the City Clerk on forms provided by the City of New London. The application shall include:

- (1) Location and square footage of occupiable space in building(s).
- (2) Name, address and contact information of owner of the building(s).
- (3) Names, addresses and contact information for contractors engaged to carry out the activity.
- (4) Plan for removal of salvageable material including the following details:
  - (a) Project schedule and budget.
  - (b) Inventory and projected quantities (by weight or volume) of materials to be removed from the building for salvage purposes.
  - (c) Proposed disposition of salvageable materials.
  - (d) Dust, noise and odor control.
  - (e) Hours of operation.
  - (f) Fire suppression.
  - (g) Traffic safety and public infrastructure protection.
  - (h) Site security.
  - (i) Building and grounds management and restoration.
  - (j) Proposed post-salvage property ownership and use, if known.
- (5) Plan for removal of hazardous wastes/materials.
  - (a) Hazardous materials inventory including raw materials, waste materials, asbestos containing materials, and (with respect to any portion of the building, structure or salvageable material to be altered in the course of the work) an inventory of lead painted surfaces and PCB-containing materials.
  - (b) Hazardous materials handling, management and disposal prior to salvaging.
  - (c) Proposed environmental monitoring or remediation.
- (6) Plan for disposal of waste, including proposed disposition.
- (7) Proof of required demolition/renovation notifications to the appropriate State regulatory agencies.
- (8) The Issuing Body may require additional information of a specific applicant.

- C. A permit fee must accompany the application. Permit fees shall be established by resolution of the City Council.

§ 195-34 **Permit grant.**

- A. The granting of permits shall be conducted on a single tiered system. Occupiable space shall be calculated as one total for all buildings covered under the permit.
- B. Permit applications for a vacated building having occupiable space over 200 square feet shall be reviewed and decided upon by the Code Official pursuant to this article.
- C. In granting the permit, the Code Official shall address the following matters: the amount of the irrevocable standby letter of credit to be required of the permit holder as a condition of issuance of the permit and as a requirement of operation; the justification for drawing against and content of the presentment required to draw against the irrevocable standby letter of credit; other state or local permits as required by law, rule, or regulation that must be obtained as a condition of issuance of the permit or as a requirement of operation; reasonable special operating requirements to be required of the permit holder in addition to those listed in § 195-37 herein; and such other matters or limitations as the Code Official determines is necessary to protect the public interest.

§ 195-35 **Irrevocable standby letter of credit.**

- A. As a condition of issuance of the permit, the permit holder shall provide to the issuing body and maintain in effect an irrevocable standby letter of credit naming the City of New London as beneficiary, in an amount required by the issuing body and in a form approved by the City Attorney. The City Attorney shall also approve the form and content of the draw order and all necessary presentment required to compel payment by the issuer to the City of all funds subject to the irrevocable standby letter of credit.
- B. The irrevocable standby letter of credit shall be the guarantee of performance by the permit holder. The irrevocable standby letter of credit must be issued by a financial institution certified by the state to conduct such business within ~~the State~~ the State of Wisconsin, allowing for direct draw by the City upon presentment to the issuing bank without court action and without approval by permit holder, to complete work or to repair damage that was the obligation of the permit holder. The irrevocable standby letter of credit must contain as part of its provisions that it will be maintained constantly in force as an obligation to the City for no less than one year after project completion as reasonably determined by the issuing body or one year after the expiration of a permit issued under this section to the permit holder, whichever is later.
- C. In considering the required amount of the irrevocable standby letter of credit the issuing body shall consider: the expertise of the applicant; the longevity of the applicant; the capitalization of the applicant; the scope of the proposed project; the cost of rectifying the possible environmental hazards that could be created; the effect of the proposed operation on the surrounding neighborhood; the cost of remediation of the City should the City have to address any matter due to the unwillingness or inability of the permit holder to fulfill its obligations.
- D. The Issuing Body may annually, upon documented request of the Permit Holder, review the pertinent facts and decide to reduce the amount of the required Letter of Credit in accordance with work completed or threats mitigated. In the extraordinary circumstance that the Issuing Body determines that

the requirement to obtain an Irrevocable Standby Letter of Credit is unreasonable, the Issuing Body may, in the exercise of its discretion, authorize one or more alternate forms of security in lieu of an Irrevocable Standby Letter of Credit.

§ 195-36 **Permit term and assignment.**

A permit issued to the applicant is limited to the permit holder and the term granted.

- A. Initial term. The initial term of any permit issued under this article shall be 90 days from the date of issue.
- B. Renewal term. There is no right or expectation of permit renewal. The permit may be renewed at the discretion of the issuing body upon application of a permit holder, filed with the City Clerk prior to expiration of the initial term or any renewal terms. Each renewal may be granted for up to 90 days.
- C. Assignment. No permit issued pursuant to this article is assignable or transferable without the advance written permission of the issuing body, which shall not be granted unless the permit holder and prospective assignee demonstrate to the satisfaction of the issuing body that assignee is capable of completing the project and all required forms of insurance and financial assurance are made effective prior to the assignment.

§ 195-37 **General operating requirements.**

The following general operating requirements shall apply to the permit holder and those working for permit holder subject to terms of the permit in accordance with the provisions of the article:

- A. The permit issued pursuant to this article shall be plainly displayed on the premises upon which the building is located.
- B. The building and premises shall, at all times, be maintained in as clean, neat and sanitary of a condition as such premises will reasonably permit.
- C. No garbage, refuse or other waste likely or susceptible to give off a foul odor or attract vermin shall be kept on the premises, except for domestic garbage kept in rodent-proof covered containers which are removed from the premises as often as necessary to provide a sanitary, odor free and vermin free environment.
- D. Work done under this permit shall be performance in accordance with the permit and is subject to inspection by the Code Official and other inspectors as provided in this article. Any violation of the Permit shall be deemed a violation of this article.
- E. As a condition of the Permit, a Permit Holder shall maintain insurance policies during the life of the permit in the following minimum amounts, which policies shall name the City of New London as additional insured and provide coverage for work performed on the property or associated with the work under the permit, and shall provide certificates issued by the carriers as proof of all required coverages:

~~(1) Automobile Liability (Owned, non-owned, leased):~~

~~(a) Bodily Injury: \$1,000,000 each occurrence.~~

~~(b) Property Damage: \$1,000,000 each occurrence.~~

~~(2) Pollution legal liability: \$5,000,000 each loss where risk is presented of exacerbation of existing environmental pollution or discharge of any hazardous waste to the environment or asbestos removal, abatement, remediation, or dumping/disposal in a federal or state regulated facility is required; the City may require a greater or lesser minimum amount down to and including \$0 of pollution legal liability insurance policy, depending on the circumstances of the project that is the subject of the permit.~~

~~(3) Workers' compensation: Statutory Limits.~~

~~(4) Umbrella Liability: \$2,000,000 over the primary insurance coverages listed above. Reference City of New London Insurance Requirement Policy~~

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- F. The Permit Holder shall also ensure that subcontractors have appropriate insurance as determined by the Issuing Body. This may include coverage under the Permit Holder's policy, individual coverage, or a combination thereof. The Issuing Body may also require subcontractors to obtain separate permits pursuant to this article based on the type of proposed activities or extent or complexity of the salvaging activities proposed.
- G. No scrap, salvage or debris which is temporarily stored on the premises shall be allowed to rest or protrude over any public rights-of-way or public property or become scattered about or blown off the premises.
- H. No mechanized process whatsoever shall be utilized on premises to reduce the volume of salvageable material or debris after such salvageable material has been detached from the real property, unless a special exception is provided by the issuing body in conjunction with a specific permit. Such prohibited mechanized processes include, but are not limited to, crushing and shredding.
- I. There shall be strict compliance with Chapter **620**, Article **V**, Performance Standards, of the New London Municipal Code related to noise control.
- J. There shall be strict compliance with Chapter **620**, Article **V**, Performance Standards, of the New London Municipal Code related to dust and erosion control.
- K. No premises or building subject to a permit shall be allowed to become a public nuisance or be operated in such a manner as to adversely affect the public safety, health, or welfare.
- L. There shall be full compliance with the City Building, Fire and Health Codes and with all other City, county, state and federal laws, rules or regulations which may be applicable.
- M. The permit holder shall, during the salvage process, maintain the work site in a safe and secure condition.
- N. The permit holder shall keep a log of all shipments to and from the work site during the project, including the date, time, transport company, vehicle license number, and description of type and amount of material transported.
- O. The permit holder must provide to the Code Official, and must maintain current, a list of contractors doing work that is subject to a permit issued pursuant to this article, which list of contractors shall

include proof of valid and subsisting policies of insurance in satisfaction of the general operating requirements specified herein. As used herein, the phrase "maintain current" means that the list filed with the City is updated by the permit holder as necessary to comply with the article prior to each contractor commencing work pursuant to the permit.

