

Title 14 BUILDINGS AND CONSTRUCTION¹

Chapters:

Chapter 14.04 BUILDING CODE

Sections:

14.04.010 Codes adopted by reference.

- (a) The following provisions of the Wisconsin Administrative Code are adopted and future amendments, revisions or modifications of these portions are also incorporated herein. However, all provisions relating to any penalty to be imposed are not adopted and the municipal code shall govern violations of this section.
- (1) ILHR 50 through 64, Wis. Admin. Code, inclusive.
 - (2) Ind. 160 through 164, Wis. Admin. Code, inclusive.
 - (3) Uniform Dwelling Code. Wis. Admin. Code §§ SPS 320-325 and § SPS 327, and § PSC 114 and Commercial code and appendices, § SPS 360-391 and § SPS316, and their successors and all amendments thereto.
- (b) Chs. ILHR 20 through 25, Wis. Admin. Code, standards shall be reasonably applied by the building inspector to the additions and remodeling of existing one-family and two-family dwellings, it being the intention to apply the safety and energy conservation standards of the above Administrative Code chapters to the remodeling of existing structures in those instances where such standards can be applied without unreasonable expense to the applicant.
- (c) Unsafe Buildings. Wherever the building inspector finds any building or structure or part thereof which in his judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use that it would be unreasonable to repair the same; has been so damaged, destroyed or removed as to offend the aesthetic character of the immediate neighborhood; or produces blight or deterioration, he may order the owner of the premises to raze and remove it at the owner's expense. The provisions of Sec. 66.05, Wis. Stats., are adopted as a part of this chapter insofar as the same are applicable. When the public safety demands 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 city in an action against the owner or tenant. The fire department shall give all reasonable assistance to the building inspector in such work.

(Ord. 1214 §1, 1991).

(Ord. No. 2024-004, 5-7-2024; Ord. No. 2024-O-15, § 1.4, 9-17-2024)

^{1*} For the statutory provisions authorizing cities to act for the health, safety and welfare of the public, see WSA § 62.11(5). For provisions regarding excavations for buildings, see Chapter 7.18 of this code.

14.04.020 Definitions.

- (a) Wherever the word "municipality" is used in the building code, it means the city of Whitewater, Wisconsin.
- (b) Wherever the term "corporation counsel" is used in the building code, it means the attorney for the city of Whitewater.

(Prior code §10.38(5)).

14.04.030 Building official—Office established.

- (a) The office of building official is hereby created and the executive official in charge shall be known as the building official.
- (b) The building official shall be the city manager who may appoint a deputy official.

(Prior code §10.38(2)).

14.04.040 Building official—Duties.

It shall be the duty of the building official to enforce all laws relating to the construction, alteration, removal, and demolition of buildings and structures.

(Prior code §10.38(3)).

14.04.050 Fire limits established.

The fire limits of the city are as previously established by Section 14.12.010.

(Prior code §10.38(6)).

14.04.060 Amendments to code.

The building code is amended and changed in the following respects:

- (1) Storage of Flammable Liquids. The storage of flammable liquids, other than fuel oil, shall be prohibited when said storage is in conjunction with a building or structure used for dwelling purposes; except five gallons (twenty quarts). Such flammable liquids shall be stored in metal, closed containers or safety cans.
- (2) Section 49 entitled "Signs and Outdoor Display Structures" is hereby deleted from this code.
- (3) Any building or accessory building, as defined in Sections 19.09.070 and 19.09.080 of this code, which is being moved from one location to another within the city limits must be relocated at its new location and attached to its new permanent foundation within ninety days after the building or accessory building was detached from its original site or foundation.
- (4) Appliances Required to be Flue-Connected or Vented.* Every heat-producing appliance burning solid or liquid fuel shall be connected to a chimney that is suitable and safe for such use, and every gas-burning appliance shall be connected to a chimney or gas vent that is suitable and safe for such use.

(Ord. 1214 §2, 1991; Ord. 991 §3, 1982; Ord. 649 §2, 1970; Ord. 604 §§1, 2, 1968; prior code §10.38(10)).

* Editor's Note: Subsection (4) of §14.04.060 becomes effective September 1, 1982.

14.04.080 Permit fees for heating, ventilating, air-conditioners, blower and exhaust systems and gas piping.

The fees shall be set by resolution of the common council and shall be kept on file at the offices of the city clerk and code enforcement director.

(Ord. 1230 §3, 1992: Ord. 538 §1(part), 1965: prior code §10.38(13)).

14.04.090 Permit fees—Exemption.

State, county, city, federal government and school districts are exempt from payment of fees unless the contract provides that fees be paid by the contractor.

(Ord. 538 §1(part), 1965: prior code §10.38(14)).

14.04.100 Enforcement.

- (a) It shall be the duty of the building inspector, with the aid of the police department and fire department to enforce the provisions of this chapter. Any officer of the police department, the zoning administrator or his or her designee, the fire chief or his or her designee, or the city manager or his or her designee may issue citations for violations of this chapter under the city's citation ordinance.
- (b) It is unlawful to construct, add to, alter, remove or demolish, or to commence the construction, addition, alteration, removal or demolition of a building or structure or install equipment for the operation of a building or structure without first filing with the building official an application in writing and obtaining a formal permit.
- (c) No building shall hereafter be moved until a building permit and moving permit therefor shall have been applied for and issued.
- (d) When deemed necessary by building inspector, all applications for a building permit shall be accompanied by plans in duplicate, drawn to scale, showing the location, actual shape and dimensions of the lot to be built upon, the exact size and location on the lot of the proposed or existing building and accessory building, the lines within which the building shall be erected, altered or moved, the existing and/or intended use of each building or part of a building, the number of families the building is intended to accommodate, and such other information with regard to the lot and neighboring lots or buildings as may be necessary to determine and provide for the enforcement of this chapter.
- (e) All dimensions shown relating to the location and size of the lot shall be based upon an actual survey. The lot and the location of the buildings thereon shall be staked out on the ground before construction is started.
- (f) Building Permit Fees. Building permit fees shall be set by resolution of the common council and shall be kept on file at the offices of the city clerk and code enforcement director.
- (g) Moving Permit Fees. The permit fee for moving a building shall be set by resolution of the common council and shall be kept on file at the offices of the city clerk and code enforcement director. All persons who move a building shall be required to pay the cost of any municipal services which are provided in the assistance of moving. The cost shall be determined to be the actual cost of the services plus any overhead expenses. City, state, county and federal governments are exempt from fees. The permit is void if the building is not moved within six months.

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- (h) Occupancy Permit Fees. A certificate of occupancy shall be issued by the code enforcement director pursuant to the provisions of Section 19.75.050 of this code. The fee for an occupancy permit shall be set by resolution of the common council and shall be kept on file at the offices of the city clerk and code enforcement director.

(Ord. 1374 §1, 1997; Ord. 1230 §2, 1992; Ord. 991 §2, 1982; Ord. 965 §1, 1981; Ord. 923 §1, 1979; Ord. 849 §1, 1975; Ord. 667 §1(part), 1970; Ord. 649 §3, 1970: prior code §10.38(17)).

14.04.110 Penalty for violations.

Any person, firm or corporation who violates, disobeys, neglects, omits, or refuses to comply with, or who resists the enforcement of any of the provisions of this chapter shall, upon conviction, forfeit not less than twenty-five dollars nor more than two hundred fifty dollars, together with the costs of prosecution; and in default of payment of such forfeitures and costs of prosecution, shall be imprisoned in the county jail until the forfeiture and costs are paid, but not to exceed thirty days for each violation. Each day that a violation continues to exist shall constitute a separate offense.

(Ord. 983 §60, 1982).

Chapter 14.05 BUILDING MAINTENANCE CODE AND DWELLING STANDARDS²

Sections:

14.05.010 Legislative findings.

The common council finds that there exists, and may in the future exist, within the city, buildings or structures that are likely to affect, by reason of their maintenance or lack of maintenance, the health, safety and general welfare of the citizens of this community. It is declared that there is a need for the establishment of certain standards relating to the maintenance and repair of buildings, structures and surrounding areas. It is further declared that failure to maintain buildings and surrounding areas in a reasonable state of repair affects the value of other properties in the area, and adversely affects the environment and living conditions in the area.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.020 Purpose.

- (a) It is the purpose of this chapter to improve and/or protect the visual image of the city.
- (b) It is also the purpose of this chapter to establish and enforce health, safety and welfare standards in order to promote the general welfare of the people.

(Ord. No. 2069, § 1, 9-19-2023)

²Ord. No. 2069, § 1, adopted Sept. 19, 2023, repealed the former Ch. 14.05, §§ 14.05.010—14.05.510, and enacted a new Ch. 14.05 as set out herein. The former Ch. 14.05 pertained to building maintenance and repair standards and derived from Ord. 1217 (9/17/91) §1(part), 1991.

14.05.030 Applicability.

- (a) The provisions of this chapter shall apply uniformly to the maintenance, use and occupancy of all buildings, structures and premises within the jurisdiction of the city irrespective of when originally constructed or rehabilitated.
- (b) However, any legally established use or structure existing prior to the effective date of this title that does not conform with the provisions of this title because of size of rooms, size of windows, height of ceilings or other basic structural dimensions shall be considered a legal nonconforming use under the provisions of Chapter 19.60 of this code. However, such nonconforming use of the structure shall not be extended, enlarged, moved or structurally altered except when required to do so by law or order, or so as to comply with the provisions of this title. Normal maintenance is permitted. This provision shall not be interpreted to disallow the extension or enlargement of a structure in respect to those dimensions that are or may still be in conformance with this title so long as such extensions or enlargements do not thereby create additional nonconforming dimensions.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.040 Warning and disclaimer of liability.

The degree of protection intended to be provided by this chapter is considered reasonable for regulatory purposes. This chapter does not imply that compliance will result in freedom from damages nor shall this chapter create a liability on the part of or a cause of action against the city or any officer or employer for any damage that may result from reliance on this chapter. Lack of enforcement of the standards, rules and regulations contained herein shall not create a liability on the part of the city or its officers and agents notwithstanding the issuance of permits or inspection of the premises.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.050 Definitions.

The following definitions shall apply in the interpretation and enforcement of this chapter. Words and phrases not herein otherwise defined shall have the meanings accepted by common usage in other city and state of Wisconsin Codes and Statutes or the common definition set forth in a standard dictionary.

- (1) "Accessory use or structure" means a use or detached structure subordinate to the principal use of structure, land, or water and located on the same lot or parcel serving a purpose customarily incidental to the principal use of the principal structure.
- (2) "Appropriate Authority" means that person within the governmental structure of the corporate unit who is charged with the administration of the appropriate code, or their designated representative.
- (3) "Approved" means approved by the local or state authority having such administrative authority.
- (4) "Building Inspector" means the person vested with the authority and responsibility by the city to enforce this chapter.
- (5) "Central heating system" means a single system supplying heat to one or more dwelling unit(s) or more than one rooming unit.
- (6) "Chimney" means a vertical masonry shaft of reinforced concrete, or other approved noncombustible, heat-resisting material enclosing one or more flues, for the purpose of removing products of combustion from solid, liquid or gaseous fuel.

