

**VILLAGE OF HARRISON  
CALUMET AND OUTAGAMIE COUNTIES  
ORDINANCE V26-03**

**AN ORDINANCE REPEALING AND RECREATING  
CHAPTER 103, SECTIONS 103-1, 103-2, 103-10, 103-23, 103-24, 103-25, 103-27, 103-28,  
and 103-30; VILLAGE LAND DEVELOPMENT CODE**

**BE IT ORDAINED**, the Village Board of the Village of Harrison, Calumet County, State of Wisconsin, does hereby repeal and recreate Section 103-1, 103-2, 103-10, 103-23, 103-24, 103-25, 103-27, 103-28 and 103-30 to read as follows:

**Sec. 103-1. Escrow.**

- (a) An escrow fee shall be paid for the purpose of maintaining compliance with the construction standards set by the village and by state statutes. The fee shall be in accordance with the village board's current fee schedule, which is available for public viewing in the village clerk's office during normal business hours. The village board may amend the amount from time to time as deemed necessary.
- (b) The escrow fee shall be paid at the time of application for all new residential and commercial building activities within the village. Said fees shall apply to all building permits issued after the effective date of the ordinance from which this article is derived, whether by certified survey map, subdivision plat or warranty deed.
- (c) A list of noncompliance will be kept with each application.
- (d) The village will reimburse any or all monies, less any monies deducted for noncompliance with this chapter or reinspection, to the applicant at such time when the final inspection has been conducted and an occupancy permit has been issued.

(Ord. No. 67(Ser. 2000), § 1, 6-27-2000)

**Sec. 103-2. ~~Commercial building codes adopt~~ Adoption of State Building Codes.**

- (a) *Authority.* These regulations are adopted under the authority granted by Wis. Stats. § 101.12. and 101.65.
- (b) *Purpose.* The purpose of this section is to promote ~~the~~ general health, safety, and welfare and to maintain required local uniformity with the administrative and technical requirements of the Wisconsin Uniform Dwelling code and Wisconsin Commercial Building Code. ~~by enforcing the adopted codes.~~
- (c) *Adoption of codes.* The following Wisconsin Administrative Codes, their referenced codes and standards, and subsequent revisions are adopted for municipal enforcement by the building inspector, who shall be ~~commercially~~ certified for inspection purposes by the ~~WI Division of Industry Services Wisconsin Department of Safety and Professional Services~~ in the required categories specific under SPS 305, Wisconsin Administrative Code.
  - (1) Ch. SPS 302.31 Plan Review Fee Schedule
  - (~~4~~2) Ch. SPS 305 - Licenses, Certifications and Registrations.
  - (~~3~~3) Ch. SPS 316 - Electrical Code.
  - (4) Chs. SPS 320 - 325 Wisconsin Uniform Dwelling Code
  - (5) Ch. SPS 327 Camping Units

~~(36)~~ Chs. SPS 360--366 - Wisconsin Commercial Building Code.

~~(47)~~ Chs. SPS 375--379 - Buildings Constructed Prior to 1914 Code.

~~(58)~~ Chs. SPS 381--391 - Plumbing Code.

- (d) *Building inspector.* The building inspector authorized by the village to enforce the adopted codes shall be properly certified by the ~~Division of Industry Services~~ Wisconsin Department of Safety and Professional Services.
- (e) *Building permit required.* No person shall build or cause to be built any new public building or alter a public building without first submitting plans and specifications to the building inspector and obtaining a building permit for such building.
- (f) *Building permit fee.* Building permit fees shall be determined by the Village of Harrison Fee and Penalty Schedule.
- (g) *Penalties.* Enforcement of this section shall be by means of withholding of building permits, imposition of forfeitures and injunctive action. Forfeitures shall be determined by the Village of Harrison Fee and Penalty Schedule as a general penalty.

