

**VILLAGE OF BLOOMINGTON
ORDINANCE NO. 2025-01**

**AN ORDINANCE TO REPEAL AND RECREATE CHAPTER XIII (THIRTEEN)
"BUILDING REGULATIONS" OF THE VILLAGE OF BLOOMINGTON MUNICIPAL
CODE.**

NOW, THEREFORE, the Village Board of the Village of Bloomington, Grant County, Wisconsin, does ordain as follows:

Section I: Chapter XIII (Thirteen) entitled "Building Regulations", shall be repealed and recreated to read as follows:

**CHAPTER XIII (THIRTEEN)
BUILDING REGULATIONS**

- 13.01 Definitions
- 13.02 Permit Required, Fees
- 13.03 Building Permit Applications
- 13.04 Adoption of State Codes
- 13.05 Certified Municipality Status
- 13.06 Fire District
- 13.07 Building – HVAC – Electrical – Plumbing Inspector
- 13.08 Construction of Residential Structures
- 13.09 Nonconforming Uses, Structures and Lots
- 13.10 Manufactured Homes, Mobile Homes and Recreational Vehicles
- 13.11 Residential Fencing
- 13.12 Signs
- 13.13 Violations and Penalties
- 13.14 Unsafe Buildings – Razing or Repair
- 13.15 Storage and Shipping Containers Prohibited
- 13.16 Severability

13.01 DEFINITIONS

For the purposes of this ordinance, the following definitions shall be used. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not directory.

ACCESSORY BUILDING: Any building except the principal building on a lot. In the case of a house and detached garage on a lot, the accessory building is the garage.

ACCESSORY USE OR STRUCTURE: A use or structure subordinate to and serving the principal use or structure on the same lot and customarily incidental thereto. All accessory uses and structures shall meet the requirements of the zoning district in which they are located and shall also meet the site and use requirements for accessory uses and structures under s. 13.08(2) of this chapter as well as any other regulation applicable to specific types of structure or use (e.g. sign regulations, parking regulations, etc.)

ALLEY: A street or thoroughfare less than twenty-one (21) feet wide and affording only secondary access to abutting property.

ARTERIAL STREET: A public street or highway intended to be used primarily for fast or heavy through traffic. Arterial streets and highways shall include freeways and expressways as well as arterial streets, highways and parkways.

BASEMENT: A story partly underground.

BUILDING: Any structure having a roof which may provide shelter or enclosure of persons, animals or chattel, and when said structure is divided by party walls without openings, each portion of such building so separated shall be deemed a separate building.

BUILDING AREA: Total ground coverage in square feet of all buildings and structures including garages carports, and other attached or accessory structures.

BUILDING HEIGHT: The vertical distance from: (a) the average elevation of the adjoining ground level or (b) the established grade, whichever is lower to the top of the cornice of a flat roof, to the deck line of a mansard roof, to a point of the roof directly above the highest wall of a shed roof, to the uppermost point on a round or other arch type roof, to the mean distance of the highest gable on a pitched or hip roof.

BUILDING INSPECTOR: The Building Inspector shall be appointed by the Village Board. The Building Inspector shall be certified as defined in SPS 305, Wisconsin Administrative Code.

CARPORT: An open sided roofed automobile shelter, usually formed by extension of a roof from the side of a building.

CONDITIONAL USE: A use of land, water or building which is allowable only after the issuance of a special permit by the Village Plan Commission under conditions specified in this ordinance. A use of land which, while appropriate for inclusion within a given district, possesses a high likelihood of creating problems with regard to nearby parcels of land or the occupants thereof, and which are therefore permitted only subject to the fulfillment of conditions which effectively insure that no such problems will be created.

DECK: An uncovered wooden structure attached to a principal structure which exceeds forty-eight (48) square feet in size.

DWELLING: A building or one (1) or more portions thereof occupied or intended to be occupied exclusively for residential purposes, including manufactured homes, but not including room in

motels, hotels, nursing homes, boardinghouses, nor camper trailers, tents, cabins, trailer coaches or any other recreational vehicle. A dwelling shall not be interpreted to include lodging facilities, lodging rooms or mobile home units.

DWELLING, SINGLE-FAMILY: A detached building designated for, or occupied exclusively by, one family.

DWELLING, TWO-FAMILY: A detached or semi-detached building designed for, and occupied by, two families.

DWELLING, MULTIPLE-FAMILY: A building or portion thereof designed for, and occupied by, three or more families.

DWELLING UNIT: Consists of one or more rooms which are arranged, designated or used as living quarters for one family only. Individual bathrooms and kitchen facilities permanently installed shall always be included in each dwelling unit.

DWELLING WIDTH: The length of the shortest exterior wall of a dwelling.

ESSENTIAL SERVICES: Services provided by public and private utilities necessary for the exercise of the principal use or service of the principal structure. These services include underground, surface or overhead gas, electricity, steam, water, sanitary sewerage, storm water drainage, and communication systems and accessories thereto, such as poles, towers, wires, mains, drains, vaults, culverts, laterals, sewers, pipes, catch basins, water storage tanks, conduits, cables, fire alarm boxes, police call boxes, traffic signals, pumps, lift stations, and hydrants, but does not include buildings.

FAMILY: An individual, or two (2) or more persons each related by blood, marriage or adoption living together as a single housekeeping unit, or a group of not more than four (4) persons not so related, maintaining a common household.

FENCE: Any vegetation or structure constructed, erected, assembled, planted or arranged to serve as a permanent enclosure, barrier or boundary.

FLOOD PLAIN: The land adjacent to a body of water which is subject to periodic overflow therefrom.

FLOODWAY: The channel of a stream and such adjacent portions of the floodplain as are required to accommodate flood flows.

FLOOR AREA: The sum of the gross horizontal areas of the several floors of a building including interior balconies, mezzanines, basements and attached accessory buildings, fitting rooms, stairs, escalators, unenclosed porches, detached accessory buildings utilized as dead storage, heating and utility rooms, inside off-street parking or loading space. Measurements shall be made from the outside of an exterior wall to the opposite exterior wall.

FRONTAGE: All property abutting on one side of a street between two (2) intersecting streets or between an intersecting street and the dead end of a street.

GARAGE - PRIVATE: Any privately owned accessory building or space for the storage of motor vehicles.

GARAGE - PUBLIC: Any building or premises, other than a private or storage garage, where motor vehicles are equipped, repaired, serviced, hired, sold or stored.

GARAGE, STORAGE: Any building or premises used for storage only of motor vehicles.

GARAGE - OTHER: All garages, as accessory uses or structures, which do not meet the standards for private garages.

