

SUBCHAPTER 4  
PERMITS

**200-24. Permits Required. 1. REQUIRED.** No person may erect, construct, enlarge, alter, repair, move, improve, convert to new uses, raze or demolish any building or structure, nor install therein any equipment, occupy and use any building, structure, equipment or premises or cause the same to be done or commence any excavation on any premises without first obtaining a permit from the commissioner and paying the fee as prescribed by this code. Permits may be issued at the discretion of the commissioner to persons in arrears of payment of any fees specified in ss. 200-32 and 200-33 or persons who have failed to comply with any outstanding order of the department if the permit is required to comply with an outstanding order or citation. No permit applied for under this subchapter may be issued unless the applicant has first complied with s. 66-12-5, with respect to submitting an asbestos project statement. Exemptions from permit requirements under this section and the rules of the department shall not be deemed to authorize any work to be done in any manner in violation of any provisions of this code or any other law or rule.

**1.5. EXCEPTIONS.** No permit shall be required for:

- a. Decorative landscaping edging, as regulated in s. 116-54-3.
- b. Installation of wiring or equipment that operates at less than 100 volts, or is for networked powered broadband communications systems, except when any such installation is located in a plenum, penetrates fire-rated or smoke-protected construction or is a component of any the following:
  - b-1. Fire alarm system.
  - b-2. Fire detection system.
  - b-3. Fire suppression system.
  - b-4. Smoke control system.
  - b-5. Elevator fire safety control system.
  - b-6. Access or egress control system or delayed egress locking or latching system.
  - b-7. Fire damper.
  - b-8. Door control system.
- c. Detached accessory structures used as tool or storage sheds or similar uses, provided the floor areas do not exceed 150 square feet and the structures are not accessory to Group F or H occupancies and are at least 3 feet from the property lines.
- d. Tents or air-supported structures, or both, that cover areas of 600 square feet or less, provided such structures have occupant loads of less than 50.

e. Retaining walls supporting less than 32 inches of unbalanced fill. This exception shall not apply to any wall impounding Class I, II or III-A liquids, or supporting a surcharge other than ordinary unbalanced fill.

f. Ordinary repairs, including the following:

f-1. Window replacement in a one- or 2-family dwelling, unless one or more of the following is true:

f-1-a The size of the window opening is being changed.

f-1-b. The window is required to be fire-rated.

f-1-c. The dwelling is a city-designated historic structure or located in a city-designated historic district.

f-2. Replacement of plumbing fixtures in one- or 2-family dwellings without alteration of water supply and distribution systems, sanitary drainage systems or vent systems.

f-3. Replacement of general-use snap switches, dimmer and control switches, and luminaries (lighting fixtures) in one- or 2-family dwellings.

f-4. Replacement of mechanical appliances, provided the equipment is not fueled by gas or oil, in one- or 2-family dwellings.

f-5. Replacement of unlimited quantities of roof covering or siding for one- and 2-family dwellings, and replacement of 1,000 square feet or 25% of roof covering, whichever is less in all other use groups.

f-6. Replacement of roof decking on one-and 2-family dwellings without modification to framing members.

f-7. Installation or replacement of floor finishes in all occupancies.

f-8. Painting, papering, tiling, carpeting, cabinet or countertop installation, and similar finish work.

f-9. Replacement of Class C interior wall or ceiling finishes in institutional, educational and assembly uses, and replacement of all classes of interior wall and ceiling finishes in all other occupancies.

f-10. Other repair work deemed by the commissioner to be minor and ordinary and which does not adversely affect public health or safety.

**2. NO PERMITS TO VIOLATORS.**

a. Whenever a contractor performs work contrary to this code, the commissioner may issue a notice to remedy the defective work to the violator at his or her last known address. Failure to comply with the notice shall be deemed sufficient reason for withholding future permits, in addition to other penalties provided in this code.

