



AGENDA OF THE COMMON COUNCIL

TUESDAY, JUNE 25, 2024, 6:00 PM

In person at City Hall, Room 203 - Council Chambers.

Virtual attendance also available via Zoom.

A. Zoom Meeting Information.

- I. Join Zoom Meeting Online:
<https://us02web.zoom.us/j/89274696903>

Or call in by phone: +1 312 626 6799

Meeting ID: 892 7469 6903

Passcode: 209710

If you wish to speak at this public meeting or leave a comment, please fill out the online [Comment Form](#) and submit by 4:30 PM on Council meeting day. More detailed [Zoom Instructions](#) can be found online.

B. Roll Call.

C. Pledge of Allegiance.

D. Invocation.

E. Approval of Minutes.

- I. June 11, 2024.

F. Approval of the Agenda.

G. Report by the Mayor.

H. Announcements.

I. Appointments.

- I. **Appointments:**

Green Bay Sustainability Commission

Daniela Beall, 1140 12th Avenue, Green Bay, WI 54304
Term to expire: August 1, 2027

Green Bay/Brown County Professional Stadium District Board
Terry Bouessa, 345 Jefferson Street, Green Bay, WI 54301
Term to expire: June 1, 2026

Reappointments:

Green Bay/Brown County Professional Stadium District Board
Barb Dorff, 3375 Pebble Beach Court, Green Bay, WI 54311
Term to expire: July 1, 2026

Leah Weycker, 227 Allard Avenue, Green Bay, WI 54303
Term to expire: June 1, 2026

Green Bay Housing Authority
Erin Edwards, 409 North Maple Avenue, Green Bay, WI 54303
Term to expire: July 1, 2029

J. Public Hearings.

1. Public Hearing on a request to amend the City's Official Map by removing future Lafayette Drive extension to future Eric Street extension and replace with a cul-de-sac at the end of Lafayette Drive, submitted by Brad Rymer, Vierbicher, applicant, on behalf of Thomas and Mary Saphner, property owners. (Ald. K. Hinkfuss, District 12).

K. Ordinances - Second Reading for Adoption.

1. Zoning Ordinance No. 09-24
An ordinance creating a Planned Unit Development (PUD) Overlay District for property located at 2890 St. Anthony Drive (ZP 24-04).

L. Report of the Redevelopment Authority (June 11, 2024).

1. To approve Termination of Development Agreement with 200 N. Monroe Propco LLC.
2. To approve and recommend to the Common Council the City of Green Bay's 2024 Annual Action Plan for Community Development Block Grant Program (CDBG) and HOME Investment Partnerships Program (HOME) entitlement programs.

M. Report of the Improvement & Services Committee (June 19, 2024).

1. To approve the request by Ald. Johnson and Ald. Hutchison to evaluate on-street parking along Washington Street between Cherry Street and Northland Avenue, including but not limited to parking on both sides and/or diagonal parking.
2. To refer to staff for review of the request by Ald. Wery to evaluate program effectiveness and possible changes to "No Mow May" and report out at a future Improvement & Services Committee meeting.

3. To refer to staff the request by Ald. Wery for (1) a staff report/presentation of their trip to Detroit to observe the 2024 NFL Draft in preparation for Green Bay's hosting of the 2025 NFL Draft; and (2) to approve maintaining a monthly agenda item regarding the 2025 NFL Draft to include updates and discussion for any potential changes or action by City Council.
4. To approve the request by Department of Public Works to retain consultant services for survey-related services due to the retirement of the Right-of-Way Specialist.
5. To approve the request by Department of Public Works to enter into a cooperative purchasing agreement with Garland/DBS, Inc. for removal and replacement of the Preble Park shelter roof contingent upon the approval of the City's insurance carrier.
6. To approve the request by Department of Public Works to review and approve entering into a sole source contract with EnergiTech Services for replacement of underground fuel tanks at the East and West Side Municipal Garages.
7. To approve the request by Department of Public Works to award contract WSG 2-24 MASONRY REPAIRS at a staff level and report the award at the next Improvement & Services Committee meeting.
8. To approve the request by Department of Public Works to review and approve the award of sole source contract 2024 Ray Nitschke Controls Programming to Faith Technologies, Inc. in the amount of \$48,287.00.
9. To approve the request by Department of Public Works to review and approve the award of contract BRIDGE 4-24 (SCOUR, REPAIR, AND RIP RAP RESTORATION P-5-715 HENRY STREET) to Advance Construction, Inc. in the amount of \$244,132.00.
10. To receive and place on file the report of the award of contract SEWERS 1-24 CITY WIDE SEWER REPAIRS to Vinton Construction Company in the amount of \$1,323,840.65.
11. To receive and place on file the report of the award of contract ASPHALT PAVING 2024 to Northeast Asphalt, Inc. in the amount of \$396,602.50.
12. To receive and place on file the report of the award of contract PAVEMENT 3-24 HOWARD STREET, S. OAKLAND AVENUE, & SCHOOL PLACE RECONSTRUCTION & SEYMOUR PARK WEST STORMWATER FACILITY to Vinton Construction Company in the amount of \$5,141,937.33.
13. To receive and place on file the actions taken by the Department of Public Works.

A. Granting of Licenses

I. Sidewalk Builder

- a. Muniz Concrete, LLC
- b. Spencer Concrete
- c. American Custom Concrete, LLC

N. Report of the Protection & Policy Committee (June 17, 2024).

1. To receive and place on file an update on the extension request for Rockyz Taqueria LLC at 1679 Main St.
2. To grant a limited expansion request at the following location(s):
 - a. Brewski's on Broadway at 1100 S. Broadway on September 13-15 (1/2 the parking lot with proper fencing).
3. To grant a "Class B" Liquor and Class "B" Beer 2024-2025 renewal application for Rockyz Taqueria LLC at 1679 Main St., subject to the approval of the proper authorities.
4. To grant a 24-25 renewal application for a "Class A" Liquor and Class "A" Beer license for JLA, Inc. at 1698 Main St., subject to the approval of the proper authorities.
5. To grant a 24-25 renewal "Class A" Liquor and Class "A" Beer license with a change of agent for the listed locations, subject to the approval of the proper authorities:
 - a. Dolgencorp, LLC (Dollar General Store # 21045) at 1641 Main St.
 - b. Dolgencorp, LLC (Dollar General Store #6563) at 1152 S. Military Ave.
6. To grant the 2024-2025 renewal applications with no changes for the listed locations, subject to the approval of the proper authorities:

"Class A" Liquor and Class "A" Beer:

 - a. Traveling Chef, LLC (The Traveling Chef) at 335 N Broadway
 - b. Family Dollar Stores of WI (Family Dollar #24158) at 550 N Military
 - c. Family Dollar Stores of WI (Family Dollar #26961) at 514 W. Walnut

"Class B" Liquor and Class "B" Beer:

 - a. R and Ds Restaurant Holdings LLC (Delilah's) at 115 N Adams
 - b. Bay Area Burger Co. (Bay Area Burger Co.) at 126 S. Broadway
7. To recommend non-renewal of a 2024-2025 "Class B" Liquor and Class "B" Beer license for Jam-Rock GB LLC at 700 Bodart St., subject to the approval of the proper authorities.
8. To deny a request by JR Smith LLC at 1698 Main St. to extend the issuance of the liquor license (license granted on March 5, 2024).
9. To receive and place on file a 24-25 renewal application for a Class "A" Beer and "Class A" liquor license for JR Smith LLC at 1698 Main St. , subject to the approval of the proper authorities.
10. To refer to staff to return with a presentation by the first Council meeting in August relating to a request by Alderman Wery, District 8, to review, with possible action, all preparations for the 2025 NFL draft. Request a presentation by the Green Bay Packers of their plans and requests for city resources or actions. Monthly updates, with possible action, to all standing committees regarding personnel needs, expenses, uses of city property or equipment etc. Should separate committee actions be considered too cumbersome, request a 2025 NFL Draft committee be established to coordinate and communicate the items listed in addition to any other items/issues that may arise. This committee would meet regularly and report to city council.
11. To refer to staff a communication from Ald. Wery, District 8, to direct staff to draft a resolution asking Brown County to fully determine the borders of the Poor Farm/Asylum Cemetery and create an interactive memorial site for those buried there.

12. To hold General Ordinance 9-24, an ordinance relating to petitions and communications.
13. To approve General Ordinance No. 13-24, Repealing and Recreating Chapter 8, Green Bay Municipal Code, relating to Buildings and Construction.
14. To approve General Ordinance No. 14-24, Creating Section 2-187, Green Bay Municipal Code, relating to Zoning Board of Appeals.
15. Informational Only: Clerk's Election Training Membership.
16. Informational Only: The Report by the Clerk on alternate in-person absentee sites.
17. Informational Only: St. John's Ministries Emergency Season Report.
18. Informational Only: Liquor Violation Report.
19. Informational Only: A report by the City Clerk's Office regarding current licensees who have failed to file a renewal application for the 2024-2025 license year.
20. Informational Only: Clerk Licensing Report.

O. Report of the Protection & Policy Committee Granting Operator Licenses.

1. Report of the Protection & Policy Committee granting Operator Licenses.

P. Report of the Plan Commission (June 17, 2024).

1. To deny the request to amend the City's Official Map by removing future Lafayette Drive extension to future Eric Street extension and replace with a cul-de-sac at the end of Lafayette Drive.
2. To approve a Conditional Use Permit to establish a general industrial use at 3885 Finger Rd., subject to compliance with Zoning Ordinance 19-23 and all other regulations of the Green Bay Municipal Code.
(ZP 24-17 Public hearing held June 17, 2024).
3. To approve to amend the City's Comprehensive Plan for the property located at 2532 University Avenue, 2540 University Avenue, and 2500 Block University Avenue (Parcel 21-1249-1-3) from a combination of Light Industrial and Commercial land use to Medium/High Density Residential land use.
(CPA 24-01 Public hearing held June 17, 2024).
4. To approve the request for a zoning district change at 2532 University Avenue from General Commercial (C1) to Varied Density Residential (R3).
(ZP 24-18 Public hearing held June 17, 2024).

Q. Report of the Finance Committee. (June 18, 2024)

1. To approve the Purchase of 36 LIFEPAK-1000 Defibrillators for a total cost of \$83,633.04.
2. To approve the budget amendment resolution for \$40,000 to move from DPW salaries to DPW consulting to cover surveying consulting expenses due to the vacant ROW Specialist.

3. To approve adding “all languages for translation” versus Spanish only for the American Rescue Plan Act (ARPA) 9-2-015 Translator request.
4. To approve the staff recommended reallocation of the American Rescue Plan Act (ARPA), grant Capital Improvement and Organizational Priorities for a total allocation of \$10,000,000 and entering Memorandum of Understanding (MOU) for corresponding reallocations as needed.
5. To approve the staff recommended reallocation of the American Rescue Plan Act (ARPA) grant Economic Impact for a total allocation of \$13,695,519.23 and entering a Memorandum of Understanding (MOU) for corresponding reallocations as needed.
6. To approve the request from the Purchasing Department to contract natural gas before the current contract expires and report out after contract activation.
7. To update the City of Green Bay’s Procurement Manual to raise the Common Council approval level from \$25,000 to \$50,000 and corresponding changes.
8. To approve the security contract and direct staff to bring the facility improvements to the Ad Hoc Facilities Committee for consideration in the annual capital improvement plan update.

R. Report of the Park Committee (June 19, 2024).

1. To approve the installation of a large flood mitigation wetland at East River Emilie Park.
2. To receive and place on file the request by Ald. Wery on behalf of Jamie Peotter, to utilize Colburn Park for a fall plant festival and/or spring Green Bay Botanical Garden Show.
3. To approve accepting a donation from West Bend Mutual valued at \$15,000 to host a tree planting Arbor Day event at Murphy Park.
4. To approve the purchase of a portion of Parcel 21-420 (2208 Manitowoc Road) for the expansion of VT Pride Park for \$30,000.
5. To approve a utility easement from Wisconsin Public Service to bury overhead power lines at the Wildlife Sanctuary.
6. To approve contracting with Lee Recreation LLC to install playground equipment and playground rubberized surfacing at Danz Park/School for a total cost of \$132,200 conditional on the Green Bay Public School District funding \$113,793 of the total cost.
7. To approve contracting with Lee Recreation LLC to install playground equipment and playground rubber surfacing at Sullivan Park/School for a total cost of \$132,200 conditional on the Green Bay Public School District funding \$117,200 of the total cost.
8. To approve purchasing (2) Gasboy Atlas-X Series Gas Dispensers for the Park Shop from EnergiTech Services for a total cost of \$28,915.

S. Report of the Personnel Committee (June 18, 2024)

1. To approve staff to proceed as directed in closed session regarding the negotiations on the 2024 City of Green Bay and City of Green Bay Fire Fighters Local 141, International

Association of Fire Fighters AFL-CIO 158 labor agreement

The Common Council may convene in closed session pursuant to § 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating public employee contracts for competitive or bargaining reasons. The Common Council may thereafter reconvene in open session pursuant to § 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

2. To approve the request to fill the following positions and all subsequent vacancies resulting from internal transfers.
 - a. Arborist II

T. Report of the Equal Rights Commission

1. To approve the Equal Rights Commission to celebrate heritage months and attend cultural events in the City of Green Bay.

U. Informational.

1. Municipal Court Monthly Financial Report for May
2. Building Report for May 2024

V. Committee of the Whole

1. Consideration with possible action on request by Department of Public Works to enter into State/Municipal Financial Agreements for the following projects:
 - a. Project ID 4180-06-00/7 – STH 29 (Shawano Avenue) Hudson Street to N. Oakland Avenue
 - b. Project ID 4190-18-00/70 – STH 32 (Ashland Avenue) CTH VK to 9th Street
 - c. Project ID 4190-20-00/70 – STH 32 (Ashland Avenue) Bridge – Structure B-05-0018
2. Consideration with possible action on approving the Revised Service Authorization Agreement for engineering services from Berners-Schober Associates, Inc. which includes \$35,000 of additional design work associated with the Triangle Hill snow making project.
3. Quasi-Judicial hearing on revocation of "Class B" license at Madrid Tapas, 225 East Walnut (hearing adjourned from the Common Council Meeting on June 11, 2024).

The Council may convene in closed session pursuant to Section 19.85(1)(a), Wis. Stats. for the purpose of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body. The Council will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats. to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.

W. Resolutions.

1. Resolution authorizing conditional use permit at 3855 Finger Road (ZP 24-17).

2. Resolution authorizing 2024 budget amendment of \$40,000 from DPW Salaries to DPW consulting services.

X. Ordinances - First Reading.

1. General Ordinance No. 13-24, Repealing and Recreating Chapter 8, Green Bay Municipal Code, relating to Buildings and Construction.
2. General Ordinance No. 14-24, Creating Section 2-187, Green Bay Municipal Code, relating to Zoning Board of Appeals.
3. Planning Ordinance No. 02-24
An ordinance amending the official map of the City of Green Bay from Lafayette Drive to Eric Street (OMA 24-01).
4. Consideration with possible action on General Ordinance No. 13-24, Repealing and Recreating Chapter 8, Green Bay Municipal Code, relating to Buildings and Construction.
5. Consideration with possible action on General Ordinance No. 14-24, Creating Section 2-187, Green Bay Municipal Code, relating to Zoning Board of Appeals.

Y. Referral of Petitions & Communications.

Z. Adjournment.

- 1) SUPPLEMENTAL INFORMATION: The Video of this meeting, Agenda, Agenda Packet, and Minutes are available online at www.greenbaywi.gov/Meetings.
- 2) ACCESSIBILITY: Any person wishing to attend who requires special accommodation because of a disability, should contact the City Safety Manager at 920-448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.
- 3) QUORUM: Please take notice that a majority or quorum of the Common Council will attend this committee meeting and will constitute a meeting of the Common Council for purposes of discussion and information gathering relative to this agenda.
- 4) REPRESENTATION: The party requesting the communication, or their representative, should be present at this meeting.



Report to the
Common Council
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # J.I

Public Hearing on a request to amend the City's Official Map by removing future Lafayette Drive extension to future Eric Street extension and replace with a cul-de-sac at the end of Lafayette Drive, submitted by Brad Rymer, Vierbicher, applicant, on behalf of Thomas and Mary Saphner, property owners. (Ald. K. Hinkfuss, District 12).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. OMA 24-01 Application
2. OMA 24-01 Narrative
3. OMA 24-01 Map with Aerial
4. OMA 24-01 Proposed Lot Layout



REQUEST FOR CITY ACTION PLAN COMMISSION

Community and Economic
Development Department
100 N. Jefferson Street, Rm 608
Green Bay, WI 54301-5026
(920) 448-3400 - phone
(920) 448-3426 - fax
www.greenbaywi.gov

Location of Property: Lafayette Drive, Eric Street

Parcel Number(s): 6H-1247-2, 6H-1247-3

Petitioner(s): Vierbicher (Brad Rymer)

Date: 05/21/24

Email: brym@vierbicher.com

Phone Number: 920-434-9670

Address: 400 Security Blvd

City: Green Bay

State: WI

Zip: 54313

Property Owner: Tom & Mary Saphner

Phone Number: 920-490-0495

Submit this Request Form and all required attachments to the Community and Economic Development Department, Room 608, City Hall

To: Honorable Mayor and Common Council, c/o City Clerk

I, Brad Rymer, respectfully request that the City of Green Bay take the following action:

- ☐ Rezone Property (\$375.00 Review Fee)
- ☐ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$375.00 Review Fee)
- ☐ PUD and PUD Amendments (\$425.00 Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 + \$35.00 per Lot/Outlot Review Fee)
- ☐ Approve Preliminary Condominium Plat (\$250.00 + \$35.00 per Lot/Outlot/Lot Equivalent Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Certified Survey Map (\$250.00 Review Fee)
- ☐ Approve Final City/Extraterritorial Subdivision Plat (\$150.00 Review Fee)
- ☐ Approve Final Condominium Plat (\$150.00 Review Fee)
- ☐ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)
- ☐ Development District Map Amendment (\$200.00 Administration Fee)
- ☒ Official Map Amendment (\$200.00 Administration Fee)
- ☐ Plat of Right-of-Way (\$200.00 Administration Fee)
- ☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)
- ☐ Street Name Change (\$200.00 Administration Fee)
- ☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)
- ☐ Vacate a Street/Alley/Pedestrian Way (\$300.00 Administration Fee) PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Closure of Street/Alley/Pedestrian Way (\$300.00 Administration Fee) PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Comprehensive Plan Amendments (\$275.00 Review Fee)
- ☐ Other (\$200.00 Administration Fee): _____

Owner Signature: _____

Date: May 21 2024

Petitioner Signature(s): _____

Checklist of required attachments:

- Map
- Legal Description
- Applicant Narrative Describing Project
- All Other Pertinent Information

For office use only:

Review Fee: _____

Receipt No.: _____

Zoning Petition No.: _____

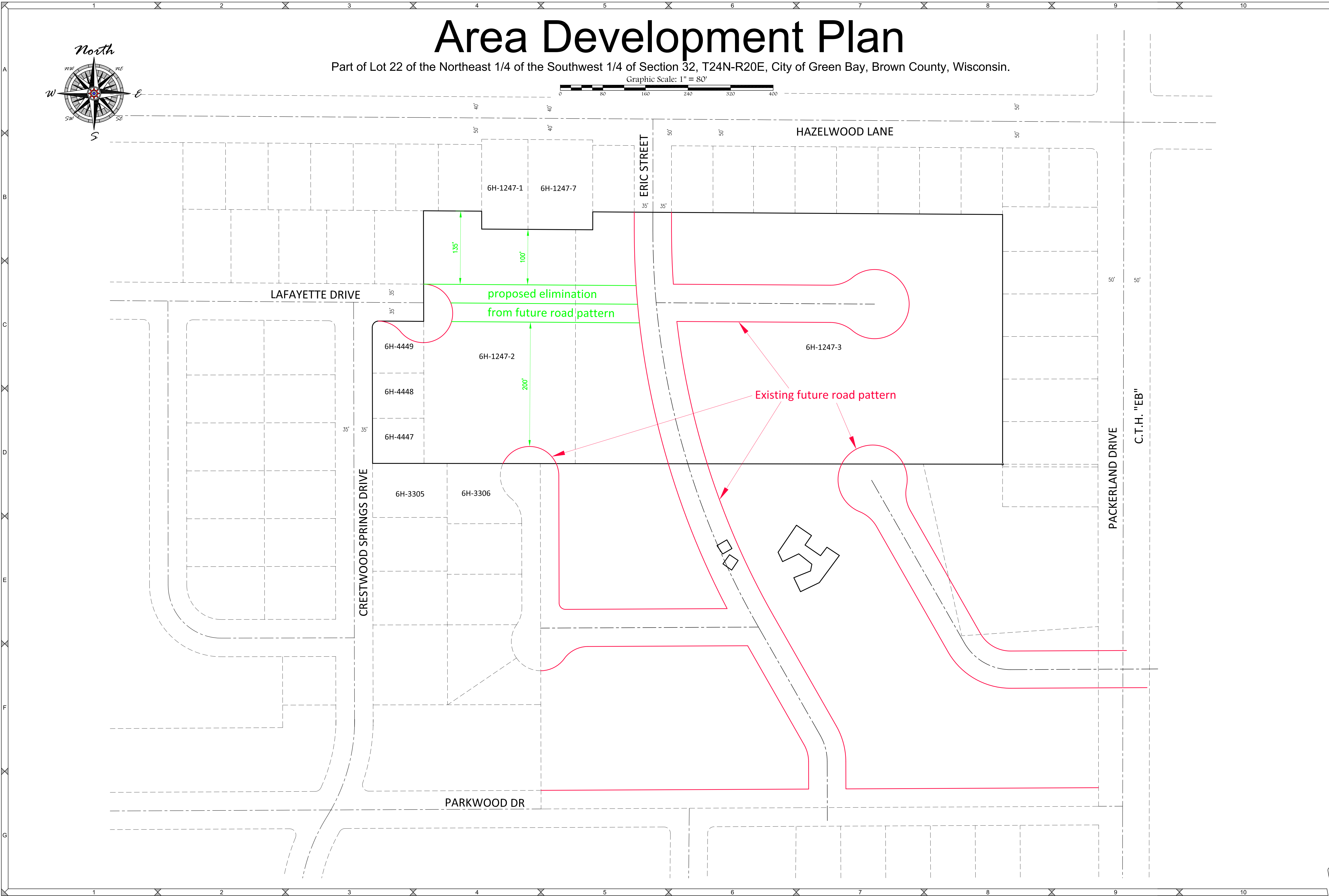
File: B-15018

Client: Thomas & Mary Saphner

Date: May 24, 2024

Official Map Amendment request...

Parcels 6H-1247-2 and 6H-1247-3 (approx. 12 acres) are currently undeveloped and owned by Thomas and Mary Saphner. They live adjacent and Southerly to the subject parcels at 2051 Crestwood Springs Drive (6H-3305). They also own parcels 6H-4447, 6H-4448 & 6H-4449 along Crestwood Springs Drive and 6H-3306 in the rear of their existing house. They love the neighborhood and want to maintain the highest standards for it. The Saphners would like to build a new home on the large parcel while keeping in mind options for future development of the area. There is an existing future road pattern on the area. The adopted road pattern through this area offers connectivity from Hazelwood Lane to Parkwood Drive via Eric Street with several cul-de-sacs to fill in the area. It also shows Lafayette Drive connecting to Eric Street. Based on acceptable minimum lot depths (not City code minimums), the Lafayette Drive extension runs into a conflict area as parcels 6H-1247-1 and 6H-1247-7 have additional depth lots that protrude into the client's North property line. The distance from those rear property lines to the existing partially dedicated cul-de-sac on the South of the client's parcel is only 370 feet. Based on the acceptable minimum lot depth of 3 lots and the right of way width of Lafayette Drive extended, we wouldn't have enough room to get everything through this pinch point. This proposal maintains the approved connection from Hazelwood Lane to Parkwood Drive but eliminates the connection of Lafayette Drive to future Eric Street. Through this proposed adjustment to the road pattern, the Saphners would be able to build their home in the desired location on a "future" lot off Lafayette Drive while still maintaining viable development options for the area.



SCALE
1"=80'

DRAWN BY
BAR

TAX PARCEL NO.

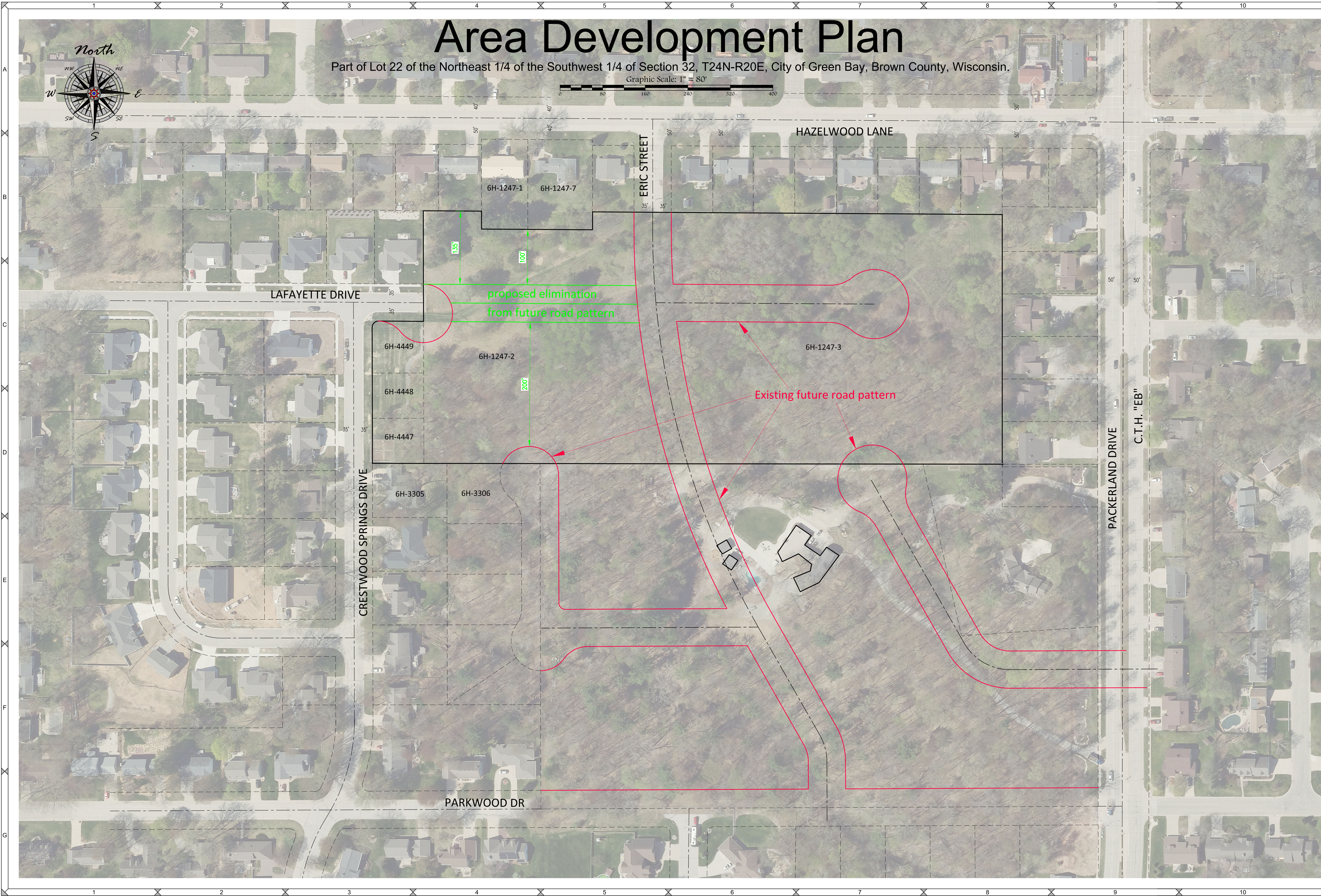
Area Development Plan


vierbicher
planners | engineers | advisors

400 Security Blvd Ste 1, Green Bay, WI (920) 434-9670
Data File: B-15018.txt

Thomas & Mary Saphner

PROJECT NO.
B-15018
SHEET NO.
1 of 1
DRAWING NO.
S-3866



Area Development Plan

Part of Lot 22 of the Northeast 1/4 of the Southwest 1/4 of Section 32, T24N-R20E, City of Green Bay, Brown County, Wisconsin.

Graphic Scale: 1" = 80'

SCALE
1"=80'

DRAWN BY
BAR

TAX PARCEL NO.
Area Development Plan



vierbicher
planners | engineers | advisors

400 Security Blvd Ste 1, Green Bay, WI (920) 434-9670

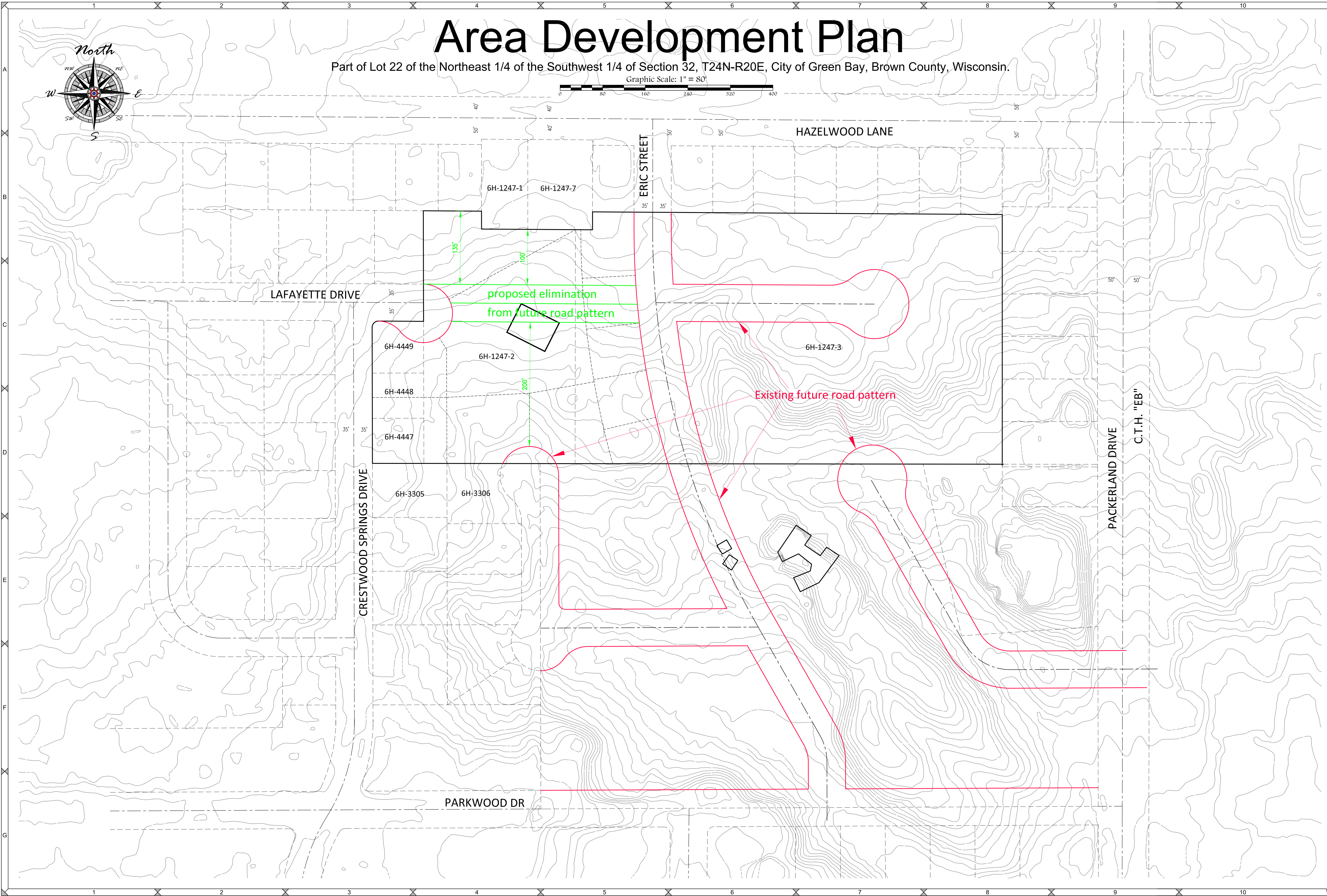
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Thomas & Mary Saphner

PROJECT NO.
B-15018

SHEET NO.
1 of 1

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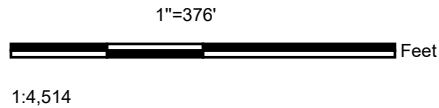
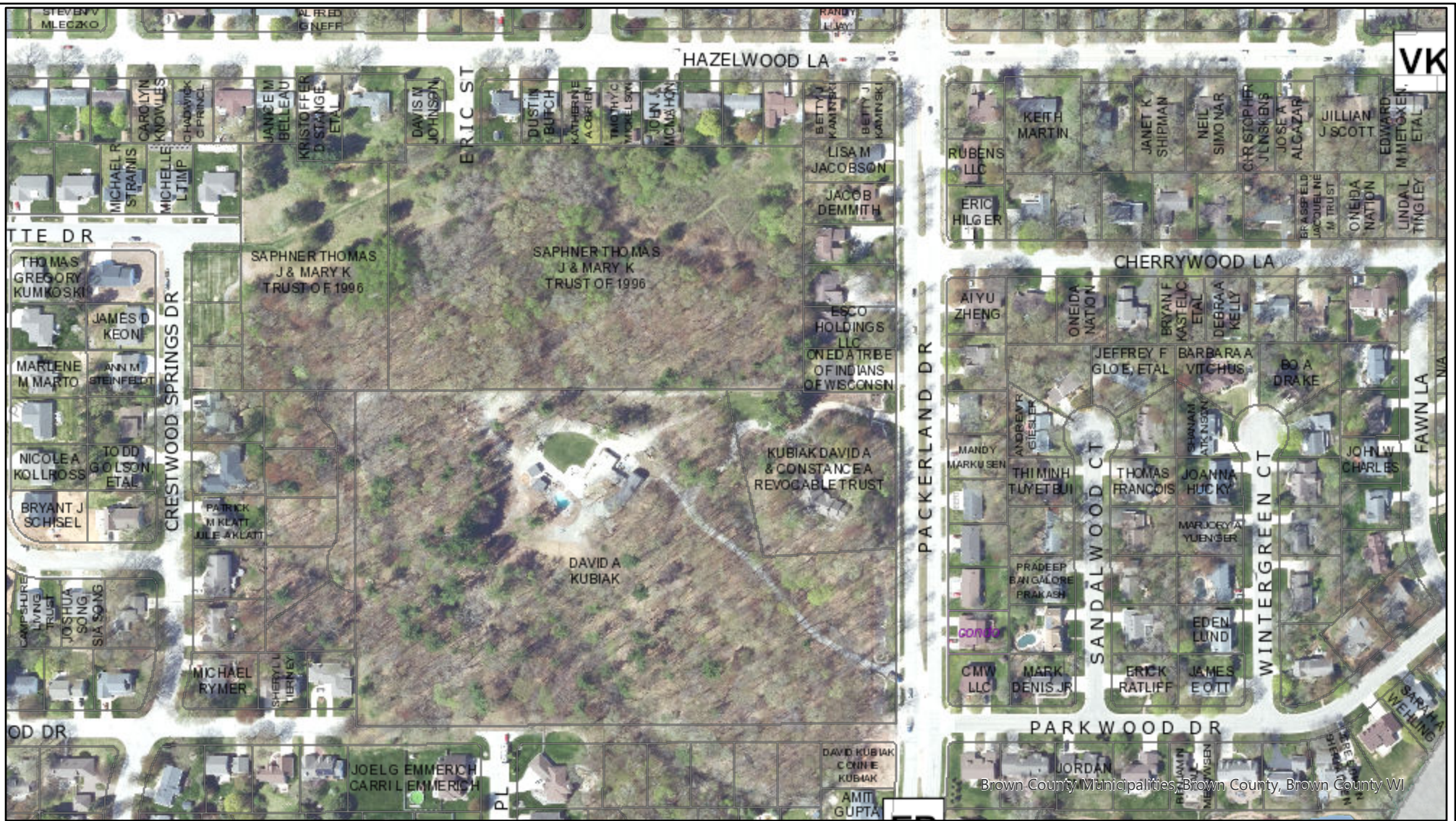
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400 Security Blvd Ste 1, Green Bay, WI (920) 434-9670