HOME OCCUPATION. A gainful business activity conducted by a person in his or her dwelling which is conducted in the principal residence or an accessory structure. No home occupation is lawful or permitted unless it meets the following criteria:

1. The space used for the business activity, including storage, shall not exceed 30% of the gross floor area of the principal and accessory structures combined, provided however, for a home occupation which is a bed and breakfast operation providing meals and overnight lodging for guests, the measurement of floor space shall be based on the sleeping quarters occupied by the guests.
2. There shall not be more than one (1) employee other than members of the family.
3. There shall not be any outside storage associated with the home occupation and all occupations shall be conducted entirely within a building.
4. One unlighted sign no larger than two (2) square feet may be placed on the premises.
5. There shall be no nuisances associated with home occupations. Potential nuisances include, but not are limited to, noise, odor, dust, increased traffic or parking conflicts. Any nuisance for purposes of this section and Chapter 7, Public Nuisances, of this Municipal Code.
6. If any part of the home occupation, including storage, is conducted in an accessory building or structure, a conditional use permit is required.

HOUSEHOLD UNIT: The body of persons who live together in one dwelling unit as a single housekeeping unit.

JUNK YARD: An area where used, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, cleaned, packed, disassembled or handled, including, but not limited to scrap iron, and other metals, automobiles, trucks, paper, rags, rubber products, bottles and

lumber. Storage of such material in connection with a permitted manufacturing process when within an enclosed area or building shall not be included.

KITCHEN FACILITY: Is one which includes the following fixtures: cabinets or cupboards, sink and faucet and shelving for food preparation or storage; and, includes the following appliances: a refrigerator and a stove with at least two burners and an oven.

LOT: A parcel of land having a width and depth sufficient to provide a space necessary for one main building and accessory building together with open space required by this ordinance and on a public street. A parcel of land described in a recorded plat or deed.

LOT, CORNER: A lot abutting on two or more streets at their intersection.

LOT DEPTH: The mean horizontal distance between the front lot line and the rear lot line of a lot.

LOT LINE-FRONT: That boundary of a lot which abuts an existing or dedicated public street, and in the case of a corner lot it shall be the shortest dimension on a public street except that a corner lot in a non-residential area shall be deemed to have frontage on both streets.

LOT LINE-REAR: That boundary of a lot which is opposite the front lot line.

LOT WIDTH: The shortest distance between side lot lines measured at the building set back line.

MANUFACTURED HOME: A structure, certified and labeled as a manufactured home under 42 U.S.C. secs. 5401 to 5426, as the same may be amended or changed from time to time, with a valid legal title, which, when placed on the site, is properly connected to the required utilities and is without wheels and set upon some other support. To be deemed a “dwelling” a manufactured home must be located on real estate owned by the homeowner.

MINOR AND ORNAMENTAL STRUCTURES:

1. Any small, movable accessory or erection or construction such as pet houses, and ornamental structures such as gazebos, fountains and arbors; said minor and ornamental structures shall be limited to sixteen (16) square feet in the floor space. Ornamental structures larger than sixteen (16) square feet in the floor space may be permitted as conditional uses in all zoning districts.
2. Walls and fences under four (4) feet in height, however no fences or walls under four (4) feet in height shall be located within two (2) feet of a street right of way.
3. Private sidewalks and driveways; poured or formed patios, decks and walkways that do not exceed six (6) inches in height above the ground level.
4. Minor and ornamental structures are neither accessory nor principal structures as defined under this ordinance. However, minor and ornamental structures shall meet all setback requirements of the zoning district in which they are located. No more than two (2) minor and ornamental structures over sixteen (16) square feet in size may be placed on any

parcel on which there is no principal structure and no more than two (2) minor and ornamental structures over sixteen (16) square feet in size may be placed on any parcel on which there is a principal structure.

MOBILE HOME: That which is, or was as originally constructed, designed and built to be towed on its own chassis, comprised of frame and wheels, by any motor vehicle upon a public highway, connected to utilities, and designed without a permanent foundation for year round living, or is intended to be so used. A single unit includes any additions, attachments, annexes, foundations and appurtenances or any parts that may be folded, collapsed or telescoped when being towed, and expanded later to provide additional cubic capacity. A mobile home is not considered a mobile home if the assessable value of such additions previously enumerated equals or exceeds fifty (50) percent of the assessable value of the mobile home. A manufactured home as defined above is not considered a mobile home.

A mobile home should not be confused with a camper, recreational vehicle or any other travel trailer which is either towed by a vehicle or has a self-contained engine for highway driving (commonly known as an RV), can be operated independently of utility connections, is limited in width to eight feet, in length to forty-five feet, and is designed to be used primarily as a temporary vacation dwelling.

MOBILE HOME PARK: A parcel of land under single ownership by an individual, a firm, trust, partnership, public or private association or corporation, and has been developed, designed, maintained, intended or used for the purpose of providing a location, rental of lots and accommodations for four or more mobile homes, including all buildings used or intended for use as part of the equipment thereof, whether or not a charge is made for the use of the mobile home park or its facilities; except that a mobile home subdivision shall not be deemed a mobile home park.

NONCONFORMING STRUCTURE: Any structure which is existing upon the effective date of this ordinance, which would not conform to the applicable regulations if the structure were to be erected under the provisions of this ordinance.

NONCONFORMING USE: Use of land, buildings or structures existing at the time of adoption of this ordinance which does not comply with all the regulations of this ordinance or any amendments hereto governing the zoning district in which such use is located.

PORCH: An entrance to a building which is attached to the building and which is covered or enclosed.

PRINCIPAL BUILDING: The building on a lot in which is conducted the principal use as permitted on such lot by regulations of the district in which it is located.

RECREATION SPACE: Total area in square feet which is countable as open space but is not paved in streets, walks or driveways and is suitable for recreational pursuit.

RECREATIONAL VEHICLE: A vehicle having an overall length of 45 feet or less and a body width of 8 feet or less primarily designed with temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are travel trailer, camping trailer, truck camper and motor home.

SETBACK: The minimum horizontal distance between the street, side or rear line and the nearest point of a building or any projection thereto, excluding uncovered steps.

SIGN: Any words, letters, figures, numerals, phrases, sentences, emblems, devices, designs, trade names, or trademarks by which anything is made known and which are used to advertise or promote an individual, firm, association, corporation, profession, business, commodity, or product and which is visible from any public street or highway.

STEP/STOOP: A raised platform leading to a building which is attached to the building, which is neither covered nor enclosed, and which does not exceed 48 square feet in size and which is no less than two (2) feet from the property line.

STORAGE TRAILER UNIT: A portable storage unit that does not have a permanent foundation or footing and which includes cargo containers, portable storage containers, truck trailers and construction trailers.

STORY: That portion of a building included between the surface of a floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it. A basement or cellar having one-half or more of its height above a grade is a story for purposes of height regulation.

STORY, HALF. The space under any roof except a flat roof, the wall plates of which on at least two opposite exterior walls are not more than four feet above the floor of such story.