- P. The permit holder shall promptly notify the Code Official of the identity, function and insurance coverage of any new contractor, sub-contractor or other person or entity not specifically identified in the permit that is conducting operations at the property related to removal of salvageable material.
- Q. The Permit Holder shall identify, handle, manage, store, and dispose of all wastes, lead, asbestos, waste oils, hazardous materials and hazardous substances as provided in the approved permit plan and as otherwise directed by the City should changing conditions require additional work or precautions to protect the public safety, health or welfare or comply with any other applicable ordinance, law or regulation.
- R. The permit holder shall dispose of building debris in a licensed landfill, except for salvaged and recycled materials.
- S. At any time, the permit holder shall produce to the Code Official documentation that disposition of materials occurred in compliance with the approved permit and disposition plans.
- T. The Permit Holder shall be responsible for disconnections of utilities, including plumbing and electrical, necessary for safe conduct of the salvaging process, and shall provide evidence that the necessary disconnections have been accomplished.
- U. The Permit Holder shall restore the site and/or vacated building to the conditions set forth in the approved Permit.
- V. The Permit Holder shall comply with all orders the Issuing Body imposed upon granting of the Permit or at any other time.
- W. The Irrevocable Standby Letter of Credit imposed as a condition of issuance of the permit shall be maintained in full force and effect at all times until one year following the Issuing Body's finding of project completion.

§ 195-38 **Inspections.**

- A. Permit Holders and property owners shall allow authorized inspection by representatives of any Department of the City and authorized representatives of the State of Wisconsin having enforcement powers to inspect the premises subject to the Permit, with or without advanced notice, as often as may be required to allow said representatives to perform their duties and assure compliance with this article as well as state and federal laws, without first obtaining a special inspection warrant. Inspections shall be made during normal hours of business operation except when the presence of emergency circumstances which require prompt action to protect the public health, safety and welfare or to preserve evidence of noncompliance with this article or state or federal laws.
- B. Inspection may include inspection of the entire property subject to the permit, including buildings, structures, basement, subbasements, vaults, and other areas of the property.

- C. The unreasonable failure to allow inspections shall be grounds for denial, suspension or revocation of the permit.
- D. Inspections may include, but are not limited to, taking wipe samples; waste, structural or product sampling; sampling of pits; the logging, gauging and sampling of existing wells; videotaping, preparing site sketches; taking photographs; testing or sampling the groundwater, soil, surface water, sediments, air, soil vapor or other material.

§ 195-39 **Immediate cessation orders.**

- A. If in the opinion of the Code Official the public is subject to imminent danger due to violation of any one or combination of more than one of the general operating requirements, the code official shall issue an order to the violator or the permit holder requiring immediate cessation of those operations giving rise to the imminent danger. The recipient of any such order shall cause such operations to cease as directed by the Code Official.
- B. Failure to maintain insurance or a Letter of Credit as required, or to permit inspection as required are each per se violations implicating imminent danger to the public necessitating an order to cease all operations. In the event that an order to the Permit Holder requiring immediate cessation is issued by the Code Official, such order may be appealed to the Board of Appeals. The Board of Appeals, after hearing from the Code Official, the Permit Holder, and the public, shall affirm the order, reverse the order, or modify the order. The decision made by the Board of Appeals may be appealed to the Circuit Court of the County the property is located in by either the Code Official or the Permit Holder in accordance with the procedure of the City.

§ 195-40 **Non-renewal, suspension or revocation hearings.**

- A. There is no right or expectation of permit renewal. The permit may be renewed at the discretion of the Issuing Body upon application of a Permit Holder as described in § 195-36.
- B. Non-renewal, suspension, and revocation appeal hearings shall be held before the Board of Appeals, which shall submit a report to the City Council, including Findings of Fact, Conclusions of Law, and a recommendation as to what action, if any, the City Council should take with respect to the permit. The Board of Appeals shall provide the Code Official and the Permit Holder with a copy of the report. Either the Code Official or Permit Holder may make an objection, orally or in writing, to the report and shall have the opportunity to present arguments supporting the objection to the City Council. The City Council shall determine whether the arguments shall be presented orally or in writing, or both. If the City Council, after considering the Board of Appeals report and any arguments presented by the Code Official and Permit Holder, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal, the permit shall be suspended, revoked or not renewed as provided by law. If the City Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose permit is affected.

§ 195-41 **Violations and liability.**

- A. It shall be a violation of this article to perform, conduct, direct or allow removal of salvageable material except in conformance with a valid permit issued pursuant to this article.
- B. It shall be a violation of this article to disobey or act contrary to any order issued pursuant to this article.



- C. The owner and permit holder shall be jointly and severally liable for any violation of this article and any violation of any condition of permit pursuant to this article, whether caused by act or omission, including applicable fines and penalties together with the City's costs of enforcement, including attorneys' fees.
- D. Any Operator involved in the violation of this article shall be found to have committed a separate violation for which it shall be fully liable, including applicable fines and penalties together with the City's costs of enforcement, including attorneys' fees.

**§ 195-42 Enforcement, fines and penalties.**

The Code Official shall have the primary responsibility to enforce this article. Violations of this article shall be subject to the general provisions of § 1-4 of the New London Municipal Code. Fines and penalties for violations of this article shall provide sufficient incentive to deter violators and continued violations and may be up to \$1,000 per day. For the purpose of calculating fines and penalties, each day of continuing violation shall constitute a separate offense. Any violation of this article constitutes a public nuisance and a hazard to the safety of residents of the City and to the protection of property, and in addition to any other remedies provided or allowed, the City may apply to a court of competent and local jurisdiction for injunctive relief and the assessment of damages including attorney's fees and costs.

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**§ 195-43 Reporting.**

- A. Permit holders shall provide reports to the Code Official in accordance with the reporting requirements specified in the Permit as approved by the Issuing Body. These reports shall include the following:
  - (1) Salvageable materials report that identifies the type, quantity and disposition of salvageable materials removed from the property during the reporting period and supporting documentation.
  - (2) Hazardous wastes/materials report that identifies the type, quantity and disposition of hazardous wastes/materials removed from the site during the reporting period. This report should be accompanied by supporting documentation of disposal, name and contact information on haulers, and copies of any applicable permits/exemptions.
  - (3) Waste report that identifies the type, quantity, and disposition of waste materials removed from the site during the reporting period and supporting documentation.
  - (4) Any instances of environmental monitoring performed during the reporting period and the results of same.
- B. These reports shall also include:
  - (1) Supporting documentation of removal and disposition of materials which shall include weigh tickets, bills of lading, sales receipts, chain of custody logs or equivalent documentation.
  - (2) A statement by the Permit Holder that documentation supporting compliance with this article will be maintained for two years from submission of the reports.
  - (3) A statement from the Permit Holder that the information in the reports is truthful and accurate.

Article V

## **~~State Codes Applicable~~**

~~[Adopted as § 14.13 of the 1982 Municipal Code]~~

### ~~§ 195-44 Application of State Codes.~~

~~Wis. Adm. Code Chapter SPS 320 through 325 and 361 to 365, the State Electrical Code, the State Plumbing Code, the State Flammable Liquids Code and the State Well Drilling Code are hereby adopted by reference and the Building Inspector shall enforce the provisions thereof. Any violation of said codes or amendments thereto shall constitute a violation of this chapter, whether unlawful building alteration, installation, moving or construction involved is specifically covered by other provisions of this chapter or not, and shall render the violator liable to the penalties contained herein.~~

## Article VI

### **~~Nonassumption~~ Non-Assumption of Liability**

~~[Adopted as § 14.14 of the 1982 Municipal Code]~~

#### § 195-45 Construal of provisions.

This chapter shall not be considered as assuming any liability on the part of the City or any official or employee thereof for damages to anyone injured or for any property destroyed by and defect in any building or equipment or in any plumbing, heating or electric wiring or equipment.

## Article VII

### **Penalties**

~~[Adopted by Ord. No. 863 (§ 14.15 of the 1982 Municipal Code)]~~

#### § 195-46 Violations and penalties.

Any building or structure hereafter erected, enlarged, altered, repaired or moved, or any use hereafter established in violation of the provisions of this chapter shall be deemed an unlawful building, structure or use. The Building Inspector shall promptly report all such violations to the City Attorney, who shall bring an action to enjoin the erection, enlargement, alteration, repair or moving of such building or structure or the establishment of such use, or to cause such building, structure or use to be removed and may also be subject to a penalty as provided in § 1-4 of this Code. In any such action, the fact that a permit was issued shall not constitute a defense, nor shall any error, oversight or dereliction of duty on the part of the Building Inspector constitute a defense. Compliance with the provisions of this chapter may also be enforced by injunctive order at the suit of the owner or owners of any real estate within the jurisdiction of this chapter. Any person who fails to abide by a lawful order issued by the Building Inspector pursuant to this chapter shall be subject to the penalties provided in § 1-4 of this Code.