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Legend

TaxParcel-smallScale

- Condominium
- Right of Way
- TaxParcel
- Undetermined
- CacheExtent

- Major Lakes & Rivers Small Scale
- Municipal Boundaries Large Scale
- 2 acres
- Wetlands
- School Property

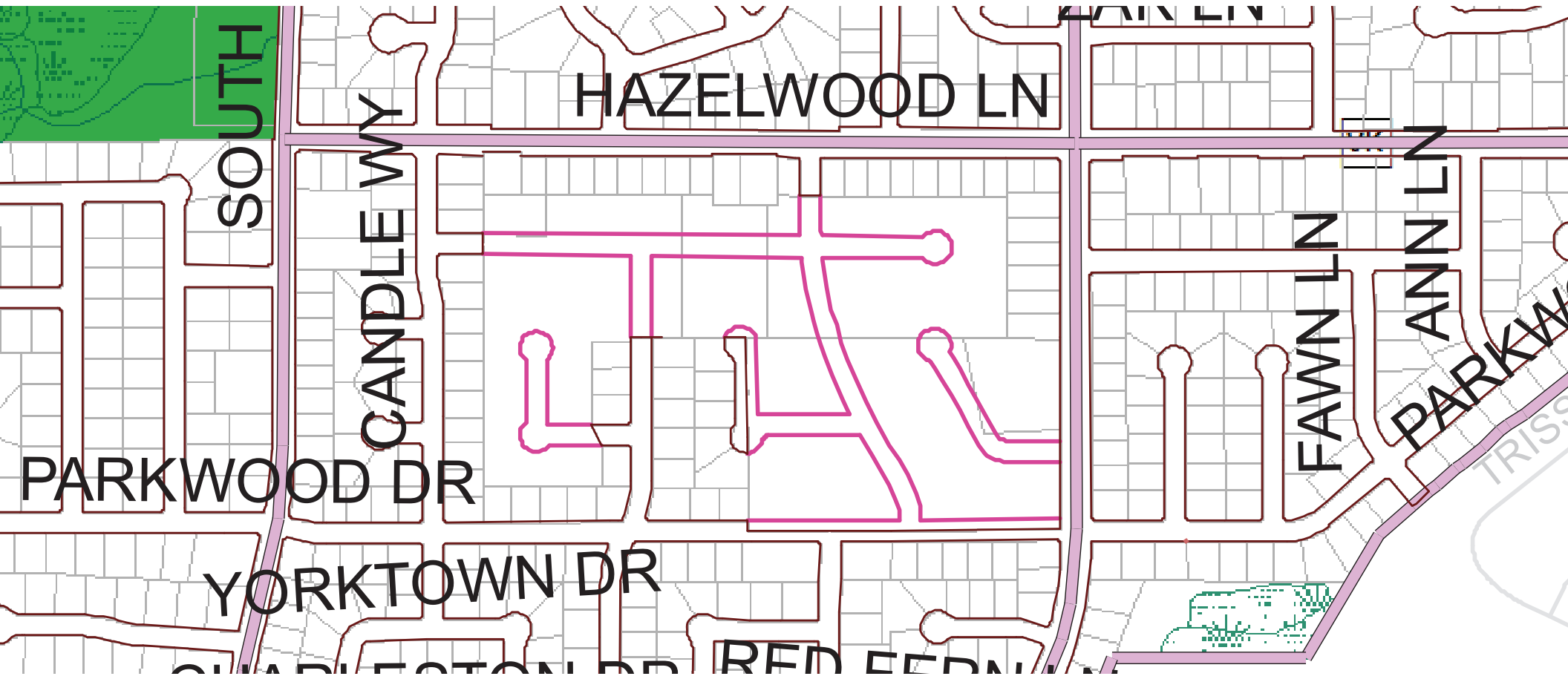
Parks

- <all other values>
- Amusement Park
- Athletic Fields
- Boat Launch
- Campground
- Community Park

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.

Date Printed: 22 May 2024

City of Green Bay



SOUTH

HAZELWOOD LN

CANDLE WY

PARKWOOD DR

YORKTOWN DR

FAWN LN

ANN LN

PARKWAY

TRISS

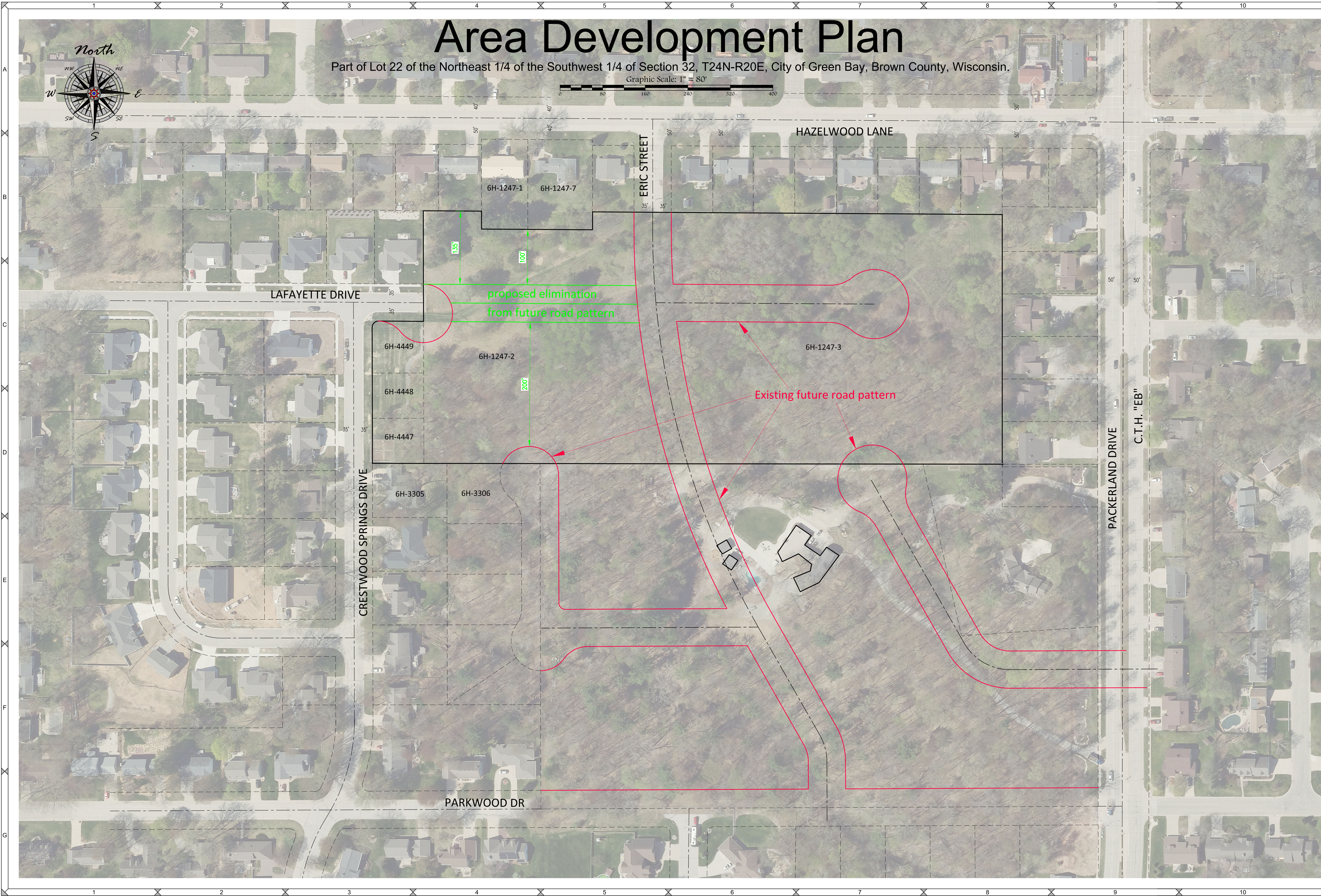
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Client: Thomas & Mary Saphner

Date: May 24, 2024

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Area Development Plan


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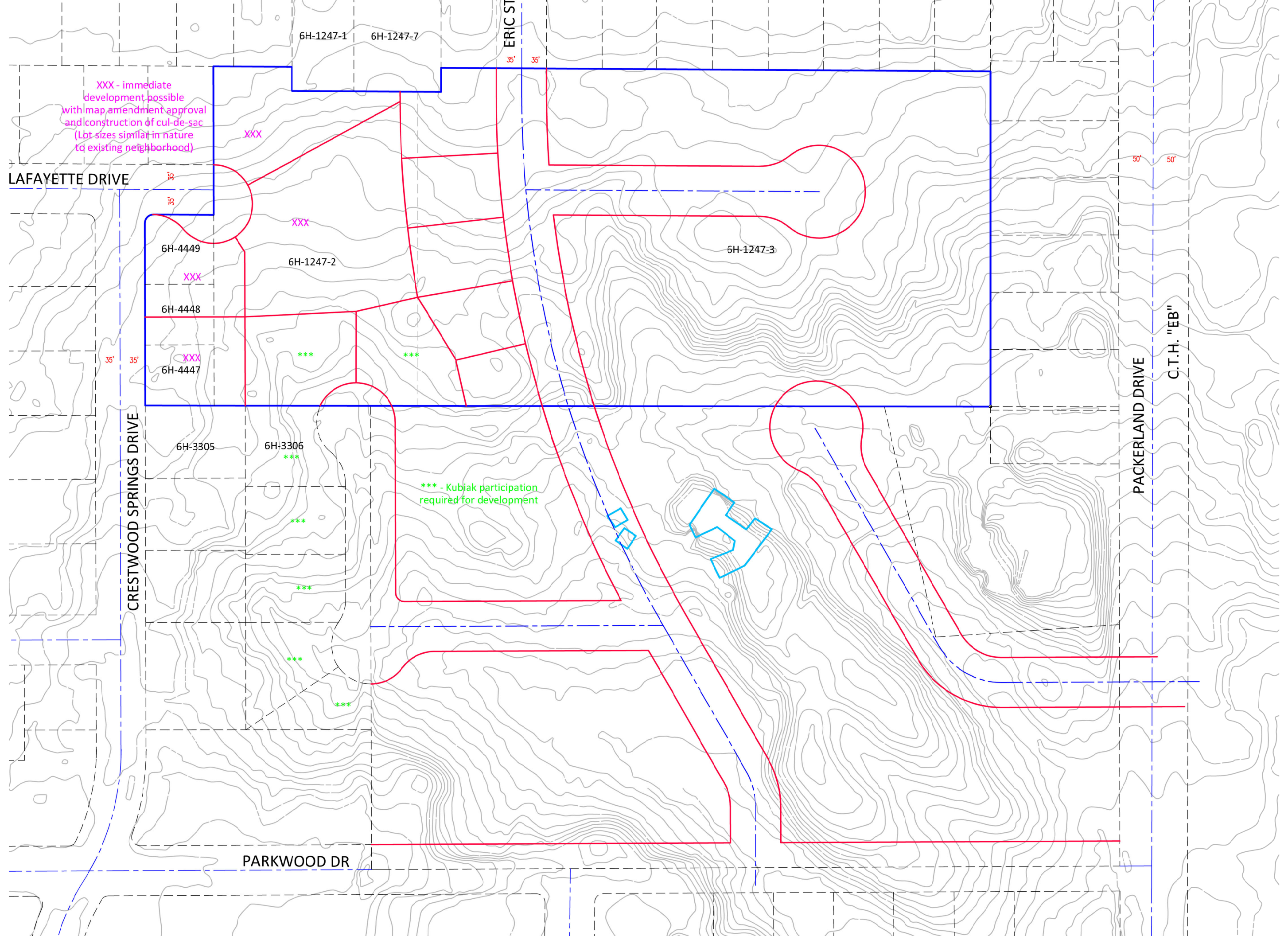
400 Security Blvd Ste 1, Green Bay, WI (920) 434-9670

Thomas & Mary Saphner

PROJECT NO.
B-15018
SHEET NO.
1 of 1
DRAWING NO.
S-3866

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XXX - immediate
development possible
with map amendment approval
and construction of cul-de-sac
(Lbt sizes similar in nature
to existing neighborhood)

XXX

XXX

XXX

XXX

*** - Kubiak participation
required for development

ZONING ORDINANCE NO. 09-24

AN ORDINANCE CREATING A
PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT
FOR PROPERTY LOCATED AT 2890 ST. ANTHONY DRIVE
(ZP 24-04)

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS
FOLLOWS:

SECTION 1. Section 44-30, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by establishing a Planned Unit Development District on the following described property (as shown on Exhibit A - Location Map):

PART OF GOVERNMENT LOT 4 AND 5, BEING PART OF SECTION 27,
TOWNSHIP 24 NORTH, RANGE 21 EAST, CITY OF GREEN BAY, BROWN
COUNTY, WISCONSIN, MORE FULLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 27; THENCE
NORTH 01 DEGREES 11 MINUTES 45 SECONDS EAST, ALONG THE EAST LINE
OF THE SOUTHEAST 1/4 OF SAID SECTION, A DISTANCE OF 693.94 FEET;
THENCE NORTH 89 DEGREES 14 MINUTES 27 SECONDS WEST, A DISTANCE
OF 1612.41 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING
NORTH 89 DEGREES 14 MINUTES 27 SECONDS WEST, A DISTANCE OF 690.00
FEET; THENCE NORTH 00 DEGREES 45 MINUTES 33 SECONDS EAST, A
DISTANCE OF 95.95 FEET; THENCE NORTH 89 DEGREES 14 MINUTES 27
SECONDS WEST, A DISTANCE OF 403.83 FEET; THENCE ALONG THE
EASTERLY RIGHT-OF-WAY LINE OF ST. ANTHONY DRIVE, 95.18 FEET
ALONG AN ARC OF A CURVE TO THE LEFT, SAID CURVE HAVING A RADIUS
OF 747.53 FEET AND A CHORD THAT BEARS NORTH 34 DEGREES 33
MINUTES 01 SECONDS EAST, 95.11 FEET; THENCE SOUTH 89 DEGREES 14
MINUTES 27 SECONDS EAST, ALONG THE SOUTH LINE OF LOT 1 OF
CERTIFIED SURVEY MAP NO. 8338 AND ITS EASTERLY AND WESTERLY
EXTENSION, A DISTANCE OF 1040.93 FEET; THENCE SOUTH 00 DEGREES 45
MINUTES 33 SECONDS WEST, A DISTANCE OF 175.00 FEET TO THE POINT OF
BEGINNING.
CONTAINING 150,485 SQUARE FEET [3.455 ACRES].
SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

SECTION 2. Pursuant to Chapter 44, Article XX, Green Bay Municipal Code, as it applies, the following conditions are imposed:

- A. PURPOSE AND INTENT. The Planned Unit Development (PUD) Overlay District is being utilized to permit the development of a 21 small home cottage court in three phases. The units will be for veterans and be complemented with a variety of social and supportive services for tenants/residents. This project will incorporate two primary elements:
 - 1. New housing opportunities in the form of a single-family home cottage court including the development of 21 “small” single-family detached structures (17-400 square foot homes and 4-600 square foot homes), storage garage, community center, pavilion, garden areas, and two parking lots. The project is proposed to be constructed in three development phases.
 - 2. Social and Support Services including active case management, job/career services, group and individual mental health therapy, physical wellness activities, and financial literacy programs.
- B. DEVELOPMENT AREA AND PHASING.
 - 1. Development Area - The approximately 3.46-acre development area, as depicted on Exhibit B- Conceptual Site Plan, shall be divided from the 33-acre parent parcel (No. 21-283) and shall be a parcel unto itself prior to building permit issuance.
 - 2. Project Phasing – The development shall be constructed in three phases:
 - a. Phase 1 shall consist of the construction of a 25-foot-wide private roadway, pedestrian sidewalks, 5-400 square foot single story single-occupancy homes, 2-600 square foot single story double-occupancy homes, and a 14-stall surface parking facility.
 - b. Phase 2 shall consist of 7-400 square foot single story single-occupancy homes, 3,150 square foot single-story community center, 1,200 square foot single story garage, 16-stall surface parking facility, 250 square foot single story pavilion, and a communal garden area.
 - c. Phase 3 shall consist of 5-400 square foot single story single-occupancy homes, 2-600 square foot single story double-occupancy homes, and a communal garden area.
 - 3. A professional archeologist shall be on site during excavation and grading of the development area.
 - 4. At time of site plan review and building permitting, the developer shall supply a report to the City on the location of and the effects of development on the dry creek bed.
- C. LAND-USE. Detached single-family residential uses are the only

principal uses permitted and shall be further regulated as follows:

1. Tenure - All homes shall have a minimum lease term of 30 days.
2. Occupancy - The 400 square foot homes are limited to single-person occupancy and the 600 square foot homes are limited to two-person occupancy.
3. Accessory uses are limited to residents of the development and include a community center, parking facilities, gardens and supportive social service activities as included and detailed in Exhibit D – Operations Plan. Supportive social services are limited to residents of the development, will be administered by qualified/licensed professionals with assistance of trained volunteers and shall be managed in conformance with the submitted operating plan. Social and supportive services activities are summarized as follows:
 - a. Active case management. Case management will be required for individuals enrolled in the rapid rehousing program and individuals receiving HUD VASH vouchers
 - b. Employment and career services
 - c. Group and individual mental health therapy
 - d. Physical wellness activities such as yoga, tai chi, massage, and chiropractic services
 - e. Mental health counseling services
 - f. Financial literacy programs
4. If the social and support service uses are discontinued, the managed operation is dissolved, or if Veterans 1st of NEW no longer manages the development, the managed social and support service uses shall terminate immediately. The managed social and support service uses and/or operations shall not be renewed or reestablished without Plan Commission and City Council review and approval.
5. At the discretion of the Common Council or the Director of Community and Economic Development, a review by the Plan Commission may be required to ensure compliance with this Planned Unit Development and identify any areas of concern, including, but not limited to:
 - a. Police calls and other documented safety concerns.
 - b. Inadequate facilities.

D. DIMENSIONAL REGULATIONS. Dimensional and area requirements shall meet the following regulations:

1. Lot Width and Area. Lot shall have a minimum of 95 feet of frontage/lot width along St. Anthony Drive right-of-way that expands to approximately 190 feet wide approximately 400 feet east of St. Anthony Drive right-of-way. Lot shall be approximately 1,040 feet in depth.

2. Setbacks.
 - a. Front yard setback (west): Minimum setback required from the St. Anthony Drive right-of-way is 400 feet.
 - b. Side yard setback (north and south): Minimum side yard setback is ten (10) feet.
 - c. Rear yard setback (east): Minimum rear yard setback is 100 feet
 - d. Allowed Encroachments: The private roadway, pedestrian walks and signage shall be permitted within the front yard setback. Communal gardens shall be permitted within the side and rear yard setbacks.
3. Height. The maximum building height for any structure within the development is 25 feet from established grade or 1.5 stories, whichever is less.
4. Impervious Surface. Maximum impervious surface including all buildings, drives, walks, etc. is 60% of lot area.

E. ARCHITECTURAL DESIGN.

1. All home building designs shall generally comply with Exhibit C – Conceptual Building Elevations. They will include an open gable roof, covered front porch, primary front façade window and windows on all sides of the homes. The buildings shall be clad in horizontal vinyl siding. Architectural design of the homes shall also be subject to the following requirements:
 - a. The gable ends of both the covered porch and home itself shall include shake siding.
 - b. An additional window shall be added on both side façades of the structure.
 - c. There shall be a minimum of 3 distinct and different siding colors for homes so no more than 7 of the 21 homes will have the same siding color.
 - d. All window and door openings shall include trim in a contrasting color to the siding.
 - e. Front porches shall include railing that matches the color of the homes trim.
2. Community Center building shall be consistent in style and design with the single-family homes and shall meet the Building and Site Design Guidelines located in Green Bay Municipal Code, Chapter 44, Article XIX, Division 3.

F. STORM WATER MANAGEMENT AND GRADING PLAN. If necessary, a storm water management and grading plan meeting the standards established by the Department of Public Works, Brown County,

and the State of Wisconsin shall be submitted to and approved by the City prior to the issuance of building permits.

1. The storm water management and grading plan shall be comprehensive and take into account expected build-out of the entire PUD area as depicted on Exhibit A – Location Map.
2. Stormwater management facilities should function not only as a utility but also as an integral site amenity.
 - a. Green infrastructure and sustainable stormwater management practices are encouraged to be utilized throughout the site.
 - b. Traditional stormwater facilities shall be designed with landscaping providing human-scale interest and incorporating native plant species where possible.
 - c. Include public interface and interaction through the use of site amenities such as walking paths, sitting areas, art and educational/interpretive signage.

G. SIGNAGE. Signage throughout the PUD area shall be regulated as follows:

1. Signage shall be regulated as the R-1 Low Density District per the Green Bay Municipal Code, Chapter 30, Article II.
2. One development identity sign shall be permitted along the St. Anthony Drive right-of-way. It shall be limited to a monument style sign setback a minimum of 5 feet from the right-of-way, be no taller than 10 feet from established grade and no greater than 30 square feet in sign area. Sign may be internally or externally illuminated.

H. REFUSE AND MECHANICALS. Screening of refuse material containers and mechanical equipment throughout the PUD area shall meet the standards as set forth within the Green Bay Municipal Code, Chapter 44, Article XIX, Division 3, Section 44-1917 and further regulated as follows:

1. Refuse material containers and mechanical equipment shall not be located between any principal structure's front facade and the public right-of-way and shall be screened so as not to be visible from adjacent property and the public right-of-way with materials compatible to the nearest structure.

I. PARKING. Motor vehicle parking shall consist of 28 parking stalls within two surface parking facilities and one utility garage as depicted on Exhibit B- Conceptual Site Plan. No motor vehicle parking shall be permitted on any other part of the development area.

1. Phase 1 shall include one of the two surface parking facilities and

- contain a minimum of 14 stalls.
2. Phase 2 shall include one of the two surface parking facilities and contain a minimum of 14 stalls.
- J. LIGHTING. Lighting throughout the PUD area shall meet the standards as set forth within the Green Bay Municipal Code, Chapter 44, Article V, Division 8. Additionally, “dusk to dawn” security lighting shall be installed throughout the PUD area and more specifically between the homes and at the community center.
- K. SECURITY. A minimum of 10 security cameras will be situated throughout the PUD area and at least 1 security camera at the community center. Additionally, an emergency evacuation plan shall be posted at the community center.
- L. LANDSCAPING. Landscaping throughout the PUD area shall meet the standards as set forth within the Green Bay Municipal Code, Chapter 44, Article XIX, Division 5 as if the project was a multiple family use adjacent to residentially zoned property. Specific attention shall be given to screening parking lots from adjacent property.
- M. ACCESS AND CIRCULATION. Access and circulation for automobile and pedestrian traffic shall be established in substantial conformity with Exhibit B- Conceptual Site Plan.
1. Private roadway shall be a minimum of 25 feet wide with access to St. Anthony Drive and shall be designed to afford appropriate EMS and utility vehicle access as approved by the Green Bay Metro Fire Department and the Department of Public Works.
 2. Pedestrian access shall minimally be provided in the form of a paved 5-foot wide sidewalk/trail on both sides of the private roadway connecting St. Anthony Drive with all structures within the development area. Additionally, painted crosswalks across the private roadway and pedestrian crossing signs shall be located at the locations of the parking facilities.

SECTION 3. The provisions of this ordinance, including, without limitation, the granting of a conditional use permit and all obligations, conditions, restrictions, and limitations related thereto shall run with and be jointly and severally binding upon the fee simple owner and the beneficial owner of all or any portion of the subject property. All obligations, requirements, and rights of the owner shall run with the land and shall automatically be assigned to be binding upon and inure to the benefit of its successors and assigns, including, but not limited to, any entity acquiring any financial interest in the subject property and/or any subsequent owner and/or beneficial owner of all or any portion of the subject property.

SECTION 4. Each exhibit which is attached to this ordinance is deemed to be and is expressly made a part of and incorporated into this ordinance to the same extent as if each such exhibit, and the plans identified therein, had been set forth in its entirety in the body of this ordinance.

SECTION 5. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6. In addition to all other remedies available to the City of Green Bay, the City may decline to issue any building or other permits otherwise required by any ordinance of this City while any violation of this ordinance remains uncured.

SECTION 7. If any provision in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this ordinance. It is hereby declared to be the intention of the City of Green Bay that all provisions of this ordinance are separable.

SECTION 8. This ordinance shall not take effect until a public hearing is held thereon as provided by Chapter 44, Article II, Division 2, Section 44-82 Zoning Amendments, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2024.

APPROVED:

Eric Genrich, Mayor

ATTEST:

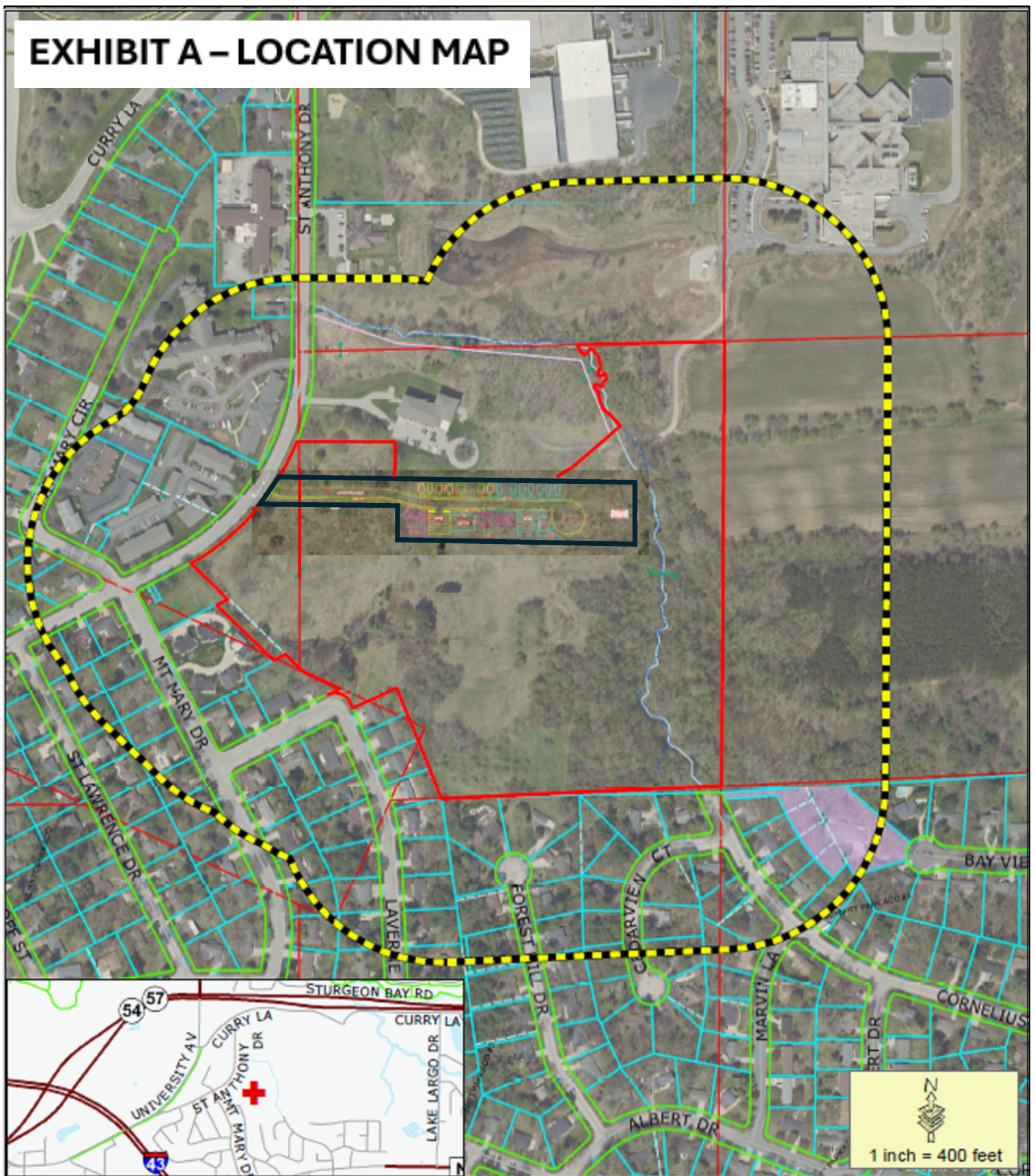
Celestine Jeffreys, City Clerk

db:

Attachments:

Exhibit A - Location Map
Exhibit B – Conceptual Site Plan
Exhibit C – Conceptual Building Elevations
Exhibit D – Operations Plan

EXHIBIT A – LOCATION MAP



- Proposed PUD Site
- 400' + Property Owner Notice Area

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.
Map prepared by DB

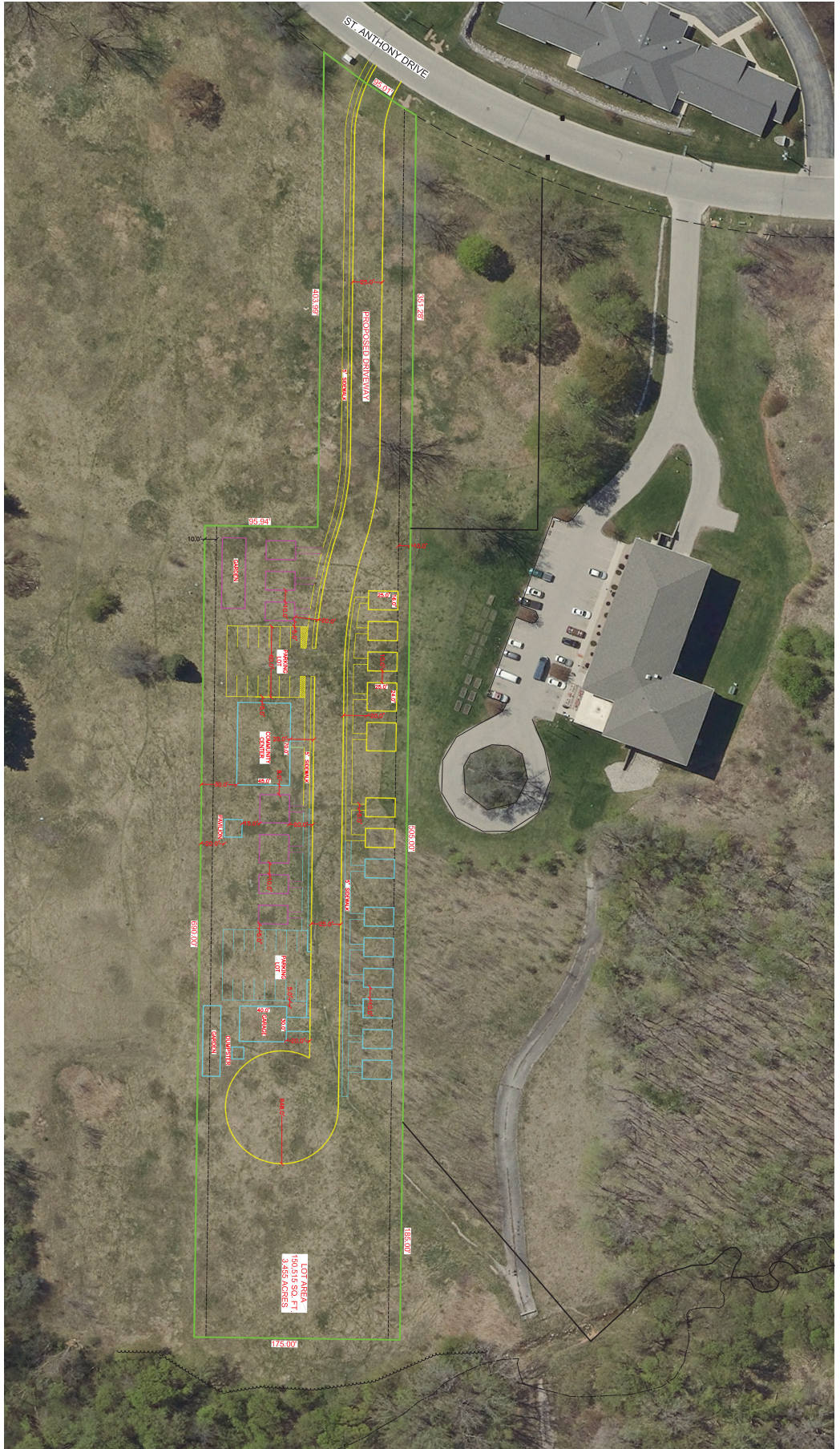
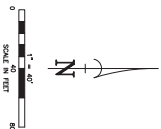
Zoning Petition (ZP 24-04) Proposed Planned Unit Development (PUD) at 2890 St. Anthony Dr.