## 200-25 Administration and Enforcement

b. The following shall also be deemed sufficient reasons for withholding future permits:

b-1. An unreasonable delay in the performance of the work after the issuance of a permit.

b-2. Failure of a contractor to promptly respond to an official communication from the commissioner.

**3. DEMOLISHED BUILDINGS.** A duplicate copy of every permit issued to any person to raze or demolish any building or structure, issued under this chapter, shall be transmitted to the office of the commissioner of health on the same day it is issued by the department of city development. The commissioner of health shall cause such premises to be inspected for evidence of vermin and rodent infestation and, if evidence of such infestation is found, the commissioner shall take appropriate steps to eliminate the infestation.

**4. PENALTY.** Any person who violates this section shall be subject to penalty pursuant to s. 200-19-2.

**200-25. Posting of Permit.** Following the issuance of a permit for any construction under s. 200-24 and before any work is done, there shall be placed at the front of the premises an approved, smooth board sign at least 7.5 by 6 inches in size fastened to a post whereon there shall be posted the permit and the address of the premises as given on the permit. Such sign may be transferred to the front building wall and maintained until the construction of the building or structure is completed. The lack of posting or removal of the sign before approval is prohibited.

### 200-26. Application for Permits.

**1. APPLICATION.** a. Any owner of a premises, or person desiring a permit as required by this code, shall file with the commissioner an application in writing on a form furnished for such purpose. Every application shall state the name and address of the owner of the premises, and, when required, a legal description of the premises upon which the proposed construction is to be done.

b. Notice of every change in ownership of any premises on which any construction is being done and for which a permit has been granted shall be filed by the permit holder with the commissioner within 5 days from date of such change in ownership.

c. Every application shall describe the construction to be done, the exact cost thereof, and shall give any other reasonable information as may be required by the commissioner and, except

as hereinafter provided, shall be accompanied by 4 sets of plans (drawings) and a set of specifications giving the required information set forth herein. Complete foundation and footing plans may be submitted for approval prior to submitting the building plans if the plot plan, itemized structural loads, complete foundation or footing design calculations and schematic floor plans are included, showing exits, windows and other pertinent information. Six copies of a certified survey shall accompany all plans submitted for approval and shall include:

c-1. Legal description of the lot or parcel of land as obtained from official records.

c-2. Name and address of the owner of the parcel of land.

c-3. Date on which the survey was made.

c-4. Scale drawings of the parcel of land showing:

c-4-a. Dimensions of the lot and lot area.

c-4-b. Exact location of all existing buildings and structures on the parcel of land at time survey was made, giving exact dimensions of buildings or structures and distances to the lot lines and between buildings and structures.

c-4-c. Location of new buildings about to be erected or of existing buildings where alterations or additions thereto are to be made on any parcel of land with all dimensions shown as required under subd. b. Such dimensions shall also include width of side yards to adjoining property lines and setback dimensions to the face of any building, porch piers, bays, overhangs, offsets and cornice projection of a building or structure, whichever is nearer to the adjoining property or street line.

c-4-d. Distance from lot lines to street walks, width of street walks, distances from street walks to outside face of street curb and width of street and alley, if any.

c-4-e. Location and sizes of buildings and structures on adjoining lots or parcels of land and of buildings and structures across the alley, if any, and distances from lot lines.

c-4-f. Distance from the adjoining line of the parcel of land to nearest cross street intersection line.

c-4-g. Elevations of ground lot grade at lot corners, building corners, adjacent building grades, street sidewalks, curbs and alleys.

c-4-h. Established grades of proposed streets and alleys if not improved.

c-4-i. Space set aside for bicycle parking, parking of motor vehicles, utility easements, proposed street widening and relation of creeks and drainage ditches.

c-4-j. Description of any existing or proposed on-site sewage systems or private water supply systems.

c-4-k. Location of the ordinary high-water mark of any abutting navigable waterways.

c-4-L. Boundaries of all shoreland-wetlands.

c-4-m. Existing and proposed topographic and drainage features and vegetative cover.