## ~~Article VIII~~

### ~~Satellite Television Antenna Permit~~

~~[Adopted by Ord. No. 710 (Ch. 14, Subchapter IV, of the 1982 Municipal Code)]~~

#### ~~§ 195-47 Permit required.~~

~~All persons installing satellite antennas within the City shall be required to obtain a permit. The cost of the permit shall be \$5. No satellite television antenna shall be erected, constructed, maintained or operated except in conformance with the following regulations.~~

#### ~~§ 195-48 Definitions.~~

~~As used in this article, the following terms shall have the meanings indicated:~~

~~**SATELLITE TELEVISION ANTENNA-**~~

~~An apparatus capable of receiving communications from a transmitter or a transmitter relay located in planetary orbit.~~

~~**USABLE SATELLITE SIGNAL-**~~

~~A satellite signal which, when viewed on a conventional television set, is at least equal in picture quality to that received from local commercial television stations or by way of cable television.~~

~~**§ 195-49 Satellite antenna location.-**~~

- ~~A.— In any business, commercial, agricultural or manufacturing zone, such antenna may be located anywhere on the lot or buildings thereon.~~
- ~~B.— In a residential zone, subject to the provisions contained herein, such antenna shall be located only in the rear yard of any lot. If usable satellite signal cannot be obtained from such rear yard, the antenna may be located on the side or front yard of the property, subject to the requirements contained in this article.~~
- ~~C.— In the event that a usable satellite signal cannot be obtained by locating the antenna on the rear, side or front yard of the property, such antenna may be placed on the roof of the dwelling structure or garage, provided that a building permit is obtained prior to such installation. Such permit shall be issued upon a showing by the applicant that a usable satellite signal is not obtainable from any other location on the property, and provided further, that the construction and erection otherwise is in compliance with the Building Code and the Electrical Code.~~

~~**§ 195-50 Antenna size.-**~~

- ~~A.— Roof mounted antenna shall not extend more than 10 feet above the height limit established for a zone in which the structure is located.~~
- ~~B.— Ground mounted antenna shall not exceed 15 feet in height above the ground. Such antenna shall not exceed 10 feet in diameter in a residential zone.~~
- ~~C.— Ground mounted antenna shall be located at least five feet from the nearest part of the main building on the same lot and at least five feet from any rear, front or side property line.~~
- ~~D.— Except in business, commercial, agricultural or manufacturing zones, antenna shall be located and designed to reduce visual impact from surrounding properties at street level and from public streets.~~
- ~~E.— Not more than one satellite antenna shall be allowed in any residential zone on any lot less than one acre in size.~~
- ~~F.— All antennas and the construction and installation thereof shall conform to applicable Building Code and Electrical Code regulations and requirements.~~
- ~~G.— Antenna shall meet all manufacturer's specifications, be of noncombustible and corrosive resistant material, and be erected in a secure, wind resistant manner.~~
- ~~H.— Every antenna must be adequately grounded for protection against a direct strike of lightning.~~

~~§ 195-51 Grandfather clause.~~

~~This article shall not affect any satellite antenna erected prior to June 28, 1985. Remove entire section~~

## Chapter 202

# Buildings, Numbering of

[HISTORY: Adopted by the Common Council of the City of New London as § 8.07 of the 1982 Municipal Code. Amendments noted where applicable.]

### § 202-1 Uniform numbering system established.

There is hereby established a uniform system of numbering houses and buildings fronting on all streets, avenues and public ways in the City, and all houses and buildings shall be numbered in accordance with the provisions of this chapter. There shall be a number in a conspicuous place fronting on a street, not less than three inches in height, on each of such buildings.

### § 202-2 Frontage assigned.

In numbering such buildings, a set of 100 numbers shall be assigned to each block and one number for each 20 feet of frontage in the business district on North Water and South Pearl Streets, not extending further west than Shawano Street and South to Beacon Avenue and one number for each 30 feet of frontage in the residence district of the City, using only as many numbers as may be found necessary to give one number to each 20 or 30 feet as the case may be.

### § 202-3 Base numbering established.

- A. On Pearl Street the numbers shall commence at the building on the west side of that Street which is nearest to the Wolf River, and therefrom be assigned progressively south. And on all streets on the south side of the Wolf River running north and south the blocks shall have the same numbers as the blocks on Pearl Street respectively east and west thereof. Law and Wallace Streets, Millard and Bruce Streets and Warren and Douglas Streets shall be considered as respectively continuous.
- B. On Beacon Avenue the numbers shall commence next to Pearl Street and therefrom be assigned progressively east and west and on streets on the south side of the Wolf River running east and west, the blocks shall have the same numbers as the blocks on Beacon Avenue respectively north and south thereof Dickinson and Dexter Streets, and Shawano and Jefferson Streets shall be considered respectively continuous.
- C. On the streets running east and west on the north side of the Wolf River, the numbers shall commence next to Pearl Street and therefrom be assigned progressively east and west and the streets running north and south shall have the numbers commence next to the Wolf River and be assigned progressively north therefrom.
- D. On the north side of the Wolf River where any street is intersected by a street extending therefrom on one side only, the numbers shall be assigned on the block opposite such intersecting street, from the point of intersection in the same manner as though such intersecting street continued through such block.

### § 202-4 Odd and even numbering assigned.

The even numbers shall be on the east side of all streets running north and south, and on the south side of all streets running east and west, and the odd numbers shall be on the west side of all streets running north and

B. In addition to the provisions of Wis. Stats. § 175.60, enumerating places where the carrying of a weapon or a firearm is prohibited, including exceptions thereto, it shall be unlawful for any person other than a law enforcement officer to enter the following City municipal buildings while carrying a weapon or a firearm:

- (1) Municipal Building.
  - (2) Fire Station.
  - (3) Library.
  - (4) Washington Center: Community/Senior Center and Gym.
  - (5) Museum.
  - (6) Sewage Treatment Building.
  - (7) All City well/pump stations.
  - (8) Street Department Garage.
  - (9) Floral Hill Cemetery Building.
  - (10) New London Aquatics and Fitness Building.
  - (11) New London Utilities Building.
  - (12) Depot Building at Memorial Park.
  - (13) Chamber Building.
  - (14) Building located at 420 North Shawano Street.
  - (15) All other buildings owned, leased or occupied and posted by the City of New London.
- C. Signs meeting the requirements of Wis. Stats. § 943.13(2)(bm)1 shall be posted in prominent places near all entrances of such buildings regarding such restrictions.
- D. Any person who enters or remains in any aforementioned City building contrary to such signage shall be considered a trespasser subject to penalty as prescribed under § ~~414-17~~ of this code.

## Chapter 270

# Fire Prevention

**[HISTORY: Adopted by the Common Council of the City of New London as indicated in article histories. Amendments noted where applicable.]**

Article I

**Carbon Monoxide and Smoke Detectors**

[Adopted by Ord. No. 732 (§ 14.105 of the 1982 Municipal Code)]

§ 270-1 **Definitions.**

As used in this article, the words and terms shall be defined as follows:

**CARBON MONOXIDE DETECTOR**

An electronic or battery-operated device or system that sounds an alarm when an unsafe level of carbon monoxide is in the air.

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**MULTIFAMILY DWELLING**

Any building which is intended to be used as a home, residence or sleeping place by three or more persons or families living independently or by two persons or families living independently and used also for business purposes. This definition also shall include those buildings commonly referred to as garden apartments, condominiums and row houses.

**PUBLIC RESIDENTIAL BUILDING**

Any public building which is used for sleeping or lodging purposes and includes any apartment house, rooming house, hotel, motel, children's home, community based residential facility or dormitory, but does not include a hospital or nursing home.

**SLEEPING AREA**

The areas of the building in which the bedrooms or sleeping rooms are located.

**SMOKE DETECTOR**

A device which detects particles or products of combustion other than heat.

§ 270-2 **Where required.**

**A. Carbon Monoxide and Smoke Detectors shall be installed and maintained as required by the applicable Residential Code (DSPA 320-325) or Commercial Building Code (DSPA 361-366)**

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~~A. Public residential buildings. The owner of any public residential building shall comply with the provisions of § 101.145, Wis. Stats., which is incorporated herein and adopted by reference.~~

~~B. Multifamily Dwelling. The owner of any multifamily dwelling shall install and maintain smoke detectors in the places designated in § 270-3B below.~~

~~C. Single and Two Family Dwellings. Single and 2 family dwellings which were constructed after June 12, 1980, are covered according to the new one and 2 family dwelling code, Wis. Adm. Code Ind. 20 to 25.~~

~~D. Existing dwellings. Owners of existing 2 family dwellings or single family dwellings that are to be converted into 2 family dwellings shall install and maintain approved smoke detectors. Each smoke detector shall activate an alarm signaling device which shall be clearly audible in all sleeping areas when all intervening doors are closed.~~

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~~E.— Mobile homes. Any mobile home which is installed on or after the effective date of this article shall install and maintain approved smoke detectors.~~

~~F.— Exception. Unless otherwise required, smoke detectors need not be installed in any building which contains an approved automatic sprinkler.~~

~~§ 270-3 Level of protection.~~

~~A.— In any public residential building, smoke detectors shall be installed and maintained in each sleeping area, in the basement and at the head of the stairway on each floor level of the building.~~

~~B.— In any multi-unit dwelling which is subject to the provisions of § 101.645, Wis. Stats., smoke detectors shall be installed and maintained in the basement, on each floor level except the attic or storage area of each dwelling unit, and in either the center of any hallway leading to the sleeping area or in each sleeping area of each unit.~~

