

ORDINANCE TO AMEND THE CITY OF WATERTOWN GENERAL ORDINANCES TO REFLECT DEPARTMENTAL CHANGES

**SPONSOR: CHAIRPERSON BOARD
FROM: PUBLIC WORKS COMMISSION**

THE COMMON COUNCIL OF THE CITY OF WATERTOWN DOES ORDAIN AS
FOLLOWS:

SECTION 1. § 7-1A(5) is hereby amended to read:

(5) ~~Engineering Department.~~ Public Works Department

- (a) The Engineering ~~Department~~ Division is a dedicated source of information and assistance relating to the planning, design, coordination, contracting and supervision of construction and capital improvements, as well as a means to obtain current information on public utilities, maps, and construction records. The Engineering Division oversees the Stormwater Utility and the Annual Street Capital Improvement Program.
- (b) The Building Safety and Zoning ~~Department is charged with performing inspections and providing enforcement of building regulations and City codes to ensure safe, quality development in the City.~~ Division is the city's planning agency and administers city plans, ordinances, and regulations pertaining to the development of the City of Watertown. Building, Safety and Zoning enforces zoning, subdivision, building, floodplain, sign, and other codes. The Division also performs reviews and approvals for development projects, issues permits, and handles enforcement issues. The Division supports the safety and quality of life for the residents and visitors of the City of Watertown through the implementation of the City of Watertown Building plans and Zoning C codes.
- (c) The Street Division is responsible for cleaning, servicing, maintaining, and installing municipal infrastructure in coordination with the Engineering ~~Department~~ Division to ensure safe and functional public spaces.
- (d) The Solid Waste ~~Department~~ Division is responsible for the finances and operation of the Solid Waste Utility. The Solid Waste Division is responsible for the efficient collection, processing, and disposal of solid waste, recyclable goods, and electronic waste throughout the City ensuring compliance with environmental regulations.
- (e) The Water ~~Department~~ Division is responsible for the finances and operation of the City Water Utility. The Water Utility is responsible for the maintenance and upgrading of Water Utility buildings, grounds, water distribution system, drinking water supply wells, and drinking water treatment plants.

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

(f) The Wastewater Division is responsible for the finances and operation of the City Wastewater Utility. The Wastewater Division is responsible for the maintenance and upgrading of Wastewater Utility buildings, grounds, sanitary sewer collection system and wastewater treatment plant.

SECTION 2. § 7-1A(11), § 7-1A(11) (a), § 7-1A(12), § 7-1A(12) (a) are hereby repealed.

SECTION 3. § 33-5B(1) is hereby amended to read:

(1) The following City officials may issue citations with respect to those specified ordinances which are directly related to their official responsibilities:

- (a) City Attorney.
- (b) Fire Chief.
- (c) Health Officer.
- (d) Building Inspector.
- ~~(e) Electrical Inspector.~~
- (e) Assistant Building Inspector
- (f) Water Systems Manager.
- (g) Truancy Abatement Officer.
- (h) ~~Street Superintendent.~~Operations Manager
- (i) Assistant ~~Street Superintendent.~~Operations Manager.
- (j) Zoning Administrator.
- ~~(k) Plumbing Inspector.~~
- (l) (k) Community Service Officer.
- ~~(m) Building Safety and Zoning.~~ (l) Code Compliance Officer.
- (m) Director of Public Works/City Engineer

SECTION 4. The title of Chapter 60 is hereby amended to read:

Chapter 60 ~~Engineering Department~~ Public Works Department

SECTION 5. Section 60-1 is hereby amended to read as follows:

§ 60-1 Supervision.

The ~~Engineering Department~~ Public Works Department shall be supervised by the Public Works Director/City Engineer ~~, who shall be responsible for providing engineering services for all City departments as may be required. This shall include the planning, design, supervision, coordination and contracting of all construction projects undertaken by the City, except as otherwise set forth in this Code or specified by the Public Works Commission. In addition, the Public Works Director/City Engineer shall supervise the~~

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

~~City's Building Inspectors.~~ and consist of six Divisions: Engineering; Building Safety and Zoning; Streets; Solid Waste; Water; and Wastewater.