c-4-n. Location of floodplain and floodway limits on the property as determined from floodplain zoning maps.

c-4-o. Location of existing or future access roads.

c-4-p. Specifications and dimensions for areas of proposed wetland alteration.

c-5. Certification of correctness of drawing and legal description of premises as shown on the attached drawing, or in substantial conformity therewith.

d. Complete structural calculations shall be furnished upon request of the department. All plans and specifications shall be sealed or stamped by a registered architect or registered professional engineer, except that plans for buildings having total volume of less than 50,000 cubic feet shall be signed by the designer.

e-1. Plans (drawings), data and specifications shall include floor plans, elevations, sections, and structural details and shall clearly show and describe the amount and character of the work proposed, the materials to be used therein, thermal performance standards and except for dwellings, double dwellings, duplex dwellings and private, accessory buildings shall show or be accompanied by data giving assumed bearing value of soil, assumed live loads and itemized live loads, assumed unit stresses for structural materials, stress diagrams of all trusses and typical calculations for slabs, beams, girders and columns and shall give all other information necessary to show full compliance with the requirements of this code.

e-2. Plans (drawings) shall be made on standard paper or cloth to a scale of not less than 1/8 inch to one foot, with figured dimensions, and shall designate the occupancy and use of all parts of the building structure, premises or equipment, together with intended use of all rooms. Copies of all plans (drawings), data, specifications and certified lot or plot plan presented for approval shall be distinct and intelligible, and the commissioner of city development may refuse to examine or approve any of such documents which do not conform to this code.

e-3. Structural data and other data necessary to enable the commissioner of city development to determine the safety of the

building, structure or equipment, and the adequacy of its equipment shall accompany the plans (drawings) and specifications when so required.

e-4. If in the opinion of the commissioner plans (drawings), data specifications and certified lot or plot plan filed for examination with an application for a permit to execute any construction as regulated in s. 200-24 and ch. 295 disclose that following the completion of such construction the same will thereafter obviously be occupied and used in violation of this code, or other ordinances, the Wisconsin Administrative Code, other laws, or lawful orders applicable thereto, the commissioner shall deny the permit until revised plans (drawings), data, specifications and certified lot or plot plan are filed showing that such construction when completed will thereafter be occupied and used in conformance with this code.

f. At the option of the commissioner, plans (drawings), data, specifications and certified lot or plot plans need not be submitted with an application for permit to execute minor alterations or repairs to any building, structure or equipment, or for the construction of private accessory buildings, provided the proposed construction is sufficiently described in the application for permit.

**2. ACCEPTANCE OF APPLICATION FOR PERMIT.** If, in the opinion of the commissioner of neighborhood services, the character of the construction is sufficiently described in the plans (drawings), data, specifications and certified lot or plot plan in the application for permit, and if the plans (drawings), data, specifications and certified lot or plot plan, as submitted with the application for permit bear the seal, signature and address of the architect, engineer or designer by whom they were prepared, such plans (drawings), data, specifications and certified lot or plot plan and application for permit shall be received for examination.

**2.5. REVIEW FOR FLOOD SAFETY.** The commissioner shall review all permit applications to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a flood-prone area, all new construction and substantial improvements shall be designed or modified and adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads; be constructed with materials resistant to flood damage; be constructed by methods and practices that minimize flood damage; and be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities designed or located so as to prevent

## 200-26-3 Administration and Enforcement

water from entering or accumulating within the components during conditions of flooding.

**3. REVIEW OF PRELIMINARY PLANS.** Architects, engineers and designers may consult with the commissioner and request an examination or preliminary sketches (plans and drawings) for any proposed construction prior to the completion of final plans and application for a permit.