~~C.— In any other dwelling units, smoke detectors shall be installed so as to provide "Level 4" protection as described in NFPA No. 74—1975 (Standard for Household Fire Warning Equipment). A basic smoke detector shall be installed to protect each separate sleeping area and at the head of each stairway leading to an occupied area, pursuant to NFPA No. 74-2-4.3.5(a).~~

~~§ 270-4 Installation and maintenance.~~

~~A.— All equipment shall be installed in a workmanlike manner.~~

~~B.— Smoke detectors shall be connected to any required preexisting internal alarm system.~~

~~C.— Any smoke detector required under this article shall be installed according to the directions and specifications of the manufacturer and, in the case of one or two family dwellings, NFPA Standard 74-1975, Household Fire Warning Equipment.~~

~~D.— Smoke detectors which are not powered by batteries shall be permanently wired to an approved power source and shall have a visible device indicating proper operation of the unit. No switches shall be installed to interrupt power to the device.~~

~~E.— Ceiling-mounted units shall be installed not less than six inches from the wall to ceiling intersection.~~

~~F.— Wall-mounted units shall be installed not less than six inches nor more than 12 inches from the ceiling.~~

~~G.— Auxiliary-controlled units consisting of horns, indicators and other devices shall be wired by acceptable methods recognized by N.E.C. 1975, Article 760.~~

~~H.— All devices shall be so located and mounted such that accidental operation will not be caused by jarring or vibration.~~

~~I.— Installed smoke detection equipment shall be mounted so as to be supported independently of its attachment to wires.~~

~~J.— All apparatus shall be restored to normal as promptly as possible after each alarm or test.~~

~~K.— Upon completion of the system, the installer in the presence of the owner shall test each self-restoring device for proper operation. He shall then instruct the owner on the operation and maintenance of the system.—~~

~~L.— The supplier or installing contractor shall provide the owner with the following:~~

~~(1) A written certification that the alarm system has been installed according to specifications and applicable codes.—~~

~~(2) An instruction booklet illustrating typical installation layouts.—~~

~~(3) Instruction charts describing the operation, testing and proper maintenance of the fire warning system.—~~

~~(4) Printed information for establishing a household emergency evacuation plan.—~~

~~(5) Printed information to inform the owner where he may obtain repair or replacement service and where and how parts requiring regular replacements, such as batteries or bulbs, may be obtained.—~~

~~M.— If smoke detection equipment is to be extended to any required or existing alarm system, the total system should follow, as applicable, NFPA standards Nos. 71, 72A, 72B, 72C or 72D.—~~

~~§ 270-5 **Building Inspector notification.**~~

~~When smoke detection equipment is installed within a building, the owner shall notify the Building Inspector.~~

~~§ 270-6 **Approval.**~~

~~A.— Only smoke detectors which have been approved by Underwriters Laboratories, Inc. shall be installed in public residential buildings or in multifamily dwellings.—~~

~~B.— Only smoke detectors which comply with the specifications of Underwriters Laboratories, Inc., Standard U.L. 167 and U.L. 217, Standards for Safety—Single and Multiple Station Smoke Detectors 1976, and which bear the U.L. or F.M. label of compliance shall be installed in single or 2 family dwellings.—~~

~~§ 270-7 **Maintenance.**~~

~~It is the responsibility of the building owner to maintain the smoke alarms and corresponding alarm systems; such maintenance programs shall follow the provisions of the Installation, Maintenance and Use of Auxiliary Protective Signaling Systems (NFPA 72B-1975).~~

~~§ 270-8 **Inspection.**~~

~~Inspection is to be done by the Building Inspector.~~

## Chapter 276 Fireworks

[HISTORY: Adopted by the Common Council of the City of New London Ord. No. 738; amended by Ord. No. 846; Ord. No. 1198; Ord. No. 1253 (§ 9.05 of the 1982 Municipal Code). Subsequent amendments noted where applicable.]



repair and replacement of any tree damaged or destroyed due to defective work or non compliance with this section for two full growing seasons following completion or performance of work.

L. Unlawfully planted trees.

- (1) Trees, plants, or shrubs planted within any terrace or planting easement without the authorization and approval of the Director may be removed.
- (2) The Director shall notify the abutting owner in writing, listing the unlawfully planted trees or plants and ordering their removal, and establishing a reasonable time within such removal shall be accomplished. In the event that removal is not to be accomplished within the time specified, the City may remove such trees, plants or shrubs and assess the costs thereof to the owner.

## Article VI Moving Buildings

[Adopted as § 8.05 of the 1982 Municipal Code]

§ 497-36 **Permit required.**

No person shall move any building into, out of or within the City without a permit from the Building Inspector upon 30 days' notice, designating the streets and alleys along which the building is sought to be moved. ~~Such permit shall state the date upon which the work is to commence in moving the building, a description of the building and its location, the place to which such building is sought to be moved, the name of the owner of such building, the name of the person who is performing the work, the name of the streets and alleys along which the building may be moved, and a certificate of liability insurance obtained by the mover or owner of such building which will cover all damages which may be caused by said moving. A permit application for the moving of a building shall be obtained from the Building Inspector.~~

§ 497-37 **Permit fee.**

[Amended by Ord. No. 772]

~~For any building that is moved by use of heavy moving trucks or rollers, the fee shall be \$25. For any building that is moved by the use of common carrier trucks or skids, the fee shall be \$2. Such fees shall include the fee for a permit to rebuild or alter the building upon its new location within the City. See fee schedule resolution.~~

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§ 497-38 **Police transit assistance.**

[Amended by Ord. No. 1096]

The Police Department shall provide transit assistance at the request of the building mover. Request for assistance shall be directed to a Police Supervisor and must be made at least two weeks prior to the scheduled move. All wage, overtime and fringe benefit costs arising from such assistance shall be billed to the requesting mover.

§ 497-39 **Notice to utilities.**

Prior to the issuance of said permit, the owner and/or mover shall certify that he has notified all public utilities whose lines or poles may be interfered with during the movement of the building. Such utilities shall take whatever steps are necessary to permit the building to be moved without damage to its lines and poles.

§ 497-40 **Inspection and repair of streets and highways.**

Every person receiving a permit to move a building shall, within one day after reaching its destination, report

that fact to the Building Inspector. The Building Inspector shall thereupon inspect the streets and highways over which said building has been moved and ascertain their condition. If the removal of said building has caused any damage to the streets or highways, the house mover shall forthwith place them in as good condition as they were before the permit was granted. Upon failure of the house mover to do so within 10 days thereafter to the satisfaction of the Building Inspector, the Council shall repair the damage done to such streets and highways and hold the sureties of the bond given by the house mover responsible for the payment of the same.

## Article VII **Snow and Ice Removal**

**[Adopted by Ord. No. 969 (§ 8.06 of the 1982 Municipal Code)]**

**§ 497-41 Sidewalks to be kept clear.**

The owner or lessee of every lot or parcel of land in the City, fronting or abutting upon a sidewalk shall clear the sidewalk in front of or abutting upon said premises, as the case may be, of snow and ice within 24 hours after the same has ceased to fall thereon. The owners or lessees of corner lots shall be responsible for removing ice and snow to the intersection.

**§ 497-42 Snow and ice removal by City.**

If snow and ice is not removed within 24 hours pursuant to § 497-41 above, the Public Works Department will remove the snow and ice, with the cost of said removal being assessed as a special tax against the property. The cost will be at a minimum of \$75 with any additional cost being based on the cost of labor and materials to the City as submitted by the Director of Public Works.

**§ 497-43 Snow not to be deposited in streets.**

No person shall deposit or cause to be deposited any snow or ice taken and removed from his premises or elsewhere upon any sidewalk, alley, parkway, public place or street in the City. This does not apply to sidewalk removal on North Water and Pearl Streets in the downtown business area.

## Article VIII **Official Map**

**[Adopted as §§ 8.09, 8.08 and 8.08m of the 1982 Municipal Code]**

**§ 497-44 Adoption.**

The Official Map of the City adopted on February 1, 1954, pursuant to § 62.23(6), Wis. Stats., as amended by Ordinance No. 290, passed August 17, 1954, Ordinance No. 301 passed July 24, 1956, Ordinance No. 358 passed July 17, 1962; Ordinance No. 381 passed November 2, 1965, and Ordinance No. 465 passed May 15, 1972, be amended so that the location and widths of certain streets, highways and parkways shall be as laid out on a map prepared by the Department of Resource and Development, Planning Division, dated June 1966, and as laid out on an amending map to said 1966 map, prepared by Ray P. Pelishek, Director of Public Works, dated August 5, 1968.

**§ 497-45 Certification.**

Upon the adoption of this section, the Clerk-Treasurer, together with the Mayor, shall certify on the original of said map, dated June 1966, as amended August 5, 1968, that the same is part of the official City Map, by endorsing thereon the date of the passage of this section, and signing their official title thereto.