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- (7) "Dwelling" means any enclosed space wholly or partly used or intended to be used for living and sleeping, whether or not cooking and eating facilities are provided; manufactured housing and modular construction, which conform to nationally accepted industry standards and used or intended for use for living and sleeping purposes shall be classified as dwellings. (See definition of "unit").
 - (8) "Flush water closet" means a toilet bowl which is flushed with water which has been supplied under pressure and equipped with a water-sealed trap under the floor level.
 - (9) "Grade" means the average finished level of the adjacent ground.
 - (10) "Guest" means an individual who shares a dwelling unit in a nonpermanent status for not more than thirty days in a six-month period.
 - (11) "Habitable room" means a room or enclosed floor area used or intended to be used for living or sleeping purposes excluding bathrooms, water closet compartments, basement laundries, furnace rooms, utility rooms of less than fifty square feet of floor space, communicating corridor stairways, closets, storage spaces, unheated areas and workshops and hobby areas below ground level.
 - (12) "Heated water" means water heated to a temperature of not less than one hundred ten degrees at the outlet.
 - (13) "Occupant" means any individual having possession of a premises or any individual over one year of age, living, sleeping, cooking or eating in or having possession of a dwelling unit; except that in dwelling units a guest shall not be considered an occupant.
 - (14) "Operator" means any person who has charge, care, control, or management of a building, or part thereof, in which building units are let.
 - (15) "Owner" means any person who, alone or jointly or severally with others:
 - (A) Has legal title to any premises, building, or building unit, with or without accompanying actual possession thereof; or
 - (B) Has charge, care or control of any premises, building, or building unit, as owner or agent of the owner, or an executor, administrator, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this chapter and of rules and regulations adopted pursuant thereto, to the same extent as if he were the owner.
 - (16) "Person" means and includes any individual, firm, corporation, association, partnership, cooperative or governmental agency.
 - (17) "Plumbing" means and includes all of the following supplied facilities and equipment: gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower baths, installed clothes-washing machines, catchbasins, drains, vents and any other similar supplied fixtures, and the installation thereof, together with all connections to water, sewer, or gas lines.
 - (18) "Premises" means a platted lot or part thereof or unplatted lot or parcel of land or plat of land, either occupied or unoccupied by a dwelling or nondwelling structure, and includes any such building or part thereof, accessory structure or other structure thereon.
 - (19) "Privacy" means the existence of conditions which will permit an individual or individuals to carry out an activity commenced without interference, either by sight or sound by other individuals.
 - (20) "Rodent and/or animal pest-proofing" means a form of construction which will prevent the ingress or egress of rodents and/or animal pests to or from a given space of building, or from gaining access to food, water, or harborage. It consists of the closing and keeping closed of every opening in

foundations, basements, cellars, exterior and interior walls, ground or first floors, roofs, sidewalk gratings, sidewalk openings, and other places that may be reached and entered by rodents and/or animal pests by climbing, burrowing or other methods, by the use of materials impervious to rodent-gnawing and other methods.

- (21) "Supplied" means paid for, furnished by provided by, or under the control of the owner, operator, or agent.
- (22) "Unit" means a room or group of rooms located within a building forming a single habitable or business unit or any other part of a premise controlled by another.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.060 Responsibilities of owners and occupants.

- (a) Every occupant of a premises unit shall keep all installed heating, ventilating, electrical and plumbing fixtures in a clean, sanitary and operable condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.
- (b) In every dwelling unit when the control of the supplied heat is the responsibility of a person other than the occupant, a temperature of at least sixty-seven degrees Fahrenheit shall be maintained in all habitable rooms, bathrooms, and water closet compartments at a distance of forty-eight inches above the floor level, under average minimum winter temperatures.
- (c) No owner, operator or occupant of a building, building unit, or premises shall suffer, permit or allow any condition which may be dangerous to young children because of their inability to appreciate peril and may reasonably be expected to attract them to premises.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.070 Minimum standards for basic equipment and facilities.

No person shall occupy as owner, occupant or let to another for occupancy, any dwelling or dwelling unit, for the purposes of living, sleeping, cooking or eating therein, which does not comply with the following requirements:

- (1) Every dwelling unit having a kitchen or kitchenette shall be equipped with the following:
 - (A) A kitchen sink in good working condition and properly connected to a water supply system which is approved by the appropriate authority and which provides at all times an adequate amount of heated and unheated running water under pressure, and which is connected to an approved sewer system.
 - (B) Cabinets and/or shelves for the storage of eating, drinking and cooking equipment and utensils and of food that does not under ordinary summer conditions require refrigeration for safekeeping; and a counter or table for food preparation; said cabinets and/or shelves and counter or table shall be of sound construction furnished with surfaces that are easily cleanable and that will not impart any toxic or deleterious effect to food.
 - (C) A stove or similar device for cooking food, and a refrigerator or similar device, for the safe storage of food at temperatures less than fifty degrees Fahrenheit but more than thirty-two degrees Fahrenheit, which are properly installed with all necessary connections for safe, sanitary and efficient operation; provided that such stove, refrigerator and/or similar devices need not be installed when a dwelling unit is not occupied. Repair, maintenance and replacement of the appliances shall be the responsibility of the owner of the appliance.

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(Supp. No. 8-25)

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- (2) Within every dwelling unit there shall be a non-habitable room which affords privacy to anyone within said room and which is supplied with a flush water closet in good working condition and within every dwelling unit let to another there shall be one such closet for each ten persons or fraction thereof. Said flush water closet shall be equipped with easily cleanable surfaces, and shall be connected both to a water system that at all times provides an adequate amount of running water under pressure to cause the water closet to be operated properly, and to a sewer system which is approved by the appropriate authority.
 - (3) Within every dwelling unit there shall be a lavatory sink. Said lavatory sink, may be in the same room as the flush water closet, or if located in another room, the lavatory sink shall be placed in close proximity to the door leading directly into the room in which said water closet is located. The lavatory sink shall be in good working condition and properly connected to a water supply system which is approved by the appropriate authority and which provides at all times an adequate amount of heated and unheated running water under pressure, and which is connected to a sewer system approved by the appropriate authority.
 - (4) Within every dwelling unit there shall be a room which affords privacy to a person within said room and which is equipped with a bathtub or shower in good working condition. Said bathtub or shower may be in the same room as flush water closet or in another room and shall be properly connected to a water supply system which is approved by the appropriate authority and which provides at all times an adequate amount of heated and unheated water under pressure.
 - (5) Every dwelling unit in a one-story or two-story dwelling shall have at least two approved means of egress leading to a safe and open space at ground level. Every dwelling unit in a multiple dwelling shall have immediate access to two or more approved means of egress leading to a safe and open space at ground level, or as otherwise permitted by the laws of this state and the city.
 - (6) All stairway landings, platforms, roof decks or similar elevations or depressions more than two feet above or below adjacent grade or floor level shall have a guard rail on the open sides thereof, at least thirty-six inches in height, with an intermediate rail at midheight or vertical rails at eleven inches maximum spacing on center. Stairways on the outside of buildings and an integral part thereof, having more than three risers, shall have a handrail on each side. Alternate systems providing at least the same degree of protection, approved by the appropriate authority shall be acceptable.
 - (7) Access to or egress from each dwelling unit shall be provided without passing through any other dwelling or dwelling unit, except common areas provided for such purpose.
 - (8) No person shall let to another for occupancy any dwelling or dwelling unit unless each exterior door of the dwelling unit is equipped with a safe, functioning locking device.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.080 Minimum standards for light, ventilation and electricity.

No person shall occupy as owner, occupant, or let to another for occupancy, any dwelling unit, for the purpose of living therein, which does not comply with the requirements of this section.

- (1) Every habitable room shall have at least one window or skylight facing outdoors; provided, that if connected to a room or area used seasonally (e.g., porch), then adequate daylight must be possible through this interconnection. The minimum total window or skylight area, measured between stops, for such room shall be at least eight percent of the floor area.

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- (2) Fifty percent of the minimum window area size or minimum skylight type of window size, as required in subsection 1 of this section, shall be easily opened except where there is supplied some other device affording adequate ventilation which is approved by the appropriate authority.
 - (3) Every bathroom and water closet compartment and nonhabitable room used for food preparation shall comply with the light and ventilation requirement for habitable rooms contained in this section except that no window or skylight shall be required in such rooms if they are equipped with a ventilation system in working condition which is approved by the appropriate authority.
 - (4) Every dwelling unit and all public and common areas shall be supplied with electric service, outlets, and fixtures which shall be properly installed and maintained in good and safe working condition and connected to a source of electric power in a manner prescribed by the ordinances, rules, and regulations of the city. The minimum capacity of such services and the minimum number of outlets and fixtures shall be as follows:
 - (A) Floor or Wall Type Electrical Outlets.
 1. Kitchen. One floor or wall electrical outlet for each sixty square feet or fraction thereof of total floor area and in no case less than three such outlets;
 2. Bedroom, Living Room, Dining Room. Two floor or wall type electric outlets for the first ninety-nine square feet or fraction thereof and an additional outlet for each additional fifty square feet or fraction thereof;
 3. Bathroom, Water Closet Compartment, Utility Room and Workshop. One floor or wall type electric outlet for each room.
 - (B) Electric Light Fixtures. Every bathroom water closet compartment, kitchen, kitchenette, laundry room, furnace room, utility room, foyer, communicating corridor, and interior stairway, shall contain at least one electric light fixture with convenient switches or equivalent devices for turning on one light in each room or passageway located so as to permit the area ahead to be lighted.
 - (5) Every public hall and stairway in every multiple dwelling containing more than three units shall be adequately lighted by natural or electric light at all times. Every public hall and stairway in structures containing not more than three dwelling units may be supplied with conveniently located light switches controlling an adequate lighting system which may be turned on when needed instead of fulltime lighting.
 - (6) However, any legally established electrical fixtures and outlets or arrangement of electrical fixtures and outlets existing prior to the effective date of this title shall be considered a legal nonconforming use under the provisions of Chapter 19.60 of this code.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.090 Minimum heating standards.

No person shall occupy as owner, occupant, or let to another for occupancy, any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- (1) Every dwelling shall have heating facilities which are properly installed and are maintained in safe and good working condition and are capable of safely and adequately heating all habitable rooms, bathrooms, and water closet compartments in every dwelling unit located therein to a temperature of at least sixty-seven degrees Fahrenheit at a distance of forty-eight inches above floor level under average minimum winter temperature.

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- (2) No owner or occupant shall install, operate or use a means of heating employing a flame that is not vented outside the structure in an approved manner.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.100 Maximum density, minimum space, use and location requirements.

No person shall occupy or let to be occupied any dwelling or dwelling unit for the purpose of living therein unless there is compliance with the requirements of this section.

- (1) The maximum occupancy of any dwelling let to another shall be limited by the following requirement: for each occupant at least one hundred twenty-five square feet of floor space, the floor space to be calculated on the basis of total habitable room area. "Occupant" shall not include any person under eighteen years of age, for the purpose of this subsection.
- (2) The ceiling height of any habitable room shall be at least seven feet, except that in any habitable room under a sloping ceiling at least one-half of the floor area shall have a ceiling height of at least seven feet and the floor area of that part of such room where the ceiling height is less than five feet shall not be considered as part of the floor area in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy.
- (3) No space located partially below grade shall be approved for use as a habitable room of a dwelling unit unless:
 - (A) The floor and those portions of the walls are of waterproof and dampproof construction;
 - (B) The minimum window area is equal to at least as required in Section 14.05.310 of this chapter and such window area is located entirely above the grade of the ground adjoining such window area, or if windows are located wholly or partly below grade, there be constructed a properly drained window well whose open area is equal to or greater than the area of the masonry opening for the window; the bottom of the window well is below the top of the impervious masonry construction under the window and the minimum horizontal distance at a right angle from any point of the window well is equal to or greater than the vertical depth of the window well as measured from the bottom of the opening for the window;
 - (C) The total openable window area in each room is equal to at least the minimum as required under Section 14.05.310 of this chapter, except where some other approved devices affording adequate ventilation and humidity control are supplied;
 - (D) There are no pipes, ducts or other similar obstructions less than six feet eight inches above the floor level which interfere with the normal use of the room or area.
- (4) In every dwelling unit of two or more rooms, every room occupied for sleeping purposes shall contain at least fifty-three square feet of floor space for each occupant thereof. Every room for sleeping purposes shall have immediate passage to at least four square feet of floor-to-ceiling height closet space for personal effects of each permissible occupant; if it is lacking, in whole or in part, an amount of space equal in square footage to the deficiency shall be subtracted from the area of sleeping room space used in determining permissible occupancy. For each occupant at least one hundred twenty-five square feet of floor space, the floor space to be calculated on the basis of total habitable room area. Occupant shall not include any person under eighteen years of age, for the purpose of this subsection.
- (5) No dwelling or dwelling unit containing two or more sleeping rooms shall have such room arrangements that access to a bathroom or water closet compartment intended for use by occupants of more than one sleeping room can be had only by going through another sleeping room, nor shall room arrangements be such that access to a sleeping room can be had only by going through another

sleeping room. A bathroom or water closet compartment shall not be used as the only passageway to any habitable room, hall, basement, or cellar or to the exterior of the dwelling unit.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.110 Powers and duties of the building inspector.