~~§ 60-2 Monitoring of Rock River.~~

~~The Public Works Director/City Engineer shall also monitor the flow and elevations of the Rock River. He shall take all necessary steps to ensure safe operation of the two dams within the City, including notification of the Director of Emergency Management and other state and federal officials whenever dangerous conditions arise.~~

§ 60-2 Roles, Responsibilities, and Duties

A. Engineering Division

The Engineering Division shall be responsible for providing engineering services for all City departments as may be required. This shall include the planning, design, supervision, coordination and contracting of all construction projects undertaken by the City, except as otherwise set forth in this Code or specified by the Public Works Commission.

- 1) The Public Works Director/City Engineer shall also monitor the flow and elevations of the Rock River and take all necessary steps to ensure safe operation of the two dams within the City, including notification of the Director of Emergency Management and other state and federal officials whenever dangerous conditions arise.

B. Building Safety and Zoning Division

The Building Safety and Zoning Division shall be responsible for the administration of city plans, ordinances, and regulations pertaining to the development of the City. This shall include the enforcement of zoning, subdivision, building, floodplain, sign, and other codes and the implementation of the City's Comprehensive Plan and other land use plans.

C. Streets Division

The Streets Division shall be responsible for the maintenance, reconstruction and cleaning of streets, the removal of snow and ice therefrom, the maintenance of bridges and storm sewers, and the performance of such other services as may be required by the Public Works Commission.

D. Solid Waste Division

The Solid Waste Division shall be responsible for the collection of garbage, refuse materials, and recycling.

E. Water Division

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

The Water ~~Department~~ Division is responsible for the finances and operation of the City Water Utility. The Water Utility is responsible for the maintenance and upgrading of Water Utility buildings, grounds, water distribution system, drinking water supply wells, and drinking water treatment plants.

- F. The Wastewater Division is responsible for the finances and operation of the City Wastewater Utility. The Wastewater Division is responsible for the maintenance and upgrading of Wastewater Utility buildings, grounds, sanitary sewer collection system and wastewater treatment plant.

SECTION 6. Chapter 97, Chapter 174, and Chapter 193 are hereby repealed.

SECTION 7. Section 253-5C is hereby amended to read:

- C. An order from the ~~Municipal~~ Building Inspector shall specify the time within which the owner of the building is required to comply with the order and shall specify repairs, if any. If the owner fails or refuses to comply within the time prescribed, the Building Inspector or other designated officer may proceed to raze the building through any available public agency or by contract or arrangement with private persons, or to secure the building and, if necessary, the property on which the building is located if unfit for human habitation, occupancy or use. The cost of razing or securing the building may be charged in full or in part against the real estate upon which the building is located, and if that cost is so charged it is a lien upon the real estate and may be assessed and collected as a special charge. Any portion of the cost charged against the real estate that is not reimbursed under § 632.103(2), Wis. Stats. from funds withheld from an insurance settlement may be assessed and collected as a special tax

SECTION 8. § 253-7 is amended to read:

§ 253-7 ~~Inspection Division~~ Building, Safety, and Zoning Division

There is established the ~~Inspection Division~~ Building, Safety, and Zoning Division, which shall be under the jurisdiction of the ~~Building Inspector~~ Zoning Administrator.

SECTION 9. § 253-8 is amended to read:

§ 253-8 Powers and duties of Building Inspector.

The Building Inspector shall have the power and ~~it shall be his~~ duty to enforce the provisions of this chapter and all other ordinances of the City of Watertown and all laws and orders of the State of Wisconsin which relate to building construction, and for these purposes ~~he~~ shall have the right at all reasonable times to enter buildings and premises.

SECTION 10. Section 253-51 is hereby amended to read:

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

§ 253-51 Definitions.

~~For the purpose of this article, the following words and phrases are defined and shall be construed to mean, unless the context in which they are used clearly indicates an intent to the contrary, as follows:~~

As used in this chapter, the following terms shall have the meanings indicated:

A. FILL

The act of placing, setting down or depositing solid fill on land for the purpose of, or which has the resultant effect of, changing the existing contour of or raising the elevation of such land or any part thereof.

B. FILLING

See "fill."

C. FILLING PERMIT

Required to engage in the act of filling on a specified parcel of land.

D. FILL, SOLID

Earth, clay, soil, ground, stones, rocks and broken concrete, if the same does not exceed 18 inches in diameter; cinders (consisting of the residue from the combustion of coal and not less than 1/8 inch in diameter); or any mixture or combination of the foregoing.