STREET: All property dedicated or intended for public or private street purposes or subject to public easements 21 feet or more in width.

STREET RIGHT-OF-WAY LINE: The dividing line between a lot, tract or parcel of land and an abutting street.

STRUCTURE: Anything constructed or erected, the use of which requires permanent location on the ground.

STRUCTURAL ALTERATION: Any change in the supporting members of a building or any substantial change in the roof or in the exterior walls or interior walls.

SUBSTANDARD LOT: A lot or parcel which does not meet the minimum width, length or area requirements for the zoning district in which the lot is located.

TEMPORARY FENCE: Any vegetation or structure constructed, erected, assembled, planted or arranged to serve as a temporary enclosure, barrier or boundary for a period not to exceed 180 consecutive days per calendar year.

TEMPORARY STRUCTURE: A removable structure not designed for human occupancy nor for the protection of goods or chattels and not forming an enclosure.

TRAFFIC VISIBILITY TRIANGLE shall be the area between the height of two and one-half (2 1/2) feet and ten (10) feet above the plane through the mean curb grades within the triangular space formed by any two (2) existing or proposed intersecting street or alley right of way lines and a line joining points on such lines located a minimum of twenty-five (25) feet from their intersection.

VARIANCE: A departure from the terms of the zoning ordinance where it is shown that unique physical circumstances applying to a land parcel cause a hardship to the owner, and that the condition permitted by the departure still will be in fundamental harmony with surrounding uses.

VEGETATION: Any plants, shrubbery, or hedges planted, buried or arranged in such a manner as to create a fence.

VISION CLEARANCE TRIANGLE. An unoccupied triangular space at the corner of a corner lot which is bounded by the street lines and a setback line connecting points determined by measurement from the corner of each street line.

WATERLINE: The shortest straight line at the waterfront end of a stream lot that lies wholly within the lot, provided that not less than 75 percent of the length of such water line shall be on, or on the landward side of, the normal high water mark of such stream.

YARD: Any open space on the same lot with a building, unoccupied and unobstructed from the ground upward except as otherwise provided herein.

YARD-FRONT: A yard extending the full length of the lot between the front lot line and the nearest part of the main building, including attachments such as decks and porches.

YARD-REAR: A yard extending the full width of the lot being the minimum horizontal distance between the rear lot line and the nearest part of the building, including attachments such as decks and porches.

YARD SIDE: A yard extending from the front yard to the rear yard being the minimum horizontal distance between a building and the side lot line, including attachments such as decks and porches.

13.02 BUILDING PERMIT REQUIRED, FEES

Except as otherwise expressly provided in this Chapter, no owner or contractor may construct, erect, alter, enlarge, repair, move, convert to other uses, or demolish any building, structure or mechanical system until a valid permit is obtained from a Municipal Building Inspector. The building permit shall be issued if the requirements for filing and fees are satisfied, and the plans have been conditionally approved.

- (1) The foregoing described work that shall require a building permit includes, but is not limited to:
 - (a) New Single-Family and Two-Family Dwellings and commercial buildings including agricultural buildings, detached structures (decks), and detached Accessory Buildings.
 - (b) Additions that increase the physical dimensions of a Building including all garages, decks, balconies, stoops, and similar structures that are attached to any building.
 - (c) Alterations to the building structure; cost shall include market labor value, or alterations to the building's heating, electrical, or plumbing systems.
 - (d) Any electrical wiring for new construction or remodeling excluding new wiring for existing industrial and manufacturing facilities that do not require State mandated building plan review.
 - (e) Any HVAC for new construction or remodeling.
 - (f) Any plumbing for new construction or remodeling.
 - (g) Any new or re-wired electrical service, including services for agricultural buildings.
- (2) The following construction activities shall not require a building permit:
 - (a) Re-siding, re-roofing, and finishing of interior surfaces, installation of cabinetry, and repairs which are deemed minor by the Building Inspector. Notwithstanding this section, however, a permit accompanied by structural load-bearing calculations shall be required for re-roofing a building if the proposed re-roofing would constitute a third or more layer of roofing.
 - (b) Replacement of building equipment in Single-Family and Two-Family Dwellings including furnaces and central air conditioners, water heaters, and any other similar equipment.
 - (c) Normal repairs of HVAC, plumbing, and electrical, or systems such as replacing switches, receptacles, light fixtures, and dimmers.
 - (d) Animal houses less than four (4) feet wide by four (4) tall by four (4) feet deep.

- (3) If, in the reasonable judgement of the Building Inspector, the character of the construction related work is sufficiently described in the application, the Building Inspector may waive the filing of plans for alterations and/or repairs, provided the cost of such work does not exceed Two Thousand (\$2,000.00) Dollars.
- (4) Building permit fees.
 - (a) At the time of building permit issuance, the applicant shall pay fees as established by resolution periodically by the Village.
 - (b) If work commences prior to permit issuance, the permit fee shall be double.
- (5) Permit Lapses.
 - (a) The building permit shall become null and void unless operations are commenced within six (6) months from the date thereof, or if the building or work authorized by such permit is suspended at any time after work is commenced for a period of 180 days. No construction shall commence or resume unless a time extension is granted. The Building Inspector shall make the final determination as to if the permitted work has not started or has been suspended or abandoned. The permit shall not be considered expired until the Inspector has notified the permit holder in writing and offered a time extension.
 - (b) In any event, except the work required to construct a one-family or two-family residence under a Wisconsin Uniform Building Permit, all work requiring a permit shall be completed within twelve (12) months of the issuance of the building permit. Wisconsin Uniform Building Permits shall expire 24 months after issuance if the dwelling exterior has not been completed in accordance with Wis. Admin. Code SPS 320.09(9)(a)5. Completion requires the passing of a final inspection. A 6-month extension may be granted by the Village Board. Before any work is commenced or recommended after the permit has lapsed under subsections (a) or (b), a new permit, subject to regular rates and fees, shall be issued.
- (6) Permit Revocation.
 - (a) The Building Inspector or the Village Board (or its designee) may revoke any building, plumbing or electrical permit, certificate of occupancy, or approval issued under the regulations of this chapter and may stop construction or use of approved new materials, equipment, methods of construction, devices, or appliances for any of the following reasons:
 - 1. Whenever the Building 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.

