

SECTION 1 ORDINANCE TITLE AND PURPOSE: The title is Ordinance for a Site Permit for Dwellings.

This ordinance is designed to provide Town of Wellington officials with information regarding the type, size and locations of all dwellings constructed, reconstructed or remodeled after the effective date of this ordinance.

SECTION 2 AUTHORITY AND JUSTIFICATION:

The Town Board has the specific authority granted under village powers pursuant to Sec 60.22, 60.61, 62.17, 101.65, 101.76, and 101.86 of Wis. Statutes.

Officials and residents of the Town of Wellington officials have a legitimate interest in the housing erected within the Town's borders. These interests include 1) promoting the public health, safety and general welfare of Town residents, 2) insuring appropriate siting of new dwellings, 3) maintaining or enhancing the value of residents' properties and 4) supporting property tax equity for all Town landowners.

SECTION 3 ORDINANCE FORMS: Site Permit for Dwellings Application

SECTION 4 DEFINITIONS:

"Permit" is an application to be completed by the "owner" prior to beginning the construction of a dwelling. If approved by the Town Board, the application serves as a site permit as described in the approved application.

"Dwelling" is any building, or portion of a building, which is designed or used as a residence or sleeping place by one or more persons. A dwelling may be for a single family or multiple families. Dwellings include manufactured homes, mobile homes, or temporary or seasonal dwellings.

"Dwelling's exterior completed" means the dwelling is completely enclosed with a roof with roofing materials, doors, windows and siding in place and complete.

"Attached garage" is a garage that shares a common wall with a dwelling or is attached to a dwelling by means of an enclosed or open breezeway, porch, terrace or vestibule; or so constructed to form an integral part of the principal dwelling.

"Owner" is the person or persons having a legal or equitable interest in the real estate for which a building permit is sought.

"Town" means the Town of Wellington as a geographic and governmental unit located in Monroe County, State of Wisconsin.

“Town Officials” are the Town Board, consisting of a Chair and Supervisors, as well as the Town’s Clerk, Treasurer, employees, designated representatives and independent contractors.

“Wisconsin Uniform Building Code (UBC)” UBC establishes the construction and code requirements established for one – two family dwellings in the State of Wisconsin. Compliance with UBC expectations is maintained by periodic inspections of the dwelling’s construction by the Town’s Building Inspector.

“Building Inspector” is an independent contractor authorized by the Town Board to inspect the site of proposed dwelling as well as to make periodic inspections during the building’s construction. NOTE: Only the “Building Inspector” may issue a Building Permit.

#### SECTION 5 REQUIREMENTS FOR A SITE PERMIT FOR DWELLINGS

The landowner or his agent will obtain a Site Permit for Dwellings from the Town prior to new construction of a dwelling, additions or alterations to an existing dwelling, including attached garages. Applications for the permit shall be on forms prescribed by the Town and available from the Town Clerk.

Additions of 300 square feet or more added to an existing building require a Site Permit for Dwellings from the Town of Wellington and a Building Permit from the Town’s Building Inspector.

The completed application will be presented to the Town Board for their review. The Owner or the owner’s representative is required to be present at the time of the Board’s review.

Application information will include the date; the owner’s name and contact information; the fire number and mail address of the building’s site; whether it is a new home or an addition; purpose (single family, duplex, etc.); style (single story, multi-story, split level, etc.); construction (“stick built”, manufactured home, mobile home, etc.); exterior dimensions (length, width, height); and name of contractor or builder.

The applicant will also indicate whether all other required permits (such as, a driveway and county sanitation, etc.) have been sought or acquired and the source of drinking water (such as, an existing or planned well, etc.).

Also accompanying the application will be drawing (or blueprint) showing the front elevation of the dwelling or addition and a diagram showing the building’s location on the site and including the distances from roads, property lines and other buildings at the site.

The Town Board will not consider an incomplete application.

Approval of an application requires its adoption by a majority of the Town Board.

The Town Clerk will provide the Building Inspector with a copy of the permit within 10 days of a Site Permit for Dwellings issuance.

It's the owner's responsibility to contact and meet with the Building Inspector prior to beginning construction of the dwelling. NOTE: Construction may not begin without a Building Permit issued by the Town of Wellington's Building Inspector.