**§ 497-46 Amendments.**

**[Amended by Ord. No. 515; Ord. No. 519; Ord. No. 520; Ord. No. 524; Ord. No. 531; Ord. No. 533; Ord. No. 534; Ord. No. 535; Ord. No. 649; Ord. No. 760; Ord. No. 774; Ord. No. 796; Ord. No. 800;**

§ 414-26 **Penalties.**

Any person who shall violate any provision of this chapter shall be subject to a penalty as provided in § 1-4. In addition to any penalty imposed for violation of § 943.14, Wis. Stats., as adopted by reference in § 414-1 of this chapter, any person who shall cause physical damage to or destroy any public property shall be liable for the costs of replacing or repairing such damaged or destroyed property. The parent or parents of any unemancipated minor child who violates said section may also be held liable for the cost of replacing or repairing such damage or destroyed property in accordance with § 895.035, Wis. Stats.

## Chapter 421

# Plumbing Standards

[**HISTORY: Adopted by the Common Council of the City of New London as Ch. 14, Subch. II, of the 1982 Municipal Code. Amendments noted where applicable.**]

§ 421-1 **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**PLUMBING**

Is hereby defined as follows:

- A. As is stated in § 145.01(10)(a), ~~(c), (d) and (e), Wis. Stats.~~
- B. The construction, connection to or alteration of any drain, soil or waste pipe to carry domestic sewage, ~~stormwater~~ storm water or industrial waste from a point three feet outside of the foundation walls of any building to the sewer lateral at the curb or other disposal terminal, including the private sewage disposal or treatment plant. This definition does not include minor repairs to faucets and the removal of stoppages in soil or waste pipes.

§ 421-2 **State code adopted.**

The provisions and regulations of Ch. 145, Wis. Stats., and Wis. Adm. Code Chs. SPS 381 to 387 are hereby made a part of this chapter by reference and shall extend over and govern the installation of all plumbing installed, altered or repaired in the City. Any further amendments, revisions and modifications of said Wisconsin statutes and code incorporated herein are intended to be made part of this chapter.

§ 421-3 **Plumbing Inspector, powers and duties.**

- A. He shall perform such duties as are provided for in § 145.05(1), Wis. Stats., and this code and shall make annual reports to the Council.
- B. He shall enforce all of the provisions of this chapter and shall prepare suitable forms for applications, permits and other reports.
- C. He shall be certified by the Department of Safety and Professional Services to make the necessary inspections to enforce the plumbing section of the Wisconsin Uniform Dwelling Code.
- D. He may enter all buildings in the performance of his duties during reasonable hours, and no person shall willfully or knowingly resist or obstruct the Plumbing Inspector in the performance of his duties.
- E. He may withhold approval of an application for a plumbing permit to any person who has not complied

with a lawful order of the Plumbing Inspector. The person refused such a permit may appeal within 20 days to the Board of Zoning Appeals.

§ 421-4 **Applications and permits.**

- A. For new construction, no plumbing shall be installed in the City without first filing a complete set of plans with the Plumbing Inspector and receiving a permit. Licensed master plumbers only may receive such permits, except a permit may be issued to a property owner to repair, maintain or install plumbing in a single family residence which is owned and occupied by such owner as his home.
- B. A permit shall be applied for and received before commencing any plumbing or excavating in any street, alley or other public way to repair, alter or install plumbing.

§ 421-5 **Schedule of permit fees.**  
[Amended by Ord. No. 766]

- A. Fees. ~~A fee of \$20 shall be charged for any connection of six fixtures or less to the City water, wastewater or sewer system. Each additional fixture shall be \$5. See fee schedule resolution~~
- B. Definition. A fixture shall be any drain or device through which water flows as interpreted by the Building Inspector.
- C. Doubled fees. In the event plumbing work is begun before a permit has been issued, the above permit fees shall be doubled.
- D. Other fees. [Added by Ord. No. 841; Amended by Ord. No. 948]
  - (1) Sanitary sewer main connection fees. Any lot or parcel which has not paid sanitary sewer or water main assessment when the sewer and water main was installed will, at the time the lateral permit is taken out, be required to pay a sewer main connection fee and water main connection fee The connection fee will be based on the frontage of the parcel and the rate established by the Council. ~~For, the rate is established to be \$15 per frontage foot for sanitary sewer and for 1997, the rate is established to be \$23 per frontage foot for water main.~~
  - (2) Fixed charge connection fee. Any lot or parcel which makes a new connection to the sanitary sewer system shall be required to pay a fixed charge connection fee of ~~\$200~~ \$500. This fee is to be adjusted for larger than one inch water meters in accordance with the user charge system methods.

§ 421-6 **Inspection of work.**

The plumber in charge shall notify the Plumbing Inspector whenever any work is ready for inspection (i.e., soil, vent, underground drain, final inspection). All plumbing work shall be left exposed until such time as the Inspector has completed his examination and inspection. ~~When, in the opinion of the Inspector, a test in addition to Wis. Adm. Code H 62.21 is necessary, he may require a water or air test in any part of or the entire installation. All plumbing installations shall be tested as listed in SPS 382.21~~

§ 421-7 Connections to sanitary sewer and water systems.

- A. No outhouse, privy or vault shall be built, constructed or maintained upon any lot or part of a lot in the City. The owners of all lots and parts of lots in the City where privies are now used shall connect with the sanitary sewer and water systems in such manner as prescribed by the Board of Public Works or the

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Board of Health and all privies shall be removed from said lots. Such privies are hereby declared to be a nuisance and a menace to health.

- B. All plumbing, as defined in this chapter, within the City shall connect properly with the sanitary sewer and water mains of the City, where such mains are available in a street, alley or public way adjoining the lot or lots upon which such plumbing exists. All septic tanks shall be removed or emptied and filled with earth. Shut-off valves shall be installed at inlet and outlet points at each meter. Each dwelling unit or business must have a separate water service connection to the water mains.
- C. Water service regulations. "Connected properly" in Subsection **B** above with respect to water main shall mean that water service connections shall be made in accordance with the following requirements:  
**[Amended by Ord. No. 1079]**
- (1) Water Lateral sizes must be one inch, two inches, four inches, six inches, eight inches, 10 inches, or 12 inches.
  - (2) Water taps to the main will be the responsibility of the customer unless the tap <2 inch.
  - (3) Water tapping saddle, corporation stops, and curb boxes are the responsibility of the customer unless the service lateral is two inches or less.
  - (4) Service laterals are the customer's responsibility and shall be composed of materials as follows: one inch laterals shall be ~~made of copper in compliance with SPS 384 - Table 384.30-7~~, two inch lateral shall be copper or SDR-9 plastic, four inches, six inches and eight inches service lateral shall be C900 PVC or ductile iron, 10 inches and 12 inches lateral shall be ductile iron.
  - (5) All C900 PVC and SDR-9 plastic service lateral will require soldered joints, transmitter wire and a termination wire, which shall be run to the service above the ground.

§ 421-8 **Clear waters.**

- A. Discharge. No person shall cause, allow or permit any roof drain, surface drain, subsoil drain, drain from any mechanical device, gutter, ditch, pipe, conduit, sump pump, or any other object or thing used for the purposes of collecting, conducting, transporting, diverting, draining or discharging clear water from any part of any private premises owned or occupied by said person to discharge into a sanitary sewer.
- B. Nuisance. The discharge into a sanitary sewer from any roof drain, surface drain, sub-soil drain, drain from any mechanical device, gutter, ditch, pipe, conduit, sump pump or any other object or thing used for the purposes of collecting, conducting, transporting, diverting, draining or discharging clear water from any part of any private premises is hereby declared to be a public nuisance and a hazard to the health, safety and well being of the residents of the City and to the protection of property.
- C. Ground water. Where deemed necessary by the Building Inspector, every house shall have a sump pump installed for the purpose of discharging clear waters from foundation drains and ground infiltration and where the building is not serviced by a storm sewer shall either discharge into an underground conduit leading to a drainage ditch, gutter, dry well, or shall discharge onto the ground surface in such other manner as will not constitute a nuisance and a hazard to the safety of residents of the City and to the

protection of property as defined herein.

- D. Stormwater. All roof drains, surface drains, drains from any mechanical device, gutters, pipe, conduits or any other objects or things used for the purpose of collecting, conducting, transporting, diverting, draining or discharging stormwaters shall be discharged either into a storm sewer, a dry well, an underground conduit leading to a drainage ditch or onto the ground surface in such other manner as will not constitute a nuisance as defined herein.
- E. Storm sewer lateral. Where municipal storm sewers are provided and it is deemed necessary by the property owner and/or the City to discharge clear waters from a parcel of land, a storm sewer lateral shall be installed and connected to the storm sewer main at the expense of the owner.
- F. Conducting tests. If the Director of Public Works or his designated agent suspects an illegal clear water discharge, as defined by this code or by any other applicable provision of the Wisconsin Administrative Code as it may from time to time be amended, he may, upon reasonable notice and at reasonable times, enter the private premises where such illegal clear water discharge is suspected and conduct appropriate tests to determine whether such suspected illegal clear water discharge actually exists.
- G. Compliance and penalty. Any person determined to be in violation of any provision of this subsection shall be given a written notice stating the nature of such violation and providing a reasonable time limit for the satisfactory correction thereof. Any person who shall continue any violation beyond the foregoing time limits shall, upon conviction thereof, be subject to the penalties of § 1-4 of this Code.

