
AN ORDINANCE AMENDING BUILDING CODE; PRIMARILY STATUTORY REFERENCES
AND OTHER CLEAN-UP

The Common Council of the City of Berlin do ordain as follows:

Sec. 14-3 of the Code of Ordinances of the City of Berlin shall be amended as follows:

Sec. 14-3. - Construction standards; codes adopted.

- (a) *State building code.* ~~Wis. Admin. Code chs. Comm. 50-64~~ Wis. Admin. Code Chapters SPS 360 Thru SPS 366 for commercial buildings, and Wis. Admin. Code Chapter SPS 320 Thru 325 for one and two family buildings are adopted and made a part of this section with respect to those classes of buildings to which this building code specifically applies. Any future amendments, revisions and modifications of such chapters incorporated in this section are intended to be made a part of this Code. Also adopted are ~~Wis. Admin. Code chs. Comm. 160-164, existing buildings, and Wis. Admin. Code ch. Comm. 70, historic buildings.~~ Wis. Admin. Code Chapter SPS 326 Manufactured Home Communities, Wis. Admin. Code Chapter SPS 327 Camping units, and Wis. Admin. Code Chapter SPS 328 Smokes and Carbon Monoxide Detectors. A copy of all portions of the state building code and all amendments thereto which have been adopted by the city shall be kept on file in the office of the building inspector.
- (b) *State plumbing code.* The provisions and regulations of Wis. Stats. ch. 145, and Wis. Admin. Code Chapters SPS 381 Thru SPS 387 are made a part of this section 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 such statutes and are intended to be made part of this chapter.
- (c) *State electrical code.*
- (1) The current edition of ~~the National Electrical Code~~ Wis. Admin. Code Chapter SPS 316 is adopted by reference and made a part of this section and shall apply to the construction and inspection of new one- and two-family dwellings, and additions or modifications to one- and two-family dwellings in existence on the effective date of the ordinance from which this chapter is derived.
 - (2) Subject to the exceptions set forth in this chapter, ~~the National Electrical Code, Volume 1, and Rules of Electrical Code, Volume 2, of the Wisconsin Administrative Code~~ Wis. Admin. Code Chapter SPS 316 are adopted by reference and made a part of this section and shall apply to all buildings, except those covered in subsection (c)(1) of this section.
- ...

Sec. 14-5 of the Code of Ordinances of the City of Berlin shall be amended as follows:

Sec. 14-5. - Enforcement.

- (a) The building inspector and his delegated representatives are authorized and directed to administer and enforce all of the provisions of the Uniform Dwelling Code, commercial building code, HVAC, state ~~and National Electrical Code and state electrical code, and state~~ plumbing code. The building inspector shall be certified for inspection purposes by the department in each of the categories specified in ~~Wis. Admin. Code § Comm. 26.06. Wis. Admin. Code Chapter SPS 305~~

Sec. 14-7 of the Code of Ordinances of the City of Berlin shall be amended as follows:

Sec. 14-7. - Garages.

Private garages within the city shall be built in accordance with the general construction standards established in the state Uniform Dwelling Code Wis. Admin. Code Chapter SPS 320 Thru SPS 325.

Sec. 14-10 of the Code of Ordinances of the City of Berlin shall be amended as follows:

Sec. 14-10. - Building, plumbing, HVAC and electrical inspectors.

(3) Certification and licensure.

b. The building inspector shall be certified by the state department ~~of commerce~~ of safety and professional services to administer and enforce all of the provisions of the state Uniform Dwelling Code and the commercial building code.

d. Possess licenses as noted in Wis. Admin. Code ~~ch. Comm. 5. Chapter SPS 305.~~

Sec. 14-12 of the Code of Ordinances of the City of Berlin shall be amended as follows:

Sec. 14-12. - Buildings and inspection.

(a) Permit required.

f. Except for an electrical wiring project described in s. 101.875 (2), Stats., and as provided in par. (g), no electrical wiring project may commence unless the owner of the premises where the installation is to occur or their agent holds a permit from the designated inspection agency if the

project involves the installation of new or an addition to any electrical service, feeder, or branch circuit serving any of the following:

1. A farm.
2. A public building, structure, or premises.
3. A place of employment.
4. A campground.
5. A manufactured home community.
6. A public marina, pier, dock, or wharf.
7. A recreational vehicle park.
- g. Under emergency conditions, the necessary electrical wiring may commence without obtaining a permit, provided the owner of the premises where the installation is to occur or their agent submits a permit application to the inspection agency designated by the department to provide electrical inspections for the installation no later than the next business day after commencement of the installation.