- (a) The building inspector shall enforce the provisions of this chapter and is authorized and directed to make inspections when he has valid reason to believe that a violation of this chapter or any rules and regulations pursuant thereto has been or is being committed.
- (b) For the purpose of making exterior inspections, the building inspector is authorized to examine and survey at all reasonable times during daylight hours the exterior portion of all buildings, structures or premises. Every owner or occupant shall give the building inspector free access to any said premises.
- (c) The building inspector may require any complainant reporting a violation of this chapter to submit the report in writing.
- (d) The building inspector or his designated representative having probable cause to believe a violation of this chapter exists, shall have authority to enter the interior of any such premises after at least a twenty-four-hour written notice has been given to the owner, or his agent and the occupant requesting an appointment for such entry and inspection. If, after such notice is given, access is denied by both the owner and occupant, the building inspector may apply to the circuit court for a special inspection warrant.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.120 Enforcement procedures.

Whenever the building inspector or designee determines that there is a violation of any provision of this chapter, notice of such violation shall be given to the person or persons responsible therefor, which shall:

- (1) Be in writing;
- (2) Indicate the nature of the violation(s);
- (3) Be served upon the owner or his/her agent, and the occupant or operator(s), as the case may require. Such notice shall be deemed to be properly served upon such owner, or his/her agent, and occupant, or operator, if a copy thereof is:
 - (A) Served upon him/her personally; or
 - (B) Sent by registered or certified mail to his/her last known address, and posted in a conspicuous place in or about the building or structure affected by notice;
- (4) State a reasonable amount of time, generally within thirty days, but not to exceed sixty days, unless there are extraordinary circumstances involved, to correct or abate the violation;
- (5) Advise the person served of the right to request a hearing before the board of zoning appeals to appeal the building inspector's order and that the notice shall become an order of the building inspector ten days after service unless such a hearing is requested.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.130 Repairs and other corrective action.

- (a) Whenever an owner, operator or agent of a premises or premises unit fails, neglects or refuses to make repairs, raze or remove, make safe by repairs or other corrective action called for, the building inspector may undertake such repairs or action when, in the building inspector's judgment, a failure to make them will endanger the public health, safety or welfare. If the owner fails to repair or remove a building which is dilapidated or blighted to the extent that such building, dwelling, or structure offends the aesthetic character of the immediate neighborhood or produces blight or deterioration by reason of such condition the building inspector may apply to the Circuit Court for an order determining that such building, dwelling, or structure constitutes a public nuisance and the defect shall be remedied.
- (b) Every owner, occupant, operator or agent of a premises or premises unit who has received notice of the intention of the building inspector to make repairs or take other corrective action shall give entry and free access to the agent of the building inspector for the purpose of making such repairs. Any owner, occupant, operator or agent of a dwelling or dwelling unit who refuses, impedes, interferes with, hinders, or obstructs entry to the premises pursuant to notice of intention to make repairs or take other corrective action shall be subject to a civil penalty of a minimum of one hundred dollars plus court costs for each day said party fails to comply with this section.
- (c) When repairs are made or other corrective action taken at the direction of the building inspector and the owner, operator or occupant fails to pay for the expense of such repairs, the cost of such repairs and corrective action may be levied and collected as a special charge or special tax upon the lot or land on which such work is done.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.140 Applications for reconsideration, hearings and appeals.

- (a) Hearings.
 - (1) Any person who receives a notice from the building inspector issued in connection with any alleged violation of the provisions of this chapter or of any applicable rules and regulations pursuant thereto or any order requiring repair or demolition pursuant thereto or any order requiring repair or demolition pursuant to Section 14.05.410 of this chapter, may file with the city clerk of the city a petition to the board of zoning appeals for a hearing setting forth his/her reasons for contesting the notice or order.
 - (2) Such petition shall be filed with the city clerk within ten days after receipt of notice of violation.
 - (3) Upon receipt of a valid petition, the city clerk shall schedule the hearing within twenty days after receipt of the petition and notify the petitioner of the hearing date, time and location.
 - (4) At the hearing, the petitioner shall be given an opportunity to show cause why the notice or order should be modified or withdrawn or why the period of time permitted for compliance should be extended.
 - (5) The board of zoning appeals of the city shall have the power to affirm, modify or revoke the notice or order and may grant an extension of time for the performance of any act required where the board of zoning appeals of the city finds that there is practical difficulty or undue hardship connected with the performance of any act required by the provisions of this chapter or by applicable rules or regulations issued pursuant thereto and that such extension is in harmony with the general purpose of this chapter to secure the public health, safety and welfare.
 - (6) The board of zoning appeals may grant variances from the provisions of this chapter or from applicable rules and regulations issued pursuant thereto when the board of zoning appeals finds that there is

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(Supp. No. 8-25)

practical difficulty or unnecessary hardship connected with the performance of any act required by this chapter and applicable rules and regulations pursuant thereto; that strict adherence to such provisions would be arbitrary in the case at hand; that an extension of time would not provide an appropriate remedy in the case at hand; that such variance is in harmony with the general purpose of this chapter to secure the public health, safety, and welfare.

- (b) Appeals. Any person aggrieved by the final decision of the board of zoning appeals of the city may obtain judicial review by filing in a court of competent jurisdiction within twenty days of the announcement of such decision a petition praying that the decision be set aside in whole or in part. A copy of each petition so filed shall be forthwith transmitted to the board of zoning appeals which shall file with the court a record of the proceedings upon which it based its decision. Upon the filing of such record, the court shall affirm, modify or vacate the decision complained of in whole or in part. The findings of the board of zoning appeals with respect to questions of act shall be sustained if supported by substantial evidence on the record, considered as a whole.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.150 Emergencies.

Whenever in the judgment of the building inspector, an emergency exists which requires immediate action to protect the public health, safety or welfare, an order may be issued without notice, conference or hearing, directing the owner, occupant, operator or agent to take appropriate action to correct or abate the emergency. If circumstances warrant, the building inspector, or designee may act to correct the emergency.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.160 Penalties.

Any person who is deemed to have notice and any owner, occupant, operator or agent of a building or premises or any person making use of a premises who has received a notice as provided in Section 14.05.410 and who fails, neglects or refuses to comply with, or permits violation of the ordinance provisions set forth in such notice at any time after the specified reasonable consideration period, or any person regardless of notice who fails to conform with these ordinance provisions shall be subject to a forfeiture of a minimum of one hundred dollars plus court costs for each day said party fails to comply with this section.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.170 Conflict of ordinances—Effect of partial invalidity.

- (a) In any case where a provision of this chapter is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or code of the city existing on the effective date of the ordinance codified in this chapter, the provision which established the higher protection of the health and safety of the people shall prevail. In any case where a provision of this chapter is found to be in conflict with a provision of any other ordinance or code of the city existing on the effective date of the ordinance codified in this chapter, which established a lower standard for the promotion and protection of the health and safety of the people, the provisions of this chapter shall be deemed to prevail.
- (b) If any section, subsection, paragraph, sentence, clause or phrase of this chapter should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this chapter which shall remain in full force and effect and to this end the provisions of this chapter are hereby declared to be severable.

(Ord. No. 2069, § 1, 9-19-2023)

14.05.180 Effective date.

This chapter is effective upon passage and publication as required by law.

(Ord. No. 2069, § 1, 9-19-2023)

Chapter 14.055 GRAFFITI ABATEMENT

Sections:

14.055.010 Requirements.

- (a) All owners or parties who have control of real property in the city of Whitewater shall be subject to the below requirements.
1. Definition of "Graffiti." The term "graffiti" means any unauthorized inscription, word, figure, painting or other defacement that is written, marked, etched, scratched, sprayed, drawn, painted, or engraved on or otherwise affixed to any surface of public or private property by any graffiti implement, to the extent that the graffiti was not authorized in advance by the owner or occupant of the property, or, despite advance authorization, is otherwise deemed a public nuisance by the city neighborhood services director or the city police chief.
 2. Public Nuisance. The existence of graffiti on any real property within the city is expressly declared to be a public nuisance affecting public health, safety and welfare.
 3. Graffiti Prohibited. No owner or person in control of any real property within the city shall allow any graffiti to remain upon any structure located on the owner's property when the graffiti is visible from the street or from other public or private property. This prohibition shall apply even if the graffiti was applied to the property prior to the enactment of this section.
 4. Notification of Violation. Whenever the city of Whitewater determines that graffiti on any building or structure within the city is visible from the street or from other public or private property, the city of Whitewater shall issue an order to the owner of the property to abate the graffiti within seven days.
 5. Compliance. A property owner shall be deemed to have complied with an order to abate graffiti if it is obliterated by primary paint and matching building paint or by such other means as shall obliterate the graffiti.
 6. Failure to Comply. If the property owner fails to comply with the order to abate the graffiti, the city of Whitewater may cause the graffiti to be abated either by city employees or by an independent contractor. The city and the independent contractor are expressly authorized to enter upon the property and abate the graffiti upon exterior walls, fences, billboards and other structures. The city or private contractor will take all reasonable precautions to avoid causing damage to the property where the graffiti is abated. Any paint used to obliterate graffiti shall be as close as practicable to the background color or colors in the area where the graffiti is abated. The cost of abating the graffiti shall, pursuant to Section 66.0627, Wis. Stats., be imposed as a special charge against the real property for the cost of the services provided. If the special charge is not paid within thirty days, the special charge shall be deemed delinquent. A delinquent special charge shall be a lien against the property as of the date of delinquency. The delinquent special charge shall be included in the current or next tax roll for collection and settlement under Chapter 74, Wis. Stats.

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(Supp. No. 8-25)

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7. Penalties for Violations. Any person who violates any of the provisions of this chapter shall, upon conviction thereof, be subjected to a fine of not less than seventy-five dollars nor more than two hundred dollars, together with the costs of prosecution.

(Ord. 1627A § 1, 2007).

Chapter 14.06 ELECTRICAL CODE

Sections:

14.06.010 Adoption of Wisconsin State Electrical Code.

The Wisconsin State Electrical Code is adopted in its entirety and by reference made a part of this code. A copy of said code shall at all times be kept on file in the department of public works.

(Ord. 874 §1(part), 1976).

14.06.020 Inspection.

The director of public works shall have the right of entry and inspection set forth under Chapter 1.28.

(Ord. 874 §1(part), 1976).

14.06.100 Permit fees for electric permits.

Permit fees for electrical permits shall be set by resolution of the common council and shall be kept on file at the offices of the city clerk and code enforcement director.

(Ord. 1230 §4, 1992; Ord. 965 §2, 1981; Ord. 874 §1(part), 1976; prior code §10.38(12)).

14.06.110 Penalty for violations.

Any person, firm or corporation, who violates, disobeys, neglects, omits, or refuses to comply with, or who resists the enforcement of any of the provisions of this chapter shall, upon conviction, forfeit not less than twenty-five dollars or not more than two hundred fifty dollars, plus costs of prosecution for the first offense; and for second and subsequent offenses not less than fifty dollars nor more than two hundred fifty dollars, plus costs of prosecution; and in default of payment of such forfeiture and costs shall be imprisoned in the county jail until the forfeiture and costs are paid, but not to exceed thirty days for each violation. Each day that a violation continues to exist shall constitute a separate offense.

(Ord. 983 §61, 1982).

Chapter 14.08 PLUMBING CODE

Sections:

14.08.010 State code to govern.

The provisions and regulations contained in the Wisconsin State Plumbing Code adopted by the State Board of Health, and such additional rules and regulations as may be adopted by said board or may be adopted by the city, shall extend over and govern all plumbing, drainage, and drainlaying in the city.

(Prior code §10.01).

14.08.020 Plumbing defined.

"Plumbing" for the purpose of this chapter, includes the placing of all material within any building and from three to five feet outside of such building, and the construction and alteration of all pipes, faucets, tanks, valves, and other fixtures by and through which supply or waste of sewage is issued or carried in any manner whatsoever. "Plumbing" also includes the connecting to main sewers or water mains in streets or alleys, placing of materials, construction or alteration of drains or piping beginning three to five feet from the foundation or area wall of the building to its connection with the main sewer or water main in the street, alley, or other disposal terminal.

(Prior code §10.02).