§ 421-9 **Grease separators.**

Grease catch basins or separators of a capacity based upon the temperature and the amount of the water tributary shall be installed wherever kitchen or other greasy wastes from hotels, restaurants, club houses, boardinghouses, public or private institutions, hospitals or similar places are discharged into a public sewer or private sewage disposal system. Garbage disposal units shall not be tributary to grease catch basins or interceptors.

§ 421-10 **Violations and penalties.**

In addition to the penalties specifically provided in this chapter, any person who shall violate any provision of this chapter shall be subject to a penalty as provided in § 1-4 of this Code.

## Chapter 465 Secondhand Dealers

[**HISTORY: Adopted by the Common Council of the City of New London by Ord. No. 830 (§ 12.09 of the 1982 Municipal Code). Amendments noted where applicable.**]

§ 465-1 **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**JEWELRY**

Any tangible personal property ordinarily wearable on the person and consisting in whole or in part of any metal, mineral or gem customarily regarded as precious or semiprecious.

hearing under Wis. Stats. Ch. 68 within 10 days of such emergency discontinuance. Water service to such property shall not be restored until the cross-connection or cross-connections have been eliminated in compliance with the provisions of this section.

(2) Forfeiture. Violations of this section shall also be subject to the forfeitures provided in § 243-10.

F. Owner responsibility. The property owner shall be financially responsible for the elimination or protection from all cross-connections on their premises in compliance with Wis. Adm. Code Ch. SPS 382.

G. State code adopted. The State Plumbing Code, Wis. Adm. Code, Ch. SPS 382 is hereby adopted by reference. This section is supplementary to the State and City Plumbing Code.

§ 243-10 **Violations and penalties.**

Any person who shall violate any provision of the rules and regulations of the Utility adopted pursuant to this chapter shall be subject to the penalty as provided in § 1-4 of this Code.

## Chapter 249

# Electrical Standards

[**HISTORY:** Adopted by the Common Council of the City of New London by Ord. No. 708; amended by Ord. No. 777; Ord. No. 1219 (Ch. 14, Subch. III, of the 1982 Municipal Code). Subsequent amendments noted where applicable.]

§ 249-1 **Electrical Inspectors.**

~~A. — Commercial and one and two family Electrical Inspectors.~~

~~(1) — The Commercial Electrical Inspector shall be appointed by the Common Council, hold a Commercial Electrical Inspector credential issued by the Wisconsin Department of Safety and Professional Services and shall be reimbursed for the commercial electrical inspections as outlined in Subsection F below.~~

~~(2) — One and Two Family electrical inspections shall be performed by the Building Inspector as part of his/her duties. The Building Inspector shall be required to hold a UDC Electrical Inspector Credential.~~

~~B. — Restrictions. It shall be unlawful for the Commercial Electrical Inspector to engage in the installation and maintenance of electrical wiring either directly or indirectly, and he shall have no financial interest in any concern engaged in such business in the City at any time while holding the office of Commercial Electrical Inspector. When situations arise that a conflict of interest is apparent, the Commercial Electrical Inspector shall be authorized to appoint a Deputy Inspector, for whom such conflicts do not exist. The Deputy Inspector is hereby granted all the powers and, with them, the requisite duties and responsibilities of the Electrical Inspector. The Deputy Inspector is also empowered to act if the Inspector is temporarily unable to perform his duties. Violation of the provision of this subsection shall be sufficient cause for removal from office.~~

~~C. — Duties. It shall be the duty of the Electrical Inspector to enforce the provisions of this chapter. Complete records of all permits issued and inspections made and other official work performed under the provisions of this chapter shall be kept and so arranged as to afford prompt information concerning electrical installations.~~

~~D. — Right of access. The Electrical Inspector shall have the right during reasonable hours to enter any public or private buildings, structures or premises in the discharge of his official duties or for the purpose of making any inspection or test of electrical wires or appliances contained therein. He shall~~

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~~be given prompt access to any premises upon notification to the proper authority.~~

~~E. — Right to cut off current.~~

~~(1) — The Electrical Inspector shall have the authority to cause the turning off of all electrical currents to any equipment which he finds to be in an unsafe condition, and to cut off or discontinue electrical service in case of emergency and where such electrical currents are dangerous to life or property or may interfere with the work of the Fire Department.~~

~~(2) — No person shall reconnect any equipment thus cut off until written permission is given by the Electrical Inspector.~~

~~F. — Inspection fees and remuneration. The Commercial Electrical Inspector shall be compensated from inspection fees collected at a rate of 90% of the fees collected. For inspections undertaken at the request of the City, Fire Department or the Building Inspector's office, the Inspector shall be compensated at \$40/hour.~~

~~G. — Records. Inspection records (date, time, location and findings) shall be maintained and kept by the Electrical Inspector. A duplicate set of these records is to be maintained and kept by the Building Inspector.~~

~~§ 249-2.1 Definitions.~~

~~As used in this chapter, the following terms shall have the meanings indicated:~~

~~As stated in SS 101.80~~

#### ~~ELECTRICAL CONTRACTOR, ACTIVE~~

~~Any person who is skilled in the installation, planning, designing, superintending or inspection of electrical wiring and equipment and who is engaged in this work. Before any person shall be licensed as an electrical contractor, he must have served at least three years as a journeyman electrician and meet all other qualifications for an electrical contractor's license as determined by the Board of Electrical Examiners.~~

#### ~~ELECTRICAL WORK WIRING~~

~~The installation of electrical material, fittings, devices, appliances, fixtures, apparatus, wiring and equipment for the production, modification, regulation, control, distribution, utilization or safeguarding of electrical energy for mechanical, chemical, cosmetic, heating, lighting or similar purposes.~~

~~Is defined as all equipment, wiring, material, fittings, devices, appliances, fixtures, and apparatus used for the production, modification, regulation, control, distribution, utilization, or safeguarding of electrical energy for mechanical, chemical, cosmetic, heating, lighting, or similar purposes, as specified under the state electrical wiring code. "Electrical wiring" does not include the equipment, wiring, material, fittings, devices, appliances, fixtures, and apparatus used by a public utility, an electric cooperative, or a wholesale merchant operator for the purpose of generating, transmitting, distributing, or controlling heat, light, power, or natural gas to its customers or members.~~

#### ~~INACTIVE CONTRACTOR AND JOURNEYMAN~~

~~A person who shall hold a valid license, but is not actively engaged in the trade. At any time, upon payment of the annual fee, the license shall become active.~~

#### ~~JOURNEYMAN ELECTRICIAN, ACTIVE~~

~~Any person other than an electrical contractor who is skilled in the installation of electrical wiring and equipment for the production, modification, control, distribution, utilization or safeguarding of electrical energy for mechanical, chemical, cosmetic, heating, lighting or similar purpose, and who is engaged in this work. He shall have had at least four years' practical experience. Two or more years in an accredited trade school shall be equivalent to the first two years. He shall be at least 18 years of age and shall pass~~



such examination as determined by the Board of Electrical Examiners. In no case shall a licensed journeyman electrician do electrical work in the City unless under the supervision of a licensed electrical contractor, who shall be responsible in accordance with this chapter.

**~~§ 249-3 Electrical licenses.~~**

~~A. License required. No person shall alter, install or repair electrical wires and apparatus for the utilization of electric current for light, heat or power in the City, except in the usual operation of public or private electric utilities, without first having procured a license as provided in this chapter. Any equipment owned or controlled by any customer shall be subject to inspection and shall not be considered as part of regular operations of the utility.~~

~~B. Classes of licenses. There shall be two classes of electrical licenses, active or inactive, as follows:~~

~~(1) Electrical contractor's license. At least one member of a firm or corporation shall hold an electrical contractor's license. No person shall contract or undertake to install or repair electrical wires or apparatus within the City except as otherwise herein provided without first having obtained from the Clerk-Treasurer an electrical contractor's license.~~

~~(2) Journeyman electrician's license. No person shall alter, install or repair electrical wires or apparatus within the City or supervise the same without first having obtained from the Clerk-Treasurer a journeyman's license, except indentured apprentices and electrical trainees who are enrolled in the Fox River Technical School or some other school of equal standards acceptable to the Electrical Board, who are serving under the supervision of and directly responsible to a licensed journeyman electrician or electrical contractor. There shall be a ratio of no more than three apprentices or trainees to one journeyman on one given job locale.~~

~~C. Electrical contractor responsibility. No person required to hold an electrical contractor's license hereunder shall employ or have working under such person's, firm's or corporation's control any person who shall, while so employed or working, alter, install or repair electrical wires or apparatus within the City or supervise the same without first obtaining a journeyman's license as required by this section.~~

**~~§ 249-4 Industrial electrician's license.~~**

~~A. Qualifications. The applicant must have a minimum of four years industrial electrical experience as his full time occupation. He shall be skilled in the installation of industrial electrical wiring and equipment. He shall be at least 18 years of age and shall pass such examination as determined by the Board of Electrical Examiners.~~