(b) *Application.*

(1) The application for an electrical permit required under sub. (f) shall contain all of the following information:

- a. The name of the applicant.
- b. The name of the building or property owner.
- c. The location of the electrical wiring installation.
- d. The scope and extent of the electrical wiring installation.
- e. The name of the person responsible for the installation.
- a-f. The name and license number of the master electrician, residential master electrician, or registered master electrician under SPS 305.437 responsible for the installation, unless exempted under s. 101.862 (4), Stats.

(2) The issuing inspection agency shall indicate on the electrical permit the date of issuance.

(3) A permit required under sub. (2) shall expire 12 months after the date of issuance, if installation of the electrical wiring has not commenced.

Sec. 14-13 of the Code of Ordinances of the City of Berlin shall be amended as follows:

Sec. 14-13. - Plan approval fees.

Fees for the examination and approval of all plans submitted in accordance with the requirements of Wis. Admin. Code ~~chs. Comm 61-65~~ Wis. Admin. Code Chapter SPS 360 Thru SPS 366 shall be determined in accordance with the following:

- (1) *Building, heating and ventilation.* Fees for plan examination shall be determined on square footage as ~~shown in table 2.31-2 of the current Application for Review (SBD-118) as provided by the state department of commerce. Per published fee schedule.~~

Sec. 14-14 of the Code of Ordinances of the City of Berlin shall be amended as follows:

Sec. 14-14. - Permit fees.

(a) The following fees shall be as provided in the fee schedule on file in the clerk-treasurer's office:

...
~~(4) Electrical license.~~

~~(54)~~ Heating, ventilating and air condition permits.

~~(65)~~ Sign permits.

~~(76)~~ Moving permits.

~~(87)~~ Razing permits.

~~(98)~~ Driveway permits.
...

Sec. 14-17 of the Code of Ordinances of the City of Berlin shall be amended as follows:

Sec. 14-17. - Violations; penalties.

...
(b)(1) If an inspection reveals a noncompliance with the provisions of this chapter or the Uniform Dwelling Code or the commercial building code, the building inspector shall notify the applicant and the owner in writing of the violation to be corrected. All cited violations shall be corrected within 30 days after written notification unless an extension of such time period is granted pursuant to Wis. Admin. Code ~~§ Comm 20.21.~~ Chapter SPS 320.21.
...

Sec. 26-1 of the Code of Ordinances of the City of Berlin shall be amended as follows:

Sec. 26-1. - Adoption of state codes.

The following orders, rules and regulations of the Department of Safety and Professional Services (SPS), all of which are set forth in the Wisconsin Administrative Code, as amended from time to time, are incorporated in this section by reference and adopted as part of this chapter:

(1) Wis. Admin. Code ch. SPS 305; Licenses, certifications and registrations.

~~(21)~~ Wis. Admin. Code ch. SPS 307; Explosives and fireworks.

~~(32)~~ Wis. Admin. Code ch. SPS 308; Mines, pits and quarries.

~~(43)~~ Wis. Admin. Code ch. SPS 310; Flammable, combustible and hazardous liquids.

~~(54)~~ Wis. Admin. Code ch. SPS 314; Fire prevention.

~~(65)~~ Wis. Admin. Code ch. SPS 314; Appendix.

~~(76)~~ Wis. Admin. Code ch. SPS 316; Electrical.

~~(87)~~ Wis. Admin. Code ch. SPS 318; Elevators, escalators and lift devices.

~~(98)~~ Wis. Admin. Code ch. SPS 320; Administration and enforcement.