EXHIBIT B – CONCEPT SITE PLAN

LEGEND

PHASE 1
PHASE 2
PHASE 3



CONCEPTUAL LAYOUT VETERANS 1ST DEVELOPMENT

CITY OF GREEN BAY, BROWN COUNTY, WISCONSIN

DRAWN BY	CHECKED	APPROVED
LWL	GAZ	GAZ
NO.	DATE	REVISION

Martenson & Eisele, Inc.
 1377 Midway Road
 Menasha, WI 54952
 www.martenson-eisele.com
 info@martenson-eisele.com
 920.731.0381 1,800.236.0381

Planning
 Environmental
 Surveying
 Engineering
 Architecture

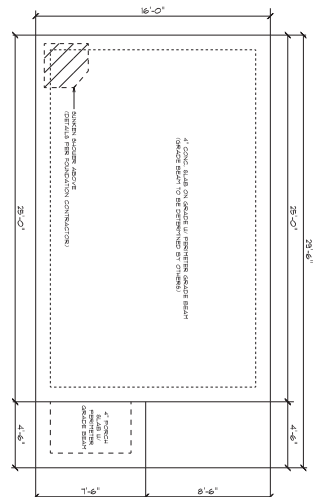
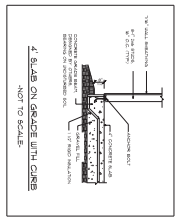
DRAWING NO.
1-1891-001

SCALE
1" = 40'
DATE
01-19-2024
COMPUTER FILE
1-1891-001 Concept.dwg

EXHIBIT C – CONCPET HOME ELEVATIONS

-NOT FOR CONSTRUCTION-

SQUARE FOOTAGE:
FIRST FLOOR: 407 SQ. FT.
COVERED PORCH: 34 SQ. FT.

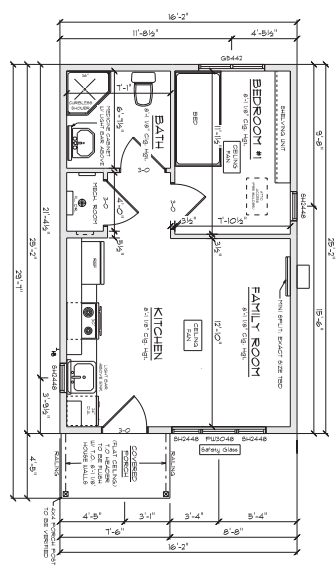
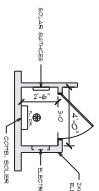


FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

4" CONCRETE SLAB ON GRADE BEAM

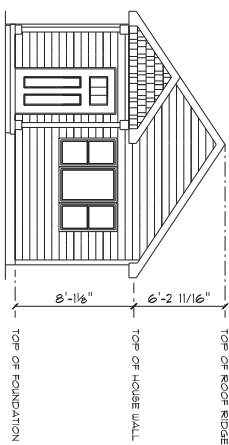
ENLARGED MECH. ROOM
SCALE: 1/4" = 1'-0"

8'-1 1/8" CLG. HGT.



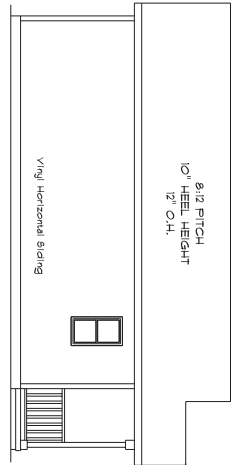
FLOOR PLAN
SCALE: 1/4" = 1'-0"

8'-1 1/8" CLG. HGT.



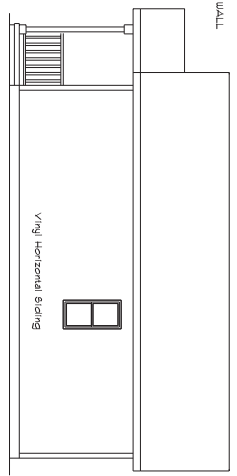
FRONT ELEVATION
SCALE: 1/4" = 1'-0"

8'-2 11/16" TOP OF ROOF RIDGE



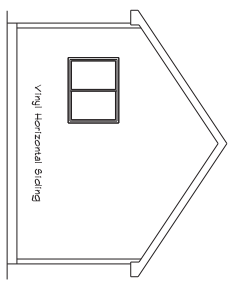
LEFT ELEVATION
SCALE: 1/4" = 1'-0"

8 1/2 PITCH
10' HEEL HEIGHT
12" O.H.



RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

Vinyl Horizontal Siding



REAR ELEVATION
SCALE: 1/4" = 1'-0"

Vinyl Horizontal Siding

IMPORTANT NOTE:

• IT IS AGREED THAT ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING AND CHECKING THESE PLANS FOR ACCURACY, THE GENERAL CONTRACTOR/OWNER MUST REVIEW ALL DIMENSIONS, DETAILS AND NOTES BEFORE BEGINNING ANY CONSTRUCTION AND IS HEREBY HELD RESPONSIBLE FOR ANY DISCOVERED DISCREPANCIES.
• IT IS UNDERSTOOD THAT THE WISCONSIN SAFETY AND PROFESSIONAL SERVICES CODE AND LAYOUT DRAWINGS FOR FLOOR AND ROOF TRUSSES SHALL TAKE FINAL PRECEDENCE OVER THESE ARCHITECTURAL PLANS.

MAILING ADDRESS:
P.O. BOX 00001
GREEN BAY, WI 54307-0001

OFFICE:
7802 LARSEN ROAD
GREEN BAY, WI 54303
PHONE (920) 496-8080
FAX (920) 496-8950

COMPONENTS:
148 HOMAN TERRACE
GREEN BAY, WI 54303
PHONE (920) 496-8080
FAX (920) 496-8950

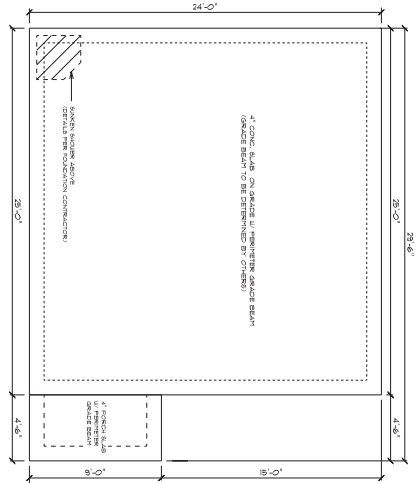
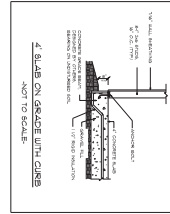


CUSTOM DESIGNED FOR:

VETERAN'S 16T OF NEW

JOB NAME: 400 SQ FT VETERAN'S HOME
DATE: APRIL 2ND, 2024
DRAWN BY: THOMAS HERRING
PLAN # 24-013-R

REV/REASON	



FOUNDATION PLAN

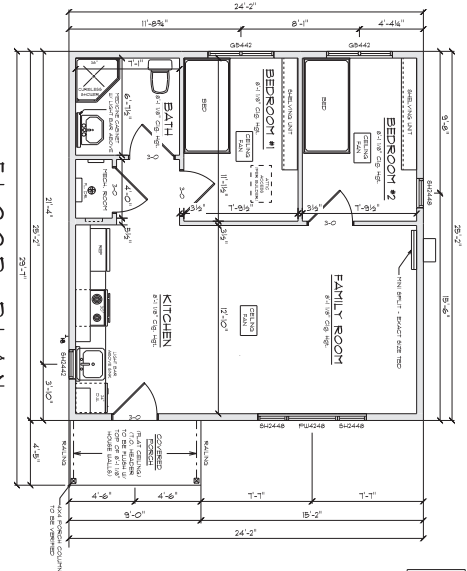
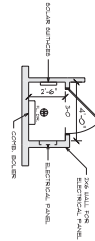
SCALE: 1/4" = 1'-0"

4" CONCRETE SLAB ON GRADE BEAM

ENLARGED MECH. ROOM

SCALE: 1/4" = 1'-0"

8'-1 1/8" CLG. HGT.

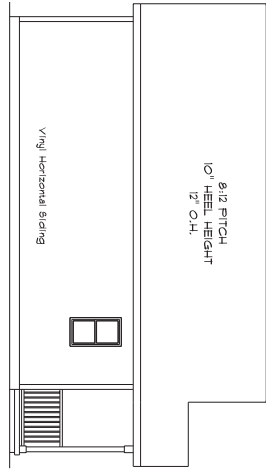


FLOOR PLAN

SCALE: 1/4" = 1'-0"

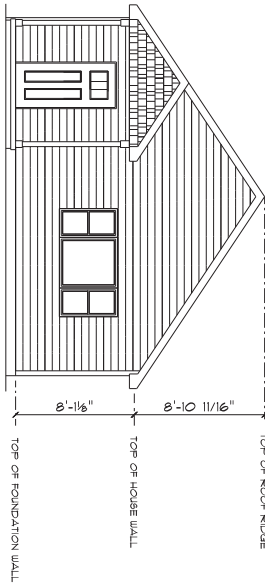
8'-1 1/8" CLG. HGT.

SQUARE FOOTAGE:
THIRD FLOOR: 607 SQ. FT.
COVERED PORCH: 41 SQ. FT.



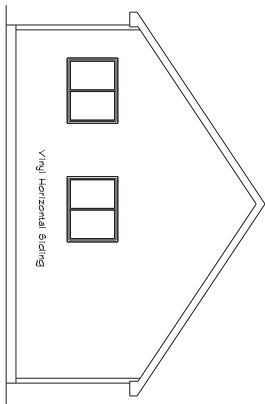
LEFT ELEVATION

SCALE: 1/4" = 1'-0"



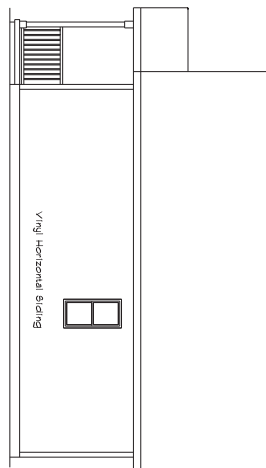
FRONT ELEVATION

SCALE: 1/4" = 1'-0"



REAR ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

-NOT FOR CONSTRUCTION-



MAILING ADDRESS:
P.O. BOX 10001
GREEN BAY, WI 54307-0001

OFFICE:
7802 LARSEN ROAD
GREEN BAY, WI 54303
PHONE 735-4346-8080
FAX 735-4346-8050

COMPONENTS:
145 HONANE TERRACE
GREEN BAY, WI 54303
PHONE 735-4346-8080
FAX 735-4346-8050

IMPORTANT NOTE:

- IT IS AGREED THAT ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING AND CHECKING THESE PLANS FOR ACCURACY, THE GENERAL CONTRACTOR/OWNER MUST REVIEW ALL DIMENSIONS, DETAILS AND NOTES BEFORE BEGINNING ANY CONSTRUCTION AND IS HEREBY HELD RESPONSIBLE FOR ANY DISCOVERED DISCREPANCIES.
- IT IS UNDERSTOOD THAT THE WISCONSIN SAFETY AND PROFESSIONAL SERVICES CODE AND LAYOUT DRAWINGS FOR FLOOR AND ROOF TRUSSES SHALL TAKE FINAL PRECEDENCE OVER THESE ARCHITECTURAL PLANS.

CUSTOM DESIGNED FOR:

VETERANS 16TH OF NEW

JOB NAME: 600 SQ. FT. VETERANS HOME
DATE: APRIL 2ND, 2024
DRAWN BY: THOMAS WERING
PLAN # 24-014-R

REV/DATE:

EXHIBIT D – OPERATING PLAN



Veterans 1st of NEW, Inc. Proposal

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Mission Statement

To offer Northeast Wisconsin veterans who are struggling with housing insecurity a safe, supportive place to call home amongst their fellow veterans. Our Veterans 1st Team will help veterans work on themselves to become self-sufficient.

Vision

Veterans 1st will help Northeast Wisconsin veterans by providing them with Rapid Rehousing and supportive services for up to 24 months, followed by the opportunity to move into Affordable Housing after completing counseling, job training, and job placement for an additional 3 years. We will give our area veterans a place to call home with wrap-around services to help them succeed with their purpose and a desire to become self-sufficient.

Program Overview

Initial

At the completion of construction, Veterans 1st of NEW will provide 4 Rapid Rehousing homes, 17 Affordable Homes and a Community Center where all the programming, career training and gatherings will take place in a Cottage Court with veteran mentorship.

Objectives

The case management program is the primary method whereby Veterans 1st of NEW achieves its fundamental goal of helping veterans find solutions to their current situation, make contacts with resources in the community, and address critical issues that affect their physical, emotional, and spiritual well-being.

Resident Management

- Enable residents to identify key issues that have caused their current situation
- Help residents create manageable goals that will result in successful transition to a normal lifestyle with a steady stream of income and stable housing
- ~~Help residents break goals down into manageable steps~~
- Monitor resident progress, give encouragement, create accountability, motivate
- Work with other case managers to identify problem areas and possible solutions

Resident Assessment

Purpose

We will assess each veteran coming into our program to effectively enable them to regain their independence in up to five years and offer programming to address any issues they may be struggling with. If they are successful and would like to stay to be a Squad Leader, they will be vetted and be responsible for the other members in their squad of 7 homes.

Indicators

There are indicators that help identify a person's level of personal accountability and ability to manage their own goals.

Since our program is designed around the needs of veterans who need to become self-sufficient, some are obvious if they are to succeed:

- Does the resident have a sustainable stream of income that is adequate to meet their needs? Is the resident willing to obtain a sustainable stream of income?
- Is the resident able to obtain a better paying job? Do they have a good employment record?
- Will the resident have a problem finding housing after the 5 years in the program? Will they have a problem with a referral from a previous landlord?
- Does the resident have a good credit history or financial record? Can they successfully pass a credit check? What is the size of their debt?
- Has the resident had a previous problem with substance use? If so, have they addressed it in a clear and responsible manner?
- Does the resident have a problem with health or mental health? Are they receiving appropriate treatment for their condition?

These are indicators that will help us to determine what tasks need to be accomplished if the resident is to be successful.

Tasks

What will residents have to do to complete our program successfully? Some tasks need to be accomplished by all residents.

- Rapid Rehousing (RRH) residents must find adequate employment or search for employment, volunteer, and attend meetings for at least 20 hours a week. Once they become employed, they will pay \$100 a month for rent plus 10% of their income going into a savings account for up to 24 months.
- Affordable Housing (AH) residents must find employment that will allow them to pay the Fair Market Value rent and encourage them to save up to 10% of their income to be able to obtain housing outside the village in up to 5 years.
- RRH residents will be required to open a savings account and will have to verify the status of the account at each case management session.
- RRH residents will be required to attend House meetings weekly and AH residents will be encouraged to attend.
- RRH residents will have to attend weekly case management sessions that will help them set and keep personal goals.

- All residents will have to keep their homes presentable and will be subject to regular inspections. RRH residents will be given weekly chores that will be checked for completion. Inspection scores will be part of their ongoing case management file.

Some tasks will depend upon the level of the resident, such as:

- RRH residents will be substance free. Those who have had problems in the past, or whose behavior indicates the possibility of substance abuse will be subject to random drug tests. Those who are in a drug or alcohol treatment program will have to supply a release of information to their case manager so that the results of testing can be verified.
- Group sessions that are designed around a specific need will be required whenever a resident has indicated a need for a particular group. Some groups would include 12-step groups, financial literacy, anger management, etc.
- Community Counseling will be available to residents who have demonstrated a need that should be addressed such as abuse issues, anger issues, etc.

Outcomes

Defining success is simple in most cases: The resident can leave the village with an adequate job and an adequate place to live after up to five years or stay on as a Squad Leader if they have the leadership skills to help manage other residents.

RRH residents Level 1

- Resolution of any problems that contributed to their current situation. An example would be debt that caused the resident to fail because of garnished wages, escalation of interest, etc. The residents will be required to attend the Financial Literacy classes to consolidate their bills and repay them at an agreed-upon level that will allow them to manage their level of income.
- Ongoing support groups. Local 12-step groups and veterans groups will help them overcome issues they may be struggling with.
- Continuing processes that remain uncompleted. Some residents will have issues that need follow-up. The residents will be encouraged to follow through with any processes that have begun, either through continuing counseling or through other means.

RRH resident Level 2

- If a RRH resident has a relapse, they will be given a relapse prevention plan where they will be required to attend three 12-step groups per week for one month and will be breathalyzed and drug tested more frequently. At Level 3, if they have another relapse, they will be given 72 hours to pack up and find other living arrangements.

Warning

You are receiving a warning notice for the following reason (s):

You are now at Level 3 case management track. This means that your exit goal will be no later than three days from now or on _____.

This will only change if you do the following:

I agree to the written contract above. I understand that I will be immediately exited from the program if I do not keep this contract.

Resident

Date

Case Manger

Date

Intake and Orientation

The purpose of resident intake and orientation is critical to the smooth operation of the program and the long-term well being of the residents. Both processes are necessary and have their own specific goals. In an ideal situation, a resident goes through the intake process prior to admission, followed by an orientation process when an opening becomes available.

After obtaining the intake form, the program manager will verify information on the form and complete pertinent background and criminal activity reports.

Intake

Goals

- Gather accurate, pertinent information
- Help prospective resident establish a healthy relationship to the program and staff
- Communicate the important and basic information
- Establish a sense of personal responsibility

Procedures

The Resident Intake form is the basic instrument for gathering initial information. Included on the form are questions that are used for gathering information. All questions on the form will be answered.

Initial items that must be covered on the intake include:

1. Process Intake Form and answers. Have them sign the form
2. Introduce Rules, Agreements and Addendums. (Inform them that the Case Manager may add additional requirements during future case management sessions). They must read and sign these forms
3. Introduce chores, house checks, and substance abuse policies for RRH residents
4. Provide a program schedule and highlight required meetings that they will be expected to attend prior to their orientation or first case management session.
5. Introduce and sign a Release of Information form

When the prospective client leaves the initial interview, they should have agreed to the basic rules, to keep their home clean and to do their chores. They should understand that their own personal conduct, their home, and the chores will be inspected and will help determine whether they will be allowed to remain in the program after the initial trial period.

Orientation

Goals

- Determine eligibility for further admission
- Distribute the orientation packet
- Confirm assignment of case manager and possible community counseling
- Distribute Welcome Basket and tour the Community Center and village

Determine eligibility for admission

Prior to meeting with the applicant, review the intake file, criminal background check, residential agreement, financial information, and assessment. Prepare an agenda that covers all pertinent areas and create an initial plan that will allow the orientation to be completed in one hour. If the applicant is not accepted into the program we will offer available options for other programs in the area, if appropriate.

Distribute the orientation packet

- House rules (special agreements may be left for 1st case manager session)
- Release of Information form (must be signed)
- Warning notice sample (discuss policy)
- Community Resource Guide
- Chore checklist (cover policy)
- Home inspection form (cover policy)
- Safety Plan (fire exits, smoke alarm policy, etc.)
- Program schedule (cover policy, highlight required meetings)
- Grievance form (mention that we have a grievance procedure)

Confirm assignment of case manager and possible community counseling

Discuss our case management and community counseling programs and answer any questions that may arise. Give residents the name of case manager and community counselor as well as the date and time of initial session with each.

When a choice must be made about who gets a room in the Rapid Rehousing homes, we will observe the following order of precedence:

1. Is the applicant from Brown County?
1. Is the applicant from another Northeast Wisconsin County?
2. Is the applicant willing to participate in program requirements?
3. Is the applicant willing to sign the Release of Information forms?
4. Is the applicant employed or willing to participate in job application activities, obtain a job, and maintain it for the duration of their time in the program?
5. Do they have the ability to maintain payment of program fees and rent?
6. What is their length of sobriety for the Rapid Rehousing homes?



Below is a list of all our Collaborators that we have contracts or agreements with.

Construction Team

Luradiance Design
 Martinson & Eisele, Inc.
 Geisler Group
 Garritt Bader
 Chad Buntin Construction
 Hurkman Mechanical
 Plumbers Local 400
 Eland Electric
 Electricians Local 158
 Carpenters Local 1146
 Operating Engineers Local 139
 Greentech Renewables
 Job Corps
 Hands 4 Heroes
 Macco's Flooring
 R. K. installations
 C.W. Custom Exterior
 Leadership Green Bay Team 6
 NWTC
 Earthseed Landscaping
 Kingdom Workers
 Boldt Construction

Specialty

Architect
 Survey & Site Engineers
 Development Advisor
 Development Advisor
 Framers
 Plumber, Permits
 Plumbing Installation, Apprenticeships
 Electricians, Permits
 Electrical Installation, Apprenticeships
 Carpentry, Apprenticeships
 Site Prep
 Solar materials, installation
 Framing, siding, site work, trades
 Installing all roofing
 Donate all flooring
 in-kind flooring installation
 Exterior finish installation
 Fundraise and build Garage
 Apprenticeships, wall components
 Landscaping
 General Construction
 Community Center Design/Build

Corporate Builds

Little Rapids Corporation
 WELS Trucking Corporation
 Associated Bank
 Capital Credit Union
 Abby Bank
 Boldt Construction
 Denmark American Legion
 US Bank

Skilled Construction Foremen

Rick Groomwald	Construction Scheduler
Jeff Mohr	Engineer
Jerry Beiersdorf	Contractor
Ray Kerkhoff	Journeyman Concrete Finisher
Ron Umentum	Development Inspector

Sent to 90
 NEIGHBORS on 3/3/24

Employment/Education

Department of Workforce Development	Michelle Flynn-Reineke	On-site 4 hours a week, career services, job placement
Mission Wisconsin	Steve Janke	On-site as needed, career services
Forward Services Corporation	Craig Coleman	On-site weekly, career services
NWTC	Ashely Drzewiecki	On-site education services as needed
UWGB	Nicole Stockman	On-site education services as needed
Little Rapids	Lisa Christer	Job opportunities
WEL Trucking	Matthew Pennings	Job opportunities
Schneider Trucking	Mathew Hastreiter	Job opportunities

Healthcare/Emotional Health

VA Clinic	Heather Grasse	Healthcare, Case Management, rental assistance
Vet Center	Scott Katska	Emotional Health Therapies
N.E.W. Community Clinic	Kim Frazen	Mental & Physical Healthcare
Br. Cty. Community Treatment Center	Eliza Killian	Mental Health, Case Management
Church Health Services	Candice Kreis	On-site Emotional Therapy monthly
Foundations Health & Wholeness	Sarah Graper	Mental Health, Case Management
9th Street Wellness Center	Karen Stoebr	On-site Chiropractic, Massage, Tai Chi, Yoga therapies
Resonate Body & Energy Healing	Jenelle Schroeder	On-site Massage Therapy
Beaming Equine Therapy	Katie Samuelson	On and off-site Horse Therapy monthly
Woodworking Classes	Rick Groonwald	Project classes monthly
Movement & Meditation	Amanda List	Classes for wellness

Financial Services & Assistance

Brown County Housing Authority	Patrick Leifker	Up to 70% of rental assistance
HUD VASH Vouchers	Patrick Leifker	Up to 70% of rental assistance
Associated Bank	Stan Kroil	On-site monthly Financial Literacy classes
Fox Valley Veterans Council	Tim Cody	Security deposit and rental assistance
Elks Club	Kelly Downard	\$300 Welcome Baskets and mattresses
Sofas for Service	Jeff Staad	Furnishings for 9 homes
Br. Cty. Veterans Service Office	Joe Aulik	File for VA Service-Connected Disability Claims
Cornerstone Mortgage	Kristy Van Lanen	Apply for VA Home Loan and help find homes to purchase
Movement Mortgage	Cathy Kohlbeck	Apply for VA Home Loan and help find homes to purchase

Programming Support Staff

Wisconsin Senior Employment	Darice Hannon	2-3 employees for office and security monitoring
Concordia University Intern	Dalton Lardinois	Occupational & Nutritional Therapist
Substance Use Counselor IT	Gail Nohr	Full-time assistance with resources and groups
Program Director	Gail Nohr	Full-time managing programs and volunteers
General Contractor/Mentor	Kim Nohr	Full-time managing the construction and volunteers
Security Architect and IT Specialist	Jonathan Davis	Part-time will monitor the security operations
Philanthropy Director	Jan Gertzfield	Part-time grants manager and donor relations
Housing Director	Amber Edwards	Administer the Housing Choice and HUD VASH vouchers
Vantage Point Property Management	Fran Bourassa	Assistance with Property Management

VETERANS 1ST OF NEW SECURITY PLAN

Security

24/7 security cameras	Jonathan Davis	Set up security cameras to view all houses
Front Desk Office Staff	All Staff	Monitor security cameras
Green Bay Police Department	911	Will be on-site in minutes if called
Squad Leaders	TBD	After hours monitoring of all activity
24/7 on call	Kim Nohr	Will address any issues as they arise within 20 minutes
24/7 on call	Gail Nohr	Will address any issues as they arise within 20 minutes
Security Advisor	Jeff Reince	Retired Corrections Officer as needed

The flyer that was illegally inserted in some neighbors mailboxes recently is TOTALLY false. Veterans 1st is NOT building 198 homes for homeless veterans. In 2024 we would like to build five 400 sq ft Fair Market Value rental affordable homes and two 600 sq ft homes, one of which will be our initial Community Center. In 2025 we would like to build five more 400 sq ft homes and two more 600 sq ft homes. In 2026 we would like to build the last seven 400 sq ft homes for a total of 21 homes and a Community Center. The affordable homes would be the similar cliental that are in the current Veterans Manor.

Gail did not say that she has “extensive mental health and substance abuse training”. She has been working with the recovery population for several years as a Wisconsin Certified Peer Specialist and as a Substance Abuse Counselor In Training. She is working on getting her full license with a local Treatment Center that she has been working at for a year now. The year before that she trained at a local Veterans Recovery Program. She has two Degrees and two Certificates from a local college. She will not be the only person working with residents in our program and will just be helping them with resources and getting connected to the professionals that we have listed in the above agencies if needed. We have 35 other professionals listed who are willing to come on-site to offer assistance weekly and/or monthly and as needed.

~~Kim has recently trained and applied for his Contractor license and worked for a custom home builder for eight years early on in his career. After that he finished his career as a 29-year Journeyman Carpenter. On the first page you can see the 22 professional construction and development agencies that will be working with us to develop our Cottage Court. You can see the other five experienced construction foremen that will be on-site supervisors for the project.~~

You can also see what we have planned for security on site and 24/7. The cameras will be monitored and any neighbor who has any concerns can call Kim or Gail at 920-932-1763 or email info@veterans1stnew.com at any time and we will investigate the concern. All our residents will sign a contract that states that they will not be outside after 9:30 and will be quiet and considerate. They will also agree to not trespass on private property and if so, will face eviction. Brown County Housing Authority does extensive background checks and those on the Sex Offender Registry will not be accepted.

We have adequate parking and will have adequate lighting and landscaping to try to reduce the parking lot lights. The houses will be of three different varieties with three different subdued color schemes. We will be as north on our 3.5 acres of property close to Veterans Manor and a legal distance away from the Potters Field County Property that we will not disturb.

If you have any other concerns that we have not addressed above, please fill out the postcard and mail it back to us and we will address it as soon as possible.

Thank you,

Veterans 1st of NEW Staff



Veterans 1st of NEW is a 501(c)(3) EIN: 92-0577700

SECURITY PLAN

The following security plan represents the Licensee's anticipated operations and procedures. It is a collection of guidelines that are not legally binding on the Licensee, but are intended to give the police department, the Green Bay Common Council, and the public a good picture of what the Licensee believes his or her business will look like and how it will operate. While the Licensee will not receive any citations for deviating from this security plan, it is a good idea to follow these guidelines because the Council may consider during renewal time how closely you follow your plan. If you deviate too far from your security plan and fail to update it at renewal time, it could adversely affect your license status.

Executive Director	Kim Nohr 8-1-58 Ph (920) 932-1763
Business Address:	2890 St. Anthony Drive Green Bay, WI 54311
License Type:	Planned Unit Development (PUD)
Building Owned or Leased:	Owned
Village Capacity:	25 beds
Parking Capacity/Availability:	28 spots
Anticipated Security:	Approximately 12 security cameras, one for every two Homes and two for the Community Center. 12 Dusk-to-Dawn lights between homes and Community Center.
Fire alarms/smoke detectors:	There will be fire alarms and smoke detectors in every Home and in the Community Center per code.
Evacuation Procedure:	There will be an emergency evacuation plan posted in the Community Center.
Security Staff Information:	There will be approx. 2 staff on site during normal business hours and 1 volunteers between 8:00am-5pm Monday through Friday. At nights and on weekends, there will be a Squad Leaders in charge of every 7 homes in their Squad.



Veterans 1st of NEW is a 501(c)(3) EIN: 92-0577700

Neighborhood:

Veterans 1st will screen all clients upon entry to the program. We will utilize C CAP, Green Bay Municipal Court Records, Sex Offender Registry, US Dept. of Justice web site.

Police Services:

We will screen all applicants and call police with any Warrants on them. We Breathalyze all RRH residents As needed. We will allow police access to cameras' Surveillance upon request. We will meet with any Concerned neighbors.

Compliance with Laws:

Veterans 1st of NEW will comply with all PUD conditions And notify the city of any building modifications or Improvements made. We will comply with all city Ordinances.

By signing below, I agree that the security plan set forth above accurately represents my policies, procedures, and goals in running my business.

Licensee: _____

Date: _____

**VETERANS 1ST OF NEW
ADDENDUMS AND APPLICATIONS**



Veterans 1st of NEW, Inc. Rapid Rehousing (RRH) Addendum

All residents, staff, and volunteers of Veterans 1st of NEW, Inc. understand the importance of being a "good neighbor". Therefore, all residents, staff, and volunteers of Veterans 1st of NEW shall share common goals, which include but are not limited to:

1. I will maintain a peaceful, safe, and clean neighborhood and community. _____
2. I will respect others and their properties. I will stay on the trails in the neighborhood. _____
3. If a neighbor expresses concern, I will provide them with the Veterans 1st phone number of 920-932-1763 or info@veterans1stnew.com email and we will respond promptly. _____
4. When a complaint gets addressed from a neighbor, Veterans 1st of NEW will bring up the issue at the next house meeting. This will be addressed to ensure all residents understand and work together to keep peace and good neighbor conduct in place. _____
5. I will attend regular House Meetings and return home by 11:00 pm every night unless preapproved. _____
6. I will allow my Squad Leader and/or Staff to visit my home regularly. _____
7. I will remain substance free while in the RRH program and adhere to random alcohol/drug testing or immediate testing if drug use is suspected. For the first positive test I agree to a relapse prevention program. _____
8. I will meet with a case manager once a week and go to employment and wellness classes. _____
9. If unemployed, I will work with employment agencies to search and apply for employment, attend programming and volunteer for at least 20 hours a week. _____
10. I will pay a \$100 security deposit and \$400 a month by the 1st of every month. _____
11. I will save 10% of my income to be able to move into an affordable home in 24 months. _____
12. There will be no noise or outside activities after 9:30 pm. _____
13. I will complete my weekly chores by the following Monday morning when they will be checked. Chores will include but not be limited to shoveling sidewalks, mowing grass, cleaning the Community Center common areas, and other duties as assigned. _____
14. Visitors will need to be approved by staff 24 hours before the scheduled visit. If not approved, they will not be allowed to visit. _____
15. I agree to not have any guns in my possession while living at Veterans 1st. _____
16. If I am not in compliance with these rules, I will get a verbal notice. If not corrected I will be given a written contract. If not corrected, the eviction process will take place. _____

Relapse Prevention. In case of a relapse, I am required to attend 3-4 meetings a week, and the meeting sheet needs to be signed by the person running the meeting. **I must show proof of meeting attendance or will be asked to leave the program.** _____

- Depending on the severity of a relapse, I may be offered a relapse prevention program or be terminated from the program. Staff will evaluate each case individually. _____
- I agree if I relapse *again*, I will be asked to leave the program. _____

Resident Signature: _____ Date: _____



Veterans 1st of NEW, Inc. Affordable Home (AH) Addendum

All residents, staff, and volunteers of Veterans 1st of NEW, Inc. understand the importance of being a "good neighbor". Therefore, all residents, staff, and volunteers of Veterans 1st of NEW shall share common goals, which include but are not limited to:

1. I will maintain a peaceful, safe, and clean neighborhood and community. _____
2. I will respect others and their properties. I will stay on the trails in the neighborhood. _____
3. If a neighbor expresses concern, I will provide them with the Veterans 1st phone number of 920-932-1763 or info@veterans1stnew.com email and we will respond promptly. _____
4. When a complaint gets addressed from a neighbor, Veterans 1st of NEW will bring up the issue at the next house meeting. This will be addressed to ensure all residents understand and work together to keep peace and good neighbor conduct in place. _____
5. Attendance at regular House Meetings is encouraged. _____
6. I will be allowed to consume alcohol in the home but not outside the home. No illicit drugs will be allowed. _____
7. I will meet with a VA case manager as required if in the HUD VASH program. _____
8. I will work, volunteer, or go to school for at least 20 hours a week. _____
9. I agree to pay a \$500 security deposit. _____
10. I agree to pay monthly rent just below Fair Market Value, currently at \$840 by the 1st of every month or face eviction. _____
11. I will be encouraged to save 10% of my income to save money to be able to become self-sufficient and attend Financial Literacy Classes as provided. _____
12. AH residents will be encouraged to join veteran support groups and gatherings on-site. _____
13. There will be no noise or outside activities after 9:30 pm. _____
14. I agree not to have any guns in my possession while living at Veterans 1st. _____
15. If I am not in compliance with these rules, I will get a written notice. If not corrected I will be given a written contract. If not corrected, the eviction process will take place. _____

Resident Signature: _____ Date: _____



Veteran 1st Squad Lead Vetting Contract

1. I agree to attend training on Community Resources and emergency contacts. _____
2. I have a passion to help veteran residents and the ability to communicate effectively. _____
3. I agree to assist with issues that may come up with residents and visitors in the evening until the morning and call the 24-hour Staff line if I have questions. _____
4. If in sobriety, I have at least 3 years with no substance use. _____
5. I will relay any concerns to Veterans 1st Staff ASAP. _____
6. I will be given a reduced rent in exchange for my assistance. _____
7. I agree not to have any guns in my possession while living at Veterans 1st. _____

Name: _____ Date: _____

Identifying Data:

Name, age, presenting voluntarily, involuntarily, referral source, relationship status.

Presenting Problem:

What brings you in to see me today?

Mental Health Symptoms: Sleep, Appetite, depression, anxiety, concentration, memory, mood, ah, vh, paranoid thoughts, manic episodes, **suicidal/homicidal ideations**. You need to get a **timeline** of these symptoms as well (when did the problem start?)

Previous Treatment History: Mental health treatment history, AODA treatment history, types of treatment, inpatient, voluntary, involuntarily. Did they like it, hate, it, neutral, completed, or not? Physical, emotional, sexual abuse.

Family History: Mental/physical health, suicide attempts/completions, AODA issues, Adopted, biological.

Medical History: primary doctor, last physical, Medications including: current and past, mg, side effects, timeline, why they stopped, were they helpful, have you used more than prescribed. Use of caffeine and use of nicotine and amounts and duration. Physical health issues? Surgeries and allergies.

Employment History: Past and current jobs for 15 years, reason for change, issues with work, firings or promotions, enjoy current job, dirty UA's. Mental health symptoms affecting work?

