

**ORDINANCE OF THE PUBLIC HEALTH & SAFETY COMMITTEE**

Amending Section 15.04.020 Building Advisory Board membership, Section 15.12.010 State code adopted, Chapter 15.20 Building Permits, Section 15.52.030 Surfacing, Section 17.08.010 Codes adopted, Section 17.10.030 Third party inspections and reporting systems, Section 17.48.010 Inspection of exits, and Section 23.03.28 Accessory land uses and structures and repealing Section 15.04 Building Inspector, Section 15.04.110 Heating and ventilating inspection, Chapter 15.08 Definitions, Chapter 15.24 Fire Limits, Chapter 15.48 Signs, Section 15.52.040 Screening, Chapter 17.12 Definitions

Committee Action: Approved 5-0

**Ordinance Number:** 61-5944

Fiscal Impact:

**File Number:** 23-0607

**Date Introduced:** June 13, 2023

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

Add (        )

Delete (  )

Section 1. That Section 15.04.020 Building Advisory Board membership, is hereby amended to read as follows:

**15.04.020 Building Advisory Board membership.**

The Building Advisory Board shall consist of the following:

(a) Ex officio members:

Director of Public Works and Utilities;

Fire Chief.

(b) Members appointed by the Mayor, confirmed by the Council:

Two members of the Common Council;

Two citizen architects or engineers;

Section 2. That Section 15.04.100 Building Inspector is hereby repealed.

Section 3. That Section 15.04.110 Heating and ventilating inspector is hereby repealed.

Section 4. That Chapter 15.08 Definitions is hereby repealed.

Section 5. That Section 15.12.010 State code adopted, is hereby amended to read as follows:

**15.12.010 State code adopted.**

The following provisions of the Wisconsin Administrative Code, so far as applicable, are adopted by reference and incorporated in this chapter as though fully set forth:

WAC SPS 360-366 (Building and Heating, Ventilating and Air Conditioning Code);

WAC SPS 310 (Flammable and Combustible Liquids Code); and

WAC SPS 320-325 (Uniform Dwelling Code).

**WAC SPS 327 (Camping Units).**

Section 6. That Chapter 15.20 Building Permits, is hereby amended to read as follows:

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**15.20.0320 Plans and specifications.**

No building permit shall be issued for any new building or structure until plans and specifications are approved by the Building Inspector. Such plans shall consist of a neat and legible approximate sketch showing the builder's intention and the exact outside dimensions of the building and indicating the type and nature of construction. Specifications shall clearly set forth the manner of construction and the type and nature of the materials to be used. Plans shall be in sufficient detail to show the exact nature of the work to be done and shall include a plot plan showing the location of the building with respect to property lines and they shall remain on file in the files of the Building Inspector.

**15.20.025 Delegated Appointed Agent Municipality.**

(a) The municipality has adopted the Appointed Agent Municipality Status as described in SPS 361.60 and SPS 382 of the Wisconsin Administrative Code.

(1) Responsibilities. The City shall assume the following responsibilities for the Department of Safety and Professional Services (Department):

(A) Provide inspection of commercial buildings with certified commercial building inspectors.

(B) 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 and other structures exempted in SPS 361.03(3), 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.

(2) An addition to a building, structure, or building system such as fire

alarm, sprinkler, plumbing, or HVAC system.

- (3) An alteration of a building space, element, or structure. Including alteration of an existing fire alarm system, fire sprinkler system, plumbing system, HVAC system or replacement of equipment or fixtures within those systems.
- (4) A certified or delegated 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.
- (5) 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 require plan submission. Submission can be submitted via electronic or digital media. If plans are approved electronically, two (2) sets of hard copies bearing the approval stamp of the designer is still required to be submitted prior to permit issuance. Alternatively, plan submission is as follows:

- (1) Building permit application
- (2) Application for review – State of Wisconsin forms as applicable based on trade submitted or Municipal Equivalent.
  - (A) Fees per municipal fee schedule
  - (B) Fees apply to all commercial projects
- (3) 1 set of plans with 3 Project cover sheets
  - (A) Signed and sealed per SPS 361.31
  - (B) (1) set of specifications
  - (C) Component and system plans
  - (D) Calculations showing code compliance

Note: Nothing in this code or chs. SPS 361 to 366 is intended to prohibit the submission and acceptance of plans and construction documents in an electronic or digital media. However, if plans are approved electronically, 2 sets of hard copies bearing the approval stamp of the reviewer is still required to be submitted prior to permit issuance.

#### **15.20.0230 Fee schedule.**

Fees charged under this chapter shall be as specified in section 3.40.010(a).

Section 7. That Chapter 15.24 Fire Limits is hereby repealed.

Section 8. That Chapter 15.48 Signs is hereby repealed.