14.08.030 Plumbing inspector—Appointment—Duties.

- (a) The city manager shall designate and appoint a person who shall act as plumbing inspector; and he shall have control of the supervision and inspection of plumbing, drainage, and drainlaying, and shall faithfully enforce all laws, ordinances, and rules in relation thereto.
- (b) It shall be the duty of the plumbing inspector to see that the construction, reconstruction, and alteration of plumbing, drainage, and plumbing ventilation hereafter installed in all of the buildings in the city shall conform with the laws and ordinances and the rules and regulations laid down by the State Board of Health of the state of Wisconsin and the city of Whitewater, and to make all inspections required thereby and in the manner therein set forth.

(Prior code §10.03).

14.08.040 Plumbing inspector—Applications, permits and records.

- (a) The plumbing inspector shall prepare suitable forms for the applications and permits required and keep in his office a proper daily record of all of the transactions of his office and file a yearly report covering the same with the city manager.
- (b) The yearly report shall cover the period closing December 31st each year and be filed on or before January 10th next thereafter and shall show the total amount of fees earned and a summary of the work of his office during said period.

(Prior code §10.04).

14.08.050 Plumbing and drainlaying—Permit required—Fees.

No plumbing or drainlaying shall be done in the city, except in case of repairing leaks or stoppages, without a permit being first issued therefor by the inspector of plumbing and the paying of proper fees as hereinafter required. The application for a plumbing or drainlaying permit shall be filed with the plumbing inspector, who may require plans and application showing in detail the work to be done. Before the inspector shall issue such permit,

he shall approve the application so filed with him and issue to the applicant a statement showing the fees to be paid for such permit, which statement shall be filed with the city clerk, and the fees therein indicated paid to the city clerk, who shall issue a receipt therefor. Upon presentation to the plumbing inspector of the receipt issued by the city clerk showing the payment of all legal fees, he shall thereupon issue his permit for the work set forth in the application.

(Prior code §10.05).

14.08.060 Permit fees for plumbing permits.

Permit fees for plumbing shall be set by resolution of the common council and shall be kept on file at the offices of the city clerk and code enforcement director. No person in the city shall install or permit or suffer to be installed any plumbing or drainage of any kind or character, except leakage repairs and stoppages, unless a permit therefor has been granted by the plumbing inspector, and no permittee shall interfere in any way with the work of inspection or permit any plumbing or drainage to be used until it has been inspected and approved by the inspector, unless special permission therefor is given by the city or the state.

(Ord. 1230 §5, 1992; Ord. 930 §1, 1979; prior code §10.06).

14.08.070 Permit—Moneys paid to treasurer.

All moneys received or collected for license fees and for permits pursuant to the provisions of this chapter shall be paid into the city treasury and shall be paid into the general fund.

(Prior code §10.37).

14.08.080 Report of existing insanitary installations.

Whenever it is reported to the health officer by the inspector that the plumbing in any building is contrary to this chapter, or is of faulty construction and liable to breed disease or sickness, or is a menace to health, or when upon complaint made to the health officer by any person that the plumbing in any building is defective as aforesaid, then the health officer shall direct the plumbing inspector to examine all the plumbing in the building and report his findings, in writing, to said health officer, suggesting such changes as are necessary to put the same in proper sanitary condition. The health officer shall thereupon direct such changes to be made as he deems necessary, and fix a time for doing the same. Any person refusing to comply therewith is guilty of a violation of this section and each day's continuance thereof shall constitute a separate offense.

(Prior code §10.07).

14.08.090 Notice for inspection.

- (a) Whenever any work is ready for inspection, the plumbing inspector shall be notified by the plumber in charge or person receiving permit, specifying the plan or permit number under which work is being done. Unless otherwise especially permitted by the inspector, all work, either plumbing or drainlaying, shall be left uncovered for examination until examined and approved by the inspector. The inspector shall then notify the plumber in charge or the owner of the property at what time the inspection shall be made and shall proceed at that time to make the inspection.
- (b) The plumber in charge or the owner shall make arrangements as will enable the inspector to reach all parts of the building readily and shall have present the proper apparatus and appliances for making the tests and shall furnish all materials and perform all labor in making such tests as required by the plumbing inspector.

(Prior code §10.09).

14.08.100 Replacing street surface.

When opening any street surface or other public way, all material for paving or ballasting must be removed with the least possible loss of surfacing material and together with the excavated material from the trenches, or otherwise must be placed where it will cause the least inconvenience to the public, and all such materials must be so placed that they will admit free passage of water along the gutters. As little as possible of the trench must be dug until the slant or junction piece to the sewer is found. The backfilling must be puddled and the paving and ballast must be replaced in as nearly the original condition as possible and to the satisfaction of the director of public works. When the sides of the trench will not stand perpendicular, sheathing braces must be used to prevent caving. When caving occurs, all of the street surface thus disturbed must be restored in the same careful manner as though it were an excavation of a trench.

(Prior code §10.10).

14.08.110 Lights and barriers required—Liability for damages.

- (a) Every plumber and drainlayer must enclose each opening which he may make in the streets or public ways with sufficient barriers. Lights must be kept burning from sunset to sunrise, one light to be placed at each end of the openings in the street and the other lights to be placed at intervals of ten feet.
- (b) All necessary precautions shall be taken to guard the public effectually from accidents or damage to persons or property from the beginning to the end of the work. Plumbers and drainlayers will be held liable for all damages, including costs incurred by the city in defending any action brought against it for damages and costs of an appeal that may result from the neglect of his employees or himself of any necessary precaution against injury or damage to persons, horses, vehicles, or property of any kind.

(Prior code §10.11).

14.08.120 Connection with sewer—Improvement tax payment required.

No person shall be allowed to connect with the public sewerage system in any manner unless a sewer improvement tax has been duly made to or paid on the frontage of the property to which sewer connections are to be installed, except permission so to do has been duly given by the common council.

(Prior code §10.12).

14.08.130 Record of connections and maps.

The city engineer shall keep a record of all sewer connections and make maps showing location of same and position of all house drains, connections, junctions, and other data necessary for the efficient service of this department.

(Prior code §10.13).

14.08.140 Tapping sewer system—Location of drain junctions.

No person but licensed plumbers shall be permitted to tap or make connections with the general sewerage system or any part thereof. Such information as the plumbing inspector or city engineer has with regard to the

location of the sewer junctions or slants will be furnished to the drainlayers, but at their risk as to the accuracy of the same. When in compliance with the measurements furnished by the city engineer or plumbing inspector, the junction is not found, a slant connection and one-eighth bend shall be used and such connection shall be made under the direction of the plumbing inspector.

(Prior code §10.14).

14.08.150 Drain for each building.

Whenever practicable, the sewerage and drainage system of every house or building in the city must be separately or independently connected with the street sewer; except where a building stands in the rear of another on the same lot, the house drain from the front building may be extended to the rear building, private garage, or barn, and the whole will be considered as one house drain.

(Prior code §10.15).

14.08.160 Drain pipe—Materials.

The drain pipe extending from the main sewer to within three to five feet of the outside wall of residences of not more than two stories must be constructed of six-inch vitrified clay pipe or four-inch standard cast iron pipe, and in all other cases drains extending from the main sewer to the outside or to the area wall must be constructed of six-inch vitrified clay pipe or of six-inch standard or extra heavy cast-iron pipe.

(Prior code §10.16).

14.08.170 Defective or inferior pipe prohibited.

No drainlayer or other authorized person shall lay and connect with any public sewer a pipe that is cracked, damaged, or of inferior make or quality, under penalty as is herein provided. Should any property owner or agent thereof furnish pipe of an inferior make or quality for laying the same to connect with a public sewer, the drainlayer shall refuse to lay and connect the same and immediately notify the city manager of all the circumstances connected therewith in writing.

(Prior code §10.17).

14.08.180 Drains—Sizes and grade.

All drains outside of buildings from sewer to lot line and designed to receive solid substances must be at least six inches in diameter and must have a grade of one-fourth inch or more per foot, if possible; and in no case shall the grade be less than one-eighth inch per foot, provided that underground house drains for residences or other small buildings, if not more than two stories, may from the lot line be made of four-inch cast iron pipe.

(Prior code §10.18).

14.08.190 Drain—Additional grade permitted.

In cases where the main sewer in the streets has sufficient depth or where a lot is three feet or more above grade line, the drain between the curb line and the line may receive such greater inclination as in the judgment of the plumbing inspector may be deemed necessary.

(Prior code §10.19).

14.08.200 Drain ends and connections guarded.

The ends of all sewer and drain pipes not immediately connected shall be securely closed so as to prevent the introduction of sand or earth; and where the end of the sewer or drain pipe is connected with a temporary catch basin for draining foundations during the erection of any buildings or for any other purposes, the drainlayer shall guard the same against the introduction therein of sand or earth.

(Prior code §10.20).

14.08.210 Pipes—Construction of joints.

All joints of sewer or drain pipes must be pointed carefully on the outside and the pipe left clean and smooth on the inside by drawing through it a swab or scraper. Along the entire length of the drain or sewer the joints must be securely and completely bedded and covered in good quick-setting cement or approved hot poured material so as to prevent the escape of water, sewage, or air. The mortar shall consist of one part cement and two parts of clean sharp sand which are to be mixed dry and wetted only in small quantities as used. The use of tempered cement in any case is prohibited.

(Prior code §10.21).

14.08.220 Pipes—Change of direction and alignment.

- (a) All sewer and drain pipes are to be laid carefully in a trench with perfect alignment where the bottom is trimmed to a perfect grade; and any deviation or change of direction from a straight run must be made by the use of proper curves and Y's.
- (b) No sewer or drain pipes shall be clipped where proper fittings can be used for change of direction.

(Prior code §10.22).

14.08.230 Backfilling.

Backfilling must be made with due care in a workmanlike manner according to approved standards and methods so as to prevent the settling of the drain or sewer.

(Prior code §10.23).

14.08.240 Catch basins and receptacles.

All sewer and drain pipes which must be left open to cellars, areas, yards, gardens, or other places must be connected with suitable catch basins of brick, vitrified cement pipe, concrete, or other suitable substances, the bottom of which must not be less than two and one-half feet below the bottom of the outlet pipe. Every such catch basin or receptacle must be placed inside the lot line of the lot or lots to be drained and must be properly trapped.

(Prior code §10.24).

14.08.250 Disturbing old pipe or drain.

Whenever necessary to disturb a drain or sewer in actual use, the same shall not be obstructed or disconnected without special permission of the plumbing inspector; and it is unlawful to make any new connections with or extensions to any old drain without permission of the director of public works.

(Prior code §10.25).

14.08.260 Drain obstruction.

In all cases where the course of any sewer or drain is obstructed by water, gas, steam, or other pipes or conduits, the question over or under such obstruction or of the raising or lowering thereof so as to permit the construction and installation of the sewer or drain shall be determined by the director of public works.

(Prior code §10.26).

14.08.270 Connection during freezing weather.

No opening in the streets for making connections with a main sewer will be permitted when the ground is frozen except when in the judgment of the director of public works such connection is absolutely necessary; and if such permission is granted, the work shall be done as directed.

(Prior code §10.27).

14.08.280 Pipes—Protection.

All water, sewer, drain, gas, conduits, or other piping must be protected from injury, frost, or settling to the satisfaction of the plumbing inspector.

(Prior code §10.28).

14.08.290 Sewers and drains—Protection.

No person shall permit any earth, sand, or other solid material to enter into any main sewer during the progress of any work in laying drains or sewers, making alterations, extensions, or repairs to the same, or in connecting such drains or sewers with the main sewer of the city.

(Prior code §10.29).

14.08.300 Drain conveying industrial wastes.

No person shall connect any factory, brewery, distillery, stockyard, slaughterhouse, tannery, or building or establishment of any kind whatsoever by any drain or sewer with the main sewer, through which it is intended or designed to discharge any offal, garbage, filth, or other solid refuse or similar substances into the main sewer, unless such installations are provided with adequate intercepting appliances.

(Prior code §10.30).

14.08.310 Drains discharging obnoxious liquids.

No person shall connect any premises with any drain or sewer entering into any main city sewer through which any obnoxious, explosive, odorous, or unhealthful liquids or substances may be discharged into the main public sewers.

(Prior code §10.31).