(Ord. No. V17-16, 8-29-2017)

#### **Sec. 103-10. Demolition of buildings or removal or relocation of mobile or manufactured homes.**

- (a) *Permit required.* No building or structure shall be razed or demolished unless a permit has been granted by the zoning administrator or building inspector which may be subject to conditions of approval deemed necessary to protect the health, safety, and general welfare of the public. Any person wishing to raze or demolish a building or structure shall make application to the zoning administrator or building inspector on a form provided by the zoning administrator or building inspector. This section does not supersede the rules and requirements of the Wisconsin Department of Natural Resources (WDNR) relating to demolition of structures.
- (b) *Service connections.* Before a building can be demolished or removed or a mobile or manufactured home can be moved or relocated, the owner or agent shall notify all utilities having service connections within the building such as water, electric, gas, sewer and other connections. A permit to demolish, remove or relocate a building shall not be issued until a release is obtained from the utilities, stating that their respective service connections and appurtenant equipment such as meters and regulators have been removed or sealed and plugged in a safe manner.
- (c) *Time limit of permit.* Permits for the razing or demolition of a building or structure shall be granted subject to the following provisions:
  - (1) The razing or demolition of all residential, commercial, industrial, and agricultural buildings shall be ~~completed~~completed, and the requirements of this section be met within 60 days of issuance of a permit.
  - (2) The zoning administrator or building inspector may issue a 30-day extension of these time limits upon receiving sufficient reason for such extension. No more than two such time extensions shall be permitted.
  - (3) If razing or demolition of a building or structure is begun but not completed within the time limitations of the permit, the zoning administrator or building inspector may act under Wis. Stats. § 66.0413, and the permit holder shall be considered in violation of this section and be subject to fines and/or forfeitures allowed under section 1-7.

- (d) *Lot maintenance.* Whenever a building is demolished or removed, the property shall be maintained free from all unsafe or hazardous conditions, included, but not limited to, open pits, basements, or unsecured openings of partially demolished buildings, by the proper regulation of the lot, the restoration of established grades and establishment of a seeded ground cover, and the erection of any necessary retaining walls or fences in accordance the applicable ordinances.
- (e) *Foundation removal.* In all residential zoning districts, all foundation materials from a demolished structure shall be removed from the site. Exceptions may be granted by the village board.

(Ord. No. 11-163, 11-29-2011)

### **Sec. 103-23. Application of provisions.**

The purpose and intent of this article is to:

- (a) Exercise jurisdiction over the construction and inspection of new one- and two-family dwellings and additions to existing one- and two-family dwellings.
- (b) Provide plan review and on-site inspections of one- and two-family dwellings by inspectors certified by the Wisconsin Department of Safety and Professional Services ~~department of commerce~~.
- (c) Establish and collect fees to defray administrative and enforcement costs.
- (d) Establish remedies and penalties for violations.
- (e) Establish use of the state uniform building permit as prescribed by the department of industry, labor and human relations.

(Ord. No. 11, § 1, 5-9-1980)Sec. 103-24. State uniform dwelling code adopted.

The administrative code provisions describing and defining regulations with respect to one- and two-family dwellings in Wis. Admin. Code. chs. SPS 320-325, Uniform Dwelling Code, and SPS 327, Camping Units, COMM 20-27, whose effective dates are generally June 1, 1980, with the exception of Wis. Admin. Code ch. COMM 22, whose effective date is December 1, 1978, are hereby adopted and by reference made a part of this article as if fully set forth herein. Any act required to be performed or prohibited by an administrative code provision incorporated herein by reference is required or prohibited by this article. Any future amendments, revisions or modifications of the administrative code provisions incorporated herein are intended to be made part of this article to secure uniform statewide regulation of one- and two-family dwellings in the village. A copy of these administrative code provisions and any future amendments shall be kept on file in the village clerk's office, where they shall be available for public viewing during normal business hours.