2. When the continuance of any construction becomes dangerous to life or property.
 3. When there is any violation of any condition or provisions of the application for permit or of the permit.
 4. When, in the reasonable judgment of the Building Inspector, there is inadequate supervision provided on the job site.
 5. When any false statement or misrepresentation has been made in the application for permit, plans, drawings, data specifications or certified lot or plot plan on which the issuance of the permit or approval was based.
 6. When there is a violation of any of the conditions of an approval or occupancy given by the Village Building Inspector for the use of all new materials, equipment, methods or construction devices or appliances.
- (b) The notice revoking a building, plumbing or electrical permit, certificate of occupancy or approval shall be in writing and may be served upon the applicant of the permit, owner of the premises and his or her agent, if any, and on the person having charge of construction. A revocation placard shall also be posted upon the building, structure, equipment, or premises in question by the Village Building Inspector.
- (c) After the notice is served upon the persons as aforesaid and posted, it shall be unlawful for any person to proceed thereafter with any construction operation whatsoever on the premises, and the permit which has been so revoked shall be null and void, and before any construction or operation is again resumed, a new permit, as required by this chapter, shall be procured and fees paid therefor, and thereafter the resumption of any construction or operation shall be in compliance with the regulation of this chapter. However, such work as the Village Building Inspector may order as a condition precedent to the reissuance of the building permit may be performed, or such work as the Village Building Inspector may require for the preservation of life and safety.
- (7) Traffic Visibility Triangle must be maintained. No obstructions, such as structures, parking or vegetation shall be permitted between the height of two and one-half (2 1/2) feet and ten (10) feet above the plane through the mean curb grades within the triangular space formed by any two (2) existing or proposed intersecting street or alley right of way lines and a line joining points on such lines located a minimum of twenty-five (25) feet from their intersection.

13.03 BUILDING PERMIT APPLICATION

A Building Permit will not be issued until the following requirements have been satisfied:

- (1) Applicant must submit a properly completed application form accompanied by the designated fee. Applications for a Building Permit shall be made in writing to the Village Building Inspector for all new building structures or additions. Applications shall be made directly to the Village Board for fencing, signs, and accessory structures less than 120 square feet without heating, electrical or plumbing systems and which do not serve a larger building or structure. Forms will be provided by the Village or the Building Inspector and shall include the following:
 - (a) Names, addresses and telephone numbers of the applicant, owner of the site, and architect, professional engineer and contractor, if any;
 - (b) Description of the subject site by its street number, and by its legal description according to the Grant County, Wisconsin Registry or other land survey;
 - (c) Type of structure or work proposed to be done and statement of cost of work proposed to be done or, where not known, good-faith estimate of such cost;
 - (d) Applicant must provide written verification from the Grant County Zoning Department that the proposed building is in compliance with county floodplain, shore land and wetland ordinances and other state mandated or county ordinances that might be relevant to the building site;
 - (e) Existing or intended use of the structure.
- (2) Applications for a building permit shall be accompanied by:
 - (a) A location sketch, showing the location, actual shape and dimensions of the lot to be built upon,
 - (b) The size and location of the structure on the Lot (including setbacks),
 - (c) The approximate distances between the nearest point on the structure and the center line of the highway,
 - (d) Such other information with regard to the proposed building and neighboring lots or buildings as may be called for on the application or may be necessary to provide for the enforcement of this Ordinance.
- (3) By signing the application, the applicant agrees that all construction materials will be staged and stored in an orderly manner that will prevent them from wind-blown debris and will not create an environmental hazard or aesthetic nuisance.
- (4) Building permits are not transferable from one person to another.

13.04 ADOPTION OF STATE CODES

- (1) The following Chapters of the Wisconsin Administrative Code, as well as all subsequent future amendments, modifications, and revisions, are adopted by the Municipality and shall be enforced by the Building Inspector.

Ch. SPS 302.31	Plan Review Fee Schedule
Ch. SPS 305	Credentials
Ch. SPS 316	Electrical Code
Chs. SPS 320-325	Uniform Dwelling Code
Ch. SPS 327	Campgrounds
Chs. SPS 361-366	Commercial Building Code
Chs. SPS 375-379	Buildings Constructed Prior to 1914
Chs. SPS 381-387	Uniform Plumbing Code

Wisconsin State Statutes Chapter 101 Department of Safety and Professional Services- Regulation of Industry, Buildings, and Safety

- (2) For the purpose of this Ordinance, the standards contained in the Wisconsin Uniform Building Code shall be expanded to apply to the alteration, enlargement or repair of existing Single-Family and Two-Family Dwellings constructed prior to June 1, 1980, for which a building permit is required under this Chapter. Submitted building permit applications for alterations or additions to homes built prior to June 1, 1980, may provide alternative methods or materials that, when deemed necessary in the opinion of the Building Inspector, meet the current intent of the code.
- (3) Any act required to be performed or prohibited by an Administrative Code provision incorporated herein by reference is required or prohibited by this Chapter.

13.05 CERTIFIED MUNICIPALITY STATUS

- (1) Certified Municipality. The **Village of Bloomington** has adopted the Certified Municipality Status as described in SPS 361.60 of the Wisconsin Administrative Code.
- (a) Responsibilities. The Village shall assume the following responsibilities for the Department of Safety and Professional Services (Department):
1. Provide inspection of all sized commercial buildings with certified commercial building inspectors.
 2. Provide plan review of all sized 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. All commercial buildings, without size limitations [Appointed Agent per Wis. Stat. § 101.12(3g)].

(c) Notes.

1. A certified municipality may waive its jurisdiction for the plan review of a specific project or type of project, or components thereof, in which case plans and specifications shall be submitted to the Department for review and approval.
2. The Department may waive its jurisdiction for the plan review of a specific project, agreed to by a certified municipality, in which case plans and specifications shall be submitted to the certified municipality for review and approval.

(d) 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, or equivalent.
 - a. The applicant shall pay fees established by Village resolution.
 - b. Fees apply to commercial projects.
3. Four sets of plans.
 - a. Signed and sealed per SPS 361.31.
 - b. One set of specifications.
 - c. Component and system plans.
 - d. Calculations showing code compliance.

13.06 FIRE DISTRICT

(1) Intent and Purpose.

- (a) This Ordinance is adopted for the purpose of preserving and promoting the public health, safety, and general welfare of the people of the Village and environs.
- (b) It is recognized that there is an area of the Village which contains a mix of residential and nonresidential buildings, structures, yards or vacant areas of various ages, construction materials and uses. This area poses a greater threat of vulnerability to fire damage because of the proximity and combination of structures which are old and new, structures constructed of a variety of materials and structures housing a mixture of uses. To preserve and promote public health, safety, and welfare, it is necessary to identify this area and establish special construction standards for new and substantially remodeled buildings and structures therein.

(2) District Defined.