14.08.320 Drains—Adequate flush.

No person shall connect any water closet with any drain or sewer unless means are provided and employed for the abundant and adequate flushing of the same with clear water every time it is used. Every such closet or similar appliance shall be properly connected with the city or private water supply system.

(Prior code §10.32).

14.08.330 Steam or hot water blow-offs.

- (a) No exhaust or "blow-offs" from steam boilers or engines shall be connected with any drain or sewer, but must be discharged only into catch basins in the manner provided by the Wisconsin State Plumbing Code.
- (b) No person, firm, or corporation shall, in the city, use cast aluminum pipe and fittings for soil, waste, or vent stack, or any underground sewer.
- (c) No person, firm, or corporation shall, in the city, use aluminum tubing or pipe for any water supply system in any building, whether the same be used for residence, commercial, or industrial purposes.

(Prior code §10.33).

14.08.340 Injury to plumbing or drainage.

Any person who intentionally, wilfully, or maliciously injures or obstructs any sewer, house drain, cesspool, catchbasin, or any plumbing fixture or apparatus, pipes, or other parts of any plumbing in actual use, or any sewer, water or gas pipes, or any parts or apparatus connected therewith, laid in or constructed in the streets, alleys, or other public places or under any sidewalks of the city, shall be subject to the penalty hereinafter provided.

(Prior code §10.34).

14.08.342 Cross connections—Defined.

- (a) Cross Connection. Any physical connection or arrangement between two otherwise separate systems, one of which contains potable water from the city water system, and the other, water from a private source, water of unknown or questionable safety, or steam, gases or chemicals, whereby there may be cause for backflow or backsiphonage from one system to the other, the direction of flow depending on the pressure differential between the two systems.
- (b) Backflow. The undesirable flow of water or mixtures of water and other liquids, solids, gases or other substances under positive or reduced pressure into a potable supply of water from any source.
- (c) Backflow Prevention. A means designed to prevent backflow caused by backpressure or backsiphonage; most commonly categorized as an air gap, reduced pressure principle backflow assembly, double check valve assembly, pressure vacuum breaker assembly, backsiphonage backflow vacuum breaker (spill resistant

pressure vacuum breaker) assembly, pipe applied atmospheric vacuum breaker, flush tank ballcock, laboratory faucet backflow preventer, backflow preventer for carbonated beverage machine, vacuum breaker wall hydrants, chemical dispensing machine, hose connection vacuum breaker, hose connection backflow preventer, backflow preventer with intermediate atmospheric vent and barometric loop.

- (d) Backpressure. An elevation of pressure in the downstream piping system above the utility supply pressure, which would cause or tend a reversal of the normal direction of flow.
- (e) Backsiphonage. The flow of water or other liquids, mixtures or substance into the utility's potable water system from any source caused by the sudden reduction of pressure in the utility's potable water supply system.

(Ord. 990 §1, 1982; Ord. No. 2010A, § 1, 1-19-2021)

14.08.343 Cross connections—Prohibited.

No person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any cross connection. No person shall remove or permit to be removed a cross-connection control device. No interconnection shall be established whereby potable water from a private, auxiliary or emergency water supply other than the regular public water supply of the city may enter the supply or distribution system of said municipality, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the Whitewater Water Utility and by the Wisconsin Department of Natural Resources in accordance with Section NR 811, Wisconsin Administrative Code.

(Ord. 990 §2, 1982; Ord. 1323 §1, 1995; Ord. No. 2011A, § 1, 1-19-2021)

14.08.344 Cross connections—Inspection for.

It shall be the duty of the Whitewater Water Utility to cause inspections to be made of all properties served by the public water system where cross connection with the public water system is deemed possible. The frequency of inspections and reinspections based on potential health hazards involved shall be as established by the Whitewater Water Utility and as approved by the Wisconsin Department of Natural Resources. Residential properties serviced by the utility shall be surveyed on a ten-year interval. All non-residential properties (industrial, commercial and public authority service) serviced by the utility shall be surveyed on a two-year interval. Commercial properties of similar or lesser risk to residential properties, based upon the potential health hazards, may follow the same schedule as residential properties. Property owners of non-residential properties must, at their own expense, have their plumbing system inspected by a state of Wisconsin certified cross connection inspector/surveyor. Failure to promptly correct an unprotected cross connection shall be sufficient cause for the Whitewater Water Utility to discontinue water service to the property, as provided under Section 14.08.346.

(Ord. 990 §3, 1982; Ord. No. 2012A, § 1, 1-19-2021)

14.08.345 Cross connections—Right of entry for inspection.

Upon presentation of credentials, representatives of the Whitewater Water Utility shall have the right to request entry at any reasonable time to examine any property served by a connection to the public water system of the city for cross connections and backflow prevention. If entry is refused, such representative shall obtain a special inspection warrant under Wis. Stats. § 66.122. On request, the owner, lessee or occupant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property.

(Ord. 990 §4, 1982; Ord. No. 2013A, § 1, 1-19-2021)

14.08.346 Cross connections—Shutoff for violation.

The Whitewater Water Utility is authorized and directed to discontinue water service to any property wherein any connection in violation of Sections 14.08.342 through 14.08.347 exists, and to take such other precautionary measures deemed necessary to eliminate any danger of contamination of the public water system. Water service shall be discontinued only after reasonable notice and opportunity for hearing under Wis. Stats. ch. 68, within ten days of hearing such emergency discontinuance.

(Ord. 990 §5, 1982; Ord. 1323 §2, 1995; Ord. No. 2014A, § 1, 1-19-2021)

14.08.347 Cross connections—Emergency discontinuance.

If it is determined by the Whitewater water utility a cross connection or an emergency endangers public health, safety or welfare and requires immediate action, and a written finding to that effect is filed with the clerk of the city and delivered to the customer's premises, service may be immediately discontinued. The customer shall have an opportunity for hearing under Chapter 68, Wisconsin Statutes, within ten days of such emergency discontinuance.

(Ord. 990 §6, 1982).

14.08.350 Duty to report violations.

It shall be the duty of the police officer, city plumbing inspector or health officer to inquire into cases of violation of this chapter and report same to the proper officer for investigation and prosecution.

(Prior code §10.35).

14.08.360 Penalty for violations.

Any contracting plumber, or master or journeyman plumber, drainlayer, property owner, or other person who violates any of the provisions of this chapter or installs or allows to be installed any plumbing or drainage in the city contrary to the provisions of this chapter shall forfeit and pay a penalty of not less than twenty-five dollars nor more than two hundred fifty dollars, plus costs of prosecution, for the first offense; and for the second and subsequent offenses not less than fifty dollars nor more than two hundred fifty dollars, plus costs of prosecution; and in default of the payment of such penalty shall be imprisoned not to exceed thirty days in the county jail; each day of such violation shall constitute a separate offense.

(Ord. 983 §62, 1982).

Chapter 14.14 ALARM SYSTEMS AND USERS

Sections:

14.14.010 Declaration of purpose.

This chapter is enacted to provide minimum standards and regulations applicable to burglar and holdup alarm systems, alarm businesses and alarm users. Both society in general and public safety in particular will be aided by providing a useful and usable system of private security which properly balances quick response by police

with minimization of police time spent on alarms which are false or otherwise not the intended function of private security systems.

(Ord. 939 §1(part), 1980).

14.14.020 Definitions.

Within this chapter, the following terms, phrases and words and their derivations have the meaning given in this section:

- (a) "Alarm business" means any business in which the owners or employees engage in the activity of altering, installing, leasing, maintaining, repairing, replacing, selling, or servicing alarm system(s).
- (b) "Alarm system" means an assembly of equipment and devices or a single device such as a solid state unit which plugs directly into a DC or AC line arranged to signal the presence of a hazard requiring urgent attention and to which police are expected to respond. In this chapter the term "alarm system" includes the terms "automatic holdup alarm systems," "burglar alarm system," "holdup alarm systems," "fire alarms" and "manual holdup alarm systems" as those terms are defined in this section.
- (c) "Alarm user" means any person, firm, or corporation on whose premises an alarm system is maintained within the city except for alarm systems on motor vehicles, proprietary systems, or private residences. If a private residence has an automatic dialing device, it shall be subject to the provisions of this chapter. Also excluded from this definition and from the coverage of this chapter are persons who use alarm systems to alert or signal persons within the premises in which the alarm system is located, of an attempted unauthorized intrusion or holdup attempt. If such a system, however, employs an audible signal emitting sounds or a flashing light or beacon designed to signal persons outside the premises, such system shall be within the definition of alarm system and shall be subject to this chapter.
- (d) "Annunciator" means the instrumentation on an alarm console at the receiving terminal of a signal line which through both visual and audible signals show when an alarm device at a particular location has been activated or it may also indicate line trouble.
- (e) "Answering service" refers to a telephone answering service providing among its services the service of receiving on a continuous basis through trained employees, emergency signals from alarm systems, and thereafter immediately relaying the message by live voice to the communication center of the police department.
- (f) "Automatic dialing device" refers to an alarm system which automatically sends over regular telephone lines, by direct connection or otherwise, a prerecorded voice message or coded signal indicating the existence of the emergency situation that the alarm system is designed to detect.
- (g) "Automatic holdup alarm system" means an alarm system in which the signal transmission is initiated by the action of the robber.
- (h) "Burglar alarm system" refers to an alarm system signaling an entry or attempted entry into the area protected by the system.
- (i) "Direct connect" means an alarm system which has the capability of transmitting system signals to and receiving them at an agency maintained by the local government; for example, a police communication center.
- (j) "False alarm" means the activation of an alarm system through mechanical failure, malfunction, improper installation, or the negligence of the owner or lessee of an alarm system or of his employees or agents or other undetermined causes. Such terminology does not include, for example, alarms

caused by hurricanes, tornadoes, earthquakes, or other violent conditions causing a power failure to systems throughout the city.

- (jj) "Fire alarm" refers to an alarm system which signals a possible fire or fire-related condition.
- (k) "Holdup alarm system" refers to an alarm system signaling a robbery or attempted robbery.
- (l) "Interconnect" means to connect an alarm system to a voicegrade telephone line, either directly or through a mechanical device that utilizes a standard telephone, for the purpose of using the telephone line to transmit an emergency message upon the activation of the alarm system.
- (m) "Manual holdup alarm system" refers to an alarm system in which the signal transmission is initiated by the direct action of the person attacked or by an observer of the attack.
- (n) "Modified central station" means an office to which remote alarm and supervisory signaling devices are connected, where operators supervise the circuits.
- (o) "Police chief" means the chief of the police department of the city or his designated representative.
- (p) "Primary trunkline" means a telephone line leading directly into the communication center of the police department that is for the purpose of handling emergency calls on a person-to-person basis, and which is identified as such by a specific number included among the emergency numbers listed in the telephone directory issued by the telephone company and covering the service area within the police department's jurisdiction, or numbers in sequence therewith.
- (q) "Proprietary system" means an alarm system sounding and/or recording alarm and supervisory signals at a control center located within the protected premises, the control center being under the supervision of the proprietor of the protected premises. If a proprietary system includes a signal line connected directly or by means of an automatic dialing device to a police communication center, a central station, modified central station or answering service, it thereby becomes an alarm system as defined in this chapter.
- (r) "Subscriber" means a person who buys and/or leases, or otherwise obtains an alarm signaling system and thereafter contracts with or hires an alarm business to monitor and/or service the alarm device.

(Ord. 939 §1(part), 1980).

(Ord. No. 1908A, §§ 1, 2, 11-3-2015)

14.14.030 Administrative rules.

The police chief shall promulgate such rules as may be necessary for the implementation of this chapter and for determination of grounds for clerical suspension of any contract required by this chapter. Such rules shall require the approval of the city manager and city council and shall be open to inspection by the public.

(Ord. 939 §1(part), 1980).

14.14.040 Automatic dialing devices.

No person shall interconnect any automatic dialing device to a police department primary trunkline. Sixty days after the passage of the ordinance codified in this chapter, no person shall permit such devices to remain interconnected from any property owned or controlled by that person. Such devices may be interconnected to a modified central station or an answering service. Relaying messages so received to the police department shall only be done person-to-person on the telephone line designated by the police chief. The police chief may approve

a direct line installation between a modified central station or an answering service to the police department with full costs to be borne by the intermediate service.