E. INSPECTOR

The ~~Building Inspector and/or~~ Public Works Director/City Engineer or designee.

F. MATERIALS, FLAMMABLE AND COMBUSTIBLE

Includes oils and oil lights, sweepings from garage floors, barrels, boxes or other containers containing oil or other similar liquids, rags, clothes, paper, shavings, paper or cardboard boxes or cartons, grease, paints, varnish or other similar substances, any of which are likely to be readily flammable or combustible.

G. PERSON

Includes any natural person, firm, corporation or partnership.

SECTION 11. Section 282-1 is hereby amended to read:

§ 282-1 Definitions.

As used this chapter, the following terms shall have the meanings indicated:

A. ELECTRICAL INSPECTOR

The Building Inspector or Assistant Building Inspector shall be the Electrical Inspector.

B. ELECTRICAL CONTRACTOR

Any person who is licensed by the State of Wisconsin as an electrical contractor.

C. ELECTRICAL WORK

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

Includes the installation, superintending or inspection of electrical wiring and equipment for the production, modification, regulation, control, distribution, utilization or safeguarding of electrical energy for mechanical, chemical, heating, lighting or similar purposes.

SECTION 12. Section 282-2-3B is hereby amended to read:

§ 282-2 **Electrical Inspector**

- A. The Electrical Inspector shall be ~~a person of good moral character, duly licensed as an electrical contractor or journeyman electrician according to the Wisconsin Statutes. He shall be well versed in local ordinances, Wisconsin Statutes and rules and regulations of~~ certified by the Wisconsin Department of Safety and Professional Services and ~~or the State of Wisconsin Department of Health Services which pertain to electricity or the duties of his office.~~
- B. Duties and authority. The Electrical Inspector shall be under the direction of the ~~City's Inspection Division~~ Zoning Administrator and the Public Works Director/City Engineer and shall have control of the installation and inspection of electrical work within or in connection with all buildings in the City.

SECTION 13. Section 325-3B is hereby amended to read:

- B. Composition of Commission. The Commission shall be composed of seven regular members appointed by the Mayor and confirmed by a majority vote of the Common Council. The Building Inspector or Zoning Administrator ~~and City Planner shall function may serve~~ as additional nonvoting advisory members as needed. Each citizen member must either reside in the City or have an established business in the City and have, to the extent practicable, a knowledge of and interest in historic preservation and revitalization.

SECTION 14. Section 325-3C is hereby amended to read:

- C. Commission organization. The Commission, at its first meeting and during each May thereafter, shall elect a Chairperson, Vice Chairperson and Secretary, the latter shall record the meetings of the Commission. ~~The Building Inspector or City Planner may function in the role of Secretary.~~ The Commission shall meet at least once every two months or as otherwise required in this chapter. All meetings shall be subject to the State's Open Meeting Law,¹¹ and a copy of the minutes of each meeting shall be forwarded to the City Clerk.

SECTION 15. Section 332-C(1) is hereby amended to read:

- (1) Enforcement officer. It shall be the duty and responsibility of the Health Officer, Building Inspector, Fire Inspector, ~~Electrical Inspector~~ and Public Works Director/City

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

Engineer or their designees, either severally or as a group, to enforce the provisions of this chapter as herein provided.

SECTION 16. Section 419-3 is hereby amended to read:

§ 419-3 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

A. PLUMBING INSPECTOR

The Building Inspector or Assistant Building Inspector shall be the Plumbing Inspector.

~~A. Definition of "plumbing."~~^[1] **B. PLUMBING**

(1) In this chapter, "plumbing" means and includes:

- (a) All piping, fixtures, appliances, equipment, devices and appurtenances in connection with water supply systems, water distribution systems, wastewater drainage systems, reclaimed water systems, and stormwater use systems, including hot water storage tanks, water treatment devices, and water heaters connected with these systems, and also includes the installation thereof.
- (b) The construction, connection, installation, service or repair of any drain or wastewater piping system that connects to the mains or other terminal within the bounds of or beneath an area subject to easement for highway purposes, including private on-site wastewater treatment systems and stormwater treatment and dispersal systems, and the alteration of any such systems, drains or wastewater piping.
- (c) The construction, connection, installation, service or repair of water service piping that connects to the main or other water utility service terminal within the bounds of or beneath an area subject to easement for highway purposes and its connections.
- (d) The water pressure system other than municipal systems as provided in Ch. 281, Wis. Stats.
- (e) A plumbing and drainage system so designed and vent piping so installed as to keep the air within the system in free circulation and movement; to prevent with a margin of safety unequal air pressures of such force as might blow, siphon or affect trap seals, or retard the discharge from plumbing fixtures, or permit sewer air to escape into the building; to prohibit cross-connection, contamination or pollution of the water supply and distribution systems; and to provide an adequate supply of water to properly serve, cleanse and operate all fixtures, equipment, appurtenances and appliances served by the plumbing system.

(2) "Plumbing" does not include any of the following:

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

- (a) A rainwater gutter or downspout down to the point that it discharges into a plumbing system, a subsoil drain, or a foundation drain.
- (b) A process water reuse system if the process water reuse system is not connected to any plumbing fixture or appliance.
- (c) A stormwater culvert under a roadway or walkway that is placed there only to equalize the water level from one end of the culvert to the other end.
- (d) The practical installation of process piping within a sewage disposal plant.

~~B. "Master and journeyman plumbers"~~ **C. MASTER AND JOURNEYMAN PLUMBERS**
~~are a~~ Any persons duly licensed as such by the State Department of Safety and Professional Services, pursuant to Ch. 145, Wis. Stats.

~~C. A "plumbing apprentice"~~ **D. PLUMBING APPRENTICE**
~~is a~~ Any person other than a master or journeyman plumber registered as such with the State Department of Safety and Professional Services.

~~D. "Fixtures"~~ **E. FIXTURE**
~~s~~ Shall include all types of fixtures or appliances which are directly connected to the water supply or drainage system.

SECTION 17. Section 419-4 is hereby amended to read:

§ 419-4 Plumbing Inspector

- A. Qualifications. The Plumbing Inspector shall be ~~a person of good moral character, duly licensed as a master or journeyman plumber according to the Wisconsin Statutes. He shall be well versed in local ordinances, Wisconsin Statutes, and rules and regulations of~~ certified by the State Department of Safety and Professional Services ~~which pertain to plumbing or the duties of his office and/or the State of Wisconsin.~~
- B. Duties and authority. The Plumbing Inspector shall be under the direction of the ~~Building Inspector~~ Zoning Administrator and the Public Works Director/City Engineer and shall have the control of the supervision and inspection of plumbing and drainage work within or in connection with all buildings in the City of Watertown.

SECTION 18. Section 424-3 is hereby amended to read:

§ 424-3 Code official.

- A. General. An official of the ~~Department of~~ Building, Safety and Zoning Division of the ~~City is appointed as the executive official in charge hereof and~~ shall be known as the "code official."
- B. Appointment. The code official shall be the Zoning Administrator or their designee. ~~appointed by the Mayor of the City, subject to approval by the Common Council.~~
- ~~C. Deputies. In accordance with the prescribed procedures of the City and with the concurrence of the Common Council, the code official shall have the authority to~~

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

~~appoint a deputy(s). Such employees shall have powers as delegated by the code official.~~

SECTION 19. Section 424-14 is hereby amended to read:

§ 424-14 General definitions.

As used in this chapter, the following terms shall have the meanings indicated:

A. ABANDONED STRUCTURE

A vacant structure when it is without obvious supervision by an owner, tenant, lessee, mortgagee or person in charge and the structure or any portion thereof is in such a condition as to constitute a danger, nuisance or in any way a hazard to the public. Abandonment may also be constituted by, but not limited to, any one or more of the following conditions which may exist:

- ~~A.~~ 1. Failure to answer notices;
- ~~B.~~ 2. Failure to pay taxes;
- ~~C.~~ 3. Failure to make appearances at court hearings;
- ~~D.~~ 4. Failure to properly board up broken windows or open doors, secure basements, reinforce and secure walls which may have caved-in or buckled on subject properties;
- ~~E.~~ 5. Failure to properly secure walls which are subject to buckling or caving onto adjacent or adjoining properties.
- ~~F.~~ 6. Failure to remove accumulated debris declared as a health or fire hazard.