Education History: Highest level of education, enjoy school, struggles, excel in areas, any schooling past HS, where?

AODA History: First time used, duration, **timeline** for each drug used, current use, amount, overdose history, how used, where, people. Any experimentation.

Gambling: issues or concerns.

Criminal History: probation/parole involvement, criminal history, misdemeanors, felonies, probation/parole officer, OWI's, (not traffic violations.)

Social (DSS, religion, financial, military.) Involvement with social services, religious affiliation, military history, financial issues or concerns.

Strengths:

Impressions: functioning at work, school, home? Does the person understand the problem? Is the person willing to change?

**Brown County Housing Authority
Housing Choice Voucher Program
Application Instructions**

Income Limits

1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person	8 Person
\$33,450	\$38,200	\$43,000	\$47,750	\$51,600	\$55,400	\$59,250	\$63,050

The following documents must be received with your Preliminary Application in order for it to be processed. If all documents are not included, the application will be returned to you and your name will not be placed on the waiting list until the application is complete:

1. A signed and completed Preliminary Application
2. Verification of date of birth/legal identity for ALL household members:
 - Driver's license/state ID, birth certificate, permanent resident card, naturalization papers, or US Passport
 - (Hospital birth announcements are not accepted)
3. Verification of social security number for ALL household members:
 - Social Security Card, original Social Security Administration-issued document containing the name and SSN
 - (Forward and Medicare cards are not accepted)
4. Proof of Brown County residence (if claiming that preference):
 - TWO (2) of the following documents of your choice (Address on proof of residence documents MUST match the address you are residing at; the two documents must be from different sources):
 - Current/Valid Drivers License or State ID
 - Lease (signed by all adult parties listing current address and lease terms)
 - Utility Bill (gas, electric, water, cable, telephone) - Current (within last 30 days)
 - Mail from the Social Security Administration
 - Unemployment Benefits Letter
 - Letter from a Social Service Organization
 - Financial Institution Documentation (Bank Statement)
 - Educational or School Record
 - Credit Card Statement – Current (within last 30 days)
 - Employment/Check Stubs – Current (within last 30 days)
 - Voter Registration Record
 - Rent/Auto Insurance Policy
 - Vehicle Registration

5. Proof of your preference, if applicable (MUST BE ATTACHED):

- **Displaced due to a natural disaster or government action:** Statement from a government agency or service agency such as city officials or The Red Cross
- **Homeless:** Certification from a local social service agency
- **Veteran:** Copy of form DD214 or service discharge paperwork
- **Age 62 or Over:** Copy of birth certificate, baptismal certificate
- **Disability:** Copy of **ORIGINAL** SS/SSI benefit award letter
- **Households with Children under 18 years of age:** Copy of birth certificate

If the previous preferences do not apply to you:

Brown County Residents:

Will be placed on the waiting list as of the date and time the completed application was received. After applicants with the above preferences are assisted, all other Brown County applicants will be selected from the waiting list.

Non-Brown County Residents:

Will not be selected from the waitlist until all Brown County applicants have been assisted.

When selected from the waitlist and offered assistance, Non-Brown County Residents **MUST** reside in Brown County for at least 12 months prior to being able to exercise portability to a different Housing Authority's jurisdiction.

Additional Information:

Please note that completed applications will be placed on the waiting list in order of date and time received. You will receive a notification letter when your name is placed on the waiting list.

The wait time to be assisted is subject to change without notice due to funding sources.

Once your application is submitted, you **MUST** notify Integrated Community Solutions **IN WRITING** of any:

- change in mailing address or
- change in household members

Integrated Community Solutions (ICS) administers the housing assistance programs for the Brown County Housing Authority. In order to respond to the widest possible range of housing needs, we operate several housing programs and serve more than 3,200 households in Brown County. An extensive, stringent application process is in place for the programs we provide.

All applicants are subject to a criminal background check. If there are any incidents of drug activity or violent behavior within the past three years for a misdemeanor or city ordinance violation, or five years for a felony, the applicant is ineligible for the program. Anyone on the sex offender registry is also ineligible.

PRELIMINARY APPLICATION

PLEASE COMPLETE THIS FORM AND RETURN TO:

Integrated Community Solutions

2605 S. Oneida St, Suite 106; Green Bay, WI 54304

Office Use Only										
Received/Revised	Unit	Size	Preference							
			T	P1	P2	P3	P4	P5	P6	P7
			T	P1	P2	P3	P4	P5	P6	P7
			T	P1	P2	P3	P4	P5	P6	P7

Name: _____

Legal / Residential address: _____

Mailing Address: _____

(You MUST provide a valid mailing address)

City, State, Zip: _____

Note: If your legal or mailing address changes, you must notify this office to maintain your waiting list status.

Evidence of legal /residential address (copy of Drivers License or State ID only), social security cards and birth certificates for all household members MUST accompany this form when returned. Preliminary applications returned without this evidence will be denied.

Please list all former/maiden names: _____

Email address: _____

Part 1: Head of Household

Please complete this part for the Head of Household.

Social Security Number _____

Date of Birth _____

Sex ☐ Female ☐ Male

Are you willing to move when offered assistance ☐ Yes ☐ No

Are you Disabled ☐ Yes ☐ No

Home Telephone _____

Other Telephone _____

Other Telephone Type ☐ Work ☐ Other Specify: _____

Race
(Check One Box)

- ☐ White
☐ Black/African American
☐ American Indian/
Alaska Native
☐ Asian
☐ Native Hawaiian/Other
Pacific Islander

Ethnicity
(Check One Box)

- ☐ Hispanic
☐ Not Hispanic

Racial and ethnic data for statistical purposes only.

Part 2: Household Information

List information for adults first, then children under age 18. Use "F" or "M" to indicate sex. If a household member is disabled check the "Y" check box, if not disabled, check "N." List relationship of each person to the Head of Household. Attach additional sheet if family has more than ten members.

Last Name	First Name	Social Security #	Date of Birth	Sex	Disabled	Relationship
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____

Please Continue to Part 3

PRELIMINARY APPLICATION

Part 3: Family Income and Assets

List total gross income (before taxes) and payments received by each family member age 18 or older for wages, military pay, pensions, social security, SSI, welfare, child support, unemployment, business, profession or any other source. Include payments made to family members age 18 or older on behalf of other family members under age 18.

<u>First Name</u>	<u>Gross Income</u>	<u>How Often</u>	<u>If Income is from Wages, List Address of Employer</u>
_____	\$ _____	☐ Weekly ☐ Every 2 Weeks ☐ Monthly ☐ Yearly	_____
_____	\$ _____	☐ Weekly ☐ Every 2 Weeks ☐ Monthly ☐ Yearly	_____
_____	\$ _____	☐ Weekly ☐ Every 2 Weeks ☐ Monthly ☐ Yearly	_____
_____	\$ _____	☐ Weekly ☐ Every 2 Weeks ☐ Monthly ☐ Yearly	_____
_____	\$ _____	☐ Weekly ☐ Every 2 Weeks ☐ Monthly ☐ Yearly	_____

List total cash value and total income received for assets owned by all family members.

<u>Type of Asset</u>	<u>Cash Value of Asset</u>	<u>Income Earned from Asset</u>
Checking Accounts	\$ _____	\$ _____
Savings Accounts	\$ _____	\$ _____
Stocks, Bonds, CDs, Investment	\$ _____	\$ _____
Real Estate	\$ _____	\$ _____
Other	\$ _____	\$ _____

Part 4: Eligibility and Preferences

Preferences (Check ALL applicable boxes for the preference you are claiming):

Documentation of preference(s) claimed must be included with application.

☐ **Displaced due to a natural disaster or government action:** Statement from a government agency or service agency such as a city official or The Red Cross

☐ **Homeless:** Certification from a local social service agency that is providing case management

☐ **Veteran:** Copy of Form DD214 or Service Discharge Paperwork. Applicants for Veterans Manor who are referred by Center for Veterans Issues (CVI) will be given additional preference - please provide CVI referral form.

☐ **Elderly (Age 62 or older):** Copy of birth certificate, baptismal certificate, or state-issued ID Card

☐ **Disability:** Copy of ORIGINAL Social Security/SSI benefit award letter

☐ **Households with Children under 18 Years of Age** Copy of Birth Certificate, baptismal certificate, or state-issued ID Card

Part 5: U.S. Citizenship Notification and Certification

Housing may be contingent upon the submission and verification of evidence of citizenship or eligible immigration status prior to the time housing is made available. Based on the evidence submitted at that time, assistance may be prorated, denied or terminated following appeals and informal hearing processes.

I certify that the information on this form is true and complete to the best of my knowledge and belief. I understand that I can be fined up to \$10,000, or imprisoned up to five years if I furnish false or incomplete information.

X

Applicant Signature

Date

PRELIMINARY APPLICATION

PLEASE COMPLETE THIS FORM AND RETURN TO:

Integrated Community Solutions

2605 S. Oneida St, Suite 106; Green Bay, WI 54304

Office Use Only	
Received/Revised	Unit Size Preference
	T P1 P2 P3 P4 P5 P6 P7
	T P1 P2 P3 P4 P5 P6 P7
	T P1 P2 P3 P4 P5 P6 P7

Name: _____

Legal / Residential address: _____

Mailing Address: _____

(You MUST provide a valid mailing address)

City, State, Zip: _____

Note: If your legal or mailing address changes, you must notify this office to maintain your waiting list status.

Evidence of legal /residential address (copy of Drivers License or State ID only), social security cards and birth certificates for all household members MUST accompany this form when returned. Preliminary applications returned without this evidence will be denied.

Please list all former/maiden names: _____

Email address: _____

Part 1: Head of Household

Please complete this part for the Head of Household.

Social Security Number _____

Date of Birth _____

Sex ☐ Female ☐ Male

Are you willing to move when offered assistance ☐ Yes ☐ No

Are you Disabled ☐ Yes ☐ No

Home Telephone _____

Other Telephone _____

Other Telephone Type ☐ Work ☐ Other Specify: _____

Race
(Check One Box)

- ☐ White
☐ Black/African American
☐ American Indian/
Alaska Native
☐ Asian
☐ Native Hawaiian/Other
Pacific Islander

Ethnicity
(Check One Box)

- ☐ Hispanic
☐ Not Hispanic

Racial and ethnic data for
statistical purposes only.

Part 2: Household Information

List information for adults first, then children under age 18. Use "F" or "M" to indicate sex. If a household member is disabled check the "Y" check box, if not disabled, check "N." List relationship of each person to the Head of Household. Attach additional sheet if family has more than ten members.

Last Name	First Name	Social Security #	Date of Birth	Sex	Disabled	Relationship
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____
_____	_____	_____	_____	_____	☐ Y ☐ N	_____

Please Continue to Part 3

There are two types of vouchers available through the Brown County Housing Authority. The first is the Housing Choice Voucher Program and the second is the Project Based Voucher Program. Below, you are provided a brief description of each housing assistance voucher program available through our agency.

Please indicate which waiting list(s) you would like to be placed on by putting an "x" in the checkbox next to the name:



☐ **Housing Choice Voucher Program:**

The Housing Choice Voucher (HCV) program allows participants to select the unit they want to reside in, dependent on the affordability of the unit. Upon receiving a Housing Choice Voucher, the program participant will need to search for an available unit with a landlord who is willing to accept rental assistance. The waiting list timeframe varies on an individual basis, but preference is given to residents of Brown County.

Project Based Voucher Program:

Project Based units are specific units in Brown County that have a voucher assigned to them. A program participant receives rental assistance because they live in a unit with a Project Based Voucher. In most cases, the assistance remains with the unit after a client vacates that unit. However, a family may be able to receive a Housing Choice Voucher, enabling them to move with rental assistance after the initial 12 months of their lease (if vouchers are available). There are a number of different Project Based Voucher landlords.

Please select the Project Based Voucher waiting list(s) you would like to be placed on (if any):

☐ **Berkshire Ashwaubenon Apartments:**

Berkshire Ashwaubenon Apartments has 8 three-bedroom project based voucher units, located on Mike McCarthy Way. *To be eligible for these units, applicant household must qualify for a three-bedroom voucher.*

☐ **Ecumenical Partnership for Housing (EPH):**

EPH has Project Based units that are targeted toward homeless families with children who are exiting shelter or transitional housing. *To be eligible for this waiting list, applicant must 1) submit a letter of referral to EPH from a local shelter or transitional housing program, indicating that the family would be a good candidate for transitional case management AND 2) submit a Preliminary Application to ICS and select the EPH waiting list on this form.*

☐ **Green Bay Housing Authority – Scattered Sites:**

The Green Bay Housing Authority has a wide variety of unit types (apartments, duplexes, single family homes) scattered across Brown County.

☐ **Neighborhood Housing Services (NHS) - Managed by Main Street Management:**

Neighborhood Housing Services has a wide variety of unit types (apartments, duplexes, single family homes) scattered across Brown County.

☐ **Printery Row Apartments:**

Printery Row Apartments has one- & two-bedroom units and is located in Pulaski. The development was formerly the Franciscan Publisher's Building and is on the National Register of Historic Places.

☐ **Pulaski Senior Homes/Parkside Apartments:**

Pulaski Senior Homes is a complex in Pulaski that serves seniors and persons with disabilities. *To be eligible for this waiting list, applicant must be over the age of 62 or provide verification of disability (copy of original SS/SSI benefit award letter).*

☐ **Veterans Manor:**

Veterans Manor is a Project Based development in east Green Bay that offers supportive living and on-site services for low-income Veterans. The property has 50 one-bedroom units. *To be eligible for this waiting list, applicant must provide a copy of form DD214 or service discharge papers.*

☐ **Woodland Park & Trail Creek Apartments:**

Woodland Park and Trail Creek are developments in east Green Bay that serve seniors and persons with disabilities. *To be eligible for this waiting list, applicant must be over the age of 62 or provide verification of disability (copy of original SS/SSI benefit award letter).*

Printed Name of Applicant

Signature of applicant

Social Security number of Applicant

Date

Authorization for the Release of Information

HA requesting release of information:

Integrated Community Solutions
2605 S Oneida St Suite 106
Green Bay, WI 54304

(920) 498-3737

Authority: 42 U.S.C. 1437f and 3535(d), implemented at 24CFR 982.551(b).

Purpose: In signing this consent form, you are authorizing HUD and the above-named HA to request information including but not limited to: identity and marital status, employment income and assets, residences and rental activity, Medical or Child Care Allowances, Credit and Criminal Activity. HUD and the HA need this information to verify your eligibility for assisted housing benefits and that these benefits are set at the correct level. HUD and the HA may participate in computer matching programs with these sources in order to verify your eligibility and level of benefits.

Uses of Information to be Obtained: HUD is required to protect the information it obtains in accordance with the Privacy Act of 1974, 5 U.S.C. 552a. HUD may disclose information (other than tax return information) for certain routine uses, such as to other government agencies for law enforcement purposes, to Federal agencies for employment suitability purposes and to HAs for the purpose of determining housing assistance. The HA is also required to protect the information it obtains in accordance with any applicable State privacy law. HUD and HA employees may be subject to penalties for unauthorized disclosures or improper uses of the information that is obtained based on the consent form.

Who Must Sign the Consent Form: Each member of your household who is 18 years of age or older must sign the consent form. Additional signatures must be obtained from new adult members joining the household or whenever members of the household become 18 years of age.

Consent: I consent to allow HUD or the HA to request and obtain any information from any Federal, State, or local agency, organization, business, or individual for the purpose of verifying my eligibility and level of benefits under HUD's assisted housing programs. I understand that HAs that receive information under this consent form cannot use it to deny, reduce or terminate assistance without first independently verifying the information obtained. In addition, I must be given an opportunity to contest those determinations. This consent form expires 15 months after signed.

Signatures:

Head of Household

Date

Social Security Number (if any) of Head of Household

Spouse

Date

Other Family Member over age 18

Date

Other Family Member over age 18

Date

Previous Landlords (including Public Housing Agencies)

Courts and Post Offices

Schools and Colleges

Law Enforcement Agencies

Support and Alimony Providers

Past and Present Employers

Social Service Agencies

State Unemployment Agencies

State Wage Information Collection Agencies

Social Security Administration

Medical and Child Care Providers

Veterans Administration

Retirement Systems

Banks and other Financial Institutions

Credit Providers and Credit Bureaus

Utility Companies

Internal Revenue Service

Other Family Member over age 18

Date

Other Family Member over age 18

Date

Other Family Member over age 18

Date

Other Family Member over age 18

Date

Document ID: 11457816132

Penalties for Misusing this Consent:

HUD, the HA and any owner (or any employee of HUD, the HA or the owner) may be subject to penalties for unauthorized disclosures or improper uses of information collected based on the consent form. Use of the information collected based on this form is restricted to the purposes cited above. Any person who knowingly or willfully requests, obtains or discloses any information under false pretenses concerning an applicant or participant may be subject to a misdemeanor and fined not more than \$5,000. Any applicant or participant affected by negligent disclosure of information may bring civil action for damages, and seek other relief, as may be appropriate, against the officer or employee of HUD, the HA or the owner responsible for the unauthorized disclosure or improper use.



Supplemental and Optional Contact Information for HUD-Assisted Housing Applicants

SUPPLEMENT TO APPLICATION FOR FEDERALLY ASSISTED HOUSING

This form is to be provided to each applicant for federally assisted housing

Instructions: Optional Contact Person or Organization: You have the right by law to include as part of your application for housing, the name, address, telephone number, and other relevant information of a family member, friend, or social, health, advocacy, or other organization. This contact information is for the purpose of identifying a person or organization that may be able to help in resolving any issues that may arise during your tenancy or to assist in providing any special care or services you may require. **You may update, remove, or change the information you provide on this form at any time.** You are not required to provide this contact information, but if you choose to do so, please include the relevant information on this form.

Applicant Name:	
Mailing Address:	
Telephone No:	Cell Phone No:
Name of Additional Contact Person or Organization:	
Address:	
Telephone No:	Cell Phone No:
E-Mail Address (if applicable):	
Relationship to Applicant:	
Reason for Contact: (Check all that apply) ☐ Emergency ☐ Unable to contact you ☐ Termination of rental assistance ☐ Eviction from unit ☐ Late payment of rent ☐ Assist with Recertification Process ☐ Change in lease terms ☐ Change in house rules ☐ Other: _____	
Commitment of Housing Authority or Owner: If you are approved for housing, this information will be kept as part of your tenant file. If issues arise during your tenancy or if you require any services or special care, we may contact the person or organization you listed to assist in resolving the issues or in providing any services or special care to you.	
Confidentiality Statement: The information provided on this form is confidential and will not be disclosed to anyone except as permitted by the applicant or applicable law.	
Legal Notification: Section 644 of the Housing and Community Development Act of 1992 (Public Law 102-550, approved October 28, 1992) requires each applicant for federally assisted housing to be offered the option of providing information regarding an additional contact person or organization. By accepting the applicant's application, the housing provider agrees to comply with the non-discrimination and equal opportunity requirements of 24 CFR section 5.105, including the prohibitions on discrimination in admission to or participation in federally assisted housing programs on the basis of race, color, religion, national origin, sex, disability, and familial status under the Fair Housing Act, and the prohibition on age discrimination under the Age Discrimination Act of 1975.	

☐ Check this box if you choose not to provide the contact information.

--	--

Signature of Applicant

Date

The information collection requirements contained in this form were submitted to the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520). The public reporting burden is estimated at 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Section 644 of the Housing and Community Development Act of 1992 (42 U.S.C. 13604) imposed on HUD the obligation to require housing providers participating in HUD's assisted housing programs to provide any individual or family applying for occupancy in HUD-assisted housing with the option to include in the application for occupancy the name, address, telephone number, and other relevant information of a family member, friend, or person associated with a social, health, advocacy, or similar organization. The objective of providing such information is to facilitate contact by the housing provider with the person or organization identified by the tenant to assist in providing any delivery of services or special care to the tenant and assist with resolving any tenancy issues arising during the tenancy of such tenant. This supplemental application information is to be maintained by the housing provider and maintained as confidential information. Providing the information is basic to the operations of the HUD Assisted-Housing Program and is voluntary. It supports statutory requirements and program and management controls that prevent fraud, waste and mismanagement. In accordance with the Paperwork Reduction Act, an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information, unless the collection displays a currently valid OMB control number.

Privacy Statement: Public Law 102-550, authorizes the Department of Housing and Urban Development (HUD) to collect all the information (except the Social Security Number (SSN)) which will be used by HUD to protect disbursement data from fraudulent actions.



U.S. Department of Housing and Urban Development Office of Public and Indian Housing

DEBTS OWED TO PUBLIC HOUSING AGENCIES AND TERMINATIONS

Paperwork Reduction Notice: Public reporting burden for this collection of information is estimated to average 7 minutes per response. This includes the time for respondents to read the document and certify, and any recordkeeping burden. This information will be used in the processing of a tenancy. Response to this request for information is required to receive benefits. The agency may not collect this information, and you are not required to complete this form, unless it displays a currently valid OMB control number. The OMB Number is 2577-0266, and expires 04/30/2023.

NOTICE TO APPLICANTS AND PARTICIPANTS OF THE FOLLOWING HUD RENTAL ASSISTANCE PROGRAMS:

- Public Housing (24 CFR 960)
- Section 8 Housing Choice Voucher, including the Disaster Housing Assistance Program (24 CFR 982)
- Section 8 Moderate Rehabilitation (24 CFR 882)
- Project-Based Voucher (24 CFR 983)

The U.S. Department of Housing and Urban Development maintains a national repository of debts owed to Public Housing Agencies (PHAs) or Section 8 landlords and adverse information of former participants who have voluntarily or involuntarily terminated participation in one of the above-listed HUD rental assistance programs. This information is maintained within HUD's Enterprise Income Verification (EIV) system, which is used by Public Housing Agencies (PHAs) and their management agents to verify employment and income information of program participants, as well as, to reduce administrative and rental assistance payment errors. The EIV system is designed to assist PHAs and HUD in ensuring that families are eligible to participate in HUD rental assistance programs and determining the correct amount of rental assistance a family is eligible for. All PHAs are required to use this system in accordance with HUD regulations at 24 CFR 5.233.

HUD requires PHAs, which administers the above-listed rental housing programs, to report certain information at the conclusion of your participation in a HUD rental assistance program. This notice provides you with information on what information the PHA is required to provide HUD, who will have access to this information, how this information is used and your rights. PHAs are required to provide this notice to all applicants and program participants and you are required to acknowledge receipt of this notice by signing page 2. Each adult household member must sign this form.

What information about you and your tenancy does HUD collect from the PHA?

The following information is collected about each member of your household (family composition): full name, date of birth, and Social Security Number.

The following adverse information is collected once your participation in the housing program has ended, whether you voluntarily or involuntarily move out of an assisted unit:

1. Amount of any balance you owe the PHA or Section 8 landlord (up to \$500,000) and explanation for balance owed (i.e. unpaid rent, retroactive rent (due to unreported income and/ or change in family composition) or other charges such as damages, utility charges, etc.); and
2. Whether or not you have entered into a repayment agreement for the amount that you owe the PHA; and
3. Whether or not you have defaulted on a repayment agreement; and
4. Whether or not the PHA has obtained a judgment against you; and
5. Whether or not you have filed for bankruptcy; and
6. The negative reason(s) for your end of participation or any negative status (i.e., abandoned unit, fraud, lease violations, criminal activity, etc.) as of the end of participation date.

Who will have access to the information collected?

This information will be available to HUD employees, PHA employees, and contractors of HUD and PHAs.

How will this information be used?

PHAs will have access to this information during the time of application for rental assistance and reexamination of family income and composition for existing participants. PHAs will be able to access this information to determine a family's suitability for initial or continued rental assistance, and avoid providing limited Federal housing assistance to families who have previously been unable to comply with HUD program requirements. If the reported information is accurate, a PHA may terminate your current rental assistance and deny your future request for HUD rental assistance, subject to PHA policy.

How long is the debt owed and termination information maintained in EIV?

Debt owed and termination information will be maintained in EIV for a period of up to ten (10) years from the end of participation date or such other period consistent with State Law.

What are my rights?

In accordance with the Federal Privacy Act of 1974, as amended (5 USC 552a) and HUD regulations pertaining to its implementation of the Federal Privacy Act of 1974 (24 CFR Part 16), you have the following rights:

1. To have access to your records maintained by HUD, subject to 24 CFR Part 16.
2. To have an administrative review of HUD's initial denial of your request to have access to your records maintained by HUD.
3. To have incorrect information in your record corrected upon written request.
4. To file an appeal request of an initial adverse determination on correction or amendment of record request within 30 calendar days after the issuance of the written denial.
5. To have your record disclosed to a third party upon receipt of your written and signed request.

What do I do if I dispute the debt or termination information reported about me?

If you disagree with the reported information, you should contact in writing the PHA who has reported this information about you. The PHA's name, address, and telephone numbers are listed on the Debts Owed and Termination Report. You have a right to request and obtain a copy of this report from the PHA. Inform the PHA why you dispute the information and provide any documentation that supports your dispute. HUD's record retention policies at 24 CFR Part 908 and 24 CFR Part 982 provide that the PHA may destroy your records three years from the date your participation in the program ends. To ensure the availability of your records, disputes of the original debt or termination information must be made within three years from the end of participation date; otherwise the debt and termination information will be presumed correct. Only the PHA who reported the adverse information about you can delete or correct your record. Your filing of bankruptcy will not result in the removal of debt owed or termination information from HUD's EIV system. However, if you have included this debt in your bankruptcy filing and/or this debt has been discharged by the bankruptcy court, your record will be updated to include the bankruptcy indicator, when you provide the PHA with documentation of your bankruptcy status.

The PHA will notify you in writing of its action regarding your dispute within 30 days of receiving your written dispute. If the PHA determines that the disputed information is incorrect, the PHA will update or delete the record. If the PHA determines that the disputed information is correct, the PHA will provide an explanation as to why the information is correct.

This Notice was provided by the below-listed PHA:

**I hereby acknowledge that the PHA provided me with the
*Debts Owed to PHAs & Termination Notice:***

Signature

Date

Printed Name



ATTENTION!

THE BROWN COUNTY HOUSING AUTHORITY USES A PRIVATE INVESTIGATION SERVICE TO SCREEN ALL PROGRAM APPLICANTS.

IF YOU HAVE RECENT CRIMINAL HISTORY OF:

- **DRUGS**
- **VIOLENCE**
- **GANG-RELATED ACTIVITY**
- **NAME ON SEXUAL OFFENDER REGISTRY**

...YOUR APPLICATION TO THE PROGRAM WILL BE DENIED.

"RECENT" IS DEFINED AS 3 YEARS PAST THE OFFENSE DATE FOR A MISDEMEANOR OR CITY ORDINANCE VIOLATION, OR 5 YEARS PAST THE OFFENSE DATE FOR A FELONY. THOSE ON THE SEX OFFENDER REGISTRY ARE INELIGIBLE FOR THE ENTIRE DURATION THEY ARE REQUIRED TO REGISTER.

Additional Notes:

- **All enrolled household members are screened annually.**
- **Unreported household members or unreported income will result in program termination, housing fraud charges, and potentially a small claims court judgement requiring that housing assistance be paid back.**
- **Providing false information on your application is grounds for denial.**



Veterans 1st of NEW is a 501(c)(3) EIN: 92-0577700

INTAKE CHECKLIST

Interview

1. What brought you here? Referral?
2. Do you have a DD214?
3. Do you have an Other Than Dishonorable discharge?
4. Why do you want to stay at Veterans 1st?
5. For Rapid Rehousing (RRH) there is a \$100 security deposit with \$400 monthly rent due by the 1st
6. For the Affordable Housing (AF) there is a \$500 security deposit with \$840 monthly rent due by the 1st
7. RRH residents will be breathalyzed as needed due to no alcohol consumption
8. RRH and AF residents will be urine drug tested as needed
9. RRH curfew will be 11:00 pm unless documented for work
10. RRH weekly chores will be completed
11. RRH must be employed within the first month

Application

1. Give application
2. Photocopy ID
3. Review application. Look for missing information
4. Begin Intake form
5. For RRH ask in-depth medical history, mental health history, medications
6. Substance Use: last use of marijuana, alcohol. What other drugs have you used? When last?
Prescription medications not prescribed to you
7. Verify probation/parole status
8. Program fees and security deposit due. Remind next payment is due the 1st of the month (prorated)
9. Sign consents

Welcome

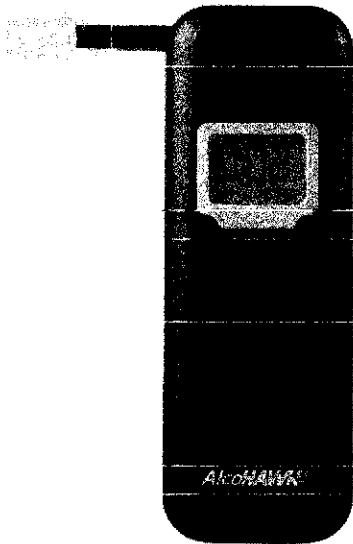
1. House assignment. Name on chore whiteboard. Door code will be given.
2. Tour Community Center and show computer room, office, kitchen.
3. Med closet. (Remind that ALL meds need to be secured. Get a weekly pill sorter)
4. For RRH, bags will be searched
5. Take to room. Show how to lock door. Remind to lock when leaving. Must keep my home clean and allow it to be inspected regularly by Veterans 1st staff and Squad Leader.



DrugTestsInBulk.com

Keeping Businesses Safe, One Test at a Time!

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AlcoHAWK Ultra Slim Breathalyzer

< >

The AlcoHAWK Ultra Slim Breathalyzer is one of the most affordable and accurate semiconductor breath alcohol screening devices on the market. It features a sleek personal design roughly the size of a cell phone made of impact resistant abs material. The unit screens for the presence of alcohol quickly and is an ideal solution for a discreet easy-to-use unit.

Availability: In stock

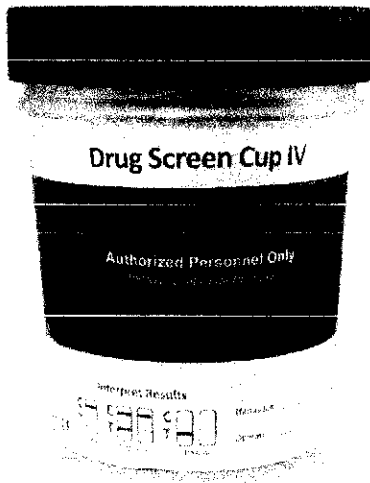
4.7 ★★★★★
Google
Customer Reviews

UP TO 70% OFF POPULAR PRODUCTS



DrugTestsInBulk.com
Keeping Businesses Safe, One Test at a Time!

🏠 > Twelve Panel Drug Screen Cup IV Drug Test (CLIA Waived)



Twelve Panel Drug Screen Cup IV Drug Test (CLIA Waived) < >

- Up to 12 Drugs
- CLIA Waived
- Results in 5 Minutes
- Easy to Read Results
- Built in Temp Strip

Availability: In stock

(Formerly) Model: D708086

Buy more, save more!

\$400.05

4.7 ★★★★★

Google

Customer Reviews

or you buy 40 cases or more

UP TO 70% OFF POPULAR PRODUCTS



Report to the
**Redevelopment Authority
of the City of Green Bay**

MEETING DATE

June 25, 2024

PREPARED BY

Cheryl Renier-Wigg, Staff

AGENDA ITEM # L.1

To approve Termination of Development Agreement with 200 N. Monroe Propco LLC.

BACKGROUND

The Redevelopment Authority entered into a development agreement with 200 N. Monroe Propco LLC for the development of the site located at 200 N. Monroe in 2021. This development agreement was then amended in 2022. Unfortunately, the developer notified the RDA staff that this project would not be moving forward.

Staff is recommending a termination of the development agreement be executed so the site will be available unencumbered for future development.

RECOMMENDATION

To approve Termination of Development Agreement with 200 N. Monroe Propco LLC.

FISCAL IMPACT**ATTACHMENTS**

- I. Termination Agreement 200 N Monroe

**TERMINATION AGREEMENT
200 N. MONROE AVE.
DEVELOPMENT AGREEMENT [20-01]**

This TERMINATION AGREEMENT ("AGREEMENT") made by and between the Redevelopment Authority of the City of Green Bay (hereinafter called "RDA"), the City of Green Bay (hereinafter the "CITY"), and Monroe PropCo LLC, a Wisconsin limited liability company (hereinafter called the "DEVELOPER") (the RDA, City and Developer hereinafter collectively the "PARTIES").

WITNESSETH:

WHEREAS, the Parties entered into a Development Agreement, dated June 29, 2021 ("DEVELOPMENT AGREEMENT"), concerning a potential 5 story mixed use structure located on 200 N.. Monroe Ave; and

WHEREAS, the Developer has not completed the project (as defined in the Agreement) and has notified the Redevelopment Authority that the development will not occur, and the Parties desire to terminate the Development Agreement as set forth herein.

NOW THEREFORE, in consideration of the promises and obligations set forth herein, it is mutually agreed between the Parties as follows:

1. The Development Agreement shall be terminated as of the date of this Agreement. None of the Parties shall have any further rights, obligations or liabilities under the Development Agreement and the Parties waive and release any and all claims with respect to or arising out of the Development Agreement which they may have against each other.
2. Any personal guarantees executed by the members of DEVELOPER, related to this Development Agreement, are hereby released and/or terminated as of the date of this Agreement.
3. The Parties agree that this Agreement may be recorded with the Register of Deeds for Brown County, WI, if either of the Parties elects to do so.
4. This Agreement may be executed in counterparts, all of which shall constitute the same agreement. Signatures of the Parties transmitted by facsimile transmission or electronic pdf. format (via email) shall be deemed to be original signatures for all purposes.

(Signature Page Follows)

**TERMINATION AGREEMENT
200 N. MONROE AVE.
DEVELOPMENT AGREEMENT [20-01]**

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed on this ____ day of June, 2024.

CITY OF GREEN BAY

By: _____
Eric Genrich, Mayor

By: _____
Celestine Jeffreys, City Clerk

**REDEVELOPMENT AUTHORITY OF THE
CITY OF GREEN BAY**

By: _____
Gary Delveaux, Chair

By: _____
Cheryl Renier-Wigg, Executive Director

[DEVELOPER]

By: _____
Michael Klein, Managing Member

By: _____
[Name of Member], Member



Report to the Redevelopment Authority of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

Krista Cisneroz, Staff

AGENDA ITEM # L.2

To approve and recommend to the Common Council the City of Green Bay's 2024 Annual Action Plan for Community Development Block Grant Program (CDBG) and HOME Investment Partnerships Program (HOME) entitlement programs.

BACKGROUND

The City of Green Bay is an entitlement jurisdiction that receives federal funds from the U.S. Department of Housing and Urban Development (HUD) to invest in the City of Green Bay. The funds are provided under the Community Development Block Grant Program (CDBG) and HOME Investment Partnerships Program (HOME) entitlement programs.