**4. HEALTH COMMISSIONER'S REVIEW.** a. When the architectural plans for the following buildings are submitted to the commissioner, he or she shall forward one copy to the commissioner of health for examination:

a-1. Restaurants and other dining establishments.

a-2. Taverns.

a-3. Food processing plants.

a-4. Indoor swimming pools and spas.

a-5. Residential or group residential uses in structures or sites that previously contained industrial uses, as defined in s. 295-203.

a-6. Residential or group residential uses in industrial zoning districts that require variances from the board of zoning appeals.

b. After the commissioner of health has examined the plan, the plan shall be returned with comments to the commissioner of neighborhood services.

**5. APPLICATIONS FOR CERTAIN DEMOLITION PERMITS.** Whenever the commissioner has received an application for the demolition of any building or structure, the commissioner shall have the notification of the application published once in a newspaper of general circulation, and notify the common council member of the district in which the proposed demolition is situated. The completed application shall include a color 3x3 inch, or larger, street-facing photograph of the structure to be demolished. Applications for the demolition of any building or structure shall then be processed in accordance with s. 200-28 and when in compliance issued 16 working days following applications, subject to s. 320-21. This subsection does not apply to:

a. Private accessory garages.

b. Private accessory sheds.

c. Structures for which an order has been issued for razing or rehabilitation in accordance with s. 218-4, or those which are in a condition that would constitute the basis on which an order under s. 218-4, would be issued.

d. Structures found not to qualify as a historic structure in accordance with either the interim designation procedures of s. 320-21-13 or the designation procedures of s. 320-21-9.

e. Structures which the staff of the historic preservation commission determines would not qualify for historic designation under s.320-21-9 or s.320-21-13. The historic preservation commission shall adopt rules and regulations governing such determinations by staff. In order to be considered for such an exception, the owner of the structure shall make application therefor, on a form provided by the city clerk, to the historic preservation commission staff and pay the fee specified in ch. 81. No structure shall be considered for exemption under this paragraph unless its date of construction was within 50 years preceding the date of application for exemption.

**6. ALTERATIONS OF ESTABLISHMENTS SELLING ALCOHOL BEVERAGES.**

a. Licensing Committee Approval Required. Except as provided in par. b, any alteration, change or addition to an establishment selling alcohol beverages resulting in expansion of the premises shall be approved by the licensing committee prior to issuance of a permit under s. 200-24.

b. Conditional Construction Permits. Prior to the licensing committee's review of a request for an alteration, change or addition to an establishment selling alcohol beverages, a conditional construction permit for the alteration, change or addition may be issued by the commissioner for a period of up to 180 days. Issuance of a conditional construction permit shall not imply that the licensing committee will approve the applicant's request, and shall not constitute permission for the establishment to use the area being altered, changed or enlarged prior to the issuance of the updated license. A conditional construction permit may be issued only when the following criteria have been met:

b-1. The commissioner has determined that plans for the proposed construction are in compliance with the building code and the zoning code.

b-2. The applicant has filed an application with the city clerk to change the licensed premises, as required by s. 90-4-7.9 or s. 90-5-13, and paid all required fees related to that application.

b-3. The commissioner has determined that the occupancy or use will not jeopardize life, health or property and will not adversely impact adjoining property or the neighborhood in general.

b-4. The applicant agrees to return the site to its previous condition and use within 30 days of the decision of the common council if the license application is not approved.

b-5. The applicant agrees to hold the city harmless for any claims resulting from construction at the premises during the period the conditional construction permit is in effect.

**200-27. Design and Supervision.** 1. Every new building containing more than 50,000 cubic feet total volume, or an addition to a building which by reason of such addition results in a building containing over 50,000 cubic feet total volume, or structural alteration to a building containing over 50,000 cubic feet total volume, shall be designed by an architect or engineer in accordance with this code and shall be constructed under the supervision of an architect or engineer who shall be responsible for its erection in accordance with the plans and specifications of the designer. A written statement to this effect shall be filed by the architect or engineer with the commissioner of city development with the application for permit. No change from the original plans and specifications shall be made except with the knowledge and consent of the designer, and as approved pursuant to s. SPS 361.31(4), Wis. Adm. Code.