B. ANCHORED

Secured in a manner that provides positive connection.

C. APPROVED

Means approved by the code official.

D. ATTRACTIVE NUISANCE DOCTRINE

The failure to observe a legal duty; one which contemplates the guarding against some danger which is neither common or obvious; the liability of an owner or mortgagee of ordinary prudence and foresight to recognize the unreasonable risk of harm to children or adults who may be enticed or lured to the premises and under normal reasoning power cannot conceive danger to themselves; where owner has created a dangerous condition attractive to children and adults and has not taken such precautions as a reasonably prudent person would take to prevent injury to such persons. (Also see "nuisance.")

E. BASEMENT

That portion of a building which is partly or completely below grade.

F. BATHROOM

A room containing plumbing fixtures, including a bathtub or shower.

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

G. BEDROOM

Any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.

H. BLIGHTED CONDITIONS

Conditions existing on property which is unsecured, left open to the elements and without apparent and latent supervision by the owner or mortgagee; such conditions include but are not limited to: the exterior of premises is in disrepair; premises is regularly occupied by vagrants or uninvited persons; contains unduly or uncommon amounts of litter about the premises; fallen exterior building apertures about the property; broken windows; accumulation of debris on the premises, the value of the subject real property would be greater if the building was removed, or assessed land value is greater than assessed improvement value; the building has fire damage which has remained unrepaired for a period of more than one year.

I. BOARDED

A boarded building secured against entry by apparatus which is visible off the premises, and the apparatus is neither lawful or customary to install on occupied structures.

J. BUILDING/STRUCTURE

See definition in § 253-1.

K. CITY

The City of Watertown, Jefferson and Dodge Counties, Wisconsin.

L. CODE OFFICIAL

The official in the City's Building, Safety and Zoning Division who is charged with the administration and enforcement of this chapter or any duly authorized representative; ~~also known as "City Building Inspector".~~

M. COMMITTEE

The Public Safety and Welfare Committee of the Common Council of the City of Watertown.

N. CONDEMN

To adjudge unfit for occupancy.

O. CONTINUING VIOLATIONS

Whenever any building or structure exists or is allowed by the owner to be in constant violation of specific requirements or prohibitions applicable to such building or structure, as provided in building regulations under municipal ordinances or state codes.

P. DANGEROUS STRUCTURE

Any structure, whether occupied or unoccupied, which is found to have any or all of the conditions or defects hereinafter described to the extent that life, health, property or safety of the public or its occupants are endangered:

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

~~A.1)~~ Live/dead load stress: whenever the stress in any materials, member or portion thereof, due to all dead and live loads, exceeds more than 90% of the materials' yield stress or is more than 1 1/2 times the working stresses allowed in the Building Code for buildings of similar structure, purpose or location.

~~B.2)~~ Fire, earthquake, flood and other causes: whenever 50% or more of a structure has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for buildings of similar structure, purpose or location.

~~C.3)~~ Falling timbers and unsecured ornamentations: whenever cornices, parapets, walls, signs, gutters, downspouts, windows, supports or walls with peeling paint, rotting wood, holes and other forms of material decay are likely to fail or become detached or dislodged, or to collapse, and thereby injure persons or damage property.

~~D.4)~~ Wind pressure: whenever any portion of a building, or any member, appurtenance or ornamentation of the exterior thereof, is not of sufficient strength or stability as determined by a qualified and licensed engineer, architect or inspector or is not anchored, attached or fastened in place so as to be capable of resisting a window pressure of 2/3 of that specified in the Building Code for buildings of similar structures, purpose or location without exceeding the work stresses permitted in the Building Code for such buildings.

~~E.5)~~ Buckling conditions: whenever any portion thereof was wrecked, warped, buckled or settled to such an extent that wall or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar construction specified in the Building Code. Or whenever the exterior walls or other vertical structural members list, lean, split or buckle due to defective materials or deterioration to such extent that a plumb line passing through the center of gravity does not fall inside the middle 1/3 of the base.

~~F.6)~~ Interior/exterior maintenance: when, upon inspection by the code official, there is found a visible lack of interior or exterior maintenance of 50% or more deterioration of any of the following components of a building or structure set forth in this chapter or their appropriate code.