Notwithstanding Wis. Admin. Code ch. SPS 320.05 or any other exemptions of the Uniform Dwelling Code, the scope of this ordinance also includes the construction and inspection of alterations and additions to one- and two-family dwellings built before June 1, 1980. Because such projects are not under state jurisdiction, petitions for variance, and final appeals of these projects shall be decided by this municipality. Petitions for variance shall be decided by the municipality in accordance with Wis. Admin. Code ch. SPS 320.19 so that equivalency is maintained to the intent of the rule being petitioned.

Notwithstanding Wis. Admin. Code ch. SPS 320.05 or any other exemptions of the Uniform Dwelling Code, the scope of this ordinance also includes the construction and inspection of detached garages and accessory buildings or structures serving one- and two-family dwellings. The building structure and any heating, electrical, or plumbing systems shall comply with the requirements of the Uniform Dwelling Code, other than for smoke alarms, carbon monoxide alarms and frost protection of footings, which shall be determined by the code official. Petitions for variance and appeals of these projects shall be handled by this municipality.

(Ord. No. 11, § 2, 5-9-1980)

## Sec. 103-25. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Addition* means new construction performed on a dwelling which increases the outside dimensions of the dwelling.

*Alteration* means an enhancement, upgrading or substantial change or modification other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning and other systems within a dwelling.

*Department* means the ~~department of commerce~~ Wisconsin Department of Safety and Professional Services.

*Dwelling* means the following:

- (a) Any building the initial construction of which is commenced on or after the effective date of the ordinance from which this article is derived which contains one or two dwelling units; or
- (b) An existing structure or that part of an existing structure which is used or intended to be used as a one- or two-family dwelling.

*Minor repair* means repair performed for maintenance or replacement purposes on any existing one- or two-family dwelling which does not affect room arrangement, light and ventilation, access to or efficiency of any exit stairways or exits, fire protection, or exterior aesthetic appearance, and which does not increase a given occupancy and use. No building permit is required for work to be performed which is deemed minor repair the act or process of restoring to original soundness, including redecorating, refinishing, nonstructural repairs or maintenance, or the replacement of existing fixtures, systems or equipment with the equivalent fixture, system or equipment.

*One- or two-family dwelling* means a building structure which contains one or two separate households each of which is intended to be used as a home, residence or sleeping place by an individual or by two or more individuals maintaining a common household, to the exclusion of all others.

*Uniform dwelling code* means those administrative code provisions, and any future amendments, revisions or modifications thereto, contained in following chapters of the Wisconsin Administrative Code:

- (a) Wis. Admin. Code ch. ~~SPS 320~~COMM 20, Administration and enforcement.
- (b) Wis. Admin. Code ch. ~~SPS 321~~COMM 21, Construction standards.
- (c) Wis. Admin. Code ch. ~~SPS 322~~COMM 22, Energy conservation.
- (d) Wis. Admin. Code ch. ~~SPS 323~~COMM 23, Heating, ventilating and air conditioning.
- (e) Wis. Admin. Code ch. ~~SPS 324~~COMM 24, Electrical standards.
- (f) Wis. Admin. Code ch. ~~SPS 325~~COMM 25, Plumbing.

(Ord. No. 11, § 3, 5-9-1980)

## Sec. 103-27. Building inspector.

- (a) *Creation and appointment.* There is hereby created the office of building inspector. The building inspector shall be appointed by the village board. The building inspector ~~shall be certified for inspection purposes by the department in each of the categories specified under Wis. Admin. Code § COMM 20.10, and by the department of commerce in the category of plumbing- shall administer and enforce this ordinance and shall be certified by the Wisconsin Department of Safety and Professional Services, as specified by Wis. Stat. ch. 101.66(2), in the category of Uniform Dwelling Code Construction Inspector. Additionally, this or other assistant inspectors shall possess the certification categories of UDC Construction Inspector, UDC HVAC Inspector, UDC Electrical Inspector, and UDC Plumbing Inspector.~~

- (b) *Duties.* The building inspector shall administer and enforce all provisions of this article and the uniform dwelling code.
- (c) *Powers.* The building inspector or an authorized certified agent may at all reasonable hours enter upon any public or private premises for inspection purposes and 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 to the building inspector or his agent while in the performance of his duties.
- (d) *Records.* The building inspector ~~shall perform all administrative tasks required by the department under the uniform dwelling codes~~ shall keep a record of all inspections completed and retain such records, in accordance with Wis. Admin. Code ch. SPS 320.10(6). File UDC permits with the Wisconsin Department of Safety and Professional Services in accordance with Wis. Admin. Code ch. SPS 320.09(2)(a)2..

