

## ORDINANCE #34

### **BUILDING CODE**

#### VILLAGE OF COCHRANE

#### Building Ordinance No. 34

The Village Board of the Village of Cochrane do ordain as follows:

An Ordinance Establishing A Building Code in the Village of Cochrane

SECTION 1. Department of Building Inspection.

There is hereby created the Department of Building Inspection under the direction of the Village Board which such department shall consist of a building inspector and such employees as the Board may from time to time provide. The building inspector shall be elected by the Village Board for a term of one year commencing on the 1<sup>st</sup> day of May, which such election shall be held on the 2<sup>nd</sup> Tuesday of April preceding the commencement of the term, as one of the first orders of business of the newly organized Board. He shall receive such compensation as may be fixed from time to time by the Village Board.

SECTION 2. Permits.

- (a) No building or any part thereof shall hereafter be built, enlarged, altered or demolished within the Village of Cochrane or moved into or out of the said Village unless a permit therefor shall first be obtained by the owner or owners' agent, from the building inspector. The term "building" as used in this section shall include any building or structure and any enlargement, alteration, moving or demolition of any building or structure. Application for a building permit shall be made in writing upon a blank form to be furnished by the building inspector and shall state the name and address of the owner of the building and the owner of the building and the owner of the land upon which it is to be erected, the name and address of the designer and shall set forth a legal description of the land on which the building is to be located, the location of the building and such other information as the building inspector may require. With such application there shall be submitted a situation plan showing the location of the proposed building, with respect to adjoining streets, alleys, lot lines and buildings.
- (b) Permit Fees. Before receiving a building permit the owner or his agent shall pay to the Village Treasurer the following fees: (1) For the permit for the construction or alteration of a building or structure the fee shall be \$1.00 for each \$500, or fraction thereof, but not to exceed a \$10.00 fee (2) For a permit for the removal of a building or structure from one lot to another or to a new

location within the same lot the fee shall be \$1.00.

- (c) A building permit shall lapse and be void unless building operations are commenced within six months from the date thereof.
- (d) This ordinance shall not be construed to require a permit for any repairs or minor alterations which do not change the occupancy, area, structural strength, fire protection, exits, light or ventilation in the building.

SECTION 3. Duties of the Building Inspector.

- (a) The building inspector shall have the power and it shall be his duty to enforce the provisions of the building code and of all other ordinances of the Village of Cochrane and of all laws and lawful orders of the State of Wisconsin relating to buildings, including electrical work thereon. The building inspector and the officers and agents under his supervision shall have the right at all reasonable hours to enter upon any public or private premises and make inspection thereof and require production of the permit for any building or electrical work being done or the required license therefor. No person shall interfere with or refuse to permit access to any such premises to the above mentioned representatives of the Village of Cochrane while in the performance of their duties.
- (b) The building inspector shall keep a record of all applications for building permits in the order of its issue. He shall also keep a record showing the number, description and size of all buildings erected, including the kind of materials used and the cost of each building. He shall also keep a record of all inspections made and of all removal and condemnation of buildings and all fees charged.
- (c) If the building inspector finds that the proposed building will comply in every respect with all ordinances of the Village of Cochrane and all laws and lawful orders of the State of Wisconsin, he shall officially approve same and issue a permit therefor which shall be kept at the site of the proposed building. With every permit issued the building inspector shall issue to the applicant a weatherproof permit card properly filled out. It shall be the duty of such applicant to place such card in a conspicuous place on the premises where the building is to be erected.

SECTION 4. Unsafe Buildings.

- (a) The building inspector is hereby designated and authorized to act for this Village under the provisions of subsection (5) of Section 66.05 of the Wisconsin Statutes relating to the razing of buildings, and all acts supplementary thereto, except as to the assessment and collection of the special tax therein provided for.
- (b) Any building or portion thereof, including existing buildings, buildings in process of erection or being altered, if found to be dangerous to persons or property or unsafe for the purpose for which it is to be used, or in danger for fire due to defects in the construction, or dangerous for use because of insufficient means of egress in case of fire or which violates the provision of this code due to removal, decay, deterioration or falling off of anything, appliance or device or which has become damaged by the elements of fire of more than fifty per cent of its value, may be condemned by the building inspector. In any of the aforesaid cases the building inspector may serve notice in writing on the owner, reputed premise, or post a notice in a conspicuous place on the outside wall of such building, setting forth what must be done to make such building safe. The person receiving such notice shall commence within forty-eight hours thereafter to make such changes or alterations set forth in said notice and diligently proceed with such work or demolish the building. Where the public safety requires immediate action, the building inspector shall enter such premises with such assistance as may be necessary to cause the building or structure to be made safe or to be removed, or in any case, if the orders of the building inspector are not complied with after due notice and within a reasonable time, the Board may order the building inspector to proceed with the work of making the premises safe by making the necessary repairs or demolish the unsafe building or part thereof, and the expense of such work may be recovered by the Village in an action against the owner or tenant. If the owner or tenant of any such building or premises is dissatisfied with the decision of the building inspector as to the unsafe character thereof or as to the methods of correction, the question may be referred to the Village Board whose decision shall be final.

SECTION 5. Penalties. Any person, firm, or corporation violating any of the provisions of this ordinance shall forfeit to the Village of Cochrane a sum not less than Ten Dollars, and in default of the payment of such forfeiture and the costs of the action for its collection, shall be committed to the County Jail until such forfeiture and cost be paid, but not exceeding thirty days, or until otherwise discharged according to law.

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.

SECTION 6. Validity. If any section or part of section or paragraph of this ordinance is declared invalid or unconstitutional it shall not be held to invalidate or impair the validity, force or effect of any other section or sections or part of a section or paragraph of this ordinance.

All ordinances or parts of ordinances not requiring public hearing prior to amendment thereof to the extent they conflict with the ordinance, are hereby repealed upon the date when this ordinance becomes effective.

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

Adopted January 12, 1961.

Published January 19, 1961.

/s/ Earl Blank, Village President  
/s/ Kermit A. Spieth, Village Clerk

ORDINANCE #34 –  
AMENDMENT B

**BUILDING CODE**

“An Ordinance Establishing A Building Code in  
the Village of Cochrane”

Section 2 (b) is hereby amended to read  
as follows:

Permit Fees. Before receiving a  
building permit the owner or his agent shall pay  
to the Village Treasurer a fee of \$20.00.

This Amendment shall take effect and be  
in force from and after its passage,  
approval, and publication as provided by  
law.

Dated this 10th day of January, 2000.

PASSED:  
January 10, 2000

APPROVED:  
January 10, 2000

ORDINANCE #34 –  
AMENDMENT D

**BUILDING CODE**

“An Ordinance Establishing A Building Code in  
the Village of Cochrane”

SECTION 2 (b) is hereby amended to read as  
follows:

Permits are required before any construction  
begins.

SECTION 5 is hereby amended to read as  
follows:

Penalties. Failure to obtain a permit before  
construction shall result in a fine of ten (10)  
times the dollar amount of the current permit fee.

In any such action, the fact that a permit was  
issued shall not constitute a defense, nor shall  
any error, oversight, omission on the part of the  
applicant, nor dereliction of duty on the part of  
the building inspector constitute a defense, nor  
shall the Village of Cochrane be held liable for  
any errors, oversights, or omissions on the  
applicants part.

Passed this 9<sup>th</sup> day of January, 2007  
~~/s/ David J. McFarlan~~  
~~Published January 3, 2007~~  
Village President

/s/ Sherry Lorenz  
Village Clerk