G. Damaged supports, exclusive of foundation: whenever the building or structure, exclusive of foundation, shows 33% or more damage or deterioration of its supporting member or members existing or 50% damage or deterioration of its non-supporting members existing, either in the interior or exterior of the structure.

~~H.7)~~ Fire resistance: whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, does not meet the fire-resisting qualities or characteristics required by the Building Code in the case of a constructed building of like nature, height and occupancy.

~~I.8)~~ Utilities: whenever any building or structure is found to have deteriorated, damaged or inadequate and faulty electrical wiring, gas connections or heating apparatus.

~~J.9)~~ Weather elements: ineffective waterproofing of exterior walls, roofs and foundations, broken windows or doors and deterioration of exterior plasters or mortar, so as to allow rain, snow or other effects of the weather to enter the building.

~~K-10~~ Debris: whenever any portion of the debris of a building or structure remains on a site for more than 30 days after the demolition or destruction of the building or structure.

Q. DERELICT BUILDING

Any building, structure or portion thereof containing any of the conditions set forth under "neglected," "abandoned structure" or "dangerous structure," which may be either occupied or unoccupied, or meets any of the following criteria:

- ~~A-~~ 1) Has been ordered vacated by the code official;
- ~~B-~~ 2) Has been issued a correction notice by the code official;
- ~~C-~~ 3) Has been posted for violation more than once in any twelve-month period and such violations have not been corrected;
- ~~D-~~ 4) Is unsecured; or
- ~~E-~~ 5) Is not boarded.

R. DETACHED

When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

S. DETERIORATION

To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

T. DWELLING UNIT

A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

U. EASEMENT

That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

V. EQUIPMENT SUPPORT

Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

W. EXTERIOR PROPERTY

The open space on the premises and on adjoining property under the control of owners or operators of such premises.

X. GARBAGE

The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

Y. GUARD

A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

Z. HABITABLE SPACE

Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

AA. HOUSEKEEPING UNIT

A room or group of rooms forming a single habitable space, equipped and intended to be used for living, sleeping, cooking and eating, which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

BB. IMMINENT DANGER

A condition which could cause serious or life-threatening injury or death at any time.

CC. INFESTATION

The presence within or contiguous to a structure or premises of insects, rats, vermin or other pests.

DD. INOPERABLE MOTOR VEHICLE

A vehicle which cannot be driven upon the public streets for reasons including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

EE. LABELED

Equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

FF. LET FOR OCCUPANCY or LET

To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, morning unit, building, premises or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

GG. NEGLECT

A structure possessed of any or all conditions as may be set out and defined in "dangerous structure," "abandoned structure" and "nuisance" and subject to being declared a neglected/derelict, abandoned or dangerous building.

HH. NUISANCE

A structure or building in such a state of deterioration or abandonment that is a blighting influence on neighboring properties. The fact that buildings on neighboring properties are abandoned or deteriorated is not a defense. Existence of three or more of the following conditions is sufficient to establish a prima facie case that the structure or building is a nuisance:

A.1.) The building has been vacant for more than five years.

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

- ~~B.2)~~ The building has not had insurance coverage during at least 12 months of the preceding 24 months.
- ~~G.3)~~ Cost of renovation of building would exceed value of the building if renovated.
- ~~D.4)~~ Owner has not paid property taxes within the past three years.
- ~~E.5)~~ Code officials have found the building to be unsecured and have ordered same to be secured at two or more occasions within the past two years, or it is presently unsecured.
- ~~F.6)~~ Building's heat, plumbing or electrical is inoperable or in a state of substantial disrepair.
- ~~G.7)~~ Building has unsafe, hazardous or unsanitary conditions and has been previously cited in violation of state or local building, fire or health codes.
- ~~H.8)~~ Whenever there is a lack of maintenance of a building's environment, e.g., fences, gates, sidewalks, steps, signs, outbuildings, deteriorating and falling landscaping or premises overgrown with weeds and vegetation; and/or there is an accumulation of refuse, garbage or other conditions which renders a building or property a health or fire hazard.
- ~~I.9)~~ All or any portion of the building or structure is located within the floodplain.

II. OCCUPANCY

The purpose for which a building or portion thereof is utilized or occupied.

JJ. OCCUPANT

Any individual living or sleeping in a building or having possession of a space within a building.