- (a) There is hereby created a fire district to be known as the Village of Bloomington Fire District, which includes all parcels of land within the corporate limits of the Village of Bloomington, Grant County, WI.
- (3) General Requirements.
 - (a) All new buildings and additions to existing buildings, except private residences, hereafter constructed in the Village of Bloomington Fire District shall be of fire resistive construction, as specified in Wis. Admin. Code ch. SPS 362, unless exempted by the Fire Chief and the Municipal Building Inspector.
 - (b) All roof repair or replacement shall be of Class A rated material or equal.
 - (c) Rooms or groups of rooms used for the housing of heating equipment, fuel storage, storage of oils, wastepaper or volatile flammable liquid, or similar use shall be separated from the rest of the building by permanent, fire-rated walls and ceiling complying with Wis. Admin. Code ch. SPS 362 and Wis. Admin. Code. Ch. ATCP 93 (Flammable, Combustible, and Hazardous Liquids), with openings protected by means of approved standard fire windows and doors, complying with Wis. Admin. Code ch. SPS 362.
 - (d) Fire inspections, as required by Wis Stats. Sec 101.14, shall occur for every public building and place of employment within the Village at least once every calendar year, provided the interval between those inspections for said buildings does not exceed fifteen months.
 - (e) Bulk Oil Tanks Prohibited. The storage of over 1000 gallons of flammable liquids above ground on any single premises and the storage in any underground tank or over 2000 gallons within the fire district is prohibited.

13.07 BUILDING-HVAC-ELECTRICAL-PLUMBING INSPECTOR

- (1) **Creation and Appointment.** There is hereby created the office of the Building Inspector. The Building Inspector shall be appointed by the municipality. The Building Inspector shall be certified for inspection purposes by the Department in the required categories specific under SPS 305, Wisconsin Administrative Code.
- (2) **Assistants.** The Building Inspector may employ, assign, or appoint, as necessary, assistant inspectors. Any assistant hired to inspect buildings shall be certified as defined in SPS 305, Wisconsin Administrative Code by the Department.
- (3) **Duties.** The Building Inspector shall administer and enforce all provisions of this ordinance.

- (4) **Powers.** The Building Inspector or an authorized certified agent of the Building Inspector may, at all reasonable hours, enter upon any public or private premises for inspection purposes. The Building Inspector may require the production of the permit for any building, plumbing, electrical, or heating work. No person shall interfere with or refuse to permit access to any such premises from the Inspector or his/her agent while in the performance of his/her duties. If the Inspector is refused access to any such premises, then the Inspector is authorized to apply for a special inspection warrant pursuant to Section 66.0119, Stats.
- (5) **Inspection results.** The findings of inspection by the Building Inspector, plumbing inspector and electrical inspector are intended to report conditions of non-compliance with code standards that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of the closed structural and non-structural elements or the mechanical systems of the building and premises. No warranty of the operation, use, or durability of equipment and materials not specifically cited in the findings of inspection are expressed or implied.

13.08 CONSTRUCTION OF RESIDENTIAL STRUCTURES

- (1) **LOT, YARD AND BUILDING REQUIREMENTS IN RESIDENTIAL AREAS.** In all residential areas of the Village of Bloomington, the following uses of land are permitted:
 - (a) Single-Family and Two-Family Dwellings. Housing with more than two (2) units is considered commercial property.
 - (b) One (1) Private Garage consisting of not more than four (4) stalls for each residential parcel. Said garage shall not be constructed closer to the street than the front of the existing residential structure.
 - (c) Accessory Buildings such as gardening, tool and storage sheds incidental to the residential use, shall not exceed one hundred twenty (120) square feet in size nor be constructed other than in the Rear Yard of the residential lot unless approved otherwise by the Village Board.
 - (d) Foster family care.
 - (e) Uses customarily incidental to any of the above uses, provided that no such use generates traffic or noise that would create public or private nuisance.
 - (f) Home Occupations or professions of common practice.
 - (g) Temporary Uses, such as shelters for materials and equipment being used in the construction of a permanent structure, may be permitted by the Building Inspector.

(2) LOT, YARD, AND BUILDING REQUIREMENTS AND SETBACKS.

Lot frontage	Minimum 60 feet*
Lot area	Minimum 7,200 square feet*

Principal Building Setbacks:

Front yard	Minimum 25 feet from street right-of-way
Side yards	Minimum 8 feet from side lot line
Rear yard	Minimum 20 feet from rear lot line
Maximum setback	35 feet from street right-of-way

Accessory Buildings:

1. Accessory Buildings shall not be constructed other than in the Rear Yard portion of the residential Lot unless prior approval is given by the Village Board.
2. No Accessory Buildings shall be constructed until the Principal Building on the Lot is present or is under construction.
3. Accessory Structures and Garage structures must be located a minimum of ten (10) feet from the Principal Building unless compliance with § SPS 321.08 of the Wisconsin Administrative Code is documented and approved by the building inspector.

If Accessory Building is allowed:

Front yard	Minimum 25 feet setback from the street right-of-way but not closer than the front of the existing residential structure.
Side yards	Minimum 8 feet from side lot line
Rear yard	Minimum 8 feet from rear lot line
Alley	Minimum 15 feet from alley right of way or 30 feet from center of alley

* All Lot frontages and Lot areas shall be in conformity with the above minimum requirements. The only exception to these requirements would be any preexisting substandard lots having a lot frontage less than 60 feet or a lot area less than 7,200 square feet, which were platted either within the original plat of the Village of Bloomington or any subdivisions that have been property platted prior to the enactment of this ordinance.

* More restrictive standards may be imposed by state regulations in certain circumstances, for example, on lots fronting on certain classes of state highways.

- (3) DRIVEWAYS AND SIDEWALKS. Reference is made to Chapter 8 of this Municipal Code, "Public Ways and Property" for regulations regarding construction standards for driveways and sidewalks within the Village.

13.09 NONCONFORMING USES, STRUCTURES AND LOTS

- (1) EXISTING NONCONFORMING USES.

The lawful Nonconforming Use of a structure, land, or water existing at the time of the adoption or amendment of this Ordinance may be continued although the use does not conform with the provisions of this Ordinance; however:

- (a) Only That Portion of the land or water in actual use may be so continued and the structure may not be extended, enlarged, reconstructed, substituted, moved, or structurally altered except when required to do so by law or order or so as to comply with the provisions of this Ordinance.
- (b) Total Lifetime Structural Repairs or alterations shall not exceed fifty (50) percent of the Village's assessed value of the structure at the time of its becoming a nonconforming use unless it is permanently changed to conform to the use provisions of this Ordinance.
- (c) Substitution of New Equipment may be permitted by the Board of Zoning Appeals if such equipment will reduce the incompatibility of the nonconforming use with the neighboring uses.

- (2) ABOLITION OR REPLACEMENT

If such Nonconforming Use is discontinued or terminated for a period of twelve (12) months, any future use of the structure, land, or water shall conform to the provisions of this Ordinance. When a Nonconforming Use or Structure is damaged by fire, explosion, flood, the public enemy or other calamity, to the extent of more than fifty (50) percent of its current assessed value, it shall not be restored except so as to comply with the use provisions of this Ordinance.