These programs provide funds for municipalities and other units of government around the country to develop viable urban communities. This is accomplished by providing affordable, decent housing, a suitable living environment and expanding economic opportunities principally for low- and moderate-income persons. Each local unit of government develops its own programs and funding priorities through a five-year Consolidated Plan required by the U.S. Department of Housing and Urban Development (HUD).

Public input was received through public hearings and the objectives and outcomes identified in this plan are the results of needs identified by the public, local organizations, and government departments.

The Annual Action Plan budget is attached and identifies how the CDBG and HOME entitlement allocations will be spent on activities that support the Five-Year (2020-2024) Consolidated Plan goals. Below is a comparison of the 2024 and 2023 allocations:

	CDBG	HOME
2024	\$914,351.00	\$468,554.00
2023	\$913,768.00	\$576,345.00

As in past practices, the RDA recommends approval by City Council with the directive that the RDA will administer the funding.

RECOMMENDATION

To approve and recommend to the Common Council the City of Green Bay's 2024 Annual Action Plan for Community Development Block Grant Program (CDBG) and HOME Investment Partnerships Program (HOME) entitlement programs.

FISCAL IMPACT

ATTACHMENTS

1. CDBG 2024 Annual Action Budget
2. HOME 2024 Annual Action Budget

2024 Community Development Block Grant Allocations

Potential Projects	Staff Recommendations	Program Income	TOTAL
Public Service Programs			
Fair Housing Services	\$30,000.00	\$0.00	\$30,000.00
Community Gardens	\$25,000.00	\$0.00	\$25,000.00
Community Pubic Service Activities	\$163,700.00	\$0.00	\$163,700.00
Subtotal for Public Service (Max \$218,700)	\$218,700.00	\$0.00	\$218,700.00
Home Improvement Loan Program (includes emergency rehabilitation)	\$50,101.00	\$0.00	\$50,101.00
Infrastructure and Park Improvements in CDBG Eligible Areas	\$162,800.00	\$0.00	\$162,800.00
Beautification/Art Projects in CDBG Eligible Areas	\$50,000.00	\$0.00	\$50,000.00
Economic Development Façade	\$50,000.00	\$40,000.00	\$90,000.00
Economic Development Revolving Loan	\$200,000.00	\$270,000.00	\$470,000.00
* CDBG Administration	\$182,750.00	\$10,000.00	\$192,750.00
TOTALS	\$914,351.00	\$320,000.00	\$1,234,351.00

2024 CDBG Allocation - \$914,351.00

2024 Estimated Program Income \$320,000 (\$270,000.00 is restricted to Economic Revolving Loan fund)

Public Services-limited to a max of 15% total Entitlement + prior year PI (\$544,234.00)

* CDBG Administration amount is limited to a maximum of 20% total Entitlement plus Program Income

2024 HOME Allocations

Potential Projects	Staff Recommendations	Program Income	TOTAL
Housing Development Advancement Projects	\$301,420.00	\$225,000.00	\$526,420.00
Downpayment Closing Cost Assistance	\$50,000.00	\$0.00	\$50,000.00
Community Housing Development Organizations (CHDO) Set Aside	\$70,284.00	\$0.00	\$70,284.00
*HOME Administration	\$46,850.00	\$25,000.00	\$71,850.00
TOTALS	\$468,554.00	\$250,000.00	\$718,554.00

2024 HOME Allocation \$468,554

2024 Estimated Program Income \$250,000.00

* HOME Administration amount is limited to a maximum of 10% total Entitlement plus Program Income

CHDO set-aside must be a minimum of 15% (\$) of total Entitlement amount; Eligible activities include:

- Acquisition and/or rehabilitation of housing
- New construction of housing



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # M.1

To approve the request by Ald. Johnson and Ald. Hutchison to evaluate on-street parking along Washington Street between Cherry Street and Northland Avenue, including but not limited to parking on both sides and/or diagonal parking.

BACKGROUND

Downtown business owners have approached alders expressing concern for the loss of parking when development replaces the existing Adams Street surface parking lot. The alders request that staff look at options for the 200 and 300 blocks of N. Washington Street to help offset the loss of surface lot spaces.

RECOMMENDATION

Refer to staff for study.

FISCAL IMPACT

None

ATTACHMENTS

1. 2024-05-20 Dist 9 to TBP
2. 2024-05-31 Dist 8 to I and S

Online Form Submittal: Alders' Petitions and Communications

noreply@civicplus.com <noreply@civicplus.com>

Wed 5/29/2024 1:31 PM

To: Celestine Jeffreys <Celestine.Jeffreys@greenbaywi.gov>; Eric Genrich <Eric.Genrich@greenbaywi.gov>; Amaad Rivera <Amaad.Rivera@greenbaywi.gov>

Alders' Petitions and Communications

Name	Brian Johnson
Committee Name	Traffic, Bicycle, and Pedestrian Commission
Text of Communication	Joint Communication from Alders Brian Johnson and Jim Hutchison For consideration and possible action to evaluate on street parking along Washington Street between Cherry Street and Northland Avenue, including but not limited to parking on both sides and/or diagonal parking.

Email not displaying correctly? [View it in your browser.](#)

Online Form Submittal: Alders' Petitions and Communications

noreply@civicplus.com <noreply@civicplus.com>

Sat 6/1/2024 12:22 AM

To: Celestine Jeffreys <Celestine.Jeffreys@greenbaywi.gov>; Eric Genrich <Eric.Genrich@greenbaywi.gov>; Amaad Rivera <Amaad.Rivera@greenbaywi.gov>

Alders' Petitions and Communications

Name	Chris Wery
Committee Name	Improvement and Services Committee
Text of Communication	Request by Alderman Wery to review, with possible action, 'No Mow May'. Has the program worked as expected? Are other more effective alternatives available? If the program continues, consider reinstating enforcement action on non-participating properties during the month of May. Respectfully submitted, Alderman Chris Wery **Please disregard my previous request regarding this topic. Use this one.

Email not displaying correctly? [View it in your browser.](#)



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # M.2

To refer to staff for review of the request by Ald. Wery to evaluate program effectiveness and possible changes to “No Mow May” and report out at a future Improvement & Services Committee meeting.

BACKGROUND

The City of Green Bay implemented a “No Mow May” program in 2022 in an effort to increase habitat for early season pollinators and to provide the foundation for a healthy lawn throughout the growing season.

RECOMMENDATION

Refer to staff for study.

FISCAL IMPACT

None

ATTACHMENTS

None



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # M.3

To refer to staff the request by Ald. Wery for (1) a staff report/presentation of their trip to Detroit to observe the 2024 NFL Draft in preparation for Green Bay's hosting of the 2025 NFL Draft; and (2) to approve maintaining a monthly agenda item regarding the 2025 NFL Draft to include updates and discussion for any potential changes or action by City Council.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
**Improvement and Service Committee
of the City of Green Bay**

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # M.4

To approve the request by Department of Public Works to retain consultant services for survey-related services due to the retirement of the Right-of-Way Specialist.

BACKGROUND

With the retirement of the Right-of-Way Specialist, certain functions regarding legal descriptions, easements, and legal documents can no longer be produced using in-house staff. The Department of Public Works proposes to bring consultants on-board to assist with the services that were previously completed by the Right-of-Way Specialist, until a replacement can be hired. The Department of Public Works has proposed a budget amendment to transfer \$40,000 of Regular Salaries attributed to the Right-of-Way Specialist to Contractual Services to fund the contracted work. At this time, staff has been in contact with Mach IV Engineering & Surveying, LLC, Robert E. Lee & Associates, Inc., and Ayres Associates to assist with this work. DPW may engage additional consultants if we find that workload exceeds what the consultants can handle.

RECOMMENDATION

To execute professional services agreements with Mach IV Engineering & Surveying, Robert E. Lee & Associates, Inc., and Ayres Associates for survey-related services previously handled by the Right-of-Way Specialist until a replacement can be hired.

FISCAL IMPACT

None

ATTACHMENTS

- I. PSA Template Modified 04.14.22 - DPW

STANDARD AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN CITY OF GREEN BAY AND CONSULTANT

Project: **[Insert Project Name]**

THIS AGREEMENT is made this _____ day of _____, by and between the City of Green Bay, a municipal corporation of the State of Wisconsin, located in Brown County, Wisconsin, (hereinafter called "City") and **[Insert name of consultant]** (hereinafter called "Consultant").

NOW, THEREFORE, in consideration of the following terms and conditions, City and Consultant mutually agree as follows:

1. SCOPE OF WORK

Consultant agrees to perform all services and furnish all materials necessary as fully described and specified in the Request for Quotation (RFQ).

2. FEES

Total fees payable to Consultant shall not exceed the amount of **[Insert dollar amount]** for all services, materials, equipment, and authorized reimbursable expenses under this Agreement unless an Amendment to Agreement, signed by both parties, approves additional fees in writing. Any such additional fees shall be defined in writing and authorized prior to execution of such work.

3. AMENDMENTS TO AGREEMENT

This Agreement may be amended only by written instrument signed by both parties. If in the reasonable judgment of the City, the scope or nature of the services to be performed by Consultant change or deviate materially from the scope or nature of the services described above, the City may, at its discretion, suspend performance of its services until a written agreement superseding this Agreement and adjusting the scope, schedule, and terms and conditions has been executed. Where additional work is to be completed on a time and expense compensation, charges shall be in accordance with the fee schedule submitted with the Consultant's Proposal.

4. COMPENSATION

City agrees to pay for services provided in accordance with the compensation provisions described in the Consultant's Proposal. Consultant will bill the City, no more than monthly, with net payment due in 30-days from the invoice date. Consultant may, after giving 72-hour notice, suspend service under the Agreement until the City has paid all amounts in full due for services rendered and expenses incurred.

5. INDEMNIFICATION (HOLD HARMLESS) AGREEMENT

Consultant hereby agrees to indemnify, defend and hold harmless the City, its elected and appointed officials, officers, employees, agents, representatives and volunteers, and each of them, from and against any and all suits, actions, legal or administrative proceedings, claims, demands, damages, liabilities, interest, attorneys' fees, costs and expenses of whatsoever kind or nature in any manner directly or indirectly caused, occasioned, or contributed to in whole or in part or claimed to be caused, occasioned, or contributed to in whole or in part, by reason of any act, omission, fault, or negligence, whether active or passive, of Consultant or of anyone acting under its direction or control or on its behalf even if liability is also sought to be imposed on City, its elected and appointed officials, officers, employees, agents, representatives and volunteers. The obligation to indemnify, defend and hold harmless the City, its elected and appointed officials, officers, employees, agents, representatives and volunteers, and each of them, shall be applicable unless liability results from the sole negligence of the City, its elected and appointed officials, officers, employees, agents, representatives and volunteers.

Consultant will indemnify and hold harmless the City for any claims by reason of its negligent acts, errors or omissions for professional services. The obligation to indemnify and hold harmless the City, its elected and appointed officials, officers, employees, agents, representatives and volunteers and each of them, shall be applicable except to the extent the liability results from the negligence of the City, its elected and appointed officials, officers, employees, agents, representatives and volunteers.

Consultant shall reimburse the City, its elected and appointed officials, officers, employees, agent or authorized representatives or volunteers for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

In the event that Consultant employs other persons, firms, corporations or entities (sub-contractor) as part of the work covered by this Agreement, it shall be Consultant's responsibility to require and confirm that each sub-contractor enters into an Indemnity Agreement in favor of the City, its elected and appointed officials, officers, employees, agents, representatives and volunteers, which is identical to this Indemnity Agreement.

This indemnity provision shall survive the termination or expiration of this Agreement.

6. INSURANCE

Consultant shall not commence work under this Agreement until it has obtained the insurance required herein. All coverages shall be with insurance carriers licensed and admitted to do business in the State of Wisconsin. All coverages shall be with carriers acceptable to the City. A minimum AM Best Rating of A-VII is required.

It is hereby understood and agreed that the insurance required by the City is primary coverage and that any insurance or self-insurance maintained by the City, its officers, council members, agents, employees or authorized volunteers will not contribute to a loss.

Worker's Compensation and Employers Liability Minimum Requirements as required by Statute: Consultant shall cover or insure under applicable labor laws relating to worker's compensation insurance, all of their employees in accordance with the law in the State of Wisconsin. Consultant shall provide statutory coverage for work related injuries and employer's liability insurance with limits of \$100,000 each accident, \$500,000 disease policy limit and \$100,000 disease each employee.

Liability Insurance: Consultant shall procure and maintain during the life of this Agreement the following Commercial General Liability Insurance and Automobile Liability insurances:

A. PROFESSIONAL LIABILITY (Errors and Omissions)

- (1) Minimum Limits
 - (a) \$2,000,000 each claim/\$3,000,000 annual aggregate
 - (b) Any deductible not to exceed \$25,000 each claim
- (2) Must continue coverage for 3 years after final payment for service/job

B. GENERAL LIABILITY COVERAGE

- (1) Commercial General Liability
 - (a) \$4,000,000 general aggregate
 - (b) \$1,000,000 products - completed operations aggregate
 - (c) \$1,000,000 personal injury and advertising injury
 - (d) \$2,000,000 each occurrence limit
- (2) Claims made form of coverage is not acceptable.

- (3) Insurance must include:
 - (a) Premises and Operations Liability
 - (b) Blanket Contractual Liability including coverage for the joint negligence of the City of Green Bay, its officers, council members, agents, employees, authorized volunteers and the named insured
 - (c) Personal Injury
 - (d) Explosion, collapse and underground coverage
 - (e) Products/Completed Operations
 - (f) Independent Contractors

C. BUSINESS AUTOMOBILE COVERAGE

- (1) Minimum Limits - \$2,000,000 Combined Single Limit for Bodily Injury and Property Damage each accident
- (2). Must cover liability for "Any Auto" - including Owned, Non-Owned and Hired Automobile Liability

Additional Insured: Consultant shall name the City, including all elected and appointed officials, all employees and volunteers, all boards, commissions and/or authorities and their board members, employees and volunteers as Additional Insured on the General Liability Coverage. This coverage shall be primary to the Additional Insured, and not contributing with any other insurance or similar protection available to the Additional Insured, whether other available coverage is primary, contributing or excess.

Waiver of Workers Compensation Subrogation: The workers' compensation policy is to be endorsed with a waiver of subrogation. The insurance company, in its endorsement, agrees to waive all rights of subrogation against the City, its officers, officials, employees and volunteers for losses paid under the terms of the policy that arises from the work performed by the named insured for or on behalf of the City of Green Bay.

Cancellation Notice: All insurances required by this Agreement shall include an endorsement stating the following: "Thirty (30) days Advance Written Notice of Cancellation or Ten (10) days for Non-Renewal shall be sent to: City of Green Bay; Attn: Risk Management; 100 North Jefferson St.; Green Bay, WI 54301.

Proof of Insurance Coverage: Consultant shall provide to the City, at the time this Agreement is returned for execution, Certificates of Insurance and/or policies, acceptable to the City. If so requested, certified copies of any or all policies shall also be furnished. The Additional Insured Policy endorsement must accompany the Certificate of Insurance. A copy of the Certificate of Insurance must be on file with Risk Management. If no Certificates of Insurance and/or policies are provided to the City upon execution of this Agreement, the Agreement shall be null and void.

Continuation of Coverage: If any of the above coverage expires during the term of this Agreement, the Consultant shall deliver renewal certificates and/or policies to the City at least ten (10) days prior to the expiration date.

7. DISPUTE RESOLUTION

All claims, disputes or any other matters in question between the parties arising out of or relating to this Agreement or breach thereof shall be subject to mediation as a condition precedent to the institution of any legal proceedings by either party. If such claim, dispute or any other matter involves a lien arising out of Consultant's services, Consultant may proceed in accordance with applicable law to comply with lien notice and filing deadlines prior to resolution of the matter by mediation.

The City and Consultant shall attempt to resolve claims, disputes and other matters in question between them by mediation in accordance with the current Mediation Rules of the American Arbitration Association unless the parties agree otherwise. A request for mediation shall be filed in writing with the other party to this Agreement and, if applicable, the American Arbitration Association.

The parties shall share equally the mediator's and any filing fees. Mediation shall be held in the place where the Project is located, unless another location is mutually agreed upon. Agreements reached in mediation shall have the same force and effect as settlements in any court having jurisdiction thereof.

8. ACCESS/UTILITIES

The City will arrange access to the site, as necessary, for Consultant to complete the work. Consultant will take reasonable precautions to minimize any damage to the site due to its operation. Site restoration is not included unless specifically requested by the City.

Consultant is responsible for locating public utilities and agrees to indemnify and save the City harmless from all claims, suits, losses, cost and expenses including attorney's fees as a result of any personal injury, death or property damage occurring from damage to public utilities. Consultant shall coordinate with a private locating service for locating utilities on private property.

9. SAFETY

Consultant shall comply with all Occupational Safety and Health Administration (OSHA) and State and Local safety and health standards and any other applicable rules and regulations.

Consultant's work or field personnel shall not be responsible for determining or implementing the means, methods, techniques, sequences or procedures of construction. Consultant will not be responsible for evaluating, reporting or effecting job conditions concerning health, safety or welfare, unless specifically requested in writing. Consultant's work or failure to perform same shall not in any way excuse any contractor, subcontractor or supplier from performance of its work in accordance with contract documents.

10. OWNERSHIP OF DOCUMENTS

Any reports, specifications, drawings, or other documents prepared by the Consultant in the performance of its obligations under this Agreement shall become the property of the City. All such materials shall be returned to the City upon completion, termination, or cancellation of this Agreement and payment in full of all monies due the Consultant. The Consultant shall not use, willingly allow, or cause such materials to be used for any purpose other than the performance of all Consultant's obligations under this Agreement without the written consent of the City. The City agrees that the Consultant shall not be responsible for any re-use by the City, or by third parties that obtained the documents from or through the City, for purposes other than the original intent of the documents provided by the Consultant.

11. SAMPLES

Unless otherwise agreed or consumed in testing, test specimens shall be retained for a minimum of thirty (30) days following submission of final report.

12. ASSIGNMENT, TRANSFER OR SUBCONTRACTING

The Consultant shall not subcontract, assign or transfer any interest in this Agreement or any payments due hereunder except upon prior written consent of the City. All terms, conditions, covenants and agreements herein shall extend to and be obligatory upon any successors or assigns of Consultant upon the execution of any written consent by the City. Consent shall not be given to any proposed assignment that would release the Consultant of their responsibilities under this Agreement.

13. TERMINATION FOR CONVENIENCE

The City reserves the right to terminate this Agreement, or any part of this Agreement, upon fourteen (14) days written notice. In case of such termination, the Consultant shall be entitled to receive payment from the City for work completed to date in accordance with the terms and conditions of this Agreement.

14. TERMINATION FOR CAUSE

Either party may terminate this Agreement in the event the other party fails to fulfill any of its obligations under this Agreement in a timely manner or otherwise violate any of the covenants, agreements or stipulations material to this Agreement. Termination of the Agreement is accomplished by the party initiating the termination giving fourteen (14) days written notice to the other party. In case of such termination, the Consultant shall be entitled to receive payment from the City for work completed to date in accordance with the terms and conditions of this Agreement.

15. NO DISCRIMINATION

During the term of this Agreement, the Parties, and the employees, representatives, agents and or volunteers thereof, shall not discriminate against any person based on race, color, creed, religion, sex, national origin, age, ancestry, disability, sexual orientation, gender identity, gender non-conformity, gender expression, transgender status, pregnancy, or marital or parental status.

16. SEVERABILITY

In the event that any section, clause or portion of this Agreement shall be adjudged or decreed to be invalid, the remainder of the Agreement shall remain in full force and not be affected by such judgment.

17. APPLICABLE LAWS

This Agreement shall be governed in all respects by the laws of State of Wisconsin.

18. ENTIRE AGREEMENT

This Agreement, together with the City's Request for Quotation (dated [Insert date]), Consultant's Quotation (dated [Insert date]), the attachments appended hereto, and all documents, drawings, specifications, and instruments specifically incorporated herein and made a part hereof, shall constitute the entire Agreement of the parties.

19. COMPLIANCE WITH LAWS

Consultant is responsible to see that services and documents furnished by Consultant conform to the applicable laws, rules, regulations, codes, orders, and special requirements, except as may be specifically provided otherwise herein.

20. COUNTERPARTS

This Agreement may be executed in several counterparts, and the signatures on this Contract may be transmitted electronically. Electronic signatures will be deemed to constitute original signatures and counterparts to this Agreement containing the signatures (whether original or electronic) of all the parties will be deemed to constitute a single, enforceable Contract.

21. TIME

This Agreement shall be effective on _____, 20____(which is the Effective Date of the Agreement).

All schedules are to be strictly met.

SIGNATURES BELOW

CITY

Signature: _____

Name: _____

Title: _____

Date: _____

CONSULTANT

Signature: _____

Name: _____

Title: _____

Date: _____



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # M.5

To approve the request by Department of Public Works to enter into a cooperative purchasing agreement with Garland/DBS, Inc. for removal and replacement of the Preble Park shelter roof contingent upon the approval of the City's insurance carrier.

BACKGROUND

Portions of the roof were damaged and blown off during a storm in March 2024. The remainder of the roof needs to be removed and a new roof installed.

RECOMMENDATION

Department of Public Works recommends entering into a cooperative purchasing agreement with Garland/DBS, Inc.

FISCAL IMPACT

Unknown per TH.

ATTACHMENTS

1. OMNIA Proposal #25-WI-240639 - City of Green Bay - Preble Park - Copy
2. Item #5 Preble Park Roof



Garland/DBS, Inc.
3800 East 91st Street
Cleveland, OH 44105
Phone: (800) 762-8225
Fax: (216) 883-2055



ROOFING MATERIAL AND SERVICES PROPOSAL

City of Green Bay
Preble Park
471 Skyline Boulevard
Green Bay, WI 54301

Date Submitted: 06/12/2024
Proposal #: 25-WI-240639
MICPA # PW1925

Purchase orders to be made out to: Garland/DBS, Inc.

Please Note: The following budget/estimate is being provided according to the pricing established under the Master Intergovernmental Cooperative Purchasing Agreement (MICPA) with Racine County, WI and OMNIA Partners, Public Sector (U.S. Communities). The line item pricing breakdown from Attachment C: Bid Form should be viewed as the maximum price an agency will be charged under the agreement. Garland/DBS, Inc. administered an informal competitive process for obtaining quotes for the project with the hopes of providing a lower market-adjusted price whenever possible.

Scope of Work:

- 1.** Remove top layer of steel roofing and corresponding wood sub framing leaving only the original metal roof panel in place.
- 2.** Seal holes in existing roof panel with Trowel Grade CPR Seam Sealer.
- 3.** Install 16 ga. sub-framing system directly to the existing purlins.
- 4.** Install fiberglass batt insulation filling voids between the panels, setting over the existing metal panel system.
- 5.** Install Panel Clips and R-Mer Span 16" wide 24 gauge Standing Seam Roof Panel to the roof framing with clips set on each purlin spaced 60" o.c.
- 6.** Install pipe boots and curb flashings per project details/shop drawings.
- 7.** Install ridge cap, rake and eave details per project details/shop drawings.

Attachment C: Bid Form - Line Item Pricing Breakdown

Item #	Item Description	Unit Price	Quantity	Unit	Extended Price
2.25	Tear-off & Dispose of Debris: SYSTEM TYPE Metal Roofing System - Metal Deck	\$ 3.81	4,500	SF	\$ 17,145.00
14.01.08	METAL ROOFING SYSTEMS - LOW SLOPE & STEEP SLOPE (2): INSULATION OPTIONS FOR ARCHITECTURAL STANDING SEAM ROOF INSTALLATION OVER SUBSTRATE: INSULATION OPTION: Structural Application Over an Existing Roof Using Steel Furring - Fiberglass Batten Insulation with an R-Value of 20	\$ 6.45	4,501	SF	\$ 29,031.45
14.02.06	METAL ROOFING SYSTEMS - LOW SLOPE & STEEP SLOPE (2): ROOF CONFIGURATION Architectural or Structural Standing Seam Roof System; Seam Height At or Above 2": THICKNESS OPTION: Bare Galvalume Coated Steel or Equal Panel Price - 24 Ga, 18" - 19" Wide Panels	\$ 9.03	4,500	SF	\$ 40,635.00
14.02.09	METAL ROOFING SYSTEMS - LOW SLOPE & STEEP SLOPE (2): ROOF CONFIGURATION Architectural or Structural Standing Seam Roof System; Seam Height At or Above 2": PANEL WIDTH OPTION: Add for 16" - 17" Panel Width - Galvalume Coated Steel or Equal	\$ 0.96	4,500	SF	\$ 4,320.00
14.02.11	METAL ROOFING SYSTEMS - LOW SLOPE & STEEP SLOPE (2): ROOF CONFIGURATION Architectural or Structural Standing Seam Roof System; Seam Height At or Above 2": COLOR OPTION: Add for Standard Colors - Fluorocarbon Paint System Over Aluminum or Galvalume Coated Steel Or Equal	\$ 1.74	4,500	SF	\$ 7,830.00
14.02.33	METAL ROOFING SYSTEMS - LOW SLOPE & STEEP SLOPE (2): ROOF CONFIGURATION Architectural or Structural Standing Seam Roof System; Seam Height At or Above 2": PANEL INSTALLATION OPTION: Structural Application - At or Above 3:12 Slope - Installed Over Retrofit Framing System	\$ 25.64	4,500	SF	\$ 115,380.00

	Sub Total Prior to Multipliers				\$ 214,341.45
22.19	MULTIPLIER - ROOF SIZE IS GREATER THAN 3,000 SF, BUT LESS THAN 5,000 SF Multiplier is applied when Roof Size is greater than 3,000 SF, but less than 5,000 SF. Situation creates the fixed costs: equipment, mobilization, demobilization, disposal, & set-up labor to be allocated across a smaller roof area resulting in fixed costs being a larger portion of the overall job costs	30	214,341.45	%	\$ 64,302.44
	Total After Multipliers				\$ 278,643.89

Base Bid Total Maximum Price of Line Items under the MICPA: **\$ 278,644**

Proposal Price Based Upon Market Experience: **\$ 214,799**

Garland/DBS Price Based Upon Local Market Competition:

1 Oshkosh Industrial Roofing	\$ 214,799
2 Modern Builders	\$ 250,738
3 Northern Metal & Roofing Inc.	\$ 322,558

Potential issues that could arise during the construction phase of the project will be addressed via unit pricing for additional work beyond the scope of the specifications. This could range anywhere from wet insulation, to the replacement of deteriorated wood nailers.

Please Note – The construction industry is experiencing unprecedented global pricing and availability pressures for many key building components. Specifically, the roofing industry is currently experiencing long lead times and significant price increases with roofing insulation and roofing fasteners. Therefore, this proposal can only be held for 30 days. DBS greatly values your business, and we are working diligently with our long-term suppliers to minimize price increases and project delays which could effect your project. Thank you for your understanding and cooperation.

Clarifications/Exclusions:

1. Plumbing, Mechanical, Electrical work is excluded.
2. Masonry work is included to which it obtains to the scope of work.
3. Interior Temporary protection is excluded.
4. Any work not exclusively described in the above proposal scope of work is excluded.

If you have any questions regarding this proposal, please do not hesitate to call me at my number listed below.

Respectfully Submitted,

John Petersen

John Petersen
Garland/DBS, Inc.
(216) 302-3777



Parks, Recreation & Forestry Department
100 North Jefferson Street - Room 510
Green Bay, Wisconsin 54301-5026
www.greenbaywi.gov

Phone 920.448.3365
Fax 920.448.3393

6/19/24

To: Steven Grenier, P.E.

From: Emma Browne, PE

Re: Preble Park – Roof Replacement

CC: Dan Ditscheit, PLA
James Brunette, P.E
Trista Hobbs, P.E.

The Parks, Recreation and Forestry Department supports awarding the Preble Park Roof Replacement to Garland/DBS, Inc low bidder of Oshkosh Industrial Roofing, contingent on the City insurance also approving this bid. The Risk Department is coordinating with FM Global to secure insurance funding.

	Oshkosh Industrial Roofing	Modern Builders	Northern Metal & Roofing, Inc.
Base Bid	\$214,799.00	\$250,738.00	\$322,558.00

Emma Browne, PE



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # M.6

To approve the request by Department of Public Works to review and approve entering into a sole source contract with EnergiTech Services for replacement of underground fuel tanks at the East and West Side Municipal Garages.

BACKGROUND

The fuel tanks are beyond their usable life and in jeopardy of failing. For insurance and environmental reasons, they need to be replaced.

RECOMMENDATION

Department of Public Works recommends entering into a sole source contract with EnergiTech Services (formerly U.S. Petroleum).

FISCAL IMPACT

Funds were included in the approved 2023 CIP.

ATTACHMENTS

1. GB DPW East New Tanks_TB104096AB
2. GB DPW West New Tanks_TB104095AB-I
3. Item #6 Sole Source Fuel Upgrades DPW East-West_SIGNED



Office: (800) 490-4915 Fax: (920) 739-0741

558 Carter Ct 7120 Highland Dr 11225 W Mitchell St 2525 Brennan Ave
Kimberly, WI 54136 Wausau, WI 54401 West Allis, WI 53214 Fort Worth, TX 76106

ETS Customer #

261816

Proposal For

Nathan Wachtendonk

City of Green Bay

519 S Oneida St

Green Bay, WI 54303

Site Address

Green Bay East Side Garage

1820 Mills St

Green Bay, WI 54302

Mobile Phone: (920) 680-6164

Email: nathan.wachtendonk@greenbaywi.gov

PROPOSAL

Proposal Date: June 13, 2024

Proposal Number: TB104096AB

Proposal Expiration: 15 Days from proposal date

Business Consultant: Todd Broeckel
(920) 858-4269

EnergiTech Services (ETS) is pleased to provide a proposal to complete the following scope of work:

Provide and install (2) new underground storage tanks (UST) in-place of (2) existing tanks. New USTs - (1) 12,000 gallon for UL gas, (1) 12,000 gallon diesel. We will upgrade the Automatic Tank Gauging (ATG) system to a Veeder Root TLS450 Plus and utilize the existing Fuelmaster system for this upgrade.

PRE-CONSTRUCTION ACTIVITIES

Included

- ◇ Notify Diggers' Hotline.
- ◇ Obtain related WDATCP tank permit(s) and make notification to the Tank Inspector.
- ◇ Site safety plan, job site meeting prior to starting work.

DISPENSING EQUIPMENT

EXISTING

- (2) Utilize existing Gasboy Atlas electronic dispensers and hose hanging hardware for this project. *See option #1 for new 2024 AtlasX dispensers.*

FUEL MANAGEMENT SYSTEM

EXISTING

- ◇ Existing Fuelmaster FMU will be utilized for this project.

AREA LIGHTING

EXISTING

- ◇ Existing light pole will be utilized for this project. *See option #2 for new LSI 20' high light pole with dual LED light fixture .*

TANK GROUP

\$ 79,660.00

- (2) 8' dia. x 38' long , 12,000 Gallon Xerxes Fiberglass Double Wall Underground Storage Tank. *(Unleaded and Diesel)*
- ◇ Deadmen anchor system for tanks, Includes: deadmen, tank straps and turnbuckles.
- ◇ Freight to site.

PLEASE NOTE:

- ◇ Tanks have a 30 year manufacturer's warranty.

ATG UPGRADE

\$ 21,385.00

All New Components:

- (1) Veeder Root TLS-450Plus console with touchscreen and integrated printer.
- (1) Universal Sensor/Probe Interface Module.
- (1) Universal Input/Output Interface Module.
- (1) Base Compliance Leak Detection for DPLLD.
- (2) PLLD Line Leak Sensors.
- (2) Interstitial Sensors for fiberglass tanks.
- (2) MAG Plus Probe with float kits.
- (4) Sump sensors. (2-dispenser and 2-tank sump)
- (1) Overfill Alarms and Acknowledgement Switches.

PLEASE NOTE:

- ♦ *TLS450Plus can be remotely monitored with a PC, Smart i-Phone or i-Pad Tablet, but this will require a public static IP address from the ISP (Internet Service Provider). The Owner will be responsible for this.*
- ♦ *Facilities looking to add this additional computer access, or mobile applications on phone or tablet devices, contact Veeder Root technical support directly at 800-323-1799.*
- ♦ *A two hour maximum allowance is included to connect the new tank monitor to the Owner's network, if there are any delays from the Internet Service Provider and/or the Network, additional services will be billed on a Time & Material basis.*
- ♦ *Instructor-Lead virtual training provided by Veeder Root.*
 - *Train employees on TLS-450 Plus.*
 - *Available for groups up to 24 attendees*
 - *For inquiries please email: virtualtraining@veeder.com*

TANK MONITOR TRADE-IN

\$ (2,000.00)

- ♦ Credit to Customer for trading in the existing tank monitor. Tank monitor will be returned to the ETS Warehouse.
 - (1) Tank Monitor and (2) Probes

SUBMERSIBLE PUMPS

\$ 5,795.00

- (2) 1-1/2 HP Red Jacket Submersible Pump, variable length (1-DSL/1-UL).
- (2) Control box with capacitor with 115 Vac coil.

TANK COMPONENTS

\$ 9,300.00

- (2) 5-Gallon Defender Spill Containments.
- (2) Non-coaxial drop tubes & overfill valves, caps and adaptors.
- (2) Vapor vent tees.
- (1) Stage II vapor recovery valve and cap for UL gas fill.
- (2) Riser Pipes (fills, vapor recovery).
- (1) 10" x 13' Long monitor well.
- (2) 44" Manways for submersibles.
- (2) 18" Manways for vapor recovery.
- (1) 12" Monitor well manhole cover.

PIPING AND SUMPS

\$ 13,825.00

- (2) 48" Bravo Fiberglass submersible sumps with entry boots.
Located within the submersible sumps:
UL Gas: Submersible Pump, Tank Probe, and Tank Interstitial.
Diesel: Submersible Pump, Tank Probe and Tank Interstitial.
- (2) Bravo Fiberglass dispenser sumps with entry boots.
- (2) EBW Double Poppet Emergency Shear Valves & Stabilizer Bars.
- (1) EBW Emergency Shear Valves & Stabilizer Bars. (DEF)
- (50) Ln. Ft. 1-1/2" APT XP double wall pipe and fittings for product supply lines.
- (40) Ln. Ft. 2" Ameron single wall fiberglass pipe and fitting for vent lines, will connect to the existing vent risers on concrete wall.
- (2) 2" x 12" Stainless steel vent flex pipes.
- ◇ Miscellaneous elbows, nipples, and unions.