KK. OPENABLE AREA

That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

LL. OPERATOR

Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

MM. OWNER

Any person, agent, operator, mortgagee, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person; and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

NN. PERSON

An individual, corporation, partnership or any other group acting as a unit.

OO. PEST ELIMINATION

The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other approved pest elimination methods.

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

PP. PREMISES

A lot, plot or parcel of land, easement or public way, including any structures thereon.

QQ. PUBLIC WAY

Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

RR. REGISTRATION FEE

The fee required for registration of an abandoned, dangerous or derelict building.

SS. REPAIR

The reconstruction or renewal of any part of an existing building or structure for the purpose of its maintenance.

TT. REQUESTED INSPECTION

Any additional inspection which is not part of the code official's regular or mandated inspection program.

UU. ROOMING HOUSE

A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

VV. ROOMING UNIT

Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

WW. RUBBISH

Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

XX. SLEEPING UNIT

A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

YY. STRICT LIABILITY OFFENSE

An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited or failed to do an act which the defendant was legally required to do.

ZZ. STRUCTURE

That which is built or constructed; an edifice, monument, memorial or building of any kind or any piece or work artificially built up or composed of parts joined together in some definite manner, and which is further defined as:

A.1) PRINCIPAL STRUCTURE

A structure in which is conducted, or in which is intended to be conducted, the main or principal use of the lot on which it is located.

B.2) ACCESSORY STRUCTURE

A structure which:

~~(4)~~(a) Is subordinate to and serves a principal structure or a principal use as identified in § 550-56;

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

~~(2)~~(b) Any portion of a principal structure devoted or intended to be devoted to an accessory use is not an accessory structure.

AAA. SUBJECT STRUCTURE

Any structure as used in this chapter when referring to unsafe, dangerous, derelict, neglected or abandoned or upon which the code official has commenced abatement proceedings.

BBB. SUBSTANDARD

In violation of any of the requirements as set out in this chapter, the Building Code, Electric Code or Plumbing Code.

CCC. TENANT

A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

DDD. TOILET ROOM

A room containing a water closet or urinal but not a bathtub or shower.

EEE. ULTIMATE DEFORMATION

The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to 80% or less of the maximum strength.

FFF. UNOCCUPIED

Any premises or structure not presently used for a lawful purpose or occupancy permitted by the owner.

GGG. UNSAFE

Any structure or building which is structurally or environmentally unsafe or not provided with adequate egress or which constitutes a fire hazard or is otherwise dangerous to human life, as previously defined under "dangerous," "abandoned," "derelict" or "neglected" structure.

HHH. UNSAFE APPENDAGES

Unsafe appendages include, but are not limited to, parapet walls, cornices, spires, towers, tanks, statuary or other appendages or structural members which are supported by, attached to or part of a building and which are in deteriorated condition or otherwise unable to sustain the design loads which are specified in the Building Code.

III. UNSAFE USE

Any use of a structure or building constituting a hazard to health, safety or public welfare by reason of inadequate maintenance, dilapidation, obsolescence, fire hazard, disaster, damage or abandonment.

JJJ. UNSECURED

The lack of a secure means of ingress and egress, thus allowing for occupancy or use of building or structure by unauthorized persons.

KKK. VACANT PROPERTY

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

- (1) Without legal occupancy and not maintained in a manner allowing normal human habitation with access to utility services such as light, water, heat; (2) currently unoccupied; or (3) occupied by vagrants, squatters, trespassers or other persons having no legal right to occupy premises.

LLL. VALUE/VALUATION

The estimated cost to replace the structure or building in kind, based on either the building valuation data reported to the code official to give an accurate assessment of building replacement costs.

MMM. VENTILATION

The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

NNN. WAREHOUSING

Securing a structure against vandalism, deterioration and unauthorized entry pending its return to active use or occupancy. All windows, doors and other openings shall be closed and securely locked, barricaded or otherwise secured.

~~A.1)~~ Install plywood or an acceptable material approved by the code official, to adequately secure and cover the exterior of each opening in the plywood or other acceptable material, as necessary, at each floor level for proper ventilation.

~~B.2)~~ An acceptable alternative method: install the plywood or other acceptable material on the interior of each opening and remove, repair or replace all loose and damaged window panes, sashes, frames, trim and or jambs: scrape, sand, seal, caulk and paint the exterior of each opening.

