STATE OF WISCONSIN VILLAGE OF HALES CORNERS MILWAUKEE COUNTY

ORDINANCE NO. 16-2

AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO ADOPT THE WISCONSIN COMMERCIAL BUILDING CODE AND DELEGATED MUNICIPAL AUTHORITY STATUS AND TO PROVIDE FOR BUILDING INSPECTION FEES IN RELATION THERETO

WHEREAS, the Village Building Code has not been substantially amended since 1980; and

WHEREAS, the Village Board having reviewed the Building Code set forth in Chapter 3 of the Municipal Code and having determined it to be in the best interests of the health, safety and welfare of the Community to adopt the Wisconsin Commercial Building Code and to request agent municipality delegation authority from the State of Wisconsin Department of Safety & Professional Services to achieve a higher level of efficiency and security in the administration of the inspection of commercial buildings.

NOW, THEREFORE, the Village Board of the Village of Hales Corners, Wisconsin, do ordain as follows:

SECTION 1: §3.035 of the Municipal Code of Hales Corners, Wisconsin, be and the same is hereby created to read as follows:

3.035 ADOPTION OF THE "WISCONSIN COMMERCIAL BUILDING CODE." The Wisconsin Commercial Building Code, as defined pursuant to Wis. Adm. Code § SPS 361.04(15), meaning Wis. Adm. Code Chs. SPS 361 to 366, as may be amended from time to time, is hereby adopted and incorporated herein. The terms and provisions of this Section and the Wisconsin Commercial Building Code shall prevail over any other terms and provisions of the Municipal Code in conflict with this Section and the Wisconsin Commercial Building Code and such other conflicting terms and provisions are hereby repealed.

SECTION 2: §3.036 of the Municipal Code of Hales Corners, Wisconsin, be and the same is hereby created to read as follows:

3.036 DELEGATED MUNICIPALITY STATUS.
1) Delegated Municipality. The Village of Hales Corners has adopted the Delegated Municipality Status as described in SPS 361.60 of the Wisconsin Administrative Code. The terms and provisions of this Section shall prevail over any other terms and provisions of the Municipal Code in conflict with this Section and such other conflicting terms and provisions are hereby repealed.

a) Responsibilities. The Village shall assume the following responsibilities for the Department of Safety and Professional Services (Department):
   1. Provide inspection of commercial buildings with certified commercial building inspectors.
   2. Provide plan examination of commercial buildings with certified commercial building inspectors.

b) Plan Examination. Drawings, specifications and calculations for all the types of buildings and structures, except state-owned buildings and structures, to be constructed within the limits of the municipality shall be submitted, if the plans are for any of the following:
   1. A new building or structure containing less than 50,000 cubic feet of total volume.
   2. An addition to a building or structure where the area of the addition results in the entire building or structure containing less than 50,000 cubic feet of total volume.
   3. An addition containing no more than 2,500 square feet of total floor area and no more than one floor level, provided the largest roof span does not exceed 18 feet and the exterior wall height does not exceed 12 feet.
   4. An alteration of a space involving less than 100,000 cubic feet of total volume.
   5. A certified municipality may waive its jurisdiction for the plan review of a specific project or types of projects, or components thereof, in which case plans and specifications shall be submitted to the Department for review and approval.
   6. The department may waive its jurisdiction for the plan review of a specific project, where agreed to by a certified municipality, in which case plans and specifications shall be submitted to the certified municipality for review and approval.

c) Plan Submission Procedures. All commercial buildings, structures and alterations, including new buildings and additions less than 25,000 cubic feet, require plan submission as follows:
   1. Building permit application
   2. Application for review – SBD-118
      a. Fees per Table 302.31-2 and SPS 302.31
      b. Fees apply to <u>all</u> commercial projects
   3. 4 sets of plans
      a. Signed and sealed per SPS 361.31
      b. (1) set of specifications
      c. Component and system plans
      d. Calculations showing code compliance

SECTION 3: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 4: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 5: This ordinance shall take effect and be in force from and after its passage and publication.

PASSED AND ADOPTED this 8th day of February, 2016.

(VILLAGE SEAL)

Robert G. Ruesch, Village President

Countersigned:

Michael F. Weber, Administrator/Clerk