(Ord. 939 §1(part), 1980).

14.14.050 Direct connections to the police department.

Alarms from business premises may be terminated in the police department by direct connect. Such connections must receive individual approval of the police chief. Such connections shall be accomplished in the following manner:

- (a) All connections shall terminate in an annunciator panel.
- (b) The police chief shall have the authority to request bids from alarm companies to furnish at no cost to the city, a standard annunciator panel which is compatible to the reception of alarm signals from subscribers whose lines terminate at the police department for the purpose of annunciating all alarms in the communication center of the police department. The bids shall also state the annual service fee each alarm subscriber shall be required to pay the private alarm company for services rendered with respect to such annunciator panel. Such service shall be set forth in the form of a written contract between the private alarm company and each subscriber. This paragraph, however, relates solely to annunciator panels, connections to annunciator panels by subscribers, and fees and charges related to the installation and maintenance of such panels. Any subscriber or alarm user who obtains authority from the police chief to terminate its alarm system in the police department may contract with any licensed alarm business of its choice for the sale, installation, maintenance, and/or servicing of the alarm system to be installed on its premises.
- (c) The alarm subscribers approved for a direct connection to the police department or the alarm business contracting for servicing the subscriber's alarm system, shall be responsible for the alarm receiving equipment at the police department and for furnishing the appropriate interface equipment, if required, in order to provide an input signal which is compatible with the receiving equipment used to operate the standard annunciator panel.
- (d) The provisions of this chapter concerning alarm user contracts and fees shall apply to all subscribers or persons having direct connect systems, except municipal, county and state agencies.
- (e) The alarm subscriber will provide the police department with the names, addresses, and telephone numbers of at least two other persons who can be reached at any time, day or night, and who are authorized to respond to an emergency signal transmitted by the automatic alarm device, and who can open the premises wherein the device is installed.
- (f) No residential alarm systems will be directly connected to or terminated at the police department alarm console.

(Ord. 939 §1(part), 1980).

14.14.060 Intermediate service standards.

In addition to all other requirements imposed by this chapter, no person shall operate a modified central station or an answering service unless the police chief finds that the modified central station or answering service, if operated, will meet the following minimum standards:

- (a) The premises from which the services are performed must meet any applicable fire regulations.

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- (b) The premises from which the services are performed must be secured in a manner approved by the police chief to prevent entry by unauthorized persons.
 - (c) A sufficient number of operators must be on duty at all times to insure that all emergency messages received will be relayed immediately to the police department over a special trunkline.
 - (d) Emergency messages from automatic alarm devices shall be given priority over all other messages received by the answering services except that fire alarm signals may have equal priority.
 - (e) All operators shall be trained to handle emergency messages.
 - (f) As soon as possible after notifying the police department, the operator concerned shall notify the subscriber involved of such action and the nature of the emergency message received. The alarm subscriber will provide the modified central station or the answering service with the names and telephone numbers of at least two other persons who can be reached at any time, day or night, and who are authorized to respond to an emergency signal transmitted by the automatic alarm device, and who can open the premises wherein the device is installed.
 - (g) All subscribers of a modified central station or an answering service shall be required by the service to cooperate in a test of its alarm devices at least once a year to determine if the device is working properly. The answering service shall certify that the test requirements have been fulfilled. Unsatisfactory test results shall be reported promptly, in writing to the subscriber and the police department. Until the device in question is again working properly, the police chief may require that its use be discontinued.

(Ord. 939 §1(part), 1980).

14.14.070 Alarm systems regulations.

- (a) All alarm systems installed in commercial or public buildings shall utilize reliable equipment and safe methods of installations.
- (b) Alarm systems which input into an automatic dialing device are subject to the provisions of this section.

(Ord. 939 §1(part), 1980).

14.14.080 Inspection.

- (a) For the purpose of enforcing the provisions of this chapter, the police shall have the authority, at reasonable times and upon reasonable oral notice, to enter any premises in the city in or upon which alarm systems or alarm businesses subject to this chapter are located, to inspect the installation and/or operation of such alarm systems or alarm businesses on official police business.
- (b) If such inspection reveals any violations of the provisions of this chapter, a written report detailing such violations shall be promptly sent to the city manager and to the owner, lessee, or other person responsible for the alarm system or business in violation of this chapter. Such report shall require the correction within thirty days after receipt of the notice of the violation discovered, and shall state that a failure to comply may result in the revocation of the alarm user's contract in accordance with provisions of this chapter. The alarm user or alarm business shall be granted a reasonable extension of time to correct such violation upon good cause shown.

(Ord. 939 §1(part), 1980).

14.14.090 Testing.

- (a) No alarm system designed to transmit emergency messages directly to the police department shall be tested or demonstrated without first notifying the police department dispatcher and obtaining permission to test.
- (b) No alarm system relayed through intermediate services to the police department will be tested to determine police response without first notifying the police dispatcher and obtaining permission to test.

(Ord. 939 §1(part), 1980).

14.14.100 Notification.

When an alarm business' service to its subscribers is disrupted for any reason by the alarm business, or the alarm business becomes aware of such disruption, it shall promptly notify its subscriber by telephone that protection is no longer being provided. If, however, the alarm business has written instructions from its subscriber not to make such notification by telephone during certain hours, the alarm business may comply with such instructions.

(Ord. 939 §1(part), 1980).

14.14.110 Alarm user contract.

- (a) Every alarm user shall contract for each alarm system he operates within this city from the city manager. This paragraph does not require that alarm businesses obtain a contract under this section when it leases or provides services to alarm system users. If an alarm business does, however, use an alarm system to protect its own premises, it shall contract for such system as required in this section.
- (b) The alarm user applying for the contract required in subsection (a) of this section, shall state on a form to be prepared by the police department and approved by the city attorney: user's name, the address of the residence or business or businesses in or upon which the alarm system has been or will be installed, user's telephone number, the type of alarm system (local, direct connect, central station, etc.), the alarm business or businesses selling, installing, monitoring, inspecting and/or maintaining the alarm system, and the name and telephone number of persons who are owners or operators authorized to enter into such a contract.
- (c) Each alarm user shall pay annually the appropriate fee set forth in its contract.
- (d) The information contained in an alarm contract required by this section and other information received by the police chief through correspondence or communications with an alarm user shall be securely maintained and restricted to inspection only by the police chief or certain officers or city employees specifically assigned the responsibility for handling and processing contracts in the course of official duties.
- (e) Any alarm system user who operates an alarm system without first filing a contract as required by this section, shall be in violation of this chapter.
- (f) The user of any private alarm system shall pay to the city of Whitewater a fee according to the following schedule of fees for any false alarms occurring in a calendar year:
 - (1) First false alarm (per calendar year): no charge;
 - (2) Second and third false alarms (per calendar year): fifty dollars per alarm;
 - (3) Fourth through eighth false alarms (per calendar year): one hundred dollars per alarm;
 - (4) Ninth and subsequent false alarms (per calendar year): two hundred dollars per alarm;

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- (5) There shall be no false alarm fees charged during the thirty-day period immediately following the installation of a new alarm system. Any false alarms during said thirty-day period shall not be counted against the total number of false alarms;
 - (6) Any fees payable to the city which are delinquent may be assessed against the property involved as a special charge for current service without notice pursuant to Wisconsin Statute 66.60(16) (1993—1994);
 - (7) The person/business to whom the false alarm fee has been assessed has the right to appeal the fee. All appeals must be submitted, in written form, to the police chief within ten days of the receipt of the false alarm report. The appellant shall include documentation explaining why the occurrence of the false alarm was beyond his/her reasonable control.

Within thirty days of the receipt of the appeal the appellant will receive, from the police chief, or his designee, a written response. If the appellant is able to satisfactorily show that the false alarm was not the result of negligence, improper maintenance, or some other good and sufficient cause beyond his/her reasonable control, the fee may, in the sole discretion of the police chief, be waived. In this event the response shall not count as a false alarm in computing the fee established by municipal ordinance.

(Ord. 1308, 1995; Ord. 939 §1(part), 1980).

14.14.120 False alarms.

- (a) More than three false alarms in a twelve-month period from any alarm system for which an alarm contract has been obtained may constitute grounds for revocation of such contract, subject to the provisions of this section.
- (b) After the police department has recorded three false alarms within a twelve-month period from any alarm contract holder, it shall notify the holder and the alarm business providing service or inspection to the holder in writing by first class mail of such fact and require that the holder submit a report to the police chief within fifteen days after receipt of such notice, describing efforts to discover and eliminate the cause or causes of the false alarms. If, however, the alarm user, by reason of absence from the city or on any other reasonable basis requests an extension of time to file the report, the police chief shall extend the fifteen-day period for a reasonable period. If the alarm user fails to submit such a report within fifteen days or within any such extended period, the police chief may revoke the contract.
- (c) If the alarm user submits a report as required by subsection (b) of this section but the police chief determines that the report is unsatisfactory or that the alarm user has failed to show by the report that he has taken or will take reasonable steps to eliminate or reduce false alarms, then the police chief may issue written notice by first class mail of his revocation of the alarm user's contract.
- (d) If after submission of a report required by subsection (b) of this section which is satisfactory to the police chief, the alarm system of the contract holder incurs one or more false alarms during the same calendar year, the police chief may issue written notice by first class mail of his revocation of the alarm user's contract.
- (e) An alarm system user whose contract has been revoked is not precluded under this section from applying for a new contract. The city, however, is not required to issue a new contract unless it is satisfied that the alarm user's system has been properly serviced and its deficiencies corrected. The police chief may impose reasonable restrictions and conditions upon issuing a new contract to an alarm user with respect to the particular system for which the contract was revoked.

(Ord. 939 §1(part), 1980).

14.14.125 Intentionally activating or causing a false alarm.

No person shall intentionally activate or contribute to the activation of a false alarm.

(Ord. No. 1971A, § 1, 2-19-2019)

14.14.130 Penalties.

Any person who violates any provision of this chapter, including failure to obtain a contract or make corrections as directed, shall upon conviction therefor pay a forfeiture to the city, together with the cost of prosecution, in the amount of \$10.00 to \$200.00.

(Ord. 939 §1(part), 1980).

Chapter 14.16 UNIFORM DWELLING CODE

Sections:

14.16.010 Adoption.

- (a) Chapter Ind 22, Wisconsin Administrative Code, Energy Conservation Standards of the One- and Two-Family Dwelling Code, as adopted, and Chapters Ind 20, 21, 23, 24 and 25, as adopted, and all amendments thereto, are adopted and incorporated in this code by reference.
- (b) The building inspector, as certified by the Department of Industry, Labor and Human Relations, is authorized and directed to administer and enforce all of the provisions of the Wisconsin Uniform Dwelling Code.
- (c) Any existing ordinances pertaining to the construction of new dwellings that conflict with the Uniform Dwelling Code are hereby repealed.

(Ord. 1017 §1(part), 1983).

14.16.020 Building permit—Required.

No person shall build or cause to be built any one- or two-family dwelling without first obtaining a state uniform building permit for such dwelling. Such building permit shall be furnished by the city of Whitewater. A copy of such permit issued shall be filed with the city of Whitewater building department.

(Ord. 1017 §1(part), 1983).

14.16.030 Building permit—Fee.

The building permit fee shall be determined by the city council and shall be kept on file in the office of the building inspector for the city of Whitewater.

(Ord. 1017 §1(part), 1983).

14.16.040 Penalties.

The council shall provide for the enforcement of this chapter and all other laws and ordinances relating to buildings by means of the withholding of building permits, imposition of forfeitures, and injunctive action.

(Ord. 1017 §1(part), 1983).

14.16.050 Severability.

If any section, clause, provision or portion of this chapter or Wisconsin Administrative Code Chapters Ind 20, 21, 22, 23, 24 and 25 is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall not be affected thereby.

(Ord. 1017 §1(part), 1983).

Title 15 PUBLIC RECORDS MANAGEMENT

Chapters:

Article 1. Purpose and Legend

Chapter 15.04 PURPOSE

Sections:

15.04.010 Purpose.

The purpose of the ordinance codified in this title is to establish a city records retention schedule and authorize destruction of city records pursuant to the schedule on an annual basis. Records custodians may destroy a record prior to the time set forth in the schedule only if such a record has been photographically reproduced as an original record pursuant to Section 16.61(7) Wis. Stats.