(Ord. No. 11, § 5, 5-9-1980)

### Sec. 103-28. Building permits.

- (a) *Building permits required.* No one- or two-family dwelling of which initial construction shall be commenced after the effective date of the ordinance from which this article is derived shall be built, enlarged, altered, or repaired unless a building permit for that work shall first be obtained by the owner or ~~their~~his agent from the building inspector. ~~Application for a building permit shall be made in writing upon that form, designated as the Wisconsin Uniform Building Permit Application, furnished by the department of commerce.~~
- (b) *Repairs and additions requiring permit.* No addition, alteration or repair to an existing one- or two-family dwelling not deemed minor repair by the building inspector shall be undertaken unless a building permit for this work shall first be obtained by the owner, or ~~their~~his agent, from the inspector.
- (c) *Detached structures requiring permit.* No detached structures shall be built unless a building permit for this work is first obtained by the owner, or their agent, from the inspector. Detached Sheds and Pergolas under 200 square feet are exempt, unless there is electrical in them.
- (c) *Submission of plans.* The applicant shall submit two sets of plans for all new or repairs or additions to existing one- and two-family dwellings at the time that the building permit application is filed.
- (d) *Issuance of permit.* If the building inspector finds that the proposed building ~~or structures~~ or repair or addition complies with all village ordinances and the uniform dwelling code, the inspector shall officially approve the application and a building permit shall be subsequently issued to the applicant. The issued building permit shall be posted in a conspicuous place at the building site. A copy of any issued building permit shall be kept on file with the village clerk.

(Ord. No. 11, § 6, 5-9-1980)

State law reference(s)—Departmental duties, Wis. Stats. § 101.63.

### Sec. 103-30. Violations and penalties.

- (a) No person shall erect, use, occupy or maintain any one- or two-family dwelling in violation of any provision of this article or the uniform dwelling code or cause to permit any such violation to be committed. Any person violating any of the provisions of this article shall, upon conviction, be subject to the general penalties described in section 1-7, together with the costs of prosecution and, if in default of payment thereof, after complaint is filed and judgment awarded, shall be imprisoned for a period of not less than one day or more than six months or until such forfeiture and costs are paid.
- (b) If an inspection reveals a noncompliance with this article or the uniform dwelling 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 immediately after written notification pursuant to Wis. Admin. Code ~~SPS 320.10 (4)§ COMM 20.10(1)(e).~~

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- (c) If, after written notification, the violation is not corrected, a stop work order may be served on the owner or his representative, and a copy thereof shall be posted at the construction site. Such stop work order shall not be removed except by written notice of the building inspector after satisfactory evidence has been supplied that the cited violation has been corrected.
- (d) Each day each violation continues after the written notice period has run shall constitute a separate offense. Nothing in this article shall preclude the village from maintaining any appropriate action to prevent or remove a violation of any provision of this article or the uniform dwelling code.
- (e) If any construction or work governed by the provisions of this article or the uniform dwelling code is commenced prior to the issuance of a permit, double fees shall be charged.

(Ord. No. 11, § 8, 5-9-1980)

State law reference(s)—Municipal authority, Wis. Stats. § 101.65; collection of forfeitures, Wis. Stats. § 778.01 et seq.

Adopted by the Village Board of the Village of Harrison this 27<sup>th</sup> day of January 2026.

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Scott Handschke, Village President

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Attest: Meghan Winkler, Clerk