PLEASE NOTE:

- ◇ ***New tank vent FRP piping will connect to existing FRP piping underground. The existing vent risers will be reused.***

DEMO, EXCAVATION, BACKFILL AND TANK REMOVAL

\$ 67,850.00

- ◇ Breakout, remove, and dispose of the following concrete:
Tank pad: 86' x 40' x 8" thick (3,440 SQ FT).
Electrical Trench: 6' x 12' x 8" thick (72 SQ FT).
- ◇ Assist with the removal of **Existing Piping and (2) 10K Tanks.**
- ◇ Excavation of tank hole bottom & backfill.
- ◇ Prepare tank hole for new tanks.
- ◇ Trench for new piping and electrical.
- ◇ Backfill & compact stone around tanks & piping and prepare for concrete.
Please note: We plan on utilizing the existing tank fill and excavated material from the new tank hole for fill. The new tanks will require clean imported backfill. An allowance of 665 tons is included in this proposal.

PLEASE NOTE:

- ◇ ***Owner to have New tanks filled for ballast to reduce the risk of tanks floating during construction. If any tank floats after customer receives filling notification, ETS shall not be liable for any damages to equipment, labor and material cost to tanks if floating occurs, costs shall be borne by customer.***
- ◇ ***Site dewatering:*** If needed, dewatering of the tank field during excavation is included but limited to pumping clean water onto adjacent pavement. If unforeseen conditions such as contaminated water are discovered or encountered, additional services will be billed on a time and material basis.
- ◇ ***The existing backfill will be utilized if clean. If soils are contaminated, additional charges will apply.***
- ◇ ***Any additional necessary backfill beyond the included allowance for the tank hole, shelving areas, & trenches of 665 tons due to unforeseen circumstances (contamination, unsuitable soils, third party recommendations / requirements, etc.) will be applicable to additional charges. Price is based on reusing all the existing backfill for the old tank field.***

NEW CONCRETE and COLLISION PROTECTION

\$ 45,995.00

- ◇ Tank top pad: 86' x 40' – 8" thick (3,440 SQ FT).
- ◇ Concrete islands:
Includes 1 - 4'x18' and 1 - 4'x8', 6" high x 3" deep, raised concrete dispenser islands.
- (8) Provide 6"dia. x 7'-0"L Crash Protection Pipe Bollards. Red-oxide primer paint coating only.
- ◇ Electrical trench pavement restoration: 6'W x 12'L - 8" thick (72 SQ FT).
- (1) Install new concrete light pole base (18" dia. X 7' long, 3' above grade and 4' below grade.
- (8) Install crash protection (6" concrete filled bollards).

PLEASE NOTE:

- ◇ New concrete is figured at 4,500 psi.
- ◇ All concrete pads include 1/2" reinforcement 2' on center.
- ◇ Additional 8" thick concrete will be billed at a rate of \$10.95 per a SQ FT.

ELECTRICAL

\$ 22,415.00

- ◇ Supply and install all new conduit wire from building to dispenser islands and to tanks for the petroleum equipment power.
- (2) Dispensers
- (2) Submersibles
- (1) Fuelmaster FMU
- (2) Tank Probes
- (4) Tank & Dispenser wired containment sump sensors
- (2) Tank Interstitial sensors
- (2) PLLD transducers
- (1) Light Pole
- (1) Tank Monitor upgrade
- (1) Overfill Alarm
- (1) Emergency Stop

TANK CLOSURE SITE ASSESSMENT SERVICES

\$ 3,200.00

- ◇ Provide engineering services and analytical laboratory services for the closure assessment. Soil samples will be collected and analyzed for contamination of petroleum products. An assessment report in accordance with current requirements by the State of Wisconsin will be provided. Up to 21 samples are included.
- ◇ Provide pre-construction tank hole water testing services. Collect one water sample prior to the scheduled tank closure date and deliver the sample to a licensed analytical laboratory for testing of fuel contamination.

LICENSED UST CLOSURE AND INSTALLATION SERVICES**\$ 43,275.00**

- ◇ State WDATCP petroleum tank permit fees and permit drawings.
- ◇ Notify Inspector(s) schedule a pre-construction meeting.
- ◇ Remove (2) existing dispensers and (1) Fuelmaster FMU. Set aside to be reinstalled.
- ◇ Drain the existing tanks and lines.
- ◇ Remove existing underground tanks (as noted in Excavation Section).
- ◇ Clean (2) existing tanks on site.
- ◇ Provide licensed disposal of (4) drums of tank sludge. ***This proposal assumes a maximum of (2) 55 gallon drums per a tank for waste. Additional drums will be billed at a rate of \$425.00 per drum.***
- ◇ Complete removal checklist for tank and piping.
- ◇ Provide the necessary crane to install the new tanks.
- ◇ Install new tanks with the necessary fittings.
- ◇ Install new submersible and dispenser containment sumps.
- ◇ Install new piping and air test for Inspector(s).
- ◇ Install vent piping and connect to existing vent risers
- ◇ Hydro Testing of the containment sumps.
- ◇ Test piping and sumps for Inspector(s).
- ◇ Reinstall (2) dispensers.
- ◇ Calibrate dispensers, notify & report to the State.
- ◇ Provide a Precision Tank and Line Tightness Test by Third Party.
- ◇ Initial startup and inspection of all new equipment.

SUBTOTAL FOR THE ABOVE PROPOSAL \$ 310,700.00**APPLICABLE SALES TAX (T & WT) Exempt****TOTAL FOR PROPOSAL \$ 310,700.00***Attached terms and conditions apply.***PRICING ADDER - OPTION #1:**

- ◇ Provide and install (2) new 2024 Gasboy AtlasX **gas and diesel** dispensers. Description - Gasboy 9853GX TW1-electronic high flow (factory rated up to 22 GPM) dispensers, single product, two-hose, 1" outlets, internal 10 micron filter, product id, commercial gallons only computers with lighted bezel, stainless steel (SS) sides, SS doors, aluminum base, pulse output to work with Fuelmaster. We will supply new hose hanging hardware and hose retractors to match existing dispensers. Gasboy dispenser mounted high-hose retractors with hose-hanger. This option also includes a trade-in credit of \$1,500.00 each for the (2) existing dispensers. New Gasboy dispensers have manufacturer's 1 year parts and labor warranty included.

Add to base bid: **\$25,060.00.**Please sign here if accepting adder **Option #1:** _____**PRICING ADDER - OPTION #2:**

- ◇ Provide and install a new LED light pole. Dual 18L LED with a 20' bronze pole.

Add to base bid: **\$2,325.00**Please sign here if accepting adder **Option #2:** _____

UNIT PRICING ADDER - OPTION #3:

- ◇ Provide and install additional clean imported backfill @ \$23.88 per a Ton.

UNIT PRICING ADDER - OPTION #4:

- ◇ Provide additional services for demo and disposal of additional 8" thick concrete pavement @ \$4.75 per a SQ FT.

UNIT PRICING ADDER - OPTION #5:

- ◇ Provide and install additional 8" thick concrete pavement @ \$10.95 per a SQ FT.

UNIT PRICING ADDER - OPTION #6:

- ◇ Provide services for site remedial action. Provide excavation, stockpiling, protection (plastic and banking) for rain erosion, and backfilling of void for fuel contaminated soil @ \$60.00 per CU YD.

UNIT PRICING ADDER - OPTION #7:

- ◇ Provide services for licensed trucking of fuel contaminated soil from job site to the Whitelaw, WI landfill @ \$25.00 per a Ton. Includes loading and staging site clean-up. Does not include any testing services or the landfill fees.

PROPOSAL NOTES:

- ◇ Proposal based on working from 7:30am - 4:00pm, Monday through Friday.
- ◇ Project based on normal underground conditions, non-contaminated conditions.
- ◇ If any installation or delivery delays are encountered due to unexpected site conditions, a change order may be required to offset labor cost.
- ◇ Installation will be done on parts and labor availability basis.

ITEMS NOT INCLUDED WITH THIS PROPOSAL:

- ◇ Local permits, i.e., city, town, county, special exemptions.
- ◇ Any equipment, material, or services not listed in the above scope of work.
- ◇ Winter Conditions (i.e. frost, heated concrete, snow / ice removal, etc.).
- ◇ All work related to site remediation, including but not limited to: Handling of contaminated soils or hazardous waste and dewatering of the site, which would include pumping of contaminated excavation water.
- ◇ All work related to plumbing work, landscaping work, and replacement of fencing / guardrails.
- ◇ Rerouting or moving of overhead wires during construction.
- ◇ Price does NOT include **shoring** of the tank hole.
- ◇ Demolition of existing building, retaining wall(s), or other existing components not listed within the proposal.
- ◇ Resurfacing other than as described in proposal is by others.
- ◇ Supply and installation of new safety signage and fire extinguishers with boxes (Reuse the existing).

Thank you for considering EnergiTech Services for your service and equipment needs.

TOTAL FOR THE ABOVE PROJECT \$ 310,700.00

Proposed Payment Terms:

1/3	Payment due Net 10 days from Contract Signing Date .
1/3	Due prior to the start of onsite construction work .
Balance	Invoiced upon completion. Payment due Net 10 days from Project Completion Date . "Balance" is subject to change orders or additional charges.

Terms are subject to credit approval.

***This proposal may be withdrawn by
EnergiTech Services if not accepted in: 15 Days from proposal date***

This Proposal is subject to the terms and conditions set forth herein, as well as the attached Standard Terms and Conditions (collectively, this Proposal and the Standard Terms and Conditions shall hereafter be referred to as the "Agreement").

If EnergiTech Services is required to perform under different terms and conditions, a change order may be required.

CUSTOMER ACCEPTANCE OF PROPOSAL

The prices, specifications, terms and conditions as set forth above and attached are satisfactory and hereby accepted as the Agreement. EnergiTech Services is authorized to do the work as specified. Payment will be made as outlined above and in the attached Standard Terms and Conditions.

The undersigned individual, who is either a principal of the Customer or a sole proprietor, recognizing that his or her individual credit history may be a factor in the evaluation of the credit history of the applicant, hereby consents to and authorizes the use of a consumer credit report on the undersigned by EnergiTech Services from time to time as may be needed, in the credit evaluation process.

Customer

EnergiTech Services

Signature

Signature

Printed Name

Printed Name

Title

Title

Date

Date

TERMS & CONDITIONS OF EnergiTech Services LLC

Acceptance of Proposal. The accompanying Proposal, when accepted by Customer, will constitute a contract between EnergiTech Services LLC ("ETS") and Customer, subject to all terms and conditions that follow herein and the approval of ETS's credit manager. Delivery of the materials/equipment herewith, installation of the specified equipment, Customer's acceptance in writing, and/or the issuance of an invoice, constitutes a binding acceptance by the Customer of the proposal herein. It is expressly agreed that there are no promises, agreements, or understandings, oral or written, not specified in the Proposal and these Terms and Conditions.

Scope of Work and Payment. All equipment and services shall be provided as set forth in the Proposal. ETS shall be paid for work performed as follows:

1. Terms for services, unless otherwise specified in the Proposal, are 1/3 with signed Proposal, 1/3 at commencement of work, and 1/3 upon receipt of final invoice, with payment terms of net ten (10) days from Customer's receipt of invoice.
2. Terms on the invoice unless otherwise specified in the Proposal, are net ten (10) days from Customer's receipt of invoice.
3. In the event ETS has not received payment for all fees and cost according to the terms of the invoice, Customer agrees to pay a late payment fee on the unpaid invoice balance at the rate of 2% per month commencing upon the expiration of the invoice terms and continuing until paid.
4. Customer also agrees that if payments are not received according to the terms of the invoice, a stoppage in completing a project may occur without ETS incurring any nonperformance or other legal liability.
5. Customer agrees to pay all costs incurred by ETS in enforcing the terms of this Agreement, including but not limited to, costs of its collection agency and reasonable attorney's fees.
6. Credit card payments are subject to 3% card processing fees.

Prices. Prices quoted are expressly contingent upon all conditions being observed, represented, and warranted at the time of bid. Prices quoted cover only those items which are specifically set forth in the Proposal. All other items will be billed to Customer on a time and materials basis. The prices quoted are for acceptance within fifteen (15) days of the date of Proposal, unless otherwise specified, and are subject to change without notice after that date. Prices quoted do not include soil analysis or clean-up of contamination, unless specifically stated. Labor, materials, and outside services for electrical, concrete, blacktop, excavating or sewer work, and such work not included in the Proposal unless specified. Additionally, required local permits are not included in the Proposal unless specified. Prices quoted on equipment and repair parts are subject to federal, state, and municipal taxes and licenses, which may be in effect, or which may be imposed prior to the actual shipment of materials and equipment. All such taxes and license costs are the responsibility of Customer.

Delivery. ETS will endeavor to maintain delivery dates and schedules but cannot guarantee them. ETS shall not be liable for any costs or damages of Customer under this provision, including, but not limited to, loss of profits or business.

Limited Warranty. All materials and equipment, whether new or used, are purchased "AS IS" from ETS. Products sold may be warranted by the manufacturer of the product but only to the extent of warranty offered by the manufacturer. Unless specifically stated in the Proposal, Customer shall register the equipment with the manufacturer. Any manufacturer warranties existing on new equipment furnished as part of the Proposal are passed through from ETS to Customer according to each manufacturer's policy, and in such cases, Customer's warranty shall be limited to that provided by the manufacturer(s). Ordinary use; wear and tear; or damage from abuse, neglect, accident, misadjustment, or failure by Customer to maintain equipment properly is excluded from coverage.

For a period of one (1) year from the date of completion of the project, ETS will at its sole discretion, install any equipment or materials covered by a manufacturer's warranty. If an item(s) is not covered by manufacturer's warranty, Customer may at its sole cost, pay for the equipment and materials and ETS (at its sole discretion) will install at no charge to the Customer. This labor warranty from ETS is null and void in the event the Customer or third party performs subsequent work on the equipment installed or repaired by ETS.

CUSTOMER AGREES TO RELEASE, INDEMNIFY, HOLD HARMLESS, AND DEFEND ETS FROM AND AGAINST ANY AND ALL CLAIMS, LIABILITY, AND CAUSES OF ACTION AT LAW OR EQUITY FOR LOSS, DAMAGE, INJURY OR DEATH TO PERSONS AND PROPERTY, INCLUDING BUT NOT LIMITED TO ENVIRONMENTAL CONTAMINATION, LEAKS, SPILLS, RELEASES, OR DISCHARGES BY WHATSOEVER OR HOWSOEVER CAUSE OR SOURCE, ARISING OR OCCURRING FROM ANY NEW OR USED EQUIPMENT RECEIVED FROM BY CUSTOMER FROM ETS.

THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTIES OR MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, WITH RESPECT TO THE EQUIPMENT AND SERVICES DESCRIBED IN THE PROPOSAL.

Limitation of Liability. ETS shall be liable only for damages that are the sole negligence of ETS and that ETS's total liability (if caused by ETS's sole negligence) shall not exceed \$50,000.00, or the total fees payable to ETS for the particular project, whichever is less. ETS shall not be liable for any special, punitive, incidental, or consequential damages (including without limitation, loss of profits or income, loss of use of property, business interruption, cost of replacing goods or services, or third party claims).

Any claims, demands, or cause of action against ETS arising from or related to in any way to the Proposal, or to work, services, or goods or products provided by ETS pursuant to the Proposal, must be brought within one (1) year from the date the work, service or provision of goods or products has been completed.

Compliance with Laws. Environmental compliance is Customer's responsibility. Its failure to comply strictly with applicable federal, state or local requirements, rules and/or regulations (including but not limited to those applicable to notice) shall completely void all warranties of ETS. Customer agrees to hold ETS harmless from and indemnify and defend against any claims or liability relating to Customer's failure to comply strictly with any federal, state or local requirements, rules and/or regulations (including but not limited to those applicable to notice). All TSSA (Tank-System Site Assessment) documentation is to be reported on part A & B of the Department's Tank System Service and Closure Assessment. All original TSSA report documents (scaled drawing of the site, layout showing sample locations and excavations, lab reports, photos and parts A & B of form TR-WM-140) will be sent to the Environmental Program Associate in the corresponding DNR regional office upon completion of the report.

Insurance/ownership/registration. Customer is responsible for maintaining (or ensuring that the owner of the property maintains if Customer is not the owner), evidence of ownership of the property on which the Project is taking place, insurance on the property and equipment purchased from ETS, and registration of any such equipment as may be required to comply with any local, state and federal laws, regulations or industry standards.

Termination. ETS may, without prejudice to any right or remedy, terminate its relationship with Customer and suspend all work or delivery of goods upon notice to Customer.

Unforeseen Conditions. If unforeseen conditions arise that affect the scope of services, time for performance, or the risk involved, ETS shall notify Customer. ETS may then, at its sole discretion, modify the scope of work,

modify the price, stop work until arrangements satisfactory to ETS have been made, or terminate the services by notifying Customer in writing. ETS shall be entitled to compensation for its services performed through the time of termination. If abnormal soil conditions or weather conditions or other unforeseen conditions result in additional cost, those additional costs will be billed on a time and materials basis.

Jurisdiction and Venue. Customer agrees that this Proposal shall be governed by Wisconsin law and jurisdiction and venue will be the Outagamie County District Court of Wisconsin, or the Federal District Court Eastern District of Wisconsin (Green Bay Division).

Waiver of Right to Jury Trial. ETS AND CUSTOMER WAIVE THEIR RESPECTIVE RIGHTS TO A JURY TRIAL OF ANY CLAIM OR CAUSE OF ACTION BASED UPON OR ARISING OUT OF THE PROPOSAL OR ANY DEALINGS BETWEEN THEM RELATING TO THE SUBJECT MATTER OF THIS PROPOSAL. ETS AND CUSTOMER ACKNOWLEDGE THAT THIS WAIVER IS A MATERIAL INDUCEMENT TO ENTER INTO THIS AGREEMENT. THIS WAIVER IS IRREVOCABLE, MEANING THAT IT SHALL APPLY TO ANY SUBSEQUENT AMENDMENTS, RENEWALS, SUPPLEMENTS OR MODIFICATIONS TO THIS AGREEMENT OR TO ANY OTHER DOCUMENTS OR AGREEMENTS RELATING TO THE TRANSACTION CONTEMPLATED HEREBY. IN THE EVENT OF LITIGATION, THIS AGREEMENT MAY BE FILED AS A WRITTEN CONSENT TO A TRIAL BY THE COURT.

Utilities and Underground Structures. ETS will take reasonable precautions to avoid damage to utilities or other underground structures. Customer shall indemnify, defend, and hold ETS harmless for any damage to utilities or underground structures, and from any claims, liability, or damages resulting from utilities or underground structures that were not properly called to ETS's attention. Such indemnity shall include payment of litigation costs, expert's fees, and attorney's fees incurred by ETS.

Duties of the Customer. Customer warrants that it has disclosed all adverse or unfavorable site conditions which may affect this Proposal. Customer represents and warrants that all information provided to ETS is complete and accurate. Customer represents and warrants it has and will comply with all applicable local, state, and federal laws. Customer shall protect the site against damage, injury, or loss and shall carry insurance in an amount sufficient to cover replacement values, naming ETS as loss payee and additional insured. Customer is responsible for providing Builder's Risk insurance coverage. Customer is responsible for providing liquid ballast for filling underground storage tanks immediately upon setting the tanks during excavation. ETS shall not be liable for damage to the ballast, including without limitation, damage due to contamination or loss of product. Customer shall keep accurate, daily inventory records on products stored in tanks, lines, and dispensing equipment and shall promptly notify ETS of all shortages or losses. Precision testing procedures performed on any portion of the underground storage tank systems are designed to detect leaks and ETS shall not be responsible for any contamination resulting from spills or releases which may occur before, during or after such tests.

PCI/EMV /Security Standard Requirements. This Proposal may include components to assist with implementing a program to maintain compliance with PCI security standard requirements, but may not provide the entire solution. Additional items such as software, network gateways, and secure routers may be needed to provide full compliance. Periodic inspection of devices and components, along with tracking these assets, and ensuring a secure network with limited access is also an important part of maintaining compliance with the standards. If additional components, software or equipment are required, those additions will be billed on a time and materials basis along with the labor necessary to install, program and setup. Components supplied by the Customer must be approved prior to scheduling upgrades. ETS does not guarantee compliance as compliance with the PCI security standard is the sole responsibility of the owner/operator of the facility. **CUSTOMER AGREES TO RELEASE, INDEMNIFY, HOLD HARMLESS, AND DEFEND ETS FROM AND AGAINST ANY AND ALL CLAIMS, LIABILITY, AND CAUSES OF ACTION AT LAW OR EQUITY ARISING OR OCCURRING FROM THE REMOVAL AND DISPOSAL OF CUSTOMER'S EQUIPMENT.**

Hardware/software compatibility. In connection with this Proposal, the parties assume that any fueling system hardware and software supplied by Customer is inherently compatible and required only routine start-up programming. If on start-up, it is discovered that the hardware and/or software is not compatible or has innate deficiencies that require additional configuration or upgrading, ETS shall be entitled to full payment of the Contract Price under the Proposal including any extra charges to complete changes to customer equipment.

Digging/excavating clause. Digging and excavating quotations are based on normal soil conditions. Should any digging or excavating be included in the ETS Proposal, and any heavy rock, shale, water frost or unusual doffing be encountered, the Proposal price shall be increased at ETS's normal labor hourly rate except that any outside contract work required shall be charged at ETS's cost plus its customary administrative charge. In the event of cave-ins, and the necessity to shore or slope hole, all associated cost with the removal of the excess soil and replacement with either sand or gravel will be considered an extra and all such cost shall be borne by Customer. In the event underground structures, cables, conduit, debris, rick, water, utilities, or running sane are encountered, destroyed or damaged during the performance of the work, ETS shall not be held responsible, and Customer shall indemnify and save harmless ETS and its contractors, agents and employees from all suits, actions, or claims brought about by such encounter, destruction or damage. Should dewatering be required, the ETS shall not be responsible for disruption of adjacent backfill materials whether known or unknown at the time of excavation, repairs to paving, concrete, structures shall be borne by Customer. ETS is not responsible for removal/disposal of waste water if de-watering of the sump is necessary. Finished grades are to be established and verified by Customer.

Tank Floating Clause. Customer shall fill all underground storage tanks installed by ETS with liquid for ballast immediately upon notification from ETS that a tank(s) has been set into an excavation ("filling notification"). ETS shall not be responsible for any contamination or loss of product used for ballast. If any tank floats after Customer receives filling notification, ETS shall not be liable for any damages to equipment, and labor and materials cost to reinstall tanks, if floating occurs, costs shall be borne by Customer.

Cold weather Concrete. In the event that concrete is poured during cold weather, ETS is not responsible for chipping, cracking, or Spaulding of concrete, due to cold weather pours. Furthermore, ETS is not responsible for additional cost of heated concrete, unless otherwise specified in the contract. It is highly recommended that salt or any chemical based deicer is NOT used for a period of at least 24 months after installation to prevent concrete related problems.

Notice of Lien Rights. As required by the Wisconsin construction lien law, ETS hereby notifies owner/customer that persons or companies performing, furnishing, or procuring labor, services, materials, plans or specifications for the construction on owner's/customer's land may have lien rights on owner/customer's land and buildings if not paid. Those entitled to lien rights, in addition to ETS are those who give the owner/customer notice within sixty (60) days after they first perform, furnish, or procure labor, services, materials, plans or specifications for the construction. Accordingly, owner/customer probably will receive notices from those who perform, furnish, or procure labor, services, materials, plans, or specifications for the construction, and should give a copy of each notice received to the mortgage lender, if any. ETS agrees to cooperate with owner/customer and owner's/customer's lender, if any, to see that all potential lien claimants are duly paid. This notice is given for purpose of identification, and is not a claim to you or your lender for payment.



Office: (800) 490-4915 Fax: (920) 739-0741

558 Carter Ct 7120 Highland Dr 11225 W Mitchell St 2525 Brennan Ave
Kimberly, WI 54136 Wausau, WI 54401 West Allis, WI 53214 Fort Worth, TX 76106

ETS Customer #
261816
Proposal For
Nathan Wachtendonk
City of Green Bay
519 S Oneida St
Green Bay, WI 54303

Site Address
Green Bay West Side Garage
519 S Oneida St
Green Bay, WI 54302

Mobile Phone: (920) 680-6164
Email: nathan.wachtendonk@greenbaywi.gov

PROPOSAL

Proposal Date: June 13, 2024

Proposal Number: TB104095AB

Proposal Expiration: 15 Days from proposal date

Business Consultant: Todd Broeckel
(920) 858-4269

EnergiTech Services (ETS) is pleased to provide a proposal to complete the following scope of work:

Provide and install (3) new underground storage tanks (UST) in-place of (3) existing tanks. New USTs - (1) 12,000 gallon for UL Gas, (1) 20,000 gallon Diesel and (1) 2,500 gallon for DEF. We will upgrade the Automatic Tank Gauging (ATG) system to a Veeder Root TLS450 Plus and utilize the existing Fuelmaster system for this upgrade.

PRE-CONSTRUCTION ACTIVITIES

Included

- ◇ Notify Diggers' Hotline.
- ◇ Obtain related WDATCP tank permit(s) and make notification to the Tank Inspector.
- ◇ Site safety plan, job site meeting prior to starting work.

DISPENSING EQUIPMENT

\$ 19,115.00

- (3) Utilize existing Gasboy Atlas electronic dispensers and hose hanging hardware for this project. *See adder option #1 for new 2024 AtlasX dispensers.*
- (1) Gasboy Atlas 9862KX-Z, cold weather, 1-side, 1-hose DEF dispenser with pulse output, lighted cabinet, stainless steel panels, 11' DEF hose, DEF nozzle without misfill prevention, DEF nozzle breakaway/swivel combo. *See adder option #3 for a second DEF dispenser.*
- ◇ Freight for DEF dispenser.

PLEASE NOTE:

- ◇ New Gasboy dispensers have manufacturer's 1 year parts and labor warranty included.

FUEL MANAGEMENT SYSTEM

\$ 225.00

- ◇ Existing Fuelmaster FMU will be utilized for this project.
- (1) Additional Fuelmaster hose controller for (1) DEF hose.

AREA LIGHTING

EXISTING

- ◇ Existing light pole will be utilized for this project. *See adder option #2 for new LSI 20' high light pole with dual LED light fixture .*

TANK GROUP

\$ 133,298.00

- (1) 10' dia. x 24' long , 12,000 Gallon Xerxes Fiberglass Double Wall Underground Storage Tank. **(Unleaded)**
- (1) 10' dia. x 36' long , 20,000 Gallon Xerxes Fiberglass Double Wall Underground Storage Tank. **(Diesel)**
- (1) 6' dia. x 13'-6" long , 2,500 Gallon Xerxes Fiberglass Double Wall Underground Storage Tank. **(DEF)**
- ◇ Deadmen anchor system for tanks, Includes: deadmen, tank straps and turnbuckles.
- ◇ Freight to Site.

PLEASE NOTE:

- ◇ Tanks have a 30 year manufacturer's warranty.

ATG UPGRADE

\$ 31,784.00

All New Components:

- (1) Veeder Root TLS-450Plus console with touchscreen and integrated printer.
- (1) Universal Sensor/Probe Interface Module.
- (2) Universal Input/Output Interface Module.
- (1) Base Compliance Leak Detection for DPLLD.
- (1) DEF Recirculation software
- (3) PLLD Line Leak Sensors.
- (3) Interstitial Sensors for fiberglass tanks.
- (3) MAG Plus Probe with Float Kits.
- (7) Sump Sensors. (DEF dispenser and tank sump)
- (1) Overfill Alarm and Acknowledgement Switch.

PLEASE NOTE:

- ◇ *TLS450Plus can be remotely monitored with a PC, Smart i-Phone or i-Pad Tablet, but this will require a public static IP address from the ISP (Internet Service Provider). The Owner will be responsible for this.*
- ◇ *Facilities looking to add this additional computer access, or mobile applications on phone or tablet devices, contact Veeder Root technical support directly at 800-323-1799.*
- ◇ *A two hour maximum allowance is included to connect the new tank monitor to the Owner's network, if there are any delays from the Internet Service Provider and/or the Network, additional services will be billed on a Time & Material basis.*
- ◇ *Instructor-Lead virtual training provided by Veeder Root.*
 - *Train employees on TLS-450 Plus.*
 - *Available for groups up to 24 attendees*
 - *For inquiries please email: virtualtraining@veeder.com*

TANK MONITOR TRADE-IN

\$ (2,000.00)

- ◇ Credit to Customer for trading in the existing tank monitor. Tank monitor will be returned to the ETS Warehouse.
(1) Tank Monitor and (3) Probes

SUBMERSIBLE PUMPS

\$ 14,320.00

- (3) 1-1/2 HP Red Jacket Submersible Pump, variable length (2-DSL/1-UL).
- (1) Red Jacket 3/4 HP fixed pressure DEF submersible pump with pressure relief assembly.
- (3) Control box with capacitor with 115 Vac coil.
- (1) DEF Control Box

TANK COMPONENTS

\$ 12,870.00

- (3) 5-Gallon Defender Spill Containments.
- (2) Non-coaxial drop tubes & overfill valves, caps and adaptors.
- (1) Fiberglass drop tube assembly (DEF)
- (3) Vapor vent tees.
- (1) Stage II vapor recovery valves and caps.
- (7) Riser Pipes (fills, vapor recoveries, DSL Probe).
- (1) 10" x 13' Long Monitor Well.
- (3) 44" Manways for submersibles.
- (3) 18" Manways for vapor recovery and DSL probe.
- (1) 12" Monitor Well Manhole.

PIPING AND SUMPS

\$ 31,215.00

- (3) 48" Bravo Fiberglass submersible sumps with entry boots.
Located within the submersible sumps:
No-Lead: Submersible Pump, Probe, Interstitial
Diesel: (2) Submersible Pumps, Interstitial
DEF: Submersible Pump, Interstitial and vent
- (4) Bravo Fiberglass dispenser sumps with entry boots.
- (3) EBW Double Poppet Emergency Shear Valves & Stabilizer Bars.
- (1) EBW Emergency Shear Valves & Stabilizer Bars. (DEF)
- (200) Ln. Ft. 1-1/2" APT XP double wall pipe and fittings for product supply and DEF lines.
- (60) Ln. Ft. 2" Ameron single wall fiberglass pipe and fitting for vent lines, will connect to the existing vent risers on concrete wall.
- (6) 2" x 12" Stainless steel vent flex pipes.
- ◇ Miscellaneous elbows, nipples, and unions.

DEMO, EXCAVATION, BACKFILL AND TANK REMOVAL

\$ 69,265.00

- ◇ Breakout, remove, and dispose of the following concrete:
Tank Pad: 55' x 56' (3,080 SQ FT)
Fuel Pad: 12' x 75' (900 sq. ft.)
Trench: 12' x 50' (600 sq. ft.)
- ◇ Assist with the removal of **Existing Piping and (3) Tanks.**
- ◇ Excavation of Tank Hole Bottom & Backfill
- ◇ Prepare existing tank hole for new tanks.
- ◇ Trench for new piping and electrical.
- ◇ Backfill & compact stone around tanks & piping and prepare for concrete.
Please note: This proposal includes an allowance of 925 tons of clean backfilled truck in. Please note we plan to utilize 40 tons of existing backfill for the tank field.

PLEASE NOTE:

- ◇ **Owner to have New tanks filled for ballast to reduce the risk of tanks floating during construction. If any tank floats after customer receives filling notification, ETS shall not be liable for any damages to equipment, labor and material cost to tanks if floating occurs, costs shall be borne by customer.**
- ◇ **Site dewatering:** Dewatering of the tank field during excavation is included but limited to pumping clean water into the adjacent service garage floor drain. If unforeseen conditions such as contaminated water are discovered or encountered, additional services will be billed on a time and material basis.
- ◇ **Any additional necessary backfill beyond the included allowance for the tank hole, shelving areas, & trenches of 925 tons due to unforeseen circumstances (contamination, unsuitable soils, third party recommendations / requirements, etc.) will be applicable to additional charges. The allowance is based on utilizing 40 tons of existing clean backfill for the tank field.**

NEW CONCRETE and COLLISION PROTECTION

\$ 65,320.00

- ◇ Tank top pad: 55' x 56' – 8" thick (3,080 SQ FT).
- ◇ Additional concrete at islands: 12' x 76' – 8" thick (912 SQ FT). Includes 1 - 4'x12' and 2 - 4'x8', 6" high raised concrete dispenser islands.
- ◇ Includes 1 - 12' x 30' x 6" high raised concrete island at the tank fill/spill containments.
- (18) Provide 6"dia. x 7'-0"L Crash Protection Pipe Bollards. (12 at dispensers, 4 at the tank fills and 2 for vent riser supports.) Red-oxide primer paint coating only.
- ◇ Electrical trench pavement restoration: 12'W x 50'L - 8" thick (600 SQ FT).
- (2) Install vent support bollards.
- (16) Install crash protection (6" concrete filled bollards).

PLEASE NOTE:

- ◇ New concrete is figured at 4,500 psi.
- ◇ All concrete pads include 1/2" reinforcement 2' on center.
- ◇ Utilize existing light pole footing.
- ◇ Additional 8" thick concrete will be billed at a rate of \$10.95 per a SQ FT.

ELECTRICAL

\$ 34,765.00

- ◇ Supply and install all new conduit wire from building to dispenser islands and to tanks for the petroleum equipment power.
- (4) Dispensers
- (4) Submersibles
- (1) FMU
- (3) Tank Probes
- (8) Tank & Dispenser wired containment sump sensors
- (3) Tank Interstitial sensors
- (3) PLLD transducers
- (1) Light Pole
- (1) Tank Monitor upgrade
- (1) Overfill Alarm
- (1) Emergency Stop

TANK CLOSURE SITE ASSESSMENT SERVICES

\$ 4,000.00

- ◇ Provide engineering services and analytical laboratory services for the closure assessment. Soil samples will be collected and analyzed for contamination of petroleum products. An assessment report in accordance with current requirements by the State of Wisconsin will be provided. Up to 21 samples are included.
- ◇ Provide pre-construction tank hole water testing services. Collect one water sample prior to the scheduled tank closure date and deliver the sample to a licensed analytical laboratory for testing of fuel contamination.

