

## Ordinance #L061015-1C

**BUILDING CODES AND REGULATIONS****SECTION 1**

- A. Page 4, Section 1 through Page 7 Section 5 of Town of Liberty Building Codes and Ordinances Manual is hereby repealed in its entirety. The passing of this ordinance declares that the previous sections of this manual regulating Building Codes and Regulations in the Town of Liberty is null, void, and stricken in its entirety.
- B. **Permit Requirements.** No permanent building or structure shall be erected, constructed, reconstructed, altered, moved, enlarged or demolished until a building permit has been obtained from the Building Inspector. Building permits for structures requiring connection to a private domestic sewage treatment and disposal system shall be issued only after a County Sanitary Permit has been obtained. Building permits for development in the floodplain, shore land and wetland are jurisdiction of the County shall not be issued until approved by Outagamie County.
- NOTE: These restrictions do not apply to replacing a roof, windows, or siding, with like materials, as well as sheds less than 100 square feet.
- C. **Application.** Application for a building permit shall be made in writing upon a form furnished by the Building Inspector and shall contain the following information:
1. Name and address of the owner of the land and legal description of the premises where the structure is to be located.
  2. Plot plans showing shape and dimensions of the lot to be built upon the sizes and locations of buildings or structures to be erected, constructed, altered or enlarged.
- D. **Fees.** The Building Inspector shall collect a fee, as specified in the Town of Liberty Fee Schedule, which shall cover the costs of all inspections. These fees shall be regularly turned over to the Town Board.
- E. **Lapse of Permit.** A building permit shall lapse and be void unless building operations are commenced within six months from the date of issuance and the building is completed within 18 months from the date of issuance, unless otherwise extended, in writing by the Building Inspector.
- F. **Display of Permits.** All approved building permits shall be displayed in a prominent place on the premises prior to and during the period of construction, altering, enlarging or moving.

**SECTION II**

- A. **Building Specifications.**
1. All buildings and structures designed as dwellings, either permanent or seasonal, shall meet all the requirements of the Wisconsin Uniform Dwelling Code.
  2. No building shall be moved over the roads of the Town of Liberty without permission of the Town Board. The Board may require a bond to cover potential damage to the road.
  3. No building permit shall be issued for a commercial or industrial building or structure without State approved plans.
- B. **Manufactured Homes.**
1. A building permit is required prior to moving a manufactured or mobile home into the Town of Liberty.
  2. It is the intent of these regulations to recognize manufactured homes as single-family dwellings. All manufactured homes must be less than 10 years old on the date of placement on lot in the Town of Liberty. As single-family dwellings, manufactured homes shall be permitted in any zoning district that allows a single-family housing unit. Manufactured homes that are more than 10 years old from the date of placement on lot are prohibited.
  3. A manufactured home is a transportable, factory built single-family dwelling built on a permanent chassis in accordance with the ANSI (American National Standards Institute) Code. Both codes govern the heating and cooling systems, electrical systems, fire safety, body and frame construction, thermal protection and plumbing systems. All said homes shall bear the proper approved Wisconsin insignia as required by the Wisconsin Administrative Code, ILHR 20.12 – 20.17. This type of housing unit is also referred to as a mobile home.
  4. In addition to the definition above, the definitions contained in Section 66.058 of the Wisconsin Statutes shall be applicable.

5. No manufactured or mobile home shall be left unoccupied for a period of 60 days or greater, for public health and safety reasons.

### **SECTION III**

- A. **Area Regulations.** Every structure, whether year-round, seasonal or mobile, hereafter constructed, reconstructed, erected, altered, moved or enlarged shall comply with the following regulations:
  1. Minimum lot area = one acre. *(Lots of record as of August 1<sup>st</sup>, 2004 which have LEGAL access to County Highway 'S' between County Highway 'M' and the Western border of Liberty that were at least ONE Acre in size prior to a portion of the lot being sold to the County for the 2005 reconstruction of 'S' shall be exempt from this requirement. However, these lots MUST be the same size or greater than they were on August 1<sup>st</sup>, 2004 less the amount of land sold to Outagamie County. Any further subdividing of these lots will no longer exempt them from this requirement)* **(Added in Revision B)**
  2. Minimum lot width = 132 feet.
  3. Maximum lot depth = 2.5 times the width.
  4. Road setbacks (measured from right-of-way):
    - a. 55 feet from State and County Highways
    - b. 55 feet from Town Roads
  5. Minimum side yard = 20 feet. **(Changed in Revision A)**
  6. Minimum rear yard = 35 feet.  
NOTE: Setbacks and yard requirements shall apply to all permanent structures, including homes, garages, sheds, decks, pools and the like.
  7. All principal structures, as defined by the Outagamie County Zoning Ordinance, shall be established on a separate lot of record.

### **SECTION IV**

- A. **Validity.** It is hereby declared to be the legislative intent that should any provisions of this ordinance be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of this ordinance in its entirety or any part thereof, other than that so declared to be invalid.
- B. **Penalty.** Failure to obtain a building permit prior to the commencement of construction will result in a doubling of the required permit fee. Any person, firm or corporation who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be punished by a forfeiture of not less than \$10 nor more than \$200 for each violation plus the costs of prosecution. Each day that a violation continues to exist shall constitute a separate offense.
- C. **Effective Date.** This update of the Town of Liberty Building Code shall take effect following its passage by the Town Board and publication in the official paper (New London Press, New London, Wisconsin) of the Town.

**SECTION V**

**Severability:** If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the provisions or applications of this ordinance, which can be given effect without the invalid or unconstitutional provision, or application.

By \_\_\_\_\_  
Fran Vorachek, Chairman

\_\_\_\_\_  
Tom Lambie, Supervisor

\_\_\_\_\_  
Scott Retzlaf, Supervisor

I, Julie DeGroot, Clerk of the Town of Liberty do hereby certify that this is an exact and true copy of ordinance #L061015-1C passed by a majority vote, with a quorum present by the Town Board of Liberty.  
Given under my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Julia DeGroot, Clerk

**REVISION A – Dated 7-9-2003**  
**REVISION B – Dated 8-11-2004**  
**REVISION C – Dated 6/10/2015**