- (3) EXISTING NONCONFORMING STRUCTURES

The lawful Nonconforming Structure existing at the time of the adoption or amendment of this Ordinance may be continued although its size or location does not conform with the lot width, lot area, yard, height, parking and loading, and access provisions of this Ordinance; however, it shall not be extended enlarged, reconstructed, moved or structurally altered except when required to do so by law or order or so as to comply with the provisions of this Ordinance.

- (4) CHANGES AND SUBSTITUTIONS

Once a Nonconforming Use or Structure has been changed to conform, it shall not revert back to a Nonconforming Use or Structure.

(5) **SUBSTANDARD LOTS**

In any residential district, a Single-Family detached dwelling and its Accessory Structures may be erected on any legal lot or parcel on record in the County Register of Deeds Office before the effective date or amendment of this Ordinance.

Such Lot or Parcel shall be in separate ownership from abutting lands. If abutting lands and the Substandard Lot are owned by the same owner, the substandard lot shall not be sold or used without full compliance with the provisions of this Ordinance. If in separate ownership, all the district requirements shall be complied with insofar as practical but shall not be less than the following:

<u>Lot</u>	Width	Minimum	30 ft.
	Area	Minimum	4,000 sq. ft.
<u>Building</u>	Area	Minimum	1,000 sq. ft.
	Height	Maximum	30 ft.
<u>Yard</u>	Street	Minimum	25 ft.; the second street yard on corner lots shall be not less than 10 ft.
	Rear	Minimum	25 ft.
	Side	Minimum	16% of frontage not less than 5 ft.

13.10 MANUFACTURED HOMES, MOBILE HOMES AND RECREATIONAL VEHICLES

- (1) A Manufactured Home is defined as a structure, certified and labeled as a manufactured home under 42 U.S.C. secs. 5401 to 5426, as the same may be amended or changed from time to time, with a valid legal title, which, when placed on the site, is properly connected to the required utilities and is without wheels and set upon some other support. To be deemed a "dwelling" a manufactured home must be located on real estate owned by the homeowner.
- (2) A Mobile Home is defined as a structure, transportable in one or more sections, which is over 400 square feet in area excluding the hitch, built on a permanent chassis, and designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air conditioning and electrical systems contained in it.
- (3) A Recreational Vehicle is defined as a vehicle having an overall length of 45 feet or less and a body width of 8 feet or less primarily designed with temporary living quarters for recreational, camping, or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. The basic entities are travel trailer, camping trailer, truck camper and motor home.

- (4) No person may use or occupy a Mobile Home as a residential dwelling unless it meets the requirements of Wisconsin Administrative Code Ch. COMM 27. This subsection does not apply to mobile homes that are placed in a licensed mobile home park.
- (5) No person shall use as a permanent residence in the Village any mobile home section, nor shall any person locate, keep or store a section in the Village except as incidental to construction of a mobile home unit after the issuance of a building and zoning permit, or except in connection with a bona fide business.
- (6) No person shall use or occupy within the Village as a permanent residential dwelling any Recreational Vehicle. Occupancy of a Recreational Vehicle for more than 30 days shall be prima facie evidence that the Recreational Vehicle is being used as a permanent residential dwelling.
- (7) No Mobile Home may be brought into the Village for use as a residential dwelling unless its date of manufacture is less than ten (10) years before the time the mobile home is set and it has a pitched roof.
- (8) All Mobile Homes shall be anchored and tied down. Skirting or foundations shall be provided for all mobile homes. All hitches shall be removed from mobile homes after placement in a mobile home park. All utilities shall be underground.
- (9) Reference is made to Chapter 14 of this Municipal Code, "Mobile Homes" for additional regulations regarding Mobile Home Parks and placement of mobile homes within the Village.

13.11 RESIDENTIAL FENCING

(1) Definitions.

- (a) The term "fence" is defined as any vegetation or structure constructed, erected, assembled, planted or arranged to serve as a permanent enclosure, barrier or boundary.
- (b) The term "temporary fence" is defined as any vegetation or structure constructed, erected, assembled, planted or arranged to serve as a temporary enclosure, barrier or boundary for a period not to exceed 180 consecutive days per calendar year.
- (c) The term "vegetation" is defined as any plants, shrubbery, or hedges planted, buried or arranged in such a manner as to create a fence.
- (d) The term "pet containment system" is defined as an electronic containment device that utilizes underground wires that are used to keep a dog or other animal inside the boundary of a property without the construction of a fence. Pet containment

systems shall comply with the location requirements within Subsection 5 and maintenance requirements within Subsection 6 below.

(e) The terms Front Yard, Side Yard and Rear Yard are as defined in section 13.01.

(2) Materials

(a) **Approved Materials.** Residential Fences shall be constructed only of materials manufactured for use as residential fencing and never opaque metal of any kind. Approved materials for fencing include, but are not limited to, wood, stone, brick, wrought iron, chain link, woven wire, wire mesh, composite materials, plastic, or vegetation. Snow fences constructed of wood, wire, plastic or any combination thereof shall be permitted only as a temporary fence.

(b) **Prohibited Materials.** No residential Fence shall be constructed of dangerous materials or materials that would constitute a nuisance. No fence shall be constructed of barbed wire, razor wire or be constructed to conduct electricity or that is designed to shock with electricity.

(3) Permit Requirement.

No person shall erect a Fence in the Village of Bloomington unless a permit is first obtained from the Village Office by the property owner or his/her agent. A permit fee, as established annually by the Village Board, shall be paid upon application for the permit. Failure to obtain said permit and pay required fee will permit the removal of the Fence upon demand of the Building Inspector.

(4) Responsibility of Owner.

Any person erecting a Fence shall do so on his/her own property. The responsibility for establishing a property line shall rest with the property owner erecting the Fence.

(5) Location.

(a) Fences are permitted on the property lines in residential districts but shall not exceed a height of 6 feet (1.83 meters), in the side and rear yards; shall not exceed a height of 4 feet (1.22 meters), in the front yard; and shall not be closer than 2 feet (0.61 meters) to any public right-of-way in the front or side yards of the lot.

(b) All Fences, landscaped walls or decorative posts shall be erected so as to locate the visible supports and other structural components toward the subject property, except for structures that are finished equally toward adjoining properties.

(c) Residential Fences may not be located in any Traffic Visibility Triangle. No solid fence or segment of a fence more than two and one-half (2 1/2) feet high is allowed within the vision clearance required for Corner Lots abutting a street or alley.

- (d) A Corner Lot is deemed to have two front yards.
- (e) No Fence or segment of a fence shall be constructed nearer than four (4) feet to any alley line.

(6) Maintenance.

- (a) The owner of a fence shall be responsible for maintaining said fence in a safe, structurally sound and attractive manner.
- (b) All exterior surfaces shall be treated with paint or other preservatives and shall be maintained so as to prevent chipping, peeling, cracking or other deterioration of the exterior surfaces so as to present an attractive appearance and to maintain safety.
- (c) Any fence in a dilapidated or deteriorated condition and further improper state of repair that causes a safety or health concern is considered a Public Nuisance and is in violation of the Public Nuisance chapter of this Municipal Code and therefore subject to the penalties and abatement procedures set forth in said chapter.