~~B. Limitations of license. The fee for an industrial electrician's license shall be \$10 upon application and the license shall be renewed annually at a cost of \$5. In no case shall a licensed industrial electrician perform electrical work on any property, building or piece of machinery not owned, operated or controlled by the licensee's employer. An industrial electrician's license shall not permit the licensee to work on minor construction outside of the licensee's place of employment. The licensee shall comply with ~~§ 249-11F~~ of this chapter.~~

**~~§ 249-5 Noncompliance.~~**

~~Persons doing electrical work without first obtaining the proper City license will be subject to a minimum forfeiture equal to the license fee. This forfeiture is to be collected by the Building Inspector as a doubling of the license fee when the proper license is issued.~~

**~~§ 249-6 Application for license; fees.~~**

~~A.—Application. Application for a license shall be made to the Department of Building Inspection on forms furnished by the Department and shall contain a record of the applicant's training and experience in the installation and repairing of electrical wires and apparatus, duly vouched for by instructors or journeyman electricians under whom he may have served. Applications must be accompanied with cash or a check in the amount of the fee for class of license applied for. If applicant fails to pass written examination, fee will be returned, except a charge of \$5 to pay for the examination. Each applicant for any license shall be required to take the applicable examination as well as pay the required fee. There shall be no exemptions.~~

~~B.—Expiration; renewal. All licenses shall expire on the 30th day of June next after the date of issuance unless sooner revoked. Licenses may be renewed with the Department of Building Inspection and the Clerk Treasurer for the annual renewal fee. If a license is permitted to expire and not renewed within 30 days after date of expiration, the former holder shall have the same status as a person not previously licensed.~~

~~C.—Electrical contractor's license fee.~~

~~(1)—The fee for an electrical contractor's license shall be \$50 for the initial fee and \$35 for the renewal fee. The license shall be issued upon successful completion of a written examination and payment of the fee. The renewal license shall be issued upon payment of the fee.~~

~~(2)—An inactive license may be issued with the payment of an initial payment of \$25 and thereafter a renewal payment of \$5 every third year.~~

~~D.—Journeyman electrician's license fee. The fee for a journeyman electrician's license shall be \$20 for the initial fee and \$10 for the renewal fee. The license shall be issued upon the successful completion of a written examination and payment of the fee. The renewal license shall be issued upon payment of the fee. An inactive license may be issued with the payment of an initial payment of \$10 and thereafter a renewal payment of \$5 every third year.~~

~~E.—Approved apprenticeship. A journeyman electrical license shall be granted to any person who has completed a State approved apprenticeship of at least four years or more. This may be obtained by furnishing proof of completion and paying the current annual license fee within six months of completion of said State program.~~

~~F.—Nothing in this chapter shall preclude the holder of an inactive higher license to actively hold a lesser license.~~

**~~§ 249-7 Examinations.~~**

~~A.—Written examinations. Regular written examination shall be held during the months of January and July of each year. A special written examination may be held, however, at any time selected by the Board of Electrical Examiners.~~

~~B.—Reciprocity agreement. The Board of Electrical Examiners for electrical licenses may recommend the granting of licenses without examination for the same grade to an electrical contractor or journeyman electrician upon said Board being furnished proof that the applicant meets the following qualifications:~~

~~(1) He has been licensed by a City or higher political body.~~

~~(2) The requirements for such licenses are at least equal to the requirements of the City.~~

~~(3) The licensing body of the applicant has adopted a similar resolution.~~

~~§ 249-8 Certificate of insurance required.  
[Amended by Ord. No. 931]~~

~~A. Any person requesting or renewing an electrical license for work to be performed in one and two family dwellings must provide a certificate of insurance for general liability in the amount of \$250,000 listing the City of New London as the certificate holder. Any person requesting or renewing an electrical license for work to be performed in commercial buildings must provide a certificate of insurance for general liability in the amount of \$1,000,000 listing the City of New London as the certificate holder.~~

~~B. Issuance of license. Upon receipt of application for an electrical license, certificate of insurance as stated in Subsection A, duly approved and with payment of fee duly made and acknowledged, the Clerk-Treasurer shall issue the proper license in due form and pursuant to the provisions of this chapter.~~

~~§ 249-9 Board of electrical examiners.~~

~~A. Membership. The Board of Electrical Examiners shall consist of six members appointed by the Mayor and confirmed by the Council. The Mayor shall designate one member with electrical background as Chairman. The other five members of the Board shall consist of a member of the Fire Department, an employee of the New London Public Utilities, a licensed electrical contractor, a licensed plant electrician and a licensed journeyman electrician. The Building Inspector shall act as Secretary of the Board. The Electrical Inspector shall advise the Board and keep it informed on his activities and findings.~~

~~B. Term of office. Three members shall be appointed June 30 in even numbered years and the other shall be appointed June 30 in odd numbered years. The Fire Department member and the New London Public Utilities member shall be appointed for one year terms in 1985 and thereafter be appointed for a normal two year term. All members shall hold office until the last day in June in the year their term expires and until their successors shall have been appointed and qualify.~~

~~C. Quorum. Four members shall constitute a quorum for the transaction of business, but no recommendations for the issue, suspension or revocation of a license shall be adopted except by a vote of four members of the Board. All applications for license shall be referred by the Department of Building Inspection to the Board of Electrical Examiners who shall properly investigate and report to the Department of Building Inspection as to the qualifications and competency of the applicants in the installation of electrical wiring and equipment. The Board shall meet at the call of the Chairman.~~

~~§ 249-10 Revocation of license; effect.~~

~~Any electrical contractor receiving three written notices of violations within 12 months will appear before the Board to show cause why his electrical license should not be revoked. Any license granted under the provisions of this chapter shall be revoked by the Council upon the recommendation of the Department of Inspection and the Board of Electrical Examiners if the Council finds, after notice and hearing, that the installation of electrical wire, materials, fittings, devices, appliances, fixtures, equipment or apparatus is such that it causes or may cause a hazard to life, limb or property. When a license has been revoked, the former~~

~~holder thereof shall have the same status as a person not previously licensed.~~

§ 249-2 Adoption of state electrical code.

[Amended by Ord. No. 887]

- A. The Wisconsin Administrative Code, Ch. SPS 316, and all amendments thereto are hereby adopted by reference and made a part hereof. The City of New London hereby takes responsibilities for electrical inspection of one and two family dwellings pursuant to Wis. Stats. § 101.86. Except as otherwise regulated by this ordinance, all installations of electrical equipment shall conform to and comply with the State Electrical Code, the statutes of this state and any orders, rules and regulations issued by authority thereof and with approved electrical standards for safety to persons and property.
- B. Standards for electrical equipment and material; inspection. No person shall keep or offer for sale or sell, within the City, any appliances, equipment, material or fixtures designed for or intended to be used for the production, transmission or utilization of electric current or power unless said appliances, equipment or fixtures are approved by the Electrical Inspector in accordance with the requirements set forth in the Wisconsin State Electric Code and the underwriter's approved list of inspected equipment. It shall be the duty of the Electrical Inspector to make periodic inspections to see that the provisions of this subsection are being complied with.
- C. Utility requirements. The rules and regulations of the New London public utilities pertaining to the work of the electrical contractor shall be adhered to and subject to inspection.

249-3 Electrical Inspector, powers and duties

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- A. He shall perform such duties as are provided for in § 101.875(1)&(2) Wis. Stats., and this code and shall make annual reports to the Council.
- B. He shall enforce all of the provisions of this chapter and shall prepare suitable forms for applications, permits and other reports.
- C. He shall be certified by the Department of Safety and Professional Services to make the necessary inspections to enforce the electrical section of the Wisconsin Uniform Dwelling Code.
- D. He may enter all buildings in the performance of his duties during reasonable hours, and no person shall willfully or knowingly resist or obstruct the Electrical Inspector in the performance of his duties.
- E. He may withhold approval of an application for an electrical permit to any person who has not complied with a lawful order of the Electrical Inspector. The person refused such a permit may appeal within 20 days to the Board of Zoning Appeals.

§ 249-4 Electrical permits.

- A. Permit required. The Building Inspector shall issue permits for electrical installations for light, heat or power upon the filing of proper application by a licensed electrical contractor, which shall be made on forms furnished by the Building Inspector. In no case shall any electrical work be done unless the permit has been obtained, except as provided in Subsection B below.

(1) Any work done in or on a building or structure that disturbs the service of a meter or meter socket will require a permit and an inspection;

(2) A homeowner may personally install wiring in his own single or two-family dwelling, but a permit must be procured and work inspected and approved in the same manner as for a licensed electrician. An owner must prove his competence to conform with all rules and regulations by furnishing plans or drawings of the proposed work. These must be approved by the Inspector. A homeowner is a person owning and occupying as his permanent address a single-family dwelling or a two-family dwelling.

B. Exemptions. No permit shall be required for the usual operations of the electric utilities, private or public. No permit shall be required for manufacturing, assembling, repairing or testing electrical equipment for which no license is required. No permit shall be required for minor repairing of cords, flush snap switches, replacing fuses, or changing lamp sockets.