- (109) Wis. Admin. Code ch. SPS 321; Construction standards.
- (110) Wis. Admin. Code ch. SPS 322; Energy conservation.
- (121) Wis. Admin. Code ch. SPS 323; Heating, ventilating and air conditioning.
- (132) Wis. Admin. Code ch. SPS 324; Electrical standards.
- (143) Wis. Admin. Code ch. SPS 325; Plumbing.
- (154) Wis. Admin. Code ch. SPS 320-325; Appendix.
- (165) Wis. Admin. Code ch. SPS 320-325; Index.
- (176) Wis. Admin. Code ch. SPS 326; Manufactured home communities.
- (18) Wis. Admin. Code ch. SPS 327; Camping Units.
- (197) Wis. Admin. Code ch. SPS 328; Smoke detectors and carbon monoxide detectors.
- (198) Wis. Admin. Code ch. SPS 330; Fire department safety and health.
- (2019) Wis. Admin. Code ch. SPS 332; Public employee safety and health.
- (2120) Wis. Admin. Code ch. SPS 333; Passenger ropeways.
- (221) Wis. Admin. Code ch. SPS 334; Amusement rides.
- (232) Wis. Admin. Code ch. SPS 335; Infectious agents.
- (243) Wis. Admin. Code ch. SPS 335; Appendix.
- (254) Wis. Admin. Code ch. SPS 340; Gas systems.
- (265) Wis. Admin. Code ch. SPS 341; Boilers and pressure vessels.
- (276) Wis. Admin. Code ch. SPS 341; Appendix Excerpts from boiler, pressure vessel and piping codes and standards.
- (287) Wis. Admin. Code ch. SPS 343; Anhydrous ammonia.
- (298) Wis. Admin. Code ch. SPS 343; Appendix.
- (3029) Wis. Admin. Code ch. SPS 345; Mechanical refrigeration.
- (310) Wis. Admin. Code ch. SPS 345; Appendix.
- (321) Wis. Admin. Code ch. SPS 346; Risk screening and closure criteria for petroleum product contaminated sites, and agency roles and responsibilities.
- (332) Wis. Admin. Code ch. SPS 346; Appendix Nonparametric statistical tests for determining the effectiveness of natural attenuation.
- (343) Wis. Admin. Code ch. SPS 347; Petroleum environmental cleanup fund.
- (354) Wis. Admin. Code ch. SPS 347; Appendix.
- (365) Wis. Admin. Code ch. SPS 348; Petroleum and other liquid fuel products.
- (376) Wis. Admin. Code ch. SPS 360; Erosion control, sediment control and storm water.
- (387) Wis. Admin. Code ch. SPS 361; Administration and enforcement.
- (398) Wis. Admin. Code ch. SPS 362; Buildings and structures.
- (4039) Wis. Admin. Code ch. SPS 363; Energy conservation.
- (410) Wis. Admin. Code ch. SPS 364; Heating, ventilating and air conditioning.
- (421) Wis. Admin. Code ch. SPS 365; Fuel gas appliances.
- (432) Wis. Admin. Code ch. SPS 366; Existing buildings.
- (443) Wis. Admin. Code ch. SPS 361-366; Appendix A.
- (454) Wis. Admin. Code ch. SPS 361-366; Appendix B.
- (465) Wis. Admin. Code ch. SPS 367; Rental unit energy efficiency.
- (476) Wis. Admin. Code ch. SPS 371; Solar energy systems.
- (487) Wis. Admin. Code ch. SPS 372; Cleaning methods for historic buildings.
- (498) Wis. Admin. Code ch. SPS 375; Definitions and general requirements.
- (5049) Wis. Admin. Code ch. SPS 376; Factories, office and mercantile buildings.
- (510) Wis. Admin. Code ch. SPS 377; Theaters and assembly halls.
- (521) Wis. Admin. Code ch. SPS 378; Schools and other places of instruction.
- (532) Wis. Admin. Code ch. SPS 379; Apartment houses, hotels and places of detention.
- (543) Wis. Admin. Code ch. SPS 381; Definitions and standards.

- (554) Wis. Admin. Code ch. SPS 382; Design, construction, installation, supervision and inspection of plumbing.
- (565) Wis. Admin. Code ch. SPS 382; Appendix.
- (576) Wis. Admin. Code ch. SPS 383; Private onsite wastewater treatment systems.
- (587) Wis. Admin. Code ch. SPS 383; Appendix.
- (598) Wis. Admin. Code ch. SPS 384; Plumbing products.
- (6059) Wis. Admin. Code ch. SPS 384; Appendix.
- (610) Wis. Admin. Code ch. SPS 385; Soil and site evaluations.
- (624) Wis. Admin. Code ch. SPS 386; Boat and on shore sewage facilities.
- (632) Wis. Admin. Code ch. SPS 387; Private onsite wastewater treatment system replacement or rehabilitation financial assistance program.
- (643) Wis. Admin. Code ch. SPS 390; Design and construction of public swimming pools and water attractions.
- (654) Wis. Admin. Code ch. SPS 390; Appendix.
- (665) Wis. Admin. Code ch. SPS 391; Sanitation.
- (676) Wis. Admin. Code ch. SPS 391; Appendix.
- (687) Wis. Admin. Code ch. SPS 431; Diesel truck idling reduction grants.
- (698) Wis. Admin. Code ch. SPS 431; Appendix.
- (7069) Wis. Admin. Code ch. SPS 456; Manufactured housing rehabilitation and recycling.

This ordinance shall take effect the day after publication.

The numeric section numbers and headings shall be subject to modification in the discretion of the codifier, and the approval of the City Attorney, during codification into the City's current Code of Ordinances.

Passed, approved and adopted this 9 day of April, 2019.

ROLL CALL VOTE:

6 AYES
0 NAYS
0 ABSENT

CITY OF BERLIN

BY: Richard D. Schramer
Richard D. Schramer, Mayor

APPROVED AS TO FORM:

Matthew G. Chier
Matthew G. Chier
City Attorney

ATTEST: Jodie Olson
Jodie Olson
City Clerk