(7) Temporary Fences.

Fences erected for the protection of planting or to warn of a construction hazard, or for similar purposes, shall be clearly visible or marked with colored streamers or other such warning devices at four (4) foot intervals. Such fences shall comply with the setback requirements set forth in this Section. The issuance of a permit shall not be necessary for temporary fences described herein.

(8) Existing Fences.

Fences in existence upon the adoption of this Section are legal non-conforming uses. Any modification or alteration to an existing fence will, however, require a permit as set forth in Subsection 3 above and shall also need to comply with all other requirements as set forth in this Section.

(9) Penalties.

The penalty for violation of any provision of this Section of the Code will be a penalty as provided in Section 15.04. A separate offense shall be deemed committed for each day of which a violation of this Section occurs or continues.

13.12 SIGNS

A sign permit must be completed and submitted for any person or business wishing to erect, construct, enlarge, relocate or structurally modify a sign. Permits shall not be required for a change of copy on any sign, nor for the repainting, cleaning, and other normal maintenance and repair of the sign or sign structure.

(1) Sign Permit Application.

Application for Sign Permit shall be filed with the Village Clerk and will include:

- (a) the complete name, address, and contact information for the sign owner, and the property owner, where the sign will be located;
- (b) the sign contractor;
- (c) identification of the location of the sign;
- (d) scale drawings of the proposed sign, dimensions, type of materials to be used and construction plan;
- (e) site plan showing the building on the premises upon which the sign will be erected and any other existing signs on the premises;
- (f) Any other such information as required to show compliance with all other applicable laws of the Village.

(2) Installation and Maintenance Safety.

All signs shall be installed and maintained in a workmanlike manner using equipment which is adequate and safe for the task.

(3) Signs Requiring a Permit.

- (a) Directory Signs advertising a business or activity conducted, an area of interest or a service available at a specific location. Such signs shall be not more than eighteen (18) square feet in gross area. There shall be not more than two (2) such signs relating to any one such use in the approaching direction along any one street. No such sign shall be more than 8 miles award from the location to which it relates. Such signs may be placed at the right-of-way line of the street. A larger number of signs may be permitted by the Village Board if the Board shall find it necessary for directing the traveling public. Type 1 signs are not permitted in any residential development area.
- (b) Business Signs. Signs on the premises of commercial, industrial and agricultural buildings advertising a business conducted or a service available on the premises. No sign shall exceed two hundred (200) square feet in gross area, be higher than ten (10) feet above the top of the roof line, shall not extend more than six (6) inches outside of building wall surface and shall not exceed twenty (20) feet in height above the main centerline of the street.
- (c) Off-Premises Signs. Signs located off premises advertising a general brand or product, an area of interest, a business conducted or a service available. Such signs shall not be more than one hundred (100) square feet per side in area and erected outside a line parallel to and twenty-five (25) feet from the street right-of-way line.

- (d) On-Premises Signs advertising a public or semipublic use. Such signs shall not exceed thirty-two (32) square feet in gross area. There shall be no more than one sign for each street upon which the property faces.
- (e) Recreational Signs. Directory signs indicating the direction to a cottage, resort residence or similar use. Such signs shall not be more than one (1) square foot in gross area. Where a common posting standard is provided, all such signs shall be securely attached to the standard recreational directory.
- (f) Temporary Over-the-Street Banners. The lowest portion of the banner located over any street may not be lower than seventeen (17) feet above the traveled portion of the roadway. The event sponsor must obtain authorization from the utility company controlling any posts to which the banner is attached. No over the street banners are allowed over any roadway that is part of the state trunk highway system. Proof of insurance for any over the street banner must be filed with the Village Clerk prior to the erection of any such banner or sign.

(4) Signs Not Requiring a Permit

- (a) Home Occupation Signs. Signs advertising a customary home occupation or professional office. Such signs shall not exceed four (4) square feet in gross area, shall be attached to the building or securely ground mounted on the property where the home occupation or office is located. If the sign is illuminated, it shall be indirectly lighted.
- (b) Temporary Real Estate Signs. signs advertising the sale, rent or lease of the property on which the sign is placed. Such sign shall not exceed six (6) square feet in gross area and may be placed at the right-of-way line of the street. Temporary signs, such as rummage or garage sale signs, shall have a 60-day limit.
- (c) Temporary political or campaign signs on behalf of candidates for public office or measures on election ballots may be erected not earlier than forty-five (45) days prior to the date of election and shall be removed within five (5) days following said day of voting. Each sign, except billboards, shall not exceed nine (9) square feet in non-residential districts and six (6) square feet in residential districts. No sign shall be located within fifteen (15) feet of the public right-of-way, a street intersection nor on or over the right-of-way.
- (d) Construction signs. Two construction signs per construction site, not exceeding one hundred (100) square feet in area each, confined to the site of construction. Such sign shall be removed within thirty (30) days of completion of construction or prior to occupancy, whichever is sooner.

- (e) Direction and Instructional Non-Electric Signs, which provide instruction or direction and are located entirely on a property to which they pertain and do not exceed eight (8) square feet each in area and to not in any way advertise a business. This includes, but is not limited to, such signs as those identifying restrooms, parking areas, entrances and exits.
- (f) Public Signs. Signs required as specifically authorized for a public purpose by any law, statute or ordinance. Official notice signs posted by public officers in performance of their duties.

(5) Legal Non-Conforming Signs.

- (a) Signs lawfully existing at the time of the adoption or amendment of this section may be continued, although the use, size or location does not conform with the provisions of this section.
- (b) The owner or user of a legal non-conforming sign, or owner of the property on which the sign is located, shall continue to maintain the safety, maintenance and repair of the sign.
- (c) Any non-conforming sign at the effective date of this ordinance may be continued provided that no increase in size, illumination or flashing of such sign shall be made, and further provided the following:
- (d) Any sign, including structures and all supporting members, shall be discontinued and removed not more than five (5) years after the date that such sign becomes a non-conforming sign unless such nonconforming sign shall be made to conform to all of the regulations as set forth in this section.

(6) Prohibited Signs.

- (a) No sign shall be so placed as to interfere with the visibility or effectiveness of any official traffic sign or signal or with driver vision at any access point or intersection. The Traffic Visibility Triangle must be maintained at all times.
- (b) No sign will be permitted that resembles the size, shape, form or color of official traffic control signs, signals or devices.
- (c) No sign shall contain or be illuminated by a flashing light, or have any lighting detrimental to traffic visibility or safety.
- (d) No sign shall bear or contain statements, words or pictures of obscene, pornographic, or immoral subjects.

