

## **Building Permit Requirements**

### Background

The following agenda item, “Discuss and Consider: Chapter 218 Building Code Clarification and Revision,” was discussed at the 9/6/2023 CLIPP Meeting. The intent was to make a few minor changes as proposed by Trustee Charneski. CLIPP approved those changes but raised other concerns. I was directed to research further and place it on a future CLIPP agenda.

Questions were raised whether ordinance changes should be discussed with CLIPP instead of PC. Based on the language found under Chapter 14 and Chapter 520 it would be more appropriate for the Plan Commission to review and suggest changes if needed.

It’s my understanding the intent of Ordinance NO.: 22-03 (changes to Chapter 2108) was NOT to require any type of permit for items listed under C. Meaning, zoning permits issued by the Village or building permits for UDC, but all work must comply with the standards set forth in SPS 320-325. Soon after adoption 4/26/2022, I believe staff interpreted the language to mean a UDC building permit would not be required but a Zoning Village permit was still needed. This may have been due to existing language found in Chapter 520 that could be interpreted to contradict the recent changes to Chapter 218.

I have been advising potential applicants of that mentioned above. Based on the ambiguity I have left it up to the property owner to decide whether to obtain a permit. I also mention concerns regarding not having their garage, storage or other detached accessory buildings and tool shed UDC inspected. Then end the discussion by emphasizing all other requirements (setbacks, height, square footage, etc.) still apply.

### Issues the Committee should discuss and consider:

1. Changes to Chapter 520 and possibly other chapters to remove any conflicts.
2. Address concerns related to assessment of structures (garage, storage or other detached accessory buildings and tool shed) that do not require a building permit.
3. Educating the public all other requirements of the Ordinance still apply.
4. Other.

### The Village adopted the language below on 4/26/2022

#### **Article V Permits, Fees and Plans**

##### **§ 218-26 Purpose and Applicability**

A. The purpose of this article is to clarify the activities for which a building permit is required to be obtained, and those for which it is not. This Article further explains the procedures, fees, and plan requirements for the application process.

B. The provisions of this Article shall apply to the following, **which all require building permits:**

- (1) New construction or reconstruction of single and two-family dwellings, and to installation and placement of mobile homes and manufactured homes.
- (2) Interior Alterations (i.e. removing walls, structural alterations or changing an existing layout) to existing single and two-family dwellings, or to established mobile or manufactured homes.
- (3) Addition of living area to existing single and two-family dwellings, or to established mobile or manufactured homes. This also includes converting basement areas to bedrooms or any type of sleeping area.
- (4) Any structural repairs, alterations, or reinforcement to any dwelling.
- (5) New electrical, plumbing, and/or HVAC work, in any new construction, or in existing buildings or structures where such utilities did not exist before.
- (6) Below ground swimming pools.
- (7) New construction decks with a walking surface 2 feet or more above ground level, including steps, ramps, railings, or any other related construction.
- (8) All commercial buildings and structures including but not limited to:
  - (a) Multi-family residential (three or more dwelling units).
  - (b) Retail, commercial service, office,
  - (c) Industrial
  - (d) Storage, distribution and warehousing.
  - (e) Institutional buildings and structures.

C. The provisions of this Article shall not apply to the installation, replacement, repairs, or construction of the following, and **which do not require a building permit:**

- (1) Any repairs or replacement of, furnaces; plumbing fixtures of all types; electrical outlets or switches; electrical fixtures such as fans, light fixtures, heating baseboards, built-in appliances, etc; HVAC equipment, including heat pump systems or air conditioning units; roofing systems, doors and windows of the same size. All work is required to comply with the standards set forth in SPS 320-325.
- (2) **All garage, storage or other detached accessory buildings and tool sheds.** All work must comply with the standards set forth in SPS 320-325.
- (3) New construction decks with a walking surface less than 3 feet above ground level. All work must comply standards set forth in SPS 320-325.
- (4) Carports, securely anchored.
- (5) Solid fuel-fired heating devices (subject to regulation in Article III)
- (6) Geothermal or solar energy systems (solar systems subject to provisions of Article IX)

(7) Yard features and accessories such as children’s play structures; patios and fire pits; fish and flower ponds, pools, and fountains; irrigation systems; gazebos; flagpoles; greenhouses. 8. Above-ground swimming pools.

(8) Any siding, soffit or rain gutter work.

(9) Black top, concrete, gravel, or another surface work.

(10) Farm structures such as corn cribs, barns, silos, and grain elevators, etc.

(11) Lp Tank installations (Subject The State Liquefied Petroleum Gas Code SPS 340) D. All of the above may be subject to zoning regulations such as setbacks, etc. described in Chapter 520, as well as any other applicable Chapter of this Code. E. In all cases, the quality, safety, and compliance to indicated standards and regulations of such installation and construction, are the sole responsibility of the property owner doing the installation and construction, or the licensed contractors they hire. Voluntary inspections can be applied for under the terms of Article VI.

### Additional Relevant Ordinance Language

#### **Article VIII Shoreland Overlay Zoning District**

##### **§ 520-53 Compliance.**

The use of shorelands within the shoreland area of the Village of Kronenwetter shall be in full compliance with the terms of this article and other applicable local, state or federal regulations. All permitted development shall require the issuance of a zoning permit unless otherwise expressly excluded by a provision of this article.

##### **§ 520-61 Building permit required.**

No structure shall hereafter be located, erected, moved, reconstructed, extended, enlarged, or structurally altered until after the owner or his agent has secured a building permit from the Building Inspector, unless otherwise exempted pursuant to Chapter 218 of the Kronenwetter Municipal Code. Applications for building permits shall be made in duplicate to the Village on forms furnished by the Village and shall include the following where applicable:

#### **Article XV Procedures and Administration**

##### **§ 520-119 Zoning permits.**

Relationship to building permit. Where a building permit is also required for the project per Chapter 218, the Village may combine the building permit and zoning permit into a single application and a single approval.

**§ 520-120 Building permit.**

No building shall be erected, structurally altered, or relocated until a building permit has been issued by the Building Inspector certifying that such building, as proposed, would be in compliance with the provisions of this chapter and with Chapter 218. No building permit shall be issued until zoning compliance is determined.