Section 9. That Section 15.52.030 Surfacing, is hereby amended to read as follows:

#### **15.52.030 Surfacing.**

Any private parking lot as defined above shall be hard surfaced, at grades designated by the City engineer and maintained in a reasonably dustless condition ~~if located within 500 feet of a residence district.~~

Section 10. That Section 15.52.040 Screening is hereby repealed.

Section 11. That Section 17.08.010 Codes adopted, is hereby amended to read as follows:

**17.08.010 Codes adopted.**

The following codes as adopted by the State of Wisconsin are by reference made a part of the City fire prevention code along with any subsequent amendments and/or revisions thereto also adopted by the State of Wisconsin:

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~~(m) NFPA 101—Life Safety Code.~~

Section 12. That Section 17.10.030 Third party inspections and reporting systems, is hereby amended to read as follows:

**17.10.030 - Third party inspections and reporting systems.**

(a) Inspections and maintenance required.

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(3) Testing of all backflow prevention assemblies installed and maintained per NFPA **& SPS 382**.

(b) Qualifications of inspectors. Only qualified personnel shall make inspections or perform testing required by the current edition of State of Wisconsin Fire Prevention Code and the adopted provisions of technical codes. Qualified personnel shall include, but not limited to:

- ~~(1) Personnel who are factory trained and certified for the type and brand of device, equipment, alarm, system, or feature being inspected or tested;~~
- ~~(2) Personnel who are certified by a nationally recognized certification organization approved by the City;~~
- (3)** Personnel who are registered, licensed, or certified by the State of Wisconsin ~~or the City of Wausau~~ to perform the required inspections and testing; ~~or~~
- ~~(4) Personnel of the Fire Department.~~

Section 13. That Chapter 17.12 Definitions is hereby repealed.

Section 14. That Section 17.48.010 Inspection of exits, is hereby amended to read as follows:

**17.48.010 Inspection of exits.**

Not more than 90 minutes prior to the scheduled commencement of any

noncontinuous activity, event, performance, show, meeting, function, or other occasion for which persons will gather at a ~~Class A or B~~ commercial place of assembly (as defined in the 2012 Edition of the Life Safety Code—NFPA No. 101<sup>1</sup>), the owner (or designee pursuant to written authority, instructions or procedures), shall inspect every required exit, ways of approach thereto, and way of departure therefrom. If such inspection reveals that any required means of egress is obstructed, inaccessible, locked, fastened, or otherwise unsuited for immediate use, the scheduled program shall not begin, nor shall admittance to the place of assembly be permitted, until necessary corrective action has been completed.

<sup>1</sup>Available from the National Fire Protection Association, NFPA Fulfillment Center, 11 Tracy Drive, Avon, MA 02322; Phone 1-800-344-3555; [www.nfpa.org](http://www.nfpa.org).

Section 15. That Section 23.03.28(2) Accessory land uses and structures, is hereby amended to read as follows:

### **23.03.28 Accessory land uses and structures.**

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- (2) Detached accessory building: Detached buildings accessory to a residential use including but not limited to buildings used to shelter parked passenger vehicles (including garages) and workshops, greenhouses, boathouses, and pool houses.

Regulations:

- (a) One total detached accessory building shall be permitted by right. Attached garages shall not count toward this total.
1. A conditional use permit (section 23.10.32) shall be required for any additional detached accessory building beyond one.
- (b) ~~A combined total of 1,200 square feet of gross floor area of all detached accessory building on the property is permitted by right. For lots larger than one acre, the maximum permitted combined total of gross floor area of all detached accessory building on the property shall be increased by one square foot for every 100 square feet of lot area over one acre. In no instance shall the detached accessory building area exceed the ground floor area of the principal building used for residence. An individual detached accessory building shall not exceed 900 square feet of gross floor area. If additional square footage is necessary, then approval from the Building Advisory Board must be obtained in accordance with WMC title 15.~~ Total of all garage areas, attached and/or detached for dwellings containing less than 3,200 square feet of total floor area shall not exceed 900 square feet.
- (c) Total of all garage areas, attached and/or detached for dwellings containing 3,200 square feet or more of total floor area shall not exceed 1,200 square feet.

(d) Total area of detached garages shall not exceed 900 square feet.

(ee) See article II for detached accessory building maximum building heights.

(df) Detached accessory buildings are permitted in the rear yard and side yards only. (Detached garages are not permitted in waterfront yards.)

The construction of said garages must be architecturally compatible with that of the principal building. Private garages in excess of the above mentioned square footage may be constructed with prior approval of the Building Advisory Board.

Section 16. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 17. This ordinance shall be in full force and effect on the day after its publication.

Adopted: 6/13/23  
Approved: 6/14/23  
Published: 6/16/23  
Attest: 6/14/23

Approved:

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Katie Rosenberg, Mayor

Attest:

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Kaitlyn A. Bernarde, Clerk