Any record not covered by this title or any regulation or law shall be retained seven years unless the record is added by amendment into the title and the shorter time period is approved by the State Public Records and Forms Board.

It is acknowledged that the city does not maintain all of the records mentioned in this title. This title is drafted broadly to cover records which may be created in the future.

(Ord. 1370 §1(part), 1997).

Chapter 15.08 DEFINITIONS

Sections:

15.08.010 Definitions.

"Legal custodian" means the individual responsible for maintaining records pursuant to Section 19.33 Wis. Stats.

"Record" has the meaning defined in Section 19.32(2) Wis. Stats.
(Ord. 1370 §1(part), 1997).

Chapter 15.12 GENERAL PROVISIONS

Sections:

15.12.010 General provisions.

- (a) Historical Records. Under Section 19.21(4)(a) Wis.Stats., municipalities must notify the State Historical Society of Wisconsin (SHSW) prior to destroying records. However, the SHSW has waived the required sixty-day notice for certain records. This title uses the following abbreviations to set forth the SHSW requirements:
- (1) For any record marked "W," SHSW has waived notice.
 - (2) SHSW must be notified prior to destruction of a record marked "N" (non-waived).
 - (3) "N/A" indicates not applicable and applies to any record designated for permanent retention.
 - (4) Notice is required for any record not listed in this title.
- (b) Microfilming of Records. Local units of government may keep and preserve public records through the use of microfilm providing the microfilm meets the applicable standards in Wis. Stats. 16.61(7). Retention periods and estimated costs and benefits of converting records between different media should be considered in deciding which records to microfilm. After verification, paper records converted to microfilm should be destroyed. The retention periods identified in this title apply to records in any media:
- Optical disk may be used when it is expressly authorized in the statutes for local government use.
- (c) Destruction After Request for Inspection. No requested records may be destroyed until after the request is granted or sixty days after the request is denied. If an action is commenced under Section 19.37 Wis. Stats., the requested record may not be destroyed until after a court order is issued and all appeals have been completed. See Section 19.35(5) Wis. Stats.
- (d) Destruction Pending Litigation. No record subject to pending litigation shall be destroyed until the litigation is resolved.
- (e) Review and Approval By Public Records and Forms Board.
- (f) Electronic Records. This title applies to public records regardless of their form. Accordingly, electronic public records must be retained in compliance with the same schedules applicable to documents.

This title and the retention periods of less than seven years have been reviewed and approved by the Public Records and Forms Board.

(Ord. 1370 §1(part), 1997).

Chapter 15.16 LEGEND

Sections:

15.16.010 Legend.

"Records description" is a brief description of the records.

"Period of retention" refers to the time that the identified records must be kept until destruction.

CR stands for creation which usually refers to receipt or creation of the record.

FIS stands for current fiscal year and the additional amount of time as indicated.

EVT stands for event and refers to an occurrence that starts the retention clock ticking. Close of contract, termination of employee and disposition of a case are common events.

P stands for permanent retention.

"Time" is expressed in years unless specifically identified as month or day.

"Authority" refers to any specific statutory, administrative rule, or specific regulation that determines retention of the record. In most cases this will be blank because units of government have discretion to establish a time period.

"SHSW notify" refers to whether or not the State Historical Society of Wisconsin has waived the required statutory notification prior to destruction of records. The SHSW and their ordinance requirements are designated by the following abbreviations:

"W" means records are not historical and the required notification is waived.

"N" means the records may have secondary historical value and therefore SHSW notification is required on a case-by-case basis prior to destruction.

"N/A" means not applicable and refers to those circumstances where a local unit of government is retaining a record permanently.

Notice is required for any record not listed in this title.

(Ord. 1370 §1(part), 1997).

Article 2. General Provisions

Chapter 15.20 ACCOUNTING RECORDS

Sections:

15.20.010 Accounting records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Accounts payable:		
Purchase invoices	FIS + 7 years	W
Vouchers	FIS + 7 years	W
Accounts receivable:		
A/R invoices	FIS + 7 years	W
Receipts	FIS + 7 years	W
Collection blotters	EVT + 1 year (after audit)	W

(Ord. 1370 §1(part), 1997).

Chapter 15.24 BOARD OF REVIEW RECORDS

Sections:

15.24.010 Board of review records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Forms of objecting to property assessments and supporting documentation	EVT + 7 years (after final action by board of review or completion of appeal)	W
Minute book of board of review	CR + 7 years	N
Proceedings of the board of review on audio tapes or as stenographic notes including any transcription thereof	EVT + 7 years (after final action by board of review or completion of appeal)	W
Notice of determinations of the board of review	EVT + 7 years (after final action by the board of review or completion of appeal)	W

(Ord. 1370 §1(part), 1997).

Chapter 15.28 BUDGET AND AUDIT RECORDS

Sections:

15.28.010 Budget and audit records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
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Budget worksheets	FIS + 3 years	W
Minutes of the board of estimates	Permanent	N/A
Final budget	Permanent	N/A
Audit reports	Permanent	N/A

(Ord. 1370 §1(part), 1997).

Chapter 15.32 BUILDING PERMITS AND INSPECTION RECORDS

Sections:

15.32.010 Building permits and inspection records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Applications and permits	EVT (life of structure)	W
Code compliance inspection reports	EVT (life of structure)	W
Inspection address file	EVT (life of structure)	W
Certificates of occupancy	EVT (until superseded)	W
Energy calculation worksheets	CR + 3 years	W
State approved commercial building plans	EVT + 4 years	W
Permit fee receipts	FIS + 7 years (provided record has been audited)	W
Permit ledger	CR + 7 years	W
City attorney's case file	EVT + 1 year (after case has been closed)	W
Quarter section maps	EVT (until superseded)	W
Records of the building board of appeals (includes minutes of meetings of the board and supporting documents submitted to board)	Permanent	N/A
Records of the zoning board of appeals (includes minutes of meetings of board and supporting documents submitted to board)	Permanent	N/A
Records of the plan commission (includes minutes of meetings of commission and supporting documents submitted to the commission)	Permanent	N/A
Permanent index file of building permits and variances issued.	Permanent	N/A
House number and address change file	Permanent	N/A

(Ord. 1370 §1(part), 1997).

Chapter 15.36 ELECTION RECORDS

Sections:

15.36.010 Election records.

All materials and supplies associated with an election may be destroyed according to the following schedule unless there is a recount or litigation pending with respect to the election:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Contents of a blank ballot box, Unused ballots and materials	EVT + (3 business days after the canvas is completed)	W
Voter serial number slips	EVT + (14 days after a primary) (21 days after an election)*	W
Voting machine recorders	EVT + (14 days after a primary) (21 days after an election)*	W
Detachable recording units on electronic voting equipment	EVT + (14 days after a primary) (21 days after an election)**	W
Absentee ballots (local)	EVE + (30 days after the election)	W
Applications for absentee ballots (for federal election ballots)	EVT + (90 days after the election) (22 months after the election for federal offices)	W
Forms associated with election such as tally sheets, inspector's statements and nomination papers	EVT + (90 days after the election) (22 months after the election for federal office)	W
Official canvass statements	EVT + (10 years after the election)	W
Registration and poll lists: Nonpartisan primaries and elections	EVT + (2 years after the election for which they were created)	W
Registration and poll lists: Partisan primaries and general elections	EVT + (4 years after the election for which they were created)	W
Canceled registrations cards	EVT + (4 years after cancellation)	W
Election notices	EVT + (1 year after the election) (22 months for federal election)	W
Proofs of publication and correspondence relative to publications	EVT + (1 year after the election) (22 months for federal election)	W
Campaign registration statements	EVT + (6 years after termination by the registrant)	W
Campaign finance reports	EVT + (6 years after date of receipt)	W

* The Governor may by order permit the clearing of voting machine recorders before this date if a special election is called.

** Before units can be cleared or erased, the information must be transferred to a disk or other recording medium and retained for 22 months.

(Ord. 1370 §1(part), 1997).

Chapter 15.40 ENGINEERING AND PUBLIC WORKS RECORDS

Sections:

15.40.010 Engineering and public works records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Field notes	Permanent	N/A
Benchmark books	Permanent	N/A
Section corner monument logs	Permanent	N/A
Aerial photographs	EVT (until superseded)	W
City maps	Permanent	N/A
Water, storm and sanitary sewer main maps	Permanent	N/A
Profile and grade books	Permanent	N/A
Excavation plans of private utilities	Permanent	N/A
Index to maps	Permanent	N/A
Preliminary subdivision plats	EVT (until superseded by final plat)	W
Final subdivision plats	Permanent	N/A
Annexation plats	Permanent	N/A
Assessor's plats	Permanent	N/A
Structure plans for municipal buildings and bridges	EVT (life of the structure)	N
Annual reports	Permanent	N/A
Records of the board of public works (includes minutes of the meetings of the board and supporting documents submitted to the board)	Permanent	N/A
Street vacations and dedications, records	EVT (Retain for active reference life)	W
Permits (includes permits for the excavation of streets by private utility companies)	EVT + 3 years	W
Petitions for street and sewer systems	EVT + 2 years	W
Special assessment calculations	EVT + 2 years	W
TV sewer inspection records	EVT (until superseded)	W
State highway aids prog. records	FIS + 7 years	W

(Ord. 1370 §1(part), 1997).

Chapter 15.44 FIDELITY BOND RECORDS

Sections:

15.44.010 Fidelity bond records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Fidelity bond	EVT + 5 years (after bond expires)	W
Fidelity bond book	EVT + 5 years (after last bond expires)	W
Oath of office	EVT + 5 years (after the term of service covered by the oath has ended)	W

(Ord. 1370 §1(part), 1997).

Chapter 15.48 INSURANCE RECORDS AND POLICIES

Sections:

15.48.010 Insurance records and policies.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Policy	FIS + 7 years	W
Policy bids, unsuccessful	EVT + 1 year	W
Claims	EVT + 7 years	W

(Ord. 1370 §1(part), 1997).

Chapter 15.52 JOURNALS, REGISTERS AND LEDGERS

Sections:

15.52.010 Journals, registers and ledgers.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Receipts journal	FIS + 15 years	W
Voucher/order register	FIS + 15 years	W
General journal	FIS + 15 years	W
Journal voucher	FIS + 15 years	W
Appropriation journal	FIS + 15 years	W
Appropriation journal voucher	FIS + 15 years	W
General ledger	FIS + 15 years	SHSW
Trial balance	EVT (until audited)	N

(Ord. 1370 §1(part), 1997).

Chapter 15.56 LEGAL OPINIONS

Sections:

15.56.010 Legal opinions.

Legal opinions rendered shall not be destroyed and shall be retained permanently.

(Ord. 1370 §1(part), 1997).

Chapter 15.60 LICENSES AND PERMITS

Sections:

15.60.010 Licenses and permits.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Liquor and beer related license applications	EVT + 4 years	W
Other license applications	EVT + years3	W
License stubs: All liquor and beer related	CR + 4 years	W
Other	CR + 3 years	W
Dog licenses monthly report to county clerk (by treasurer)	CR + 3 years	W

(Ord. 1370 §1(part), 1997).

Chapter 15.64 MUNICIPAL BORROWING RECORDS

Sections:

15.64.010 Municipal borrowing records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Bond procedure record	EVT + 7 years (after bond issue expires)	W
Bond register	EVT + 7 years (after bond issue expires)	W
Bond payment register	EVT + 7 years (after bond issue expires or following payment of all outstanding matured bonds/notes/coupons, whichever is later)	W
Canceled bonds, coupons and promissory notes	EVT (until audited)	W
Certificates of destruction	EVT + 7 years (after bond issue expires or following payment of all outstanding matured bonds/notes/coupons, whichever is later)	W

(Ord. 1370 §1(part), 1997).