2. On completion of the construction, the supervising architect or engineer shall file a written statement with the department certifying that, to the best of his or her knowledge and belief, the construction has been performed in accordance with the plans and specifications approved by the department of neighborhood services.

3. In this section "architect" or "engineer" means a registered architect or registered professional engineer, as defined in ch. 443, Wis. Stats.

**200-28. Issuance of Permits.** 1. APPLICATION. The application for permit, plans (drawings), data, specifications and certified lot or plot plan filed by an applicant as required in s. 200-26 shall be examined by the commissioner within a reasonable time, all of which, together with the proposed occupancy and use of the construction and premises, if found to be in conformity with the requirements of this code, or other ordinances, the Wisconsin Administrative Code, orders issued by the common council, or other lawful orders applicable thereto, shall be approved, and upon the payment of the required fee, a permit shall be issued by the commissioner. When a permit is issued, the commissioner shall endorse, by stamp, seal or otherwise, such plans (drawings), data, specifications and certified lot or plot plan as approved with the date of approval.

2. PERMIT ISSUED. The issuance or granting of a permit or approval of plans (drawings), data, specifications and certified lot or plot plan shall not be deemed or construed to be a permit for, or an approval of any violation of any of the regulations of this code, or an extension of time specified in any order or citation issued by the commissioner. No permit presuming to give authority to violate or cancel any regulation of this code or the Wisconsin Administrative Code shall be valid, except insofar as the construction or use which it authorizes is lawful. The commissioner may set limitations concerning starting and completion of the construction and other conditions necessary to protect the health, safety and welfare of the public.

3. REQUIREMENTS. The issuance of a permit shall not prevent the commissioner from thereafter requiring the correction of errors in plans (drawings), data, specifications, and certified lot or plot plan, from stopping construction operations being carried on thereunder when in violation of any regulation of this code.

4. PLANS FILED. Two sets of approved plans (drawings), data, specifications, and certified lot or plot plan shall be retained by the commissioner and filed as a public record, and 2 sets shall be returned to the applicant.

5. PLANS ON PREMISES. An approved set of plans (drawings), data, specifications, and certified lot or plot plans and the permit shall be kept and maintained in a readily accessible, approved place on the premises upon which construction thereby authorized is in progress and shall be open at all reasonable times to the inspection of properly authorized public officials.

6. PLAN CHANGES. Plans (drawings), data, specifications and certified lot or plot plan approved by the commissioner shall not be changed or modified in any manner, nor shall the amount or character of the work authorized by such approval be changed, modified or increased unless the consent and approval of the commissioner shall have first been obtained in writing.

7. PLAN CHANGES TO BE FILED. No alterations or corrections of plans (drawings), data, specifications and certified lot or plot plan for any construction shall be made in the office of the commissioner. If such plans (drawings), data, specifications, and certified lot or plot plan for any proposed construction do not conform to all of the regulations of this code, violations may be indicated, but the applicant shall be required to

## 200-29 Administration and Enforcement

prepare and file prints of any new plans (drawings), data, specifications and certified lot or plot plan in corrected form.

8. LICENSED WORKER. When the application for a permit is made by a person other than the owner, no permit will be issued to a person who is required by any ordinance of the city to have a license or certificate to engage in the work which is contemplated by the application unless that person has, in fact, at the time of issuance of the permit, the required license or certificate.

**200-29. Footing and Foundation Permits. 1.** In order to facilitate construction, the commissioner may, upon presentation of sufficient preliminary structural plans (drawings), data, specifications and certified lot or plot plan whereupon there is indicated the character of the proposed construction and the proposed use of the building, structure, equipment, and premises, and its compliance with s. 200-28 and ch. 295, except as provided in sub. 2, issue a footing and foundation permit for the excavation, foundations or structural parts thereof, not higher than the first floor level, subject to all other regulations of this code. However, the issuance of such footing and foundation permit shall not be construed as an approval of any other required permit; or any use of any part of the building, structure, equipment, or premises.

2. Such footing and foundation permits, where the proposed construction or proposed use of building is not in conformity with ch. 295, may be issued subject to the following:

a. The building and premises shall, in all other respects, comply with applicable building and zoning code regulations.

b. An application for a variance, special use or zoning district boundary amendment for such use of construction has been completed, fees paid and filed with the board or introduced to the common council.

c. The use or construction would not jeopardize life, health or property.

d. The city is held harmless by the applicant for the footing and foundation permit for any and all damage that may be incurred by the applicant or any other party.

e. The commissioner may require whatever temporary precautionary measures over and above any code requirements to safeguard the public as a condition of the issuance of a footing and foundation permit.

f. The applicant demonstrates that the proposed construction or proposed use of building will not impact adversely on adjoining property or the neighborhood in general.

g. The applicant agrees to restore the site to its previous condition within 30 days if the board denies the application for a variance or a special use.

h. The applicant demonstrates to the commissioner that exceptional, extraordinary or unusual circumstances exist and, therefore, a footing and foundation permit should be issued.

i. The commissioner notifies common council members at least 48 hours prior to the issuance of a footing and foundation permit in their districts.

j. Plumbing plans shall be submitted separately for approval prior to the issuance of a footing and foundation permit.

**200-30. Lapse of Permit, Refunds. 1. LAPSE OF PERMIT.** a. Except as regulated in s. 200-28-2 and ch. 240, if any construction for which a permit has been issued is not started within 6 months from the date of the issuance of the permit, or if new construction ceases for more than 3 months, then the permit shall lapse and be void, and no construction shall be begun or resumed until a new permit is obtained and the fees as prescribed in this code are paid.

b. Except as provided for in s. 200-28-2, after the issuance of a permit, if for any reason construction is not started, or there is a cessation of construction, and the commissioner is notified within 30 days of such delay, an extension of time not exceeding 3 months may be granted. Additional extensions of time may be granted if the circumstances warrant such extensions.

c. Extensions of time shall not preclude the commissioner of city development from requiring the permit holder to comply with amended, more restrictive building code regulations which become effective during the time extension period.

**2. REFUNDS.** a. No refunds shall be made on a building permit that has lapsed and been declared void.

b. No refund shall be made for an unused partial permit.

c. No refund shall be made of the plan examination fee after the building, heating and ventilating, fire detection and suppression system, illumination or plumbing plans have been approved.

## Administration and Enforcement 200-30.2

d. Any person requesting a refund of any plan examination fee indicated in par. c before the plan has been approved, shall be charged 20% of the plan examination fee for processing. The minimum processing fee shall be \$20.

e. Any applicant requesting a refund for an unissued certificate of occupancy must make the request in writing to the commissioner. Any applicant requesting a refund for an unissued licensed dwelling facility license shall make the request in writing to the department. The processing fee shall be \$75 plus \$50 for each inspection made. Processing and inspection fees shall be deducted from the application fee and any remaining balance will be refunded to the applicant. There shall be no refund after the certificate or license is issued.

f. Any applicant requesting a refund for an unused permit shall be charged the minimum fee specified in s. 200-33-27.

f-1. Any applicant who requests the department to cancel a certificate of zoning shall do so in writing to the commissioner. No refund shall be made of the fee paid; however, where a plumbing inspection is required and has not been made, the refund will be \$50.

f-2. Any applicant who requests the department of neighborhood services to cancel a certificate of code compliance shall do so in writing to the commissioner of neighborhood services. The processing fee charged shall be \$35 plus \$50 for each inspection made. Processing and inspection fees shall be deducted from the application fee and any remaining balance will be refunded to the applicant.

f-3. No refund shall be made of the fee paid for a temporary certificate of occupancy.

g. Any person requesting a refund for a permit or certificate of occupancy which was issued in error by the commissioner shall be entitled to a full refund of the permit fee.

h. Refunds shall be paid upon certification by the commissioner to the city comptroller who shall charge such refunds to the appropriate revenue account and shall annually inform the common council of the amount of fees refunded and the persons to whom refunds were made.

### 200-30.2. Permit Expiration and Renewal.

1. PERMIT EXPIRATION. Any permit required by s. 200-24 shall expire 2 years from the date of issuance of the permit. However, a permit for a structure containing more than 100,000 square feet of floor area shall expire 3 years from the date of issuance.

2. PERMIT RENEWAL. If the work authorized by a permit required by s. 200-24 is not complete at the end of the 2-year period or 3-year period, as the case may be, the permit may be renewed for an additional period of time at the discretion of the commissioner of city development. In no case may the permit be renewed for more than 2 additional years.

3. RENEWAL FEE. The fee for renewal of the permit shall be as specified in s.200-33-34.

4. COMPLIANCE WITH CODE. Work authorized by a renewal permit granted under this section shall be in compliance with the code requirements in effect at the time the original permit was issued. Any work which remains incomplete at the time of expiration of the renewal permit may only be completed upon application for and obtainment of a new permit; such work shall be subject to the code requirements in effect at the time the new permit is granted.

**200-30.3. Failure to Request Inspection.** When a contractor fails to request a required inspection for a permit open for more than 6 months beyond the date of issuance, the commissioner shall send written notice to schedule the required inspection. The contractor shall be charged the fee specified in s. 200-33 for failure to schedule the inspection within 15 days of written notice from the commissioner. Failure to pay the additional fee after one notice may result in withholding future permits.

**200-30.5. Expiration or Extension of Plan Approval.** 1. EXPIRATION. If a building permit has not been obtained within 6 months from the date that a plan was approved by the commissioner of city development, the approval shall expire, except as provided in subs. 2 or 3.

2. EXTENSION. A plan approval may be extended 3 months by the commissioner of city development, provided the following conditions are met:

a. A written request is submitted to the commissioner of city development prior to the expiration of the original 6 month approval period.

b. The approval period has not been extended previously.

c. The fee as specified in s. 200-33-36 has been paid.

d. If necessary, the plans have been revised to comply with the existing code.

3. EXEMPTION. A building permit that was not issued within 6 months from the date a plan was approved that was caused by

## 200-31 Administration and Enforcement

governmental action and without any contributing fault by the applicant shall not be considered as expired. In calculating the length of time for expiration, the delay time caused by governmental action shall be added to the 6-month period.

### 200-31. Revocation of Permit or Approval.

1. AUTHORITY. The commissioner may revoke any permit, certificate of occupancy or approval issued under this code and may stop construction or use of approved new materials, equipment, methods of construction, devices or appliances for any of the following reasons:

a. A violation of this code, or of any other ordinance, law or lawful orders or Wisconsin statute relating to the same subject matter.

b. Whenever the continuance of any construction becomes dangerous to life or property.

c. Any violation of any condition or provision of the application for permit or of the permit.

d. Whenever in the opinion of the commissioner the person having charge of the construction is incompetent.

e. Whenever any false statement or misrepresentation has been made in the application for permit, plans (drawings), data, specifications and certified lot or plot plan on which the issuance of the permit or approval was based.

f. A violation of any of the conditions of an approval given by the commissioner of city development for the use of any new materials, equipment, methods of construction, devices or appliances.

2. NOTIFICATION. a. The notice revoking a permit, certificate of occupancy or approval shall be in writing and shall be served upon the applicant for the permit, owner of the premises and the owner's agent, if any, and on the person having charge of construction.

b. A revocation placard shall also be posted upon the building, structure, equipment or premises in question, by the commissioner.

c. After the notice is served upon the persons and posted, no person may proceed with any construction operations, occupancy or use on the premises, and the permit, certificate of occupancy or approval which has been revoked shall be void. Before any construction, operation, occupancy or use is resumed, a new permit, certificate of occupancy or approval as required by this code shall be procured, subject to the conditions of par. d, and fees paid, and the resumption of any construction, operation, occupancy or use shall be in compliance with this code.

d. In those cases where the permit, certificate of occupancy or approval for a premises, property, building or portion thereof is revoked for violation of any of the provisions of ch. 295, the commissioner shall act on any subsequent application for occupancy of the same premises, property, building or portion thereof only under the following conditions:

d-1. The owner of the premises, property, building or portion thereof shall submit a written plan of operation to the commissioner of city development.

d-2. The commissioner shall refer the plan of operation to the chief of police and the commissioner of health. Each department shall prepare a finding as to whether the proposed use, if operated in a manner consistent with the plan of operation submitted by the applicant, would be operated in a manner that protects the health, safety and welfare of the public. The commissioner may consider these findings in making the determination to grant the occupancy. The commissioner may act without these findings if they are not provided by the departments within 30 days of the application for a permit, certificate of occupancy or approval.

**200-32. Permit Fees. 1. PAYMENT.** a. Upon the issuance of a permit by the commissioner and before such permit shall be in effect, the applicant shall pay to the city a fee or fees as required in this code.

b. The commissioner may forward to owners of respective premises or holders of permits, annual, semiannual or periodic bills on which all fees shall be enumerated for all special privileges granted by the common council under s. 66.0425, Wis. Stats., and annual, semiannual and maintenance or periodic inspections fees as prescribed therein, and any unpaid fees of other governmental units as defined in s. 66.0131(1)(a), Wis. Stats. All special privilege and maintenance or periodic inspection fees are payable within 30 days after notice has been forwarded to the person to whom the permit was originally issued or to the owner of the premises. If not paid when due, unpaid fees shall be charged against the real estate upon which the permit or special privilege was granted, and shall be a lien upon such real estate and shall be assessed and collected as a special tax.

2. REGULATIONS. a. Basis. Permit fees for construction of all buildings or structures or additions thereto shall be computed on the cubic contents of such buildings or structures, or additions thereto, in accordance with the schedule of rates

for the various groups of buildings or structures classified in this section and an additional fee shall be added as specified in s. 200-33.

b. Cost of Work. For structures where the cubic content cannot be accurately established such as parking lots, reviewing stands and tank towers, see s. 200-33-2.

c. Building Volume. Applicants for permits for new buildings or structures, or additions to existing buildings or structures, shall furnish an estimate of the volume thereof as a basis for determining the fee. The volume shall be as determined in s. 200-06. Such computations of volume shall be subject to review by the commissioner.

**3. INCREASED FEES.** a. Where construction is started, or when a premises is occupied without first obtaining a permit inspected under the jurisdiction of the department of neighborhood services, as required by this code, the fees specified in this section may be quadrupled, but the payment of such quadruple fee shall not relieve any person from fully complying with all the regulations of this code in the execution of the work nor from any other penalties prescribed in this code.

b. When construction is started without first obtaining a permit as required by this code for work under contract with an agency of the city of Milwaukee, county of Milwaukee, and state of Wisconsin or the United States of America, a permit fee equal to double the amount of the permit fees prescribed in this section shall be paid, but the payment of such double fee shall not relieve any person from fully complying with all of the regulations of this code in the execution of the work nor from any other penalties prescribed in this code. If such application for permit is sent through the United States mail, the official date of such application shall be deemed to be 2 days before its receipt in the office of the commissioner, excluding Saturdays, Sundays and holidays.

**3.5. NOTIFICATION OF COMPLETION OF CONSTRUCTION, ETC.** Upon completion of construction, erection, alteration or change of a building, structure or premises, the permit holder shall notify the department for inspection. Failure to notify the department may subject the permit holder to a charge of \$35.

**4. GOVERNMENTAL UNITS.** Where the effect of requiring any fee provided in s. 200-33 would be to cause a charge to the city of Milwaukee, the Milwaukee board of school directors, or the redevelopment authority, the fee shall not be charged.

**200 - Administration and Enforcement**

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