- (e) Abandoned signs. At the termination of a business or enterprise, all signs shall be removed from public view within thirty (30) days. Responsibility shall reside with the property owner, according to the latest official tax roll listing. Upon failure to remove the sign, the owner shall receive thirty (30) days written notice to remove, and if owner fails to comply, the Village may abate and the expense assessed to the tax roll.
- (f) Swinging signs over fifty (50) square feet in area are prohibited.
- (g) No sign in a conspicuous state of disrepair shall be permitted. The Village may order removal on a twenty (20) day notice or immediately if public danger exists.

13.13 VIOLATIONS AND PENALTIES

- (1) Prohibition. No person, firm, or entity may construct, remodel, demolish, or repair any building in a manner which violates any provision or provisions of this ordinance.
- (2) Any person, firm, or entity who violates any of the provisions of this ordinance, or who fails to comply with any order made hereunder, or who builds in violation of any detailed statement of specifications or plans submitted and conditionally approved hereunder, or any certificate or permit herein from which no such appeal has been taken, or who fails to comply with such an order as affirmed or modified by a court of competent jurisdiction within the time fixed herein, shall for each and every violation and noncompliance be subject to the following:
 - (a) Every person, firm, or entity which violates any provisions of this ordinance shall be subject to a penalty of not less than \$25.00 nor more than \$1,000.00 for each day of non-compliance, together with the costs of prosecution.
 - (b) Imposition of a penalty for each such violation shall not excuse the violation or permit it to continue and such violations or defects shall be corrected or remedied within the time stated in the order. Each and every day that a violation of this Code occurs constitutes a separate offense.
- (3) Violations discovered by the Building Inspector shall be corrected within 30 days, or more if allowed by the Inspector, after written notice is given. Violations involving life safety issues shall be corrected in a reasonable time frame established by the Building Inspector.
- (4) Compliance with the requirements of this ordinance is necessary to promote the safety, health, and well-being of the community and the owners, occupants, and frequenters of buildings. Therefore, violations of this ordinance shall constitute a public nuisance that may be enjoined in a civil action.

13.14 UNSAFE BUILDINGS – RAZING OR REPAIR

- (1) Whenever the Building Inspector shall find that any building or structure, or any part thereof, is dangerous to life or adjoining property by reason of bad conditions, defective construction, overloaded floors, decay, lack of guards against fire, general dilapidation or other cause, he or she shall order the owner of or tenant thereof to cause the same to be made safe or to be removed, as in the judgment of the Building Inspector may be necessary; and he or she shall also affix a notice of such order in a conspicuous place on the outside wall of the building. No person shall remove or deface such notice. The owner or tenant of such building or structure shall thereupon immediately cause the same to be made safe, or to be removed, as ordered. Any person who fails to comply with any such order shall be guilty of a violation of this section.
- (2) 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 expense of such work may be recovered by the **Village** in an action against the owner or tenant.
- (3) Whenever any building or portion thereof is, in the judgment of the Building Inspector, so old, dilapidated, or out of repair and consequently dangerous, unsafe, unsanitary, or otherwise unfit for human habitation and unreasonable to repair, order the owner of the building to raze the building or, if the building can be made safe by reasonable repairs, order the owner to either make the building safe and sanitary or to raze the building, at the owner's option; or, where there has been a cessation of normal construction of any building or structure for more than two years, to raze and remove such building or part thereof. The order shall specify a time within which the owner shall comply therewith and shall specify repairs, if any. It shall be served as provided by Wis. Stats. § 66.0413.
 - (a) If the owner fails or refuses to comply within the time prescribed, the Building Inspector shall cause the building, or part thereof, to be razed and removed or closed if unfit for human habitation, use or occupancy. The cost of such razing and removal or closing shall be charged against the real estate upon which the building is located and shall be a lien upon such real estate and the amount thereof shall be certified by the Building Inspector to the Village Clerk/Treasurer, which shall be collected as a special tax.
 - (b) If the building, or part thereof, is unsanitary and unfit for human habitation, occupancy, or use, and is not in danger of structural collapse, the Building Inspector shall placard the premises as follows: "This Building Cannot Be Used for Human Habitation, Occupancy, Or Use."

13.15 STORAGE AND SHIPPING CONTAINERS PROHIBITED

- (1) Portable Storage Containers and Shipping Containers of all dimensions for on-site storage, construction of tiny houses, or any other personal, industrial, agricultural, or commercial use are prohibited within the Village of Bloomington.
- (2) "Portable Storage Container" means a container, storage unit, shed-like object or other portable structure other than an accessory building, yard maintenance building, shed that complies with the requirements of this ordinance, garage or other object that is used for the temporary storage of personal property and is located outside an enclosed building. The term also includes a dumpster used for temporary storage of waste materials. Commercial containers existing and in place for commercial use prior to March 1, 2025, may be continued as existing on March 1, 2025. Any change in the size or placement location of commercial containers must be approved by the Village Board.
- (3) "Shipping Container" means an object constructed for use in shipping commodities, products or goods which is not a Portable Storage Container. The term includes, but is not limited to, containers used in intermodal shipping which are generally 20- or 40-foot long and approximately 8 feet wide and 8 to 10 feet high, more or less, as well as other structures used in shipping. An object need not be completely enclosed to constitute a "Shipping Container."
- (4) Penalties. Any person who violates this Section will be subject to a monetary forfeiture in the amount of \$500.00 (five hundred dollars) for each violation, plus the applicable surcharges, assessments, and costs for each violation. Each day that a violation exists shall constitute a separate violation and be punishable as such. In addition, the Village Board may seek injunctive relief to enjoin further violations.

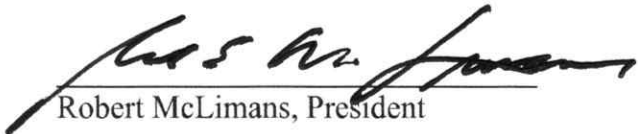
13.16 SEVERABILITY

- (1) If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

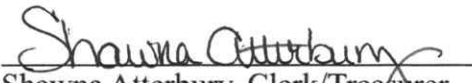
Section II: This Ordinance shall take effect upon its passage and publication or posting as required by law.

Adopted and approved this date of March 3rd, 2025, by the Village Board of the Village of Bloomington, Grant County, Wisconsin.

VILLAGE OF BLOOMINGTON by:


Robert McLimans, President

ATTEST: I, Shawna Atterbury, Village Clerk-Treasurer, do hereby certify that Chapter XIII (Thirteen) entitled "Building Regulations", has been repealed and recreated and has been approved by the Village Board of the Village of Bloomington, Grant County, Wisconsin, at a meeting held on March 3, 2025.


Shawna Atterbury, Clerk/Treasurer

Date Adopted: March 3, 2025

Effective Date: March 14, 2025