Once construction begins, the Building Inspector will be primarily responsible for insuring the Town's and the State's regulations and expectations for new, reconstructed, or remodeled dwellings are maintained. However, Town officials, employees or designated representatives may visit the construction site periodically.

#### SECTION 6 LAPSE OF A SITE PERMIT FOR DWELLINGS:

A Site Permit will expire if the dwelling's construction has not begun within 12 months from the date of the Permit's issuance. The Site Permit for Dwellings will also expire if the dwelling's exterior has not been completed within 24 months from the date of the Permit's issuance. The Town Board may provide a time extension upon the request of the owner or the Building Inspector.

#### SECTION 7 REVOCATION OF PERMIT:

The Town may revoke any permit, certificate of occupancy, or approval issued under the regulations of this ordinance and may stop construction or use of approved new materials, equipment, methods of construction, devices or appliances for any of the following reasons:

- A. Whenever there is a violation of this ordinance or any other ordinance, law, lawful order or Wisconsin Statute relating to the same subject matter.
- B. Whenever the continuance of construction becomes dangerous to life or property.
- C. Whenever there is any violation of any condition or provision on the work site.
- D. Whenever there is inadequate supervision provided on the work site.
- E. Whenever any false statement or misrepresentation has been made in the application for permit.

The notice of revoking the permit, approval or certificate of occupancy shall be in writing and may be served upon the owner or his agent, the person having charge of construction or may be posted on the building, structure, equipment or premises in question. After the notice is served, no person shall proceed with any construction operation on the premises and the revoked permit shall be null and void. Before any construction or operation is resumed, a new permit, as required by this ordinance shall be procured and the proper fee paid.

#### SECTION 8 FAILURE TO OBTAIN PERMIT:

No person shall commence any work requiring a permit without first obtaining the required Site Permit.

**SECTION 9 CERTIFICATE OF OCCUPANCY:**

A final inspection of all new dwellings, additions, and alterations will be made by the Building Inspector. If no violations of this ordinance or any other law or ordinance are found, a certificate of occupancy shall be issued. No dwelling or portion thereof shall be occupied until such a certificate is issued nor shall any building be occupied in any manner that conflicts with the conditions set forth in the certificate of occupancy.

**SECTION 10 SITE PERMIT FOR DWELLINGS FEES:**

The Site Permit for Dwellings Application fee is \$25 and shall be paid at the time the completed application is provided to the Town Clerk. No additional fee is required for a rejected application that is revised and resubmitted to the Town Board.

**SECTION 11 EXEMPTIONS FROM THE SITE PERMIT REQUIREMENT:**

Owners who reconstruct or remodel the interior of an existing dwelling or an existing attached garage without enlarging the existing building's exterior dimensions by 300 square feet or more are not required to obtain a Site Permit for Dwellings.

**SECTION 12 OTHER REQUIREMENTS:**

No dwelling may be erected on any parcel or lot of less than 3.0 acres in size. Smaller parcels created by deed, recorded prior to this ordinance are exempt from this restriction.

Setbacks are required for new dwellings. The setbacks from road centerlines are as follows: at least 63" for Town of Wellington roads, 75' for County of Monroe roads and 110' for State of Wisconsin roads. Property line setbacks for new buildings are to be at least 25' from the side of building and 50' from the back of the building.

The issuance of a Building Permit does not relieve the owner of fulfilling the requirements for dwellings established by other governmental units: such as,

- County sanitary permits,
- Town, County or State driveway or setback requirements,
- County Fire Number requirement,
- State one and two-family dwelling code (UBC) permits,
- Other Town, County or State siting, building or environmental requirements.

**SECTION 13 REQUEST FOR VARIANCE**

Permit applicants may request a variance from the Site Permit requirements for good cause. The applicant must submit a written request for a variance to the Wellington Town Board. This request must include the applicant's name and contact information, the location of the proposed dwelling, the requirement in question and the reason for requesting a variance. The Town Board will act on the applicant's request at a subsequent regular Board Meeting. A majority of the Board members must vote in favor of the variance for it to be granted. The applicant will receive a written notification of the Board's decision.