Chapter 15.68 MUNICIPAL COURT RECORDS

Sections:

15.68.010 Municipal court records.

The legal custodian, as defined in Section 19.33 of the Wis. Stats., of the following records concerning the city municipal court, or his or her designee(s), may destroy the following public records after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Audio tape recordings of trials or juvenile matters	EVT (Until expiration of statute of limitations to appeal to circuit court)	W
Municipal court case files	EVT + 6 years (after entry of final judgment)	W
Municipal court case files, city attorney's copies	EVT + 6 months (after entry of final judgment)	W
Municipal court minutes record	EVT + 6 years (after entry of final judgment)	W

Municipal court record	EVT + 6 years (after entry of final judgment)	W
Municipal court judgment docket and records of all money judgments	EVT + 20 years (after final docket entry)	W

(Ord. 1370 §1(part), 1997).

Chapter 15.72 PARK RECORDS

Sections:

15.72.010 Park Records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Master park plan	Permanent	N/A
Plats	Permanent	N/A
Aerial photographs	Permanent	N/A
Supervisor's daily report of work completed	CR + 2 years	W
Payroll support records	CR + 2 years	W
Reservation requests	CR + 30 days. If payment receipts are attached, CR + 7 years provided record has been audited	W
Master reservation book	CR + 2 years	W
Records of the park and recreation board (includes minutes of the meetings of the board and supporting documents submitted to the board)	Permanent	N/A

(Ord. 1370 §1(part), 1997).

Chapter 15.76 PAYROLL RECORDS

Sections:

15.76.010 Payroll records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Payroll support records	FIS + 2 years	W

Employee's withholding allowance certificate	EVT + 5 years (after being superseded)	W
Employee's Wis. withholding exemption certificate	EVT + 5 years (after being superseded)	W
Employee enrollment and waiver cards	EVT + 2 years (after being superseded or terminated)	W
Employee earning records	FIS + 5 years	W
Payroll check register	FIS + 5 years	W
Payroll distribution record	FIS + 5 years	W
Payroll voucher	FIS + 5 years	W
Canceled payroll checks	FIS + 5 years	W
Wage and tax statement	FIS + 5 years	W
Report of Wis. income tax	FIS + 5 years	W
Employer's annual reconciliation of Wis. income tax withheld from wages	FIS + 5 years	W
Federal deposit tax stubs	FIS + 5 years	W
Quarterly report of federal income tax withheld	FIS + 5 years	W
Annual report of federal income tax withheld	FIS + 5 years	W
State's quarterly report of wages paid	FIS + 5 years	W
Monthly memorandum report	FIS + 5 years	W
Quarterly report, payroll summary	FIS + 5 years	W
Premium due notices	FIS + 5 years	W
Annual report of social security wages	FIS + 5 years	W

(Ord. 1370 §1(part), 1997).

Chapter 15.80 POLICE DEPARTMENT RECORDS

Sections:

15.80.010 Police department records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Telephone line and radio frequency tape recordings and any video and audio recordings (including 911 audio recordings)	CR + 120 days	W
Radar logs	CR + 2 years	W
Ride along reports	CR + 2 years	W
False alarm reports	CR + 2 years	W

Cash register balance sheets	CR + 2 years	W
TIME system criminal history log	CR + 2 years	W
Overnight parking register	CR + 1 year	W
Incident reports	EVT + 7 years (after resolution of incident)	W
Complaints	EVT + 7 years (after resolution of complaint)	W
Accident reports	EVT + 7 years	W
Correspondence	CR + 3 years	W
Daily work logs and shift schedules	CR + 2 years	W
Monthly reports	CR + 2 years	W
Traffic, parking and municipal ordinance violations	EVT + 2 years (after close of case)	W
Personnel records	Length of employment + 3 years	W
Policy records	Until expiration of policy + 3 years	W
Training records	Length of employment + 3 years	W

(Ord. 1370 §1(part), 1997).

(Ord. No. 1839A, § 1, 5-15-2012)

Chapter 15.84 PUBLIC WORKS PROJECTS AND CONTRACTS

Sections:

15.84.010 Public works projects and contracts.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Notice to contractors	EVT + 7 years (after completion of project)	
	EVT + 2 years (for unsuccessful bidders)	W
Certified check	EVT (retain until contract has been signed and returned to bidder)	W
Bid bond	EVT + 7 years (after completion of project)	
	EVT + 2 years (for unsuccessful bidders)	W
Bidder's proof of responsibility	EVT + 7 years (after completion of project)	
	EVT + 2 years (for unsuccessful bidders)	W
Bids	EVT + 7 years (after completion of project)	
	EVT + 2 years (for unsuccessful bidders)	W
Affidavit of organization and authority	EVT + 7 years (after completion of project)	W
	EVT + 2 years (for unsuccessful bidders)	W
Bid tabulations	EVT + 2 years	W
Performance bond	EVT + 7 years (after completion of project)	W
Contract	EVT + 20 years (after completion of project)	W
Master project files	EVT + 20 years (after life of structure)	N

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Blueprints	EVT (until superseded by the as-built tracings)	W
As-built tracings	EVT (Life of the project)	N

(Ord. 1370 §1(part), 1997).

Chapter 15.88 PURCHASING RECORDS

Sections:

15.88.010 Purchasing records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Purchase requisitions	EVT + 1 year (after PO issued)	W
Purchase orders	FIS + 7 years	W
Receiving report	FIS + 7 years	W
Bids, successful	EVT + 7 years (after contract has expired)	W
Bids, unsuccessful	EVT + 1 year (after PO issued)	W
Inventory of property	EVT (retain until superseded)	W

(Ord. 1370 §1(part), 1997).

Chapter 15.92 REAL PROPERTY RECORDS

Sections:

15.92.010 Real property records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Deeds	Permanent	N/A
Opinions of title	Permanent	N/A
Abstracts and certificates of title	Permanent	N/A
Title insurance policies	Permanent	N/A
Plats	Permanent	N/A
Easements	Permanent	N/A
Leases	EVT + 7 years (after termination of lease)	W
Vacation or alteration of plat	Permanent	N/A

(Ord. 1370 §1(part), 1997).

Chapter 15.96 SANITATION AND CONSUMER PROTECTION RECORDS

Sections:

15.96.010 Sanitation and consumer protection records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Public swimming pool survey reports, campgrounds and camping survey reports, mobile home park survey reports, recreational and education camp survey reports, restaurant and tavern survey reports, hotels, motels, tourist rooms, and rooming houses survey reports, products reports, retail and wholesale food establishment reports, nursing home survey reports, and vending machine survey reports	EVT + 5 years	W
Restaurant license applications	EVT + 3 years	W
Retail dairy products licenses	EVT + 3 years	W
Food handling and sales permits	EVT + 3 years	W
Septic tank permits	Permanent	N/A
Open air burning permits	EVT + 6 months	W
Weights and measures, field test reports and package weighing reports	CR + 3 years	W
Complaints and follow-up reports	EVT + (5 years from the date the complaint was resolved)	W
Utility disconnection in private residence investigation reports	CR + 3 years	W
Request to declare a medical emergency	EVT + 3 years	W

(Ord. 1370 §1(part), 1997).

Chapter 15.100 SEWER AND WATER UTILITY RECORDS

Sections:

15.100.010 Sewer and water utility records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Water stubs	FIS + 2 years	W
Receipts of current billings	FIS + 2 years	W
Customer's ledgers of municipal utilities	FIS + 2 years	W
All other utility records	CR + 7 years	W
Water quality laboratory tests (deep well and landfill well water analysis detail and summary reports, chemical and bacteriological analysis of municipal drinking water detail and summary reports, municipal drinking water fluoride analysis, swimming pool water bacteriological analysis, public bathing beach water bacteriological analysis and water quality control readings	EVT + 5 years or (if information has been transferred to a permanent test site location file) EVT + 1 year	
Maps showing the location and physical characteristics of the utility plant	EVT (until map is superseded)	W
Engineering records in connection with construction projects	EVT (until record is superseded or 6 years after plant is retired provided mortality data are retained)	W
Operating records:		
Station pumpage records	CR + 15 years or EVT + 3 years (after the source is abandoned)	W
Interruption records	CR + 6 years	W
Meter test records	EVT (see s. PSC 185.46)	W
Meter history records	EVT (Life of meter)	W
Annual meter accuracy summary	CR + 10 years	W
Pressure records	CR + 6 years	W
Customer records:		
Complaint records	CR + 3 years	W
Customer deposits	EVT + 6 years (after refund)	W
Meter reading sheets or cards	CR + 6 years	W
Billing records	CR + 6 years	W
Filed rates and rules	Permanent	W
Analyses of any water samples taken from the water system	EVT + 10 years (pursuant to Wis. Adm. Code NR 109.12)	W
Annual report to public Service commission	EVT + 25 years	W

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(Ord. 1370 §1(part), 1997).

Chapter 15.104 SPECIAL ASSESSMENT RECORDS

Sections:

15.104.010 Special assessment records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Preliminary resolution	CR + 2 years	W
Report on special assessment project	CR + 2 years	W
Waiver of special assessment notice and hearing	EVT + 1 year (after the final resolution is approved)	W
Final resolution	Permanent	N/A
Certified special assessment roll	EVT (retain until all assessments are collected)	W
Statement of new special assessment	CR + 5 years	W
Special assessment payment register	EVT (retain until all assessments are collected)	W

(Ord. 1370 §1(part), 1997).

Chapter 15.108 STREET AND HIGHWAY RECORDS

Sections:

15.108.010 Street and highway records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Street operations file	CR + 2 years after created	W
Street and sidewalk maintenance and repair	CR + 25 years	W
Tree planting, inspection, trimming and removal	CR + 25 years	W
Stock control records	CR + 2 years	W
Fuel usage reports	CR + 2 years	W
Heavy equipment and vehicle records	EVT (life of equipment and/or vehicle inventory ledger or until inventory ledger is superseded)	W
Vehicle maintenance histories	EVT (life of vehicle)	W

Vehicle expense reports	EVT (life of vehicle)	W
Vehicle usage reports	CR + 2 years	W
Payroll support records	CR + 2 years	W
Purchasing records	CR + 7 years	W
Complaint ledger	CR + 2 years	W
Monthly reports	CR + 3 years	W
Annual reports	Permanent	N/A
Federal tax refund reports concerning fuel usage	CR + 7 years	W

(Ord. 1370 §1(part), 1997).

Chapter 15.112 TAX CALCULATION RECORDS

Sections:

15.112.010 Tax calculation records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Tax levy certification of the school district clerk and other units of government	FIS + 7 years	W
Certificates of apportionment	FIS + 7 years	W
State shared aid payment notices	FIS + 6 years (provided record has been audited)	W
Final worksheet for determining allowable levy	FIS + 5 years	N/A
Statement of taxes	Permanent	W
Statement of new special assessment	FIS + 5 years	W
Statement of new sewer service charges	FIS + 5 years	W
General property tax credit certification	FIS + 5 years	W
Explanation of property tax credit certification	FIS + 5 years	W
Real property assessment roll	Permanent	N/A
Personal property tax roll	FIS + 15 years	N
Assessors property tax record card	FIS + 20 years	W

(Ord. 1370 §1(part), 1997).

Chapter 15.116 TAX COLLECTION RECORDS

Sections:

15.116.010 Tax collection records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Escrow account list	EVT (retain until superseded)	W
Receipts	FIS + 7 years	W
Receipt stub book	FIS + 7 years	
Tax collection blotters	EVT (until audited)	W
Statement of taxes remaining unpaid	EVT (retain with tax roll)	W
Tax settlement receipt	FIS + 5 years	W
Municipal treasurer's settlement	FIS + 5 years	W
Personal property tax roll	FIS + 15 years	N

(Ord. 1370 §1(part), 1997).

Chapter 15.120 TREASURER'S RECORDS

Sections:

15.120.010 Treasurer's records.

The following public records may be destroyed after the expiration of the designated retention period:

<u>Records</u>	<u>Period of Retention</u>	<u>SHSW Notice</u>
Cashbook	FIS + 15 years	W
Daily cash drawer reconciliation	EVT + 1 year (after audit)	W
Bank reconciliations	FIS + 7 years	W
Bank statements	FIS + 7 years	W
Canceled order checks	FIS + 7 years	W
Lists of outstanding checks	FIS + 7 years	W
Check register	FIS + 7 years	W
Duplicate deposit tickets	EVT + 1 year (after audit)	W
Bank credit/debit notices	EVT + 1 year (after audit)	W
Investment records	FIS + 7 years	W