LICENSED UST CLOSURE AND INSTALLATION SERVICES**\$ 49,290.00**

- ◇ State petroleum tank permit fees and permit drawings. Owner is to supply EnergiTech with site map showing tank location in relation to all property lines, building(s), road(s), well(s), etc.
- ◇ Notify Inspector(s) have a Pre Construction Meeting on site.
- ◇ Remove (3) existing dispensers and submersibles. Set aside to be reinstalled.
- ◇ Drain the existing tanks and lines.
- ◇ Remove existing underground tanks (as noted in Excavation Section).
- ◇ Clean (3) existing tanks on site.
- ◇ Provide licensed disposal of (6) drums of tank sludge. ***This proposal assumes a maximum of (2) 55 gallon drums per a tank for waste. Additional drums will be billed at a rate of \$425.00 per drum.***
- ◇ Provide licensed recycling of the existing tanks and piping scrap.
- ◇ Complete removal checklist for tank and piping.
- ◇ Supervise Tank Hole Excavation.
- ◇ Provide the necessary crane to install the new tanks.
- ◇ Provide a vacuum truck to remove and save exiting fill.
- ◇ Install new tanks with the necessary fittings.
- ◇ Set new island surrounds and dispenser sumps.
- ◇ Install new piping and air test for Inspector(s).
- ◇ Install vent piping and new risers in green space west of tank pad
- ◇ Hydro Testing of the sumps.
- ◇ Test piping and sumps for Inspector(s).
- ◇ Reinstall (3) dispensers.
- ◇ Install (1) DEF dispensers.
- ◇ Calibrate dispensers, notify & report to the State.
- ◇ Precision Tank and Line Tests by Third Party.
- ◇ Initial startup and inspection of all new equipment.

SUBTOTAL FOR THE ABOVE PROPOSAL	\$ 463,467.00
APPLICABLE SALES TAX (T & WT)	Exempt
TOTAL FOR PROPOSAL	\$ 463,467.00

Attached terms and conditions apply.

PRICING ADDER - OPTION #1:

- ◇ Provide and install (3) new 2024 Gasboy AtlasX **gas and diesel** dispensers. Description - Gasboy 9853GX TW1-electronic high flow (factory rated up to 22 GPM) dispensers, single product, two-hose, 1" outlets, internal 10 micron filter, product id, commercial gallons only computers with lighted bezel, stainless steel (SS) sides, SS doors, aluminum base, pulse output to work with Fuellmaster. We will supply new hose hanging hardware and hose retractors to match existing dispensers. Gasboy dispenser mounted high-hose retractors with hose-hanger. This option also includes a trade-in credit of \$1,500.00 each for the (3) existing dispensers.

Add to base bid: **\$37,590.00.**Please sign here if accepting adder **Option #1** : _____**PRICING ADDER - OPTION #2:**

- ◇ Provide and install a new LED light pole. Dual 18L LED with a 20' bronze pole.

Add to base bid: **\$2,325.00**Please sign here if accepting adder **Option #2** : _____**PRICING ADDER - OPTION #3:**

- ◇ Provide and install (1) additional Gasboy Atlas 9862KX-Z, cold weather DEF dispenser, 1-side, 1-hose with pulse output, lighted cabinet, stainless steel panels, 11' DEF hose, DEF nozzle without misfill prevention, DEF nozzle breakaway/swivel combo. This option also includes additional piping, containment, leak detection and electrical.

Add to base bid: **\$33,398.00.**Please sign here if accepting adder **Option #3** : _____

UNIT PRICING ADDER - OPTION #4:

- ◇ Provide and install additional clean imported backfill @ \$23.88 per a Ton.

UNIT PRICING ADDER - OPTION #5:

- ◇ Provide additional services for demo and disposal of additional 8" thick concrete pavement @ \$4.75 per a SQ FT.

UNIT PRICING ADDER - OPTION #6:

- ◇ Provide and install additional 8" thick concrete pavement @ \$10.95 per a SQ FT.

UNIT PRICING ADDER - OPTION #7:

- ◇ Provide services for site remedial action. Provide excavation, stockpiling, protection (plastic and banking) for rain erosion, and backfilling of void for fuel contaminated soil @ \$60.00 per CU YD.

UNIT PRICING ADDER - OPTION #8:

- ◇ Provide services for licensed trucking of fuel contaminated soil from job site to the Whitelaw, WI landfill @ \$25.00 per a Ton. Includes loading and staging site clean-up. Does not include any testing services or the landfill fees.

PROPOSAL NOTES:

- ◇ Proposal based on working from 7:30am - 4:00pm, Monday through Friday.
- ◇ Project based on normal underground conditions, non-contaminated conditions.
- ◇ If any installation or delivery delays are encountered due to unexpected site conditions, a change order may be required to offset labor cost.
- ◇ Installation will be done on parts and labor availability basis.

ITEMS NOT INCLUDED WITH THIS PROPOSAL:

- ◇ Local permits, i.e., city, town, county, special exemptions.
- ◇ Any equipment, material, or services not listed in the above scope of work.
- ◇ Winter Conditions (i.e. frost, heated concrete, snow / ice removal, etc.).
- ◇ All work related to site remediation, including but not limited to: Handling of contaminated soils or hazardous waste and dewatering of the site, which would include pumping of contaminated excavation water.
- ◇ All work related to plumbing work, landscaping work, and replacement of fencing / guardrails.
- ◇ Rerouting or moving of overhead wires during construction.
- ◇ Price does NOT include **shoring** of the tank hole.
- ◇ Demolition of existing building, retaining wall(s), or other existing components not listed within the proposal.
- ◇ Resurfacing other than as described in proposal is by others.
- ◇ Supply and installation of new safety signage and fire extinguishers with boxes (Reuse the existing).

Thank you for considering EnergiTech Services for your service and equipment needs.

TOTAL FOR THE ABOVE PROJECT \$ 463,467.00

Proposed Payment Terms:

1/3	Payment due Net 10 days from Contract Signing Date .
1/3	Due prior to the start of onsite construction work .
Balance	Invoiced upon completion. Payment due Net 10 days from Project Completion Date . "Balance" is subject to change orders or additional charges.

Terms are subject to credit approval.

***This proposal may be withdrawn by
EnergiTech Services if not accepted in: 15 Days from proposal date***

This Proposal is subject to the terms and conditions set forth herein, as well as the attached Standard Terms and Conditions (collectively, this Proposal and the Standard Terms and Conditions shall hereafter be referred to as the "Agreement").

If EnergiTech Services is required to perform under different terms and conditions, a change order may be required.

CUSTOMER ACCEPTANCE OF PROPOSAL

The prices, specifications, terms and conditions as set forth above and attached are satisfactory and hereby accepted as the Agreement. EnergiTech Services is authorized to do the work as specified. Payment will be made as outlined above and in the attached Standard Terms and Conditions.

The undersigned individual, who is either a principal of the Customer or a sole proprietor, recognizing that his or her individual credit history may be a factor in the evaluation of the credit history of the applicant, hereby consents to and authorizes the use of a consumer credit report on the undersigned by EnergiTech Services from time to time as may be needed, in the credit evaluation process.

Customer

EnergiTech Services

Signature

Signature

Printed Name

Printed Name

Title

Title

Date

Date

TERMS & CONDITIONS OF EnergiTech Services LLC

Acceptance of Proposal. The accompanying Proposal, when accepted by Customer, will constitute a contract between EnergiTech Services LLC ("ETS") and Customer, subject to all terms and conditions that follow herein and the approval of ETS's credit manager. Delivery of the materials/equipment herewith, installation of the specified equipment, Customer's acceptance in writing, and/or the issuance of an invoice, constitutes a binding acceptance by the Customer of the proposal herein. It is expressly agreed that there are no promises, agreements, or understandings, oral or written, not specified in the Proposal and these Terms and Conditions.

Scope of Work and Payment. All equipment and services shall be provided as set forth in the Proposal. ETS shall be paid for work performed as follows:

1. Terms for services, unless otherwise specified in the Proposal, are 1/3 with signed Proposal, 1/3 at commencement of work, and 1/3 upon receipt of final invoice, with payment terms of net ten (10) days from Customer's receipt of invoice.
2. Terms on the invoice unless otherwise specified in the Proposal, are net ten (10) days from Customer's receipt of invoice.
3. In the event ETS has not received payment for all fees and cost according to the terms of the invoice, Customer agrees to pay a late payment fee on the unpaid invoice balance at the rate of 2% per month commencing upon the expiration of the invoice terms and continuing until paid.
4. Customer also agrees that if payments are not received according to the terms of the invoice, a stoppage in completing a project may occur without ETS incurring any nonperformance or other legal liability.
5. Customer agrees to pay all costs incurred by ETS in enforcing the terms of this Agreement, including but not limited to, costs of its collection agency and reasonable attorney's fees.
6. Credit card payments are subject to 3% card processing fees.

Prices. Prices quoted are expressly contingent upon all conditions being observed, represented, and warranted at the time of bid. Prices quoted cover only those items which are specifically set forth in the Proposal. All other items will be billed to Customer on a time and materials basis. The prices quoted are for acceptance within fifteen (15) days of the date of Proposal, unless otherwise specified, and are subject to change without notice after that date. Prices quoted do not include soil analysis or clean-up of contamination, unless specifically stated. Labor, materials, and outside services for electrical, concrete, blacktop, excavating or sewer work, and such work not included in the Proposal unless specified. Additionally, required local permits are not included in the Proposal unless specified. Prices quoted on equipment and repair parts are subject to federal, state, and municipal taxes and licenses, which may be in effect, or which may be imposed prior to the actual shipment of materials and equipment. All such taxes and license costs are the responsibility of Customer.

Delivery. ETS will endeavor to maintain delivery dates and schedules but cannot guarantee them. ETS shall not be liable for any costs or damages of Customer under this provision, including, but not limited to, loss of profits or business.

Limited Warranty. All materials and equipment, whether new or used, are purchased "AS IS" from ETS. Products sold may be warranted by the manufacturer of the product but only to the extent of warranty offered by the manufacturer. Unless specifically stated in the Proposal, Customer shall register the equipment with the manufacturer. Any manufacturer warranties existing on new equipment furnished as part of the Proposal are passed through from ETS to Customer according to each manufacturer's policy, and in such cases, Customer's warranty shall be limited to that provided by the manufacturer(s). Ordinary use; wear and tear; or damage from abuse, neglect, accident, maladjustment, or failure by Customer to maintain equipment properly is excluded from coverage.

For a period of one (1) year from the date of completion of the project, ETS will at its sole discretion, install any equipment or materials covered by a manufacturer's warranty. If an item(s) is not covered by manufacturer's warranty, Customer may at its sole cost, pay for the equipment and materials and ETS (at its sole discretion) will install at no charge to the Customer. This labor warranty from ETS is null and void in the event the Customer or third party performs subsequent work on the equipment installed or repaired by ETS.

CUSTOMER AGREES TO RELEASE, INDEMNIFY, HOLD HARMLESS, AND DEFEND ETS FROM AND AGAINST ANY AND ALL CLAIMS, LIABILITY, AND CAUSES OF ACTION AT LAW OR EQUITY FOR LOSS, DAMAGE, INJURY OR DEATH TO PERSONS AND PROPERTY, INCLUDING BUT NOT LIMITED TO ENVIRONMENTAL CONTAMINATION, LEAKS, SPILLS, RELEASES, OR DISCHARGES BY WHATSOEVER OR HOWSOEVER CAUSE OR SOURCE, ARISING OR OCCURRING FROM ANY NEW OR USED EQUIPMENT RECEIVED FROM BY CUSTOMER FROM ETS.

THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTIES OR MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, WITH RESPECT TO THE EQUIPMENT AND SERVICES DESCRIBED IN THE PROPOSAL.

Limitation of Liability. ETS shall be liable only for damages that are the sole negligence of ETS and that ETS's total liability (if caused by ETS's sole negligence) shall not exceed \$50,000.00, or the total fees payable to ETS for the particular project, whichever is less. ETS shall not be liable for any special, punitive, incidental, or consequential damages (including without limitation, loss of profits or income, loss of use of property, business interruption, cost of replacing goods or services, or third party claims).

Any claims, demands, or cause of action against ETS arising from or related to in any way to the Proposal, or to work, services, or goods or products provided by ETS pursuant to the Proposal, must be brought within one (1) year from the date the work, service or provision of goods or products has been completed.

Compliance with Laws. Environmental compliance is Customer's responsibility. Its failure to comply strictly with applicable federal, state or local requirements, rules and/or regulations (including but not limited to those applicable to notice) shall completely void all warranties of ETS. Customer agrees to hold ETS harmless from and indemnify and defend against any claims or liability relating to Customer's failure to comply strictly with any federal, state or local requirements, rules and/or regulations (including but not limited to those applicable to notice). All TSSA (Tank-System Site Assessment) documentation is to be reported on part A & B of the Department's Tank System Service and Closure Assessment. All original TSSA report documents (scaled drawing of the site, layout showing sample locations and excavations, lab reports, photos and parts A & B of form TR-WM-140) will be sent to the Environmental Program Associate in the corresponding DNR regional office upon completion of the report.

Insurance/ownership/registration. Customer is responsible for maintaining (or ensuring that the owner of the property maintains if Customer is not the owner), evidence of ownership of the property on which the Project is taking place, insurance on the property and equipment purchased from ETS, and registration of any such equipment as may be required to comply with any local, state and federal laws, regulations or industry standards.

Termination. ETS may, without prejudice to any right or remedy, terminate its relationship with Customer and suspend all work or delivery of goods upon notice to Customer.

Unforeseen Conditions. If unforeseen conditions arise that affect the scope of services, time for performance, or the risk involved, ETS shall notify Customer. ETS may then, at its sole discretion, modify the scope of work,

modify the price, stop work until arrangements satisfactory to ETS have been made, or terminate the services by notifying Customer in writing. ETS shall be entitled to compensation for its services performed through the time of termination. If abnormal soil conditions or weather conditions or other unforeseen conditions result in additional cost, those additional costs will be billed on a time and materials basis.

Jurisdiction and Venue. Customer agrees that this Proposal shall be governed by Wisconsin law and jurisdiction and venue will be the Outagamie County District Court of Wisconsin, or the Federal District Court Eastern District of Wisconsin (Green Bay Division).

Waiver of Right to Jury Trial. ETS AND CUSTOMER WAIVE THEIR RESPECTIVE RIGHTS TO A JURY TRIAL OF ANY CLAIM OR CAUSE OF ACTION BASED UPON OR ARISING OUT OF THE PROPOSAL OR ANY DEALINGS BETWEEN THEM RELATING TO THE SUBJECT MATTER OF THIS PROPOSAL. ETS AND CUSTOMER ACKNOWLEDGE THAT THIS WAIVER IS A MATERIAL INDUCEMENT TO ENTER INTO THIS AGREEMENT. THIS WAIVER IS IRREVOCABLE, MEANING THAT IT SHALL APPLY TO ANY SUBSEQUENT AMENDMENTS, RENEWALS, SUPPLEMENTS OR MODIFICATIONS TO THIS AGREEMENT OR TO ANY OTHER DOCUMENTS OR AGREEMENTS RELATING TO THE TRANSACTION CONTEMPLATED HEREBY. IN THE EVENT OF LITIGATION, THIS AGREEMENT MAY BE FILED AS A WRITTEN CONSENT TO A TRIAL BY THE COURT.

Utilities and Underground Structures. ETS will take reasonable precautions to avoid damage to utilities or other underground structures. Customer shall indemnify, defend, and hold ETS harmless for any damage to utilities or underground structures, and from any claims, liability, or damages resulting from utilities or underground structures that were not properly called to ETS's attention. Such indemnity shall include payment of litigation costs, expert's fees, and attorney's fees incurred by ETS.

Duties of the Customer. Customer warrants that it has disclosed all adverse or unfavorable site conditions which may affect this Proposal. Customer represents and warrants that all information provided to ETS is complete and accurate. Customer represents and warrants it has and will comply with all applicable local, state, and federal laws. Customer shall protect the site against damage, injury, or loss and shall carry insurance in an amount sufficient to cover replacement values, naming ETS as loss payee and additional insured. Customer is responsible for providing Builder's Risk insurance coverage. Customer is responsible for providing liquid ballast for filling underground storage tanks immediately upon setting the tanks during excavation. ETS shall not be liable for damage to the ballast, including without limitation, damage due to contamination or loss of product. Customer shall keep accurate, daily inventory records on products stored in tanks, lines, and dispensing equipment and shall promptly notify ETS of all shortages or losses. Precision testing procedures performed on any portion of the underground storage tank systems are designed to detect leaks and ETS shall not be responsible for any contamination resulting from spills or releases which may occur before, during or after such tests.

PCI/EMV /Security Standard Requirements. This Proposal may include components to assist with implementing a program to maintain compliance with PCI security standard requirements, but may not provide the entire solution. Additional items such as software, network gateways, and secure routers may be needed to provide full compliance. Periodic inspection of devices and components, along with tracking these assets, and ensuring a secure network with limited access is also an important part of maintaining compliance with the standards. If additional components, software or equipment are required, those additions will be billed on a time and materials basis along with the labor necessary to install, program and setup. Components supplied by the Customer must be approved prior to scheduling upgrades. ETS does not guarantee compliance as compliance with the PCI security standard is the sole responsibility of the owner/operator of the facility. **CUSTOMER AGREES TO RELEASE, INDEMNIFY, HOLD HARMLESS, AND DEFEND ETS FROM AND AGAINST ANY AND ALL CLAIMS, LIABILITY, AND CAUSES OF ACTION AT LAW OR EQUITY ARISING OR OCCURRING FROM THE REMOVAL AND DISPOSAL OF CUSTOMER'S EQUIPMENT.**

Hardware/software compatibility. In connection with this Proposal, the parties assume that any fueling system hardware and software supplied by Customer is inherently compatible and required only routine start-up programming. If on start-up, it is discovered that the hardware and/or software is not compatible or has innate deficiencies that require additional configuration or upgrading, ETS shall be entitled to full payment of the Contract Price under the Proposal including any extra charges to complete changes to customer equipment.

Digging/excavating clause. Digging and excavating quotations are based on normal soil conditions. Should any digging or excavating be included in the ETS Proposal, and any heavy rock, shale, water frost or unusual doffing be encountered, the Proposal price shall be increased at ETS's normal labor hourly rate except that any outside contract work required shall be charged at ETS's cost plus its customary administrative charge. In the event of cave-ins, and the necessity to shore or slope hole, all associated cost with the removal of the excess soil and replacement with either sand or gravel will be considered an extra and all such cost shall be borne by Customer. In the event underground structures, cables, conduit, debris, rock, water, utilities, or running same are encountered, destroyed or damaged during the performance of the work, ETS shall not be held responsible, and Customer shall indemnify and save harmless ETS and its contractors, agents and employees from all suits, actions, or claims brought about by such encounter, destruction or damage. Should dewatering be required, the ETS shall not be responsible for disruption of adjacent backfill materials whether known or unknown at the time of excavation, repairs to paving, concrete, structures shall be borne by Customer. ETS is not responsible for removal/disposal of waste water if de-watering of the sump is necessary. Finished grades are to be established and verified by Customer.

Tank Floating Clause. Customer shall fill all underground storage tanks installed by ETS with liquid for ballast immediately upon notification from ETS that a tank(s) has been set into an excavation ("filling notification"). ETS shall not be responsible for any contamination or loss of product used for ballast. If any tank floats after Customer receives filling notification, ETS shall not be liable for any damages to equipment, and labor and materials cost to reinstall tanks, if floating occurs, costs shall be borne by Customer.

Cold weather Concrete. In the event that concrete is poured during cold weather, ETS is not responsible for chipping, cracking, or spalling of concrete, due to cold weather pours. Furthermore, ETS is not responsible for additional cost of heated concrete, unless otherwise specified in the contract. It is highly recommended that salt or any chemical based deicer is NOT used for a period of at least 24 months after installation to prevent concrete related problems.

Notice of Lien Rights. As required by the Wisconsin construction lien law, ETS hereby notifies owner/customer that persons or companies performing, furnishing, or procuring labor, services, materials, plans or specifications for the construction on owner's/customer's land may have lien rights on owner/customer's land and buildings if not paid. Those entitled to lien rights, in addition to ETS are those who give the owner/customer notice within sixty (60) days after they first perform, furnish, or procure labor, services, materials, plans or specifications for the construction. Accordingly, owner/customer probably will receive notices from those who perform, furnish, or procure labor, services, materials, plans, or specifications for the construction, and should give a copy of each notice received to the mortgage lender, if any. ETS agrees to cooperate with owner/customer and owner's/customer's lender, if any, to see that all potential lien claimants are duly paid. This notice is given for purpose of identification, and is not a claim to you or your lender for payment.

City of Green Bay, Wisconsin
REQUEST FOR APPROVAL OF "NO SUBSTITUTE" PURCHASE SPECIFICATION

TO : Purchasing Division/Administrative Services

DATE: 06/18/24

FROM: Department/Division *Public Works*

REQUISITION #

List "No Substitute" Item(s) here:

Fuel Tank System Upgrades

Select One:

- ☒ 1) One Time Purchase Estimated Cost: \$ \$900,000
- ☐ 2) Annual Commodity purchase: Estimated annual cost: \$
- ☐ 3) Item may be purchased again: Indicate term: Estimated Annual Cost: \$
- Example: 1 year, indefinite, etc. Long term requests will be reevaluated periodically)

We request approval of a "NO SUBSTITUTE" specification for the purchase of the subject item(s)

Check appropriate justification(s). Provide DETAILED explanation(s) below.

- ☐ 1. Sole Source – The below signed has searched the market and verified that no comparable item is available.
- ☒ 2. Single Source – Although comparable items are available, THIS is the only brand/model that will work.
- ☐ 3. Item(s) is (are) only acceptable replacement part(s) known for _____ (Identify)
- ☐ 4. Continuity of design is overriding consideration (ex: playground equipment or street furniture)
- ☐ 5. Safety:
- ☐ 6. Other:

*Explanations shall contain sufficient information and justification for the items to be considered and approved as "NO SUBSTITUTE" items. Failure to do so will result in the request being denied and returned to the originator.

*Recommending Department Head will be available to defend said recommendation to the appropriate City Committee and/or Common Council.

PLEASE EXPLAIN YOUR REASONS FOR THIS REQUEST (additional info may be attached on a separate sheet):

The fuel tanks at the East and West Municipal Garages are beyond thier life expectancy and, for insurance and environmental reasons, need to be upgraded. Only certified companies/technicians can design and install fuel tanks and systems. The proposed contractor, EnergiTech (formerly U.S. Petroleum) provided and services and the existing fueling systems. They will design the system to utilize existing components where possible.

Approvals:

Requestor:

Date:

Department Head:

Date:

Purchasing Manager:

Date:



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # M.7

To approve the request by Department of Public Works to award contract WSG 2-24 MASONRY REPAIRS at a staff level and report the award at the next Improvement & Services Committee meeting.

BACKGROUND

DPW would like to move the project forward prior to the next Improvement & Services Committee meeting on July 24, 2024.

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # M.8

To approve the request by Department of Public Works to review and approve the award of sole source contract 2024 Ray Nitschke Controls Programming to Faith Technologies, Inc. in the amount of \$48,287.00.

BACKGROUND

The work on this contract includes software development, PLC modifications, and HMI screen modifications for new and rebuilt hydraulic pumps, a new fluid conditioning system, filter sensors and fluid level sensors to be installed on the west leaf. Work under this contract will coincide with the Bridge I-24 hydraulic rehabilitation.

RECOMMENDATION

Public Works recommends award of the contract to Faith Technologies, Inc.

FISCAL IMPACT

The project will be reimbursed by the \$1.2 million dollar SMA with WisDOT.

ATTACHMENTS

1. Sole Source Ray Nitschke Bridge Controls Programming_Signed_2024.06.13
2. City of Green Bay - Main Street Controls Programming Proposal_Faith Technologies_2024.06.11

City of Green Bay, Wisconsin
REQUEST FOR APPROVAL OF "NO SUBSTITUTE" PURCHASE SPECIFICATION

TO : Purchasing Division/Administrative Services

DATE: 06/12/24

FROM: Department/Division *Public Works*

REQUISITION #

List "No Substitute" Item(s) here:

Hire Faith Technologies to complete the controls installation and programming for the Main Street Bridge west leaf hydraulic rehabilitation.

Select One:

- ☐ 1) One Time Purchase Estimated Cost: \$
- ☐ 2) Annual Commodity purchase: Estimated annual cost: \$
- ☒ 3) Item may be purchased again: Indicate term: *as needed* Estimated Annual Cost: \$ *\$48,287*

Example: 1 year, indefinite, etc. Long term requests will be reevaluated periodically)

We request approval of a "NO SUBSTITUTE" specification for the purchase of the subject item(s)

Check appropriate justification(s). Provide DETAILED explanation(s) below.

- ☐ 1. Sole Source – The below signed has searched the market and verified that no comparable item is available.
- ☒ 2. Single Source – Although comparable items are available, THIS is the only brand/model that will work.
- ☐ 3. Item(s) is (are) only acceptable replacement part(s) known for _____ (Identify)
- ☐ 4. Continuity of design is overriding consideration (ex: playground equipment or street furniture)
- ☐ 5. Safety:
- ☐ 6. Other:

*Explanations shall contain sufficient information and justification for the items to be considered and approved as "NO SUBSTITUTE" items. Failure to do so will result in the request being denied and returned to the originator.

*Recommending Department Head will be available to defend said recommendation to the appropriate City Committee and/or Common Council.

PLEASE EXPLAIN YOUR REASONS FOR THIS REQUEST (additional info may be attached on a separate sheet):

Public Works is rehabilitating the Ray Nitschke Memorial Bridge. The Fox River is a shipping channel; it is a requirement of the US Coast Guard that the bridge remain operable to allow vessel navigation to and from the channel. Incorporation of the new hydraulic equipment requires controls and programming. Historically, the City has utilized Faith Technologies for all controls and programming on the bridge and Faith Technologies maintains the program and passwords for the City. Additionally, Faith Technologies installed and maintains the remote operation controls for the state with the Walnut and Mason Street Bridges. Faith Technologies is familiar with these settings and can modify the Main Street Bridge PLC without affecting the remote operations with the Walnut Street Bridge.

Approvals:

Requestor: 

Date: *6/13/24*

Department Head: 

Date: *06/13/24*

Purchasing Manager: *Thomas J. Walenski*

Date: 06-13-2024



201 Main St. Suite 1
P.O. Box 260
Menasha, WI 54952
(920) 738-1500

6/11/24

City of Green Bay
Attn: **Kayla Wasielewski**
Email: Kayla.Wasielewski@greenbaywi.gov
Re: Main Street Bridge Programming – Green Bay, WI

Attn: Kayla Wasielewski
Re: 2024 Ray Nitschke Controls Programming

Kayla:

We are pleased to provide a proposal for the controls programming portion of phase 2 that will be contracted directly with the city.

1000.01 Record Existing Parameters and Settings (M1-1)	2,395
1000.02 Procure and Program (2) Analog Amplifier Cards and Card Holders for Rebuilt Pump Assemblys (M4-3) (\$4551/each)	9,102
1000.03 Hydraulic Sensors for Filter Replacement (E1)	6,277
1000.04 Power and Controls for Hydraulic Fluid Conditioning System (E2)	19,599
1000.05 Hydraulic Oil Level Sensors (E4)	4,789
1000.06 Operations and Maintenance Manual and Training	<u>6,125</u>
Total	\$48,287

If you have any questions, please contact me at 920-540-1937

Thank you,

Jacob Nolan
Project Manager

C: Tim Pingle, Automation Group



City of Green Bay

100 N. Jefferson St., Room 101, Green Bay, WI 54301

REQUEST FOR QUOTATION

Date Issued: June 3, 2024
Vendor: Faith Technologies
Attn: Jake Nolan
Email: jacob.nolan@faithtechinc.com

Due Date: June 11, 2024
From: Kayla Wasielewski
City Dept: Public Works
Fax #: (920)448-3102
Voice #: (920)448-3134

Response to this request is required to be on this or an attached specification / worksheet. Additional information may be attached. The City of Green Bay reserves the right to reject any and all quotations or to waive any technicality and accept any quotations that is deemed to be in the best interest of the City. Purchases are Wisconsin Sales and Federal tax-exempt. Prices are to include all delivery charges. **FOB: Green Bay, WI.**

Items may be awarded individually by line. The successful vendor will be required to provide proof of required insurance coverage to the City of Green Bay's Risk Management Division prior to the start of work. The vendor MAY be required to name the City as an additional insured. To register for free on-line quotes and bids, <http://www.greenbaywi.gov> Click on Departments, then Administrative Services, then Purchasing/Print Shop. Thank you for your time and interest in doing business with the City.

QTY	UOM	DESCRIPTION of MATERIALS AND/OR SERVICE	UNIT PRICE	TOTAL
1	LS	1000.01 Record Existing Parameters and Settings (M1-1)	\$2,395.00	\$2,395.00
2	EA	1000.02 Procure and Program Analog Amplifier Card and Card Holder for Rebuilt Pump Assembly (M4-3)	\$4,551.00	\$9,102.00
1	LS	1000.03 Hydraulic Sensors for Filter Replacement (E1)	\$6,277.00	\$6,277.00
1	LS	1000.04 Power and Controls for Hydraulic Fluid Conditioning System (E2)	\$19,599.00	\$19,599.00
1	LS	1000.05 Hydraulic Oil Level Sensors (E4)	\$4,789.00	\$4,789.00
1	LS	1000.06 Operations and Maintenance Manual and Training	\$6,125.00	\$6,125.00
SUB-TOTAL: Prices shall include all aspects of Scope of Work which must include delivery and freight fees.				\$48,287.00
STATE LEAD-TIME FROM TIME OF RECEIPT OF PERMIT:				
STATE PAYMENT TERMS (INCLUDE DISCOUNTS FOR EARLY PMT): Net 25 - No early pmt. discounts				
STATE IF COMPANY ACCEPTS PAYMENT BY CREDIT CARD: YES or NO				

VENDOR'S SIGNATURE & INFORMATION:

Vendor Full Legal Co. Name:
Complete Address, City, ST, Zip:

Bidders Contact Name & Title (Print):
Authorized Signature:
Phone # & Fax#:
Date:
Taxpayer I.D. Number:
E-mail Address:

Faith Technologies Incorporated
PO Box 260
Menasha, WI. 54952
Jake Nolan - Project Manager
O: 920.225.6539 M: 920.540.1937
6/11/2024
41-2065665
jacob.nolan@faithtechinc.com



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # M.9

To approve the request by Department of Public Works to review and approve the award of contract BRIDGE 4-24 (SCOUR, REPAIR, AND RIP RAP RESTORATION P-5-715 HENRY STREET) to Advance Construction, Inc. in the amount of \$244,132.00.

BACKGROUND

The Henry Street Bridge, P-5-715, over Baird Creek was constructed in 1970. There is generalized scour along both abutments and 4' to 7' deep localized scour holes beneath the outfall pipes on both abutments. A large sandbar has built up along the south half of the span. Contractor work will consist of excavation of built-up depositions of silts to allow for the installation of heavy rip rap to armor the abutments and prevent further scour at the abutments and outfalls.

RECOMMENDATION

Public Works recommends award to the lowest bidder, Advance Construction, Inc.

FISCAL IMPACT

Funds were included in the approved 2023 CIP; however, due to in-stream disturbance limitations and required permitting the project was carried over to this calendar year.

ATTACHMENTS

- I. QUESTCDN_Project Bid Results Bridge 4-24

BRIDGE 4-24 (SCOUR REPAIR AND RIP RAP RESTORATION P-5-715 HENRY STREET)

Quest Number: 9114418

Closing Date: Tue, 06/11/2024 02:00 PM CDT

Posting Type: Construction Project

Owner Name:	Green Bay WI, City of
Owner Contact:	Steven Grenier, P.E.
Owner Phone:	920-448-3100
Solicitor Name:	Green Bay WI, City of
Contact:	Kayla Wasielewski
Email:	kayla.wasielewski@greenbaywi.gov
Phone:	920-448-3134
Award Date:	
Comments:	
Award Status:	Pending
Letting Bid Tabulation:	View on vBid

Company	Contact	Phone	E-mail	Amount	Awarded	Comment
Advance Construction Inc.	Paul Kultgen	920-434-3978	pkultgen@advconst.net	\$ 244,132.00		
LUNDA CONSTRUCTION	Lunda Estimating	715-284-9491	wiquotes@lundaconstruction.com	\$ 450,291.00		



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # M.10

To receive and place on file the report of the award of contract SEWERS I-24 CITY WIDE SEWER REPAIRS to Vinton Construction Company in the amount of \$1,323,840.65.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. QUESTCDN_Project Bid Results Sewers I-24

SEWERS 1-24 CITY WIDE SEWER REPAIRS

Quest Number: 9141406

Closing Date: Tue, 06/11/2024 02:00 PM CDT

Posting Type: Construction Project

Owner Name:	Green Bay WI, City of
Owner Contact:	Steven Grenier, P.E.
Owner Phone:	920-448-3100
Solicitor Name:	Green Bay WI, City of
Contact:	Max McGuire
Email:	max.mcguire@greenbaywi.gov
Phone:	920-448-3324
Award Date:	
Comments:	
Award Status:	Pending
Letting Bid Tabulation:	View on vBid

Company	Contact	Phone	E-mail	Amount	Awarded	Comment
Vinton Construction Company	Estimating at Vinton Construction	920-682-0375	quotes@vintonwis.com	\$ 1,323,840.65		
PTS Contractors, Inc	Jeannie Petasek	920-468-5217	JPetasek@PTSCcontractors.net	\$ 1,377,000.00		
DE GROOT, INC.	MARK DE GROOT	920-866-2348	mark@degrootinc.com	\$ 1,378,268.22		



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # M.I I

To receive and place on file the report of the award of contract ASPHALT PAVING 2024 to Northeast Asphalt, Inc. in the amount of \$396,602.50.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. QUESTCDN_Project Bid Result ASPHALT PAVING 2024

ASPHALT PAVING 2024

Quest Number: 9117801

Closing Date: Tue, 06/04/2024 02:00 PM CDT

Posting Type: Construction Project

Owner Name:	Green Bay WI, City of
Owner Contact:	Steven Grenier, P.E.
Owner Phone:	920-448-3100
Solicitor Name:	Green Bay WI, City of
Contact:	Robbie Woldt
Email:	robbie.woldt@greenbaywi.gov
Phone:	920-448-3109
Award Date:	
Comments:	
Award Status:	Pending
Letting Bid Tabulation:	View on vBid

Company	Contact	Phone	E-mail	Amount	Awarded	Comment
Northeast Asphalt, Inc.	Mary Jorgensen (PMA)	920-757-2900	neaquote@walbecgroup.com	\$ 396,602.50		
MCC, Inc.	Alicia Marx	920-749-3360	bidding@murphyinc.org	\$ 450,600.00		



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # M.12

To receive and place on file the report of the award of contract PAVEMENT 3-24 HOWARD STREET, S. OAKLAND AVENUE, & SCHOOL PLACE RECONSTRUCTION & SEYMOUR PARK WEST STORMWATER FACILITY to Vinton Construction Company in the amount of \$5,141,937.33.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. QUESTCDN_Project Bid Results Pavement 3-24

PAVEMENT 3-24 HOWARD STREET, S. OAKLAND AVENUE, & SCHOOL PLACE RECONSTRUCTION & SEYMOUR PARK WEST STORMWATER FACILITY

Quest Number: 9145583

Closing Date: Tue, 06/11/2024 02:00 PM CDT
Posting Type: Construction Project

Owner Name:	Green Bay WI, City of
Owner Contact:	Steven Grenier, P.E.
Owner Phone:	920-448-3100
Solicitor Name:	Green Bay WI, City of
Contact:	Chuck Yang
Email:	Chuck.Yang@greenbaywi.gov
Phone:	920-448-3094
Award Date:	
Comments:	
Award Status:	Pending
Letting Bid Tabulation:	View on vBid

Company	Contact	Phone	E-mail	Amount	Awarded	Comment
Vinton Construction Company	Estimating at Vinton Construction	920-682-0375	quotes@vintonwis.com	\$ 5,141,937.32		
PTS Contractors, Inc	Jeannie Petasek	920-468-5217	JPetasek@PTSContractors.net	\$ 5,160,851.90		
DE GROOT, INC.	MARK DE GROOT	920-866-2348	mark@degrootinc.com	\$ 5,680,829.95		
Advance Construction Inc.	Paul Kultgen	920-434-3978	pkultgen@advconst.net	\$ 6,098,765.63		



Report to the
Improvement and Service Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # M.13

To receive and place on file the actions taken by the Department of Public Works.

A. Granting of Licenses

I. Sidewalk Builder

- a. Muniz Concrete, LLC
- b. Spencer Concrete
- c. American Custom Concrete, LLC

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.I

To receive and place on file an update on the extension request for Rocky's Taqueria LLC at 1679 Main St.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. EXTENSION REQUEST



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.2

To grant a limited expansion request at the following location(s):

a. Brewski's on Broadway at 1100 S. Broadway on September 13-15 (1/2 the parking lot with proper fencing).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

I. BREWSKI'S ON BROADWAY-1100 S BROADWAY



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.3

To grant a "Class B" Liquor and Class "B" Beer 2024-2025 renewal application for Rockyz Taqueria LLC at 1679 Main St., subject to the approval of the proper authorities.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 1679 MAIN ST RENEWAL APPLICATION



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.4

To grant a 24-25 renewal application for a "Class A" Liquor and Class "A" Beer license for JLA, Inc. at 1698 Main St., subject to the approval of the proper authorities.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 1698 main-new



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.5

To grant a 24-25 renewal "Class A" Liquor and Class "A" Beer license with a change of agent for the listed locations, subject to the approval of the proper authorities:

- a. Dolgencorp, LLC (Dollar General Store # 21045) at 1641 Main St.
- b. Dolgencorp, LLC (Dollar General Store #6563) at 1152 S. Military Ave.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.6

To grant the 2024-2025 renewal applications with no changes for the listed locations, subject to the approval of the proper authorities:

"Class A" Liquor and Class "A" Beer:

- a. Traveling Chef, LLC (The Traveling Chef) at 335 N Broadway
- b. Family Dollar Stores of WI (Family Dollar #24158) at 550 N Military
- c. Family Dollar Stores of WI (Family Dollar #26961) at 514 W. Walnut

"Class B" Liquor and Class "B" Beer:

- a. R and Ds Restaurant Holdings LLC (Delilah's) at 115 N Adams
- b. Bay Area Burger Co. (Bay Area Burger Co.) at 126 S. Broadway

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.7

To recommend non-renewal of a 2024-2025 "Class B" Liquor and Class "B" Beer license for Jam-Rock GB LLC at 700 Bodart St., subject to the approval of the proper authorities.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 700 bodart renewal liquor application



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.8

To deny a request by JR Smith LLC at 1698 Main St. to extend the issuance of the liquor license (license granted on March 5, 2024).

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. liquor license



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.9

To receive and place on file a 24-25 renewal application for a Class "A" Beer and "Class A" liquor license for JR Smith LLC at 1698 Main St. , subject to the approval of the proper authorities.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. jr smith llc



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.10

To refer to staff to return with a presentation by the first Council meeting in August relating to a request by Alderman Wery, District 8, to review, with possible action, all preparations for the 2025 NFL draft. Request a presentation by the Green Bay Packers of their plans and requests for city resources or actions. Monthly updates, with possible action, to all standing committees regarding personnel needs, expenses, uses of city property or equipment etc. Should separate committee actions be considered too cumbersome, request a 2025 NFL Draft committee be established to coordinate and communicate the items listed in addition to any other items/issues that may arise. This committee would meet regularly and report to city council.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 2024-05-31 Dist 8 to P and P

Online Form Submittal: Alders' Petitions and Communications

noreply@civicplus.com <noreply@civicplus.com>

Sat 6/1/2024 12:34 AM

To: Celestine Jeffreys <Celestine.Jeffreys@greenbaywi.gov>; Eric Genrich <Eric.Genrich@greenbaywi.gov>; Amaad Rivera <Amaad.Rivera@greenbaywi.gov>

Alders' Petitions and Communications

Name	Chris Wery
Committee Name	Protection and Policy Committee
Text of Communication	Request by Alderman Wery to review, with possible action, all preparations for the 2025 NFL draft. Request a presentation by the Green Bay Packers of their plans and requests for city resources or actions. Monthly updates, with possible action, to all standing committees regarding personnel needs, expenses, uses of city property or equipment etc. Should separate committee actions be considered too cumbersome, request a 2025 NFL Draft committee be established to coordinate and communicate the items listed in addition to any other items/issues that may arise. This committee would meet regularly and report to city council. Respectfully submitted, Alderman Chris Wery

Email not displaying correctly? [View it in your browser.](#)



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.I I

To refer to staff a communication from Ald. Wery, District 8, to direct staff to draft a resolution asking Brown County to fully determine the borders of the Poor Farm/Asylum Cemetery and create an interactive memorial site for those buried there.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 2024-06-12 Dist 8 to P and P

From: noreply@civicplus.com
To: [Celestine Jeffreys](#); [Eric Genrich](#); [Amaad Rivera](#)
Subject: Online Form Submittal: Alders' Petitions and Communications
Date: Wednesday, June 12, 2024 4:29:40 PM

Alders' Petitions and Communications

Name	Chris Wery
Committee Name	Protection and Policy Committee
Text of Communication	Direct staff to draft a resolution asking Brown County to fully determine the borders of the Poor Farm/Asylum Cemetery and create an interactive memorial site for those buried there.

Email not displaying correctly? [View it in your browser.](#)



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.12

To hold General Ordinance 9-24, an ordinance relating to petitions and communications.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Draft G.O. 09-24 Relating to Petitions and Communications (clean version)
2. Draft G.O. 09-24 Relating to Petitions and Communications

GENERAL ORDINANCE NO. 09-24

**AN ORDINANCE AMENDING SECTION 2-27(i),
GREEN BAY MUNICIPAL CODE,
RELATING TO PETITIONS AND COMMUNICATIONS**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 2-27(i), Green Bay Municipal Code, is hereby amended to read:

(i) **Petitions and communications; sponsorship.**

- (1) All alder communications, petitions, and requests shall be in writing and submitted to the Clerk no later than the close of business on the Wednesday preceding a Common Council meeting, or in the case of a special meeting of the Common Council, not less than 24 hours prior to the meeting.
- (2) Timely submitted communications, petitions, and requests shall be placed on the Common Council agenda for a vote by Council to be referred to and heard by the appropriate committee. The committee shall make a recommendation within two meetings, unless otherwise specified by the Council. If the committee fails to make a recommendation within the prescribed time, the item shall be placed on the next Common Council agenda without a recommendation. Referral to committee can be done by vote of the Common Council as provided in this section or by written consent of the Chairperson of the committee. Any matter referred to more than one committee shall be designated to a primary committee. Other committees considering the matter shall make recommendations to the primary committee for its consideration. Only the recommendation of the primary committee shall be presented to the Common Council for action.
- (3) No ordinance may be added to any committee agenda without the sponsorship of at least one member of the Common Council. Additional alders may join as sponsors of the ordinance prior to, or at the time, of the first reading of the ordinance at Common Council.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2024.

APPROVED:

Eric Genrich, Mayor

ATTEST:

Celestine Jeffreys, Clerk

law

06/11/2024

GENERAL ORDINANCE NO. 09-24

AN ORDINANCE AMENDING SECTION 2-27(i),
GREEN BAY MUNICIPAL CODE,
RELATING TO PETITIONS AND COMMUNICATIONS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 2-27(i), Green Bay Municipal Code, is hereby amended to read:

(i) **Petitions and communications; Reference to committees sponsorship.**

- (1) All **alder** communications, petitions, **and** requests, ~~and complaints~~ shall be in writing and **submitted to the Clerk no later than the close of business on the Wednesday preceding a Common Council meeting, or in the case of a special meeting of the Common Council, not less than 24 hours prior to the meeting.**
- (2) **Timely submitted communications, petitions, and requests** shall be **placed on the Common Council agenda for a vote by Council to be referred to and heard by the appropriate committee. The committee shall make a recommendation within two meetings, unless otherwise specified by the Council. If the committee fails to make a recommendation within the prescribed time, the item shall be placed on the next Common Council agenda without a recommendation.** ~~referred to a committee before action is taken thereon by the Council. Referral to committee can be done by referral~~ **vote** of the Common Council **as provided in this section** or by **written** consent of the Chairperson of the committee. Any matter referred to more than one committee shall be designated to a primary committee. Other committees considering the matter shall make recommendations to the primary committee for its consideration. Only the recommendation of the primary committee shall be presented to the Common Council for action.
- (3) **No ordinance may be added to any committee agenda without the sponsorship of at least one member of the Common Council. Additional alders may join as sponsors of the ordinance prior to, or at the time, of the first reading of the ordinance at Common Council.**

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2024.

APPROVED:

Eric Genrich, Mayor

ATTEST:

Celestine Jeffreys, Clerk

law

06/11/2024



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.13

To approve General Ordinance No. 13-24, Repealing and Recreating Chapter 8, Green Bay Municipal Code, relating to Buildings and Construction.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Chapter 8 Updates Memo
2. DRAFT GO 13-24 - Repeal and Recreate Ch 8 - Buildings and Construction

CITY OF GREEN BAY

TO: Mayor Eric Genrich; Common Council

FROM: Assistant City Attorney Lindsay Mather

DATE: June 13, 2024

RE: Updates and Revisions to Building and Trades Codes in Chapter 8, GBMC

Chapter 8 of the Green Bay Municipal Code is being repealed and recreated in its entirety in order to incorporate necessary revisions and updates to the entire code at once. The primary purpose of the updates is to bring the Green Bay Municipal Code into compliance with Wisconsin's Administrative Code. Many changes were grammatical or otherwise non-substantive; however, this memo serves to provide an overview of the large-scale substantive changes.

- Municipalities no longer have the authority to regulate certain areas previously included in Chapter 8; those parts of the code have been removed.
- Provisions that were inconsistent with the state administrative code were removed or amended to resolve the inconsistencies.
- Certain provisions appeared in and/or applied to several of the Articles within Chapter 8. To streamline the chapter and prevent repetition, as well as make those provisions easier to find, they have been incorporated into Article I, "In General."
- Included in the "In General" article is a provision concerning appeals of permit denials and orders issued under Chapter 8. As presently written, the code gives jurisdiction over these appeals to different bodies. These revisions give that jurisdiction to the Board of Appeals.
 - In order to give the Board of Appeals jurisdiction over these hearings, Section 2-187 is being created to add appeals under Chapter 8 to the Board's jurisdiction (in addition to hearings under Chapter 44).
 - Appeals of reinspection fees, which affect the City's budget, will be heard by the Finance Committee, subject to approval by Council.
- The permitting provisions of each Article have been updated to make them more consistent with one another and contain all necessary provisions, including those related to permit revocation.

GENERAL ORDINANCE NO. 13-24

AN ORDINANCE REPEALING AND RECREATING
CHAPTER 8, GREEN BAY MUNICIPAL CODE,
RELATING TO BUILDINGS AND CONSTRUCTION

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 8, Green Bay Municipal Code, is hereby repealed in its entirety and recreated as shown in the attached Exhibit A, incorporated herein and made part hereof in its entirety by reference.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2024.

APPROVED:

Eric Genrich, Mayor

ATTEST:

Celestine Jeffreys, Clerk

ljm

6/25/2024

Exhibit A

Chapter 8 BUILDINGS AND CONSTRUCTION

ARTICLE I. IN GENERAL

Sec. 8-1. Director of Community and Economic Development to enforce.

The Director of Community and Economic Development is responsible for the enforcement of this chapter and may issue citations hereunder and may delegate such citation authority to their employees. It is declared that the intent of this chapter can be most effectively carried out by the cooperation of all City departments concerned, and all such departments shall cooperate with the Director in the enforcement of this chapter.

Sec. 8-2. Wisconsin Administrative Code to be on file.

Copies of the chapters of the Wisconsin Administrative Code incorporated into this chapter by reference shall be kept on file in the offices of the Department of Community and Economic Development and the City Clerk.

Sec. 8-3. Violations of this chapter.

Whenever the Director determines that there has been a violation or that there are reasonable grounds to believe that there has been a violation of any provision of this chapter or of any rule or regulation adopted pursuant hereto, the Director shall give notice of such violation to the person legally responsible therefor. Such notice shall provide sufficient information to the person responsible as to inform them of the actions necessary to correct the violation and specify a deadline by which such corrections must be made.

Sec. 8-4. Appeals; Zoning Board of Appeals.

- (a) *Jurisdiction.* The Zoning Board of Appeals, organized under Section 44-138, shall have the authority to hear the following matters.
 - (1) Any decision of the Director of the Department of Community and Economic Development (Director) to deny an application for any permit issued under this chapter, or any decision to revoke such a permit.
 - (2) Any error in any order made by the Director in the enforcement of this chapter.
- (b) *Appeal process.* Any person aggrieved by a decision, determination, or order of the Director as described in subsection (a) may appeal the decision, determination, or order to the Zoning Board of Appeals. Unless otherwise provided in this chapter, such appeals shall be governed by the following provisions.
 - (1) The aggrieved person must file a written petition with the City Clerk within 20 days of the decision, determination, or order being appealed or the petition shall be untimely. The petition must identify the permit denial, permit revocation, or enforcement order being appealed, the official who made the decision, determination, or order, and all other relevant facts related to the appeal.
 - (2) The official whose decision, determination, or order is appealed shall submit a written report to the Board describing the reasons for the decision, determination, or order and shall attend the appeal hearing to comment.
 - (3) The Board shall establish a reasonable time for the hearing of the appeal and give public notice thereof. The Board shall render a decision on the appeal within a reasonable time.
 - (4) The Board may reverse or affirm the decision, determination, or order, wholly or partially, as appropriate.
 - (5) A party aggrieved by a decision of the Zoning Board of Appeals under this section may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.

Sec. 8-5. Re-inspection fees.

- (a) *Definition.* The term "re-inspection fee" means a special charge that may be assessed against a property owner by the City in order to defray the administrative cost of exercising jurisdiction over this chapter and conducting related inspections within the City.
- (b) *When assessed.* An inspector may assess a re-inspection fee if a property is not available to be inspected at the time of a scheduled inspection or if all of the following conditions are met:
 - (1) The inspector has found that the owner's parcel is not in compliance with a provision of this chapter;
 - (2) The inspector has informed the property owner of the changes necessary to gain compliance; and
 - (3) Upon subsequent investigation or inspection, the inspector finds that the same violation persists.
- (c) *Fees charged.* Each re-inspection fee shall be as provided in the City Fee Schedule. A separate re-inspection fee may be assessed each time the conditions under subsection (b) of this section exist.
- (d) *Appeals.* Within 30 days of assessment, a property owner against whom re-inspection fees have been assessed may appeal said fees to the Finance Committee.

Sec. 8-6. General penalty.

Unless a more specific penalty is specified, any person who shall violate any provision of this chapter or any rule, regulation, or order made hereunder shall be subject to a penalty as provided in Section 1-6, except that the minimum penalty for each offense shall be \$25.00. Unless otherwise provided, each 24-hour period any such violation is allowed to exist shall constitute a separate violation.

Secs. 8-7—8-18. Reserved.

ARTICLE II. BUILDING CODE

DIVISION 1. GENERALLY

Sec. 8-19. Purpose.

The purpose of this article is to provide minimum City regulations, provisions, and requirements for buildings and structures within the City, thereby increasing safety to persons and property, stable design, and good methods of construction and uses of materials in any building or structure constructed, enlarged, altered, repaired, moved, converted to other use, or demolished; to regulate the equipment, maintenance, condition, use, occupancy, and safety of buildings in the City; and to promote the public health, safety, and general welfare. This article shall apply to new buildings and structures and to alterations and additions to existing buildings and structures within the City.

Sec. 8-20. Applicability.

- (a) *Persons affected.* This article shall be binding upon every owner of a building and every person in charge of or responsible for the condition of any building or structure in the City, or who causes repair or alteration thereof.
- (b) *Buildings affected.* This article shall apply to all buildings and structures, except buildings which were erected in compliance with the City Building Code and/or the State of Wisconsin building code in force at the time of their construction or last change in use and which:
 - (1) Have been repaired and maintained so that the structures are weathertight and the structural members are not hazardous to life or property;

- (2) Are kept free from accumulations of dirt, filth, rubbish, garbage, or other matter in or on the same or in the yards, courts, passageways, or other areas connected or belonging to the same; and
- (3) Do not have cross-connections in plumbing systems that are hazardous to the occupants or violate any provision of the Plumbing Code regarding cross-connections.

Sec. 8-21. Definitions.

The definitions in Wis. Admin. Code SPS § 320.07 shall apply to this article. Additionally, the following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section. Where a conflict exists between a definition in this section and in Wis. Admin. Code SPS § 320.07, the definition in the administrative code shall control.

Accessory building means a detached building, not used as a dwelling unit but incidental to that of the main building and which is located on the same lot. Accessory building does not mean farm building.

Accessory use means a use incidental to the use of the main building or to the principal use of the premises.

Air temperature means a measurement of the temperature of the air and not of radiant heat.

Alley means a public thoroughfare which affords a secondary means of access to abutting property and which is generally fewer than 20 feet wide.

Alteration means an enhancement, upgrading, or substantial change or modification other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning, and other systems within a dwelling.

Apartment means a part of a building occupied or designed or intended to be occupied by one or more persons as a single-living unit or as a single-family housekeeping unit and which includes the use of kitchen facilities, either in private or in common with others.

Approved as to materials and types of construction means approved by the Director as the result of investigation and tests conducted by the Director or an authorized agent or by reason of accepted principles or tests by national authorities or by technical or scientific organizations accepted by the Director. Approvals given shall be in writing, and a copy thereof kept on file in the Building Inspection Division.

Balcony means a landing or porch projecting from the wall of a building.

Basement means that portion of a dwelling below the first floor or groundfloor with its entire floor below grade.

Base flood has the meaning ascribed in Section 44-1045.

Boarding house or lodging house means a building or structure, other than a hotel licensed by the State, where lodging and meals for three or more persons are served for compensation.

Building means:

- (1) *Noun.* Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property. When a structure is divided into separate parts by unpierced walls extending from the ground up, each part is deemed a separate building.
- (2) *Verb.* Any enlargement, alteration, movement, or demolishing of any building or structure, and also any new heating plant or any material alteration in any existing heating plant, toilet room, or elevator.

Court means an open, unoccupied space other than a yard on the same lot with a building.

Inner court means any court other than an outer court.

Outer court means a court which extends directly to and opens on a street or other permanent open space or on a required yard.

Department means the Department of Community and Economic Development.

Director means the Director of the Department of Community and Economic Development or their designee.

Dwelling means any building, or portion thereof, which is designed or used exclusively for residential purposes.

One-family dwelling means a building designed and occupied exclusively by one family.

Two-family dwelling means a building or portion thereof designed for or occupied by not more than two families.

Extermination means the control or elimination of infestation by eliminating harboring places and removing or make inaccessible materials that may serve as food or by poisoning, spraying, trapping, fumigating by a licensed fumigator or any other effective elimination procedure.

Family means one or more individuals living on a premises as a single housekeeping unit.

Filling station means a place where gasoline, kerosene, or any other fuel, lubricating oil, or grease for operating motor vehicles is offered for sale at retail to the public and where deliveries are made at the time of sale and directly into the motor vehicles, including greasing and oiling on the premises.

Full story. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it; or if there is no floor above it, then the space between the floor and the ceiling next above it, not including in either case mezzanine floors or balconies.

Garage means a space or structure used for storing motorized vehicles that has any more than two sides completely enclosed.

Community garage means a garage, or a series of garages, for use only for the storage of noncommercial vehicles of residents of the neighborhood.

Privage garage means a garage, for private use only, for the storage of not more than four motorized vehicles, including not more than one commercial vehicle, which shall be of less than two-ton capacity.

Public garage means a garage other than a private or community garage used for the storage, sale, hire, or repair of motor vehicles or of vehicles used in connection therewith.

Habitable room means any room in a dwelling unit used for sleeping, living, or dining purposes.

Half story. That part of a building between the eaves and the ridge line of pitched roofs used for storage or occupancy. When designed and constructed for limited storage, such portion is an attic.

Homeless family means a group of one or more related individuals who are homeless individuals.

Homeless individual means an individual who lacks a fixed and regular nighttime residence or an individual whose primary nighttime residence is a supervised public or privately-operated shelter designed to provide temporary living accommodations. Temporary living accommodations include welfare hotels, congregate shelters, and transitional housing.

Hotel means a building in which lodging and board is provided to the public for compensation and which caters to daily transient guests.

Impervious to water means constructed of concrete, cement block, terrazzo, brick, tile, or other similar material approved by the Director and having tight-fitting joints and more than four and one-half percent absorption by test.

Infestation means the sustained presence of household pests, vermin, or rodents.

Living room means a room used for sitting, dining, or cooking purposes, but does not include a room designed for laundry, workshop, furnace, play, or storage purposes.

Mezzanine floor means a balcony-like floor located between a main or full floor and the main ceiling next above and not exceeding in area more than one-third of such main or full floor.

Occupant means any individual residing in a dwelling.

Owner means the State, the City, the University of Wisconsin-Green Bay, any sewer or drainage district, any person, firm, partnership, corporation, or organization of any kind having a legal or equitable interest in a property.

Plumbing means all gas pipes and gas burning equipment, waste pipes, water pipes, water closets, sinks, lavatories, bath tubs, catch basins, drains, vents, and any other fixtures, together with connections to the water, sewer, or gas lines.

Provided means furnished, supplied, or paid for by, or under control of, the owner.

Rooming house means a building or structure, other than a hotel licensed by the State, where three or more persons are lodged for compensation.

Service station means a garage, other than a public garage, used in connection with liquid fuel dispensing stations and in which one or more vehicles can be accommodated for washing, greasing, oil changing, tire and battery replacement, or similar minor operations or adjustments.

Shelter facility means a temporary place of lodging for homeless individuals or homeless families.

Sleeping room means a room used for sleeping purposes.

Street means a public or private right-of-way, lane, or way set aside permanently for common travel and being 21 feet or more in width if it existed on November 3, 1959.

Structural alteration means any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

Structure means anything constructed, the use of which requires location on the ground or attachment to something having a permanent location on the ground.

Yard means an open, unoccupied space on the same lot with a dwelling and lying between the front, rear, or sides of the dwelling and the respective lot lines.

Sec. 8-22. Incorporation by reference.

The Wisconsin Uniform Dwelling Code, Wis. Admin. Code SPS chs. 320 to 325, and Commercial Building Code, Wis. Admin. Code SPS chs. 361 to 366, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein. Any conflict between this article and the Wisconsin Administrative Code shall be resolved in favor of the Wisconsin Administrative Code.

Secs. 8-23—8-45. Reserved.

DIVISION 2. ADMINISTRATION

Sec. 8-46. Division of Building Inspection.

- (a) *Duties.* The Director shall enforce all state laws, City ordinances, and lawful orders relating to the construction, alteration, repair, removal, location, occupancy, safety, and use of buildings and permanent building equipment.
- (b) *Records.* The Director shall keep records of and make monthly and annual reports to the Council on all of the following.
 - (1) All applications for building permits, which shall be numbered in the order of issuance.
 - (2) The number, description, and size of every building erected, which shall indicate the materials used and the cost of each building, as well as the aggregate cost of all buildings of the various classes.

- (3) All inspections made and all removals and condemnations of buildings.
- (4) All related fees collected, including the dates of their receipt and delivery to the City Treasurer.
- (d) *Powers.*
 - (1) *Inspection.* The Director may at all reasonable times for any proper purpose enter upon any public or private premises and make inspections thereof and may require the permit for any building, electrical, heating, or plumbing work, or the required license therefor, to be produced for inspection.
 - (2) *Emergency powers.* The Director shall have such emergency powers as are necessary to fulfill the purpose and intent of this article; that is, to promote the public health, safety, and welfare.

Sec. 8-47. Building permits.

- (a) *Building permit required.* No person shall erect or construct any building or structure, or shall add to, enlarge, move, improve, alter, convert, extend, or demolish any building or structure or cause the same to be done, or shall commence any work covered by this article on any structure without first obtaining a building permit therefor from the Director, provided the Director may authorize minor repairs not involving structural alterations without requiring a building permit to be issued.
 - (1) *Residential properties.* The Director may issue a permit under this section to an owner currently living and residing at the property. For residential properties not occupied by the owner, the Director shall only issue a permit under this section to a contractor who holds a dwelling contractor certification or dwelling contractor qualifier certification issued by the State of Wisconsin.
- (b) *Application.* An application for a building permit shall be filed with the Director on a blank form to be furnished for that purpose. Such application shall describe the land upon which the proposed building or work is to be done, either by lot, block, tract, or similar general description which will readily identify and definitively locate the proposed building or work, shall show the use or occupancy of all parts of the building, and shall include such other pertinent information as may be required by the Director.
- (c) *Information to accompany application.*
 - (1) *Site plan.* Each application for a building permit shall be accompanied by two copies of a site plan, drawn to scale, where not less than one inch equals 20 feet nor more than 1/16-inch equals one foot, which shows the actual dimensions of the lot to be built upon, the size and location of the buildings to be erected, the proper relationship of the buildings to the exterior lines of existing or proposed streets shown on the Official Map, and such other information as may be necessary to provide for the enforcement of this article. Such site plan shall indicate the detailed legal description of the property as it appears of record. In the case of unplatted land or parcels conveyed by metes and bounds, the site plan, together with sufficient measurements to permit property determination, shall be submitted to the Director, who shall certify as to whether the proposal is in conflict with the Official Map.
 - (2) *Other data required.* The following data shall be a part of, or shall accompany, all site plans submitted for approval:
 - a. The location of streets, alleys, lot lines, and any other buildings on the same lot or property.
 - b. The name of the owner.
 - c. The intended use of all rooms.
 - d. When required by the Director, computations, stress diagrams, and other data necessary to show the correctness of the plans.
 - (3) *Foundation specifications.* When necessary, information concerning the size and material of the foundations and, if required, the loads to be placed thereon, where piles are to be driven, and the spacing, size, and materials of the piles and the load to be placed on each shall accompany the application for a building permit.

(e) *Conditions of approval of application.*

- (1) *Sanitary sewers.* Where sanitary sewers are not installed or immediately available, no building permit shall be issued by the Director until a plumbing permit for an individual sewage disposal system has been issued in accordance with Section 8-370.
- (2) *Right to inspect.* The Director may, as a condition of the granting of a building permit, enter any premises for which such permit was issued at any reasonable time during the course of the work and until final inspection and approval thereof has been given to inspect such premises for compliance with all statutory and ordinance regulations concerning the construction, repair, use, and location of such building.
- (3) *Buildings covered by State Building Code.*
 - a. *Approval of plans.* Before a permit is issued for any building listed in subsection (e)(3)b or for the equipment for remodeling any such building, complete plans and specifications, including a site plan showing the position of the building with respect to lot lines, shall be submitted to the State Department of Safety and Professional Services for approval in accordance with the Wisconsin Administrative Code. Such plans shall be submitted to the State in such number as will permit a complete set of approved plans and specifications, together with any correspondence concerning such approval by the State, to be filed with the Department of Community and Economic Development.
 - b. The Department of Safety and Professional Services must approve permit applications for the following types of buildings:
 1. Hospitals.
 2. Buildings containing elevators.
 3. Buildings containing fire sprinkler systems or fire alarm systems.
 4. All other buildings required by state law or administrative regulation to be submitted.
 - c. *Changes in approved plans.* After plans have been approved for buildings and equipment thereof, no changes shall be permitted unless such changes are approved by the Department of Safety and Professional Services.
 - d. *Inspection of buildings covered by State Building Code.* The Director shall make inspections and require such changes as will be necessary for buildings and their equipment to conform with the approved plans, or the approved changes in such approved plans, which have been filed in their office.

(f) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Building Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.

(g) *Permit fees.*

- (1) Fees for building permits issued under this section shall be provided in the City Fee Schedule.
- (2) If an application for a building permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.

(h) *Issuance of building permit.*

- (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a building permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp both sets of plans and specifications as "approved."

- (2) *Who shall have plans and specifications.* One such approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
- (3) *Evidence of permit.* With every permit, Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
- (4) *Lapse.* A building permit shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further construction is necessary after one year, the permit holder shall make written application in duplicate to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the building permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
- (5) *Revocation.*
- a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the building permit shall be revoked by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work upon the subject building until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (7) *Preliminary foundation permit may be issued.* Whenever any person has applied for a building permit and all of the provisions of this section have been complied with, particularly with respect to review and approval of the site plan and other necessary conditions of approval as set forth in subsection (e) of this section, the Director may issue a preliminary foundation permit allowing the permittee to construct the foundation of any building for which a permit is sought. Thereafter, the Director may issue the final permit upon approval of plans and specifications for the remaining portion of the building to be constructed above the foundation. Nothing contained herein shall require the Building Inspector to issue the final permit unless the plans and specifications for the remainder of the building to be constructed above the foundation are in proper order and approved. The Director shall not issue such preliminary foundation permit unless all necessary information provided hereunder has been

reviewed and approved by the appropriate City departments and the only information remaining to be approved is the computation, stress diagrams, and other data necessary to show the correctness of the plans for that portion of the building to be constructed above the foundation.

- (i) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Secs. 8-48—8-67. Reserved.

DIVISION 3. ENFORCEMENT

Sec. 8-71. Unsafe buildings; razing or repair.

- (a) *Order to raze.* If any building located within the City is old, dilapidated, or out of repair and consequently dangerous, unsafe, unsanitary, or otherwise unfit for human habitation and unreasonable to repair, the Director may order the owner of the building to raze and remove such building; or, if the building can be made safe by reasonable repairs, order the owner to either make the building safe and sanitary or raze and remove it, at the owner's option; or, where there has been a cessation of normal construction of a building for more than two years, order the owner of the building to raze and remove such building. Any order issued under this section shall specify the repairs necessary to make the building safe and sanitary and shall specify a time within which the owner shall comply therewith. Such order shall be served as provided by Wis. Stats. § 66.0413.
- (b) *Failure to comply with order.*
 - (1) If the owner fails or refuses to comply with an order issued under this section within the time prescribed, the Director shall cause such building either to be razed and removed as provided by Wis. Stats. § 66.0413, through any available public agency or by contract or arrangement with private persons, or to be closed if unfit for human habitation, occupancy, or use.
 - (2) The cost of such razing and removal or closing shall be charged against the real estate and shall be assessed and collected as a special charge. When any building has been ordered razed and removed, the Director may sell the salvage and valuable material at the highest price obtainable. The proceeds of such sale, after deducting the expense of razing and removal of the building, shall be promptly remitted to the Circuit Court with a report of such sale or transaction, including the items of expense and the amounts deducted, for the use of the person entitled to the net proceeds, subject to the order of the Court. If there remains no surplus to be turned over to the Court, the report shall so state.
 - (3) If a building subject to a raze order under this section is unsanitary and unfit for human habitation, occupancy, or use and is not in danger of structural collapse, the Director shall post a placard on the premises containing the following notice: "This Building May Not Be Used For Human Habitation, Occupancy, or Use." The Director shall prohibit use of the building for human habitation, occupancy, or use until the necessary repairs have been made. Any person who rents, leases, or occupies a building which has been condemned for human habitation, occupancy, or use shall be fined not less than \$5.00 nor more than \$50.00 for each week of the violation.

Secs. 8-72—8-98. Reserved.

DIVISION 4. INSPECTION

Sec. 8-99. Structural portions to be inspected.

No structural portion of any part of any building or structure not supervised by an architect or professional engineer or their authorized representative, and no reinforced steel, structural framework of iron or steel, brick, concrete block, frame, or any other materials used in the structural part of any building shall be covered or concealed in any manner without first securing the approval of the Building Inspection Division. The Building Inspection Division shall be notified at least one working day prior to such time as the work is to be inspected.

Sec. 8-100. Successive inspections to be made.

No work shall be done on any part of a building or structure beyond the point indicated in each successive inspection without first obtaining the approval of the Building Inspection Division. Upon notification by the permit holder or an agent of the completion of each of the respective steps in construction, the Director shall make the following successive inspections in accordance with the Department of Safety and Professional Services Administrative Code and shall either approve that portion of the construction as completed or shall notify the permit holder or an agent where the same fails to comply with the law:

- (1) Residential and/or commercial building inspections are required following specific phases of the construction process. The list in this section is not exhaustive, and additional inspections may be required as appropriate. The Director shall perform an inspection following each of the following steps in construction:
 - a. *Footings.* When forms for footings are in and ready to be poured. Forms for footings shall be framed with a minimum depth of six inch framing members.
 - b. *Foundation.* When footings are fully installed and the permit holder is ready to install concrete for the walls.
 - c. *Tar, stone, and tile.* When the walls are up and stone, tile, and damproofing have been installed.
 - d. *Rough-in.* When the roof and all framing, fire blocking, and bracing are in place, and all pipes, chimneys, and vents are completed.
 - e. *Insulation.* When the insulation has been installed.
- (2) *Certificate of occupancy.* The Chief Building Official, Plumbing Supervisor, Heating Inspector, Electrical Inspector, Engineering Department agents, and Fire Department Prevention Bureau, or their designees, shall each make a final inspection of all new buildings, additions, and alterations. If no violation of this article or any other ordinance, law, or order is found and if there is a sewer connected to the public system or a system approved by ordinance, a connection with adequate water supply and access to the premises by a graded and graveled public road, and the buildings, additions, and alterations are in compliance with the City's building, electrical, heating and air conditioning, plumbing, rat prevention, and fire prevention and control ordinances, the Director shall issue a certificate of occupancy stating the purpose for which the building is to be used and the maximum load and maximum number of persons that may be accommodated on each floor thereof. No building or part thereof shall be occupied until such certificate has been issued, except with the written consent of the Director, nor shall any building be occupied in any manner which conflicts with the conditions set forth in the certificate of occupancy. In no case shall a certificate of occupancy be issued until complete compliance with the conditions stipulated on the site plan have been met, except such certificate may be issued prior to complete compliance provided that a cash bond in an amount equal to the cost of site plan compliance, as stipulated by the Director of Public Works and indicated on the site plan, has been deposited with the City Treasurer. If all conditions have not