**294- 5 Permit fees.**

**[Amended by Ord. No. 766]**

A. Fees. See fee schedule resolution

**249-6 Inspection of work.**

A. Procedure.

(1) Upon completion of the wiring of any building or before any wiring is to be hidden from view, it shall be the duty of the person doing the same to notify the Electrical Inspector and he shall inspect the installation within 24 hours of the time such notice is received.

(2) If upon inspection it is found that such installation is fully in compliance with this chapter and does not constitute a hazard to life, limb or property, he shall approve the same and authorize concealment of such wiring or connection for electrical service. If the installation is incomplete or not strictly in accordance with this chapter, he shall issue orders to the person installing the same to remove all hazards and make the necessary changes or additions within 10 days. Concealment of electrical work before inspection shall constitute an offense punishable in accordance with the provisions of this chapter.

B. Prebuilt prewired homes. Concealed electric wiring in and for a permanent factory built home will be accepted, provided a wiring diagram for said home and a certificate attesting to the fact that the wiring conforms with the Wisconsin Administrative Code, the Electrical Code, Volume 2, is presented to the Electrical Inspector at the time of application for an electrical permit. All wiring at the building site shall comply with this chapter and shall be done by a licensed contractor or a journeyman.

**249-7 Emergency work.**

In emergency work, the person doing or causing work to be done shall report the same to the Electrical Inspector immediately after beginning work. Such work shall be in accordance with the provisions of this chapter.

~~**§ 249-11 Electrical permits.-**~~

~~A. Permit required. The Building Inspector shall issue permits for electrical installations for light, heat or power upon the filing of proper application by a licensed electrical contractor, which shall be made on forms furnished by the Building Inspector. In no case shall any electrical work be done unless the permit~~

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has been obtained, except as provided in Subsection B below.

- ~~(1) Any work done in or on a building or structure that disturbs the service of a meter or meter socket will require a permit and an inspection;~~
- ~~(2) A homeowner may personally install wiring in his own single or two family dwelling, but a permit must be procured and work inspected and approved in the same manner as for a licensed electrician. An owner must prove his competence to conform with all rules and regulations by furnishing plans or drawings of the proposed work. These must be approved by the Inspector. A homeowner is a person owning and occupying as his permanent address a single family dwelling or a two family dwelling.~~

~~B.—Exemptions. No permit shall be required for the usual operations of the electric utilities, private or public. No permit shall be required for manufacturing, assembling, repairing or testing electrical equipment for which no license is required. No permit shall be required for minor repairing of cords, flush snap switches, replacing fuses, or changing lamp sockets.~~

~~C.—Electrical permit fees:~~

- ~~(1) The schedule of electrical permit fees, which must be paid at the time an electrical permit is issued, shall be as follows:~~
  - ~~(a) One and two family dwellings (New construction and additions): \$0.02/square feet/\$25 min.~~
  - ~~(b) Detached garages: \$0.02/square feet/\$25 min.~~
  - ~~(c) Residential service changes: \$25.~~
- ~~(2) NOTE: Floor areas from building permits shall be used for calculating these fees.~~
- ~~(3) Commercial/Industrial buildings and alterations to all existing buildings, the fees shall be calculated as follows:~~
  - ~~(a) For work costing up to \$500: No Permit required.~~
  - ~~(b) For work costing from \$500 to \$1,000: \$100.~~
  - ~~(c) For work costing from \$1,001 to \$10,000: \$100 + \$10 per \$1000 of value.~~
  - ~~(d) For work costing from \$10,001 to \$50,000: \$100 + \$10 per \$1,000 of value.~~
  - ~~(e) For work costing from \$50,001 to \$100,000: \$100 + \$10 per \$1,000 of value.~~
  - ~~(f) For work costing over \$100,001: \$100 + \$7.50 per \$1,000 of value.~~
  - ~~(g) It shall be unlawful for any person with a master's license to allow the use of his license, directly or indirectly, for the purpose of obtaining local permits for others.~~

~~D.—Delinquent permits. In the event an electrical permit is not taken out prior to commencing work on the~~

job, the applicable fee shall be double the rate specified in Subsection C above.

~~E.—Electrical plumbing appliances. On any electrical appliance requiring plumbing, either the plumbing contractor or the electrical contractor, but not both, shall take out the permit. Both contractors shall be listed on the permit. If the owner chooses to select individual contractors, separate permits shall be required for electric and plumbing work.~~

~~F.—Industrial work. In lieu of an individual permit for each installation, repair or alteration, an annual permit may be issued to any person, firm or corporation regularly employing one or more licensed industrial electricians for the installation, alteration and maintenance of electrical equipment in or on existing buildings or premises owned or occupied by the permit applicant. Application for an annual permit shall be made in writing to the Department of Inspection and shall contain a description of the premises on which work is to be done under the permit and shall list the name of the licensed industrial electrician. The annual fee for this permit shall be \$75. The annual permit shall be applicable only to work done under the supervision of the licensed electricians and shall not cover new building construction or remodeling work to buildings.~~

~~§ 249-12 Emergency work.~~

~~In emergency work, the person doing or causing work to be done shall report the same to the Electrical Inspector immediately after beginning work. Such work shall be in accordance with the provisions of this chapter.~~

~~§ 249-13 Electrical inspection.~~

~~A.—Procedure.~~

~~(1) Upon completion of the wiring of any building or before any wiring is to be hidden from view, it shall be the duty of the person doing the same to notify the Electrical Inspector and he shall inspect the installation within 24 hours of the time such notice is received.~~

~~(2) If upon inspection it is found that such installation is fully in compliance with this chapter and does not constitute a hazard to life, limb or property, he shall approve the same and authorize concealment of such wiring or connection for electrical service. If the installation is incomplete or not strictly in accordance with this chapter, he shall issue orders to the person installing the same to remove all hazards and make the necessary changes or additions within 10 days. Concealment of electrical work before inspection shall constitute an offense punishable in accordance with the provisions of this chapter.~~

~~B.—Prebuilt prewired homes. Concealed electric wiring in and for a permanent factory built home will be accepted, provided a wiring diagram for said home and a certificate attesting to the fact that the wiring conforms with the Wisconsin Administrative Code, the Electrical Code, Volume 2, is presented to the Electrical Inspector at the time of application for an electrical permit. All wiring at the building site shall comply with this chapter and shall be done by a licensed contractor or a journeyman.~~

~~§ 249-14 Adoption of state electrical code.~~

~~[Amended by Ord. No. 887]~~

~~A.—The Wisconsin Administrative Code, Ch. SPS 316, and all amendments thereto are hereby adopted by reference and made a part hereof. The City of New London hereby takes responsibilities for electrical~~

~~inspection of public buildings and places of employment pursuant to Wis. Stats. § 101.86. Except as otherwise regulated by this ordinance, all installations of electrical equipment shall conform to and comply with the State Electrical Code, the statutes of this state and any orders, rules and regulations issued by authority thereof and with approved electrical standards for safety to persons and property.~~

~~B.—Standards for electrical equipment and material; inspection. No person shall keep or offer for sale or sell, within the City, any appliances, equipment, material or fixtures designed for or intended to be used for the production, transmission or utilization of electric current or power unless said appliances, equipment or fixtures are approved by the Electrical Inspector in accordance with the requirements set forth in the Wisconsin State Electric Code and the underwriter's approved list of inspected equipment. It shall be the duty of the Electrical Inspector to make periodic inspections to see that the provisions of this subsection are being complied with.~~

~~C.—Utility requirements. The rules and regulations of the New London public utilities pertaining to the work of the electrical contractor shall be adhered to and subject to inspection.~~

**§ 249-158 Appeal; quorum.**

Any person may appeal to the Board of ~~Electrical Examiners Appeals~~ for a review of any decision of the Electrical Inspector, provided that such appeal is made in writing within five days after such person shall have been notified of such decision by the Electrical Inspector. Upon receipt of such appeal, the Board of ~~Electrical Examiners Appeals~~ shall proceed to determine whether the action of the Electrical Inspector complies with this chapter and within five days shall make a decision in accordance with its findings. On appeal matters, four members shall constitute a quorum, but any action taken or decision made shall require the affirmative vote of at least three members.

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**§ 249-169 Liability for damages.**

This chapter shall not be construed to affect the responsibility or liability of any party owning, operating, controlling or installing any electrical equipment for damage to persons or to property caused by a defect therein, nor shall the City be held as assuming such liability by reason of the inspection or re-inspection authorized herein or the certificate of approval issued as herein provided or by reason of the approval or disapproval of any equipment authorized herein.

**§ 249-1710 Penalty.**

Any person who shall violate any of the provisions of this chapter or shall fail to comply with the same shall, upon conviction thereof, be subject to a forfeiture of not more than ~~\$500~~\$1000.

## Chapter 257 Fair Housing

[HISTORY: Adopted by the Common Council of the City of New London as Ch. 15, Subch. II, of the 1982 Municipal Code. Amendments noted where applicable.]

**§ 257-1 Policy statement.**

It is the policy of the City to provide, within constitutional limitations, for fair housing throughout the City of New London.

**§ 257-2 Fair and open housing**

[Added by Ord. No. 839]