OOO. WEEDS

Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs; provided, however, this term shall not include cultivated flowers and gardens.

PPP. WORKMANLIKE

Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

SECTION 20. Section 550-144 is hereby amended to read:

§ 550-144 Site Plan Review Committee.

- B. There is hereby created a Site Plan Review Committee, which shall consist of the Public Works Director/City Engineer or Assistant ~~Public Works Director~~/City Engineer, ~~City Planner~~ Zoning Administrator, ~~City~~ Building Inspector, Fire Chief, Water Systems Manager, Operations Manager, Police Chief, Director of

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

Parks, Recreation and Forestry or their designees, and other such members as are from time to time appointed by the Mayor.

SECTION 21. Section 457-16 is hereby amended to read:

§ 457-16 **Building address numbers to be displayed.**

- A. The owners and occupants of ~~all stores, houses, and other~~ buildings ~~abutting on any of the streets~~ within the City shall ~~cause to be~~ placed on their ~~respective stores, houses, or other~~ buildings street address numbers ~~according to the plat of said City as assigned by the Building, Safety, and Zoning Division.~~
- B. Address ~~N~~umbers must be plainly visible from the curb of the street upon which the ~~house~~ building fronts and mounted on a contrasting background. The ~~minimum~~ specifications ~~on three types of house~~ for building address numbers ~~presently available~~ shall be as follows:
- (1) Minimum individual tile ~~base~~ size of three inches high by two inches wide; nonilluminated.
 - (2) Minimum individual ~~figure~~ number size of three inches high; illuminated or nonilluminated.
 - (3) ~~Illuminated number size of 1 1/4 inches high by seven eighths inch wide.~~
Maximum size of building address numbers shall not exceed the area requirements for an Auxiliary Wall Sign in § 550-132A(3).

SECTION 22. Section 550-154A is hereby amended to read:

- A. Designation. The Zoning Administrator ~~Building Inspector~~ or a designee ~~of the Building Inspector~~ is hereby designated as the administrative and enforcement officer for the provisions of this chapter ~~and is also herein referred to as the Zoning Administrator.~~ The duty of the Zoning Administrator is to interpret and administer this chapter and to issue, after on-site inspection, all permits required by this chapter.

SECTION 23. Wherever in the following sections of the City of Watertown Ordinances the words "Inspection Division" are used, the words "Fire Department" are substituted: 253-23.

SECTION 24. Wherever in the following sections of the City of Watertown Ordinances the words "Building Inspector" are used, the words "Fire Inspector" are substituted: 253-23.

SECTION 25. Wherever in the following sections of the City of Watertown Ordinances the words "Inspection Division" or "Building Inspection Division" or "City's Inspection Division" or "City Inspection Division" are used, the words "Building, Safety, and Zoning Division" are substituted: 253-22, 253-24, 282-2, 282-6, 390-10, 508-6

SECTION 26. Wherever in the following sections of the City of Watertown Ordinances the words "Inspector" or "Building Inspector" or "Public Works Director/City

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX

Commented [AB1]: Is Fire Inspector Defined in Chapter 253 or should it be added?

Commented [BZ2R1]: It is defined in 303-4. We could make reference to that if needed. We can see what Steven thinks.

Engineer, Building Inspector” are used, the words “Public Works Director/City Engineer or designee” are substituted: 253-49, 253-52, 253-53

SECTION 27. Wherever in the following sections of the City of Watertown Ordinances the words “Plumbing Inspector” or “City of Watertown Plumbing Inspector” are used, the words “Building Inspector” are substituted: 508-6, 508-7, 512-90

SECTION 28. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

SECTION 29. This ordinance shall take effect and be in force the day after its passage and publication.

DATE:	<i>First meeting date</i>		<i>Second meeting date</i>	
READING:	1ST		2ND	
	YES	NO	YES	NO
DAVIS				
LAMPE				
BOARD				
BARTZ				
BLANKE				
SMITH				
SCHMID				
WETZEL				
MOLDENHAUER				
MAYOR MCFARLAND				
TOTAL				

ADOPTED Second meeting date

CITY CLERK

APPROVED Second meeting date

MAYOR

(Type meeting date of the FIRST meeting the ordinance will be considered) Ord. #24-XX