SECTION 14 PENALTIES:

The Town Board, its representative or Building Inspector will issue a "Stop Construction" order on any dwelling under construction until a Site Permit has been issued.

Owners who continue construction after a "Stop Construction" order has been issued will be fined not less than \$25 nor more than \$50 for each day the construction continues.

SECTION 15 SEVERABILITY: If any provision of this ordinance or its application is held invalid, the invalidity does not affect other provisions or applications of this ordinance.

SECTION 16 EFFECTIVE DATE:

This ordinance is effective on posting or publication following its adoption by the Town Board. The Town Clerk shall properly publish this ordinance as required under Sec. 60.80 (3) of Wis. Statutes as a Class 1 Notice in a newspaper.

ADOPTION DATE:

Adopted this 13<sup>th</sup> day of May, 2019.

Signatures of Town Board

\_\_\_\_\_  
Town Chairman

\_\_\_\_\_  
Town Supervisor

\_\_\_\_\_  
Town Supervisor

Attest:

By \_\_\_\_\_  
Town Clerk

**Town of Wellington**  
**Site Permit for Dwellings Application**  
May 13, 2019

Instructions: Read the Town of Wellington’s Site Permit for Dwellings Ordinance (No. 16.03) and then complete this application. Return the completed application along with your payment to the Town Clerk. **Permit Fee is \$25. Make checks payable to the Town of Wellington.**

The undersigned hereby makes application for a Site Permit for the work described on this application. The undersigned agrees that work shall be done in accordance with all requirements of the Site Permit for Dwellings (#16.03) and any other relevant Town, County or State requirements.

NOTE: This is an application not a Site Permit. It will become a Site Permit after it’s approval by the Town Board. Once a permit is issued, construction must begin within 12 months from date of the permit’s approval and completed with 24 months of that same date. Also, the owner must obtain a Building Permit from the Town’s Building Inspector prior to beginning construction of new dwellings or additions of 300 square feet or more.

Application Date \_\_\_\_\_ Applicant Name \_\_\_\_\_

Applicant Street Address \_\_\_\_\_

City, State & Zip \_\_\_\_\_ Applicant Phone # \_\_\_\_\_

Building Site Address or Plat Book Description \_\_\_\_\_

Is the property on which the building will be constructed at least 5 acres in area?                      Yes      No

Does the Site for the Dwelling have a... Driveway Permit? \_\_\_\_\_ Fire Sign? \_\_\_\_\_

County Sanitation Permit? \_\_\_\_\_ Source of safe drinking water? \_\_\_\_\_

Is this a new dwelling or an addition? \_\_\_\_\_

**NOTE: If this is for an addition, answer the following questions for the addition only.**

Purpose of Dwelling (single family, duplex, etc.) \_\_\_\_\_

Style of Dwelling (single story, multi-story, split level, etc.) \_\_\_\_\_

Construction Approach (“stick built,” manufactured home, mobile home, etc) \_\_\_\_\_

Dwelling’s Dimensions (in feet) Length \_\_\_\_\_ Width \_\_\_\_\_ Height \_\_\_\_\_ Sq. Footage \_\_\_\_\_

Dwelling’s Estimated Cost \_\_\_\_\_ Builder’s Name \_\_\_\_\_

**On a separate page, diagram the proposed dwelling’s location on its building site with approximate distances (in feet) from existing buildings, the closest road, and the closest neighbor’s property line.**

**On a separate page, provide a diagram of the front elevation of the proposed dwelling. This could be hand-drawn diagram or a copy of a contractor’s rendering (such as a blue print).**

**I certify that I have read and understand the “Site Permit for Dwellings” Ordinance (No. 16.03) and that this application is complete and correct to the best of my knowledge.**

**Applicant’s Signature** \_\_\_\_\_

XX  
**TOWN BOARD USE ONLY**

Date Submitted to Town Clerk \_\_\_\_\_ Date Reviewed by Town Board \_\_\_\_\_

**Town Board's Action: Site Permit Approved** \_\_\_\_\_ **Site Permit Number** \_\_\_\_\_

**Site Permit Denied** \_\_\_\_\_ **Reason for Denial** \_\_\_\_\_

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\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Town Chairman

\_\_\_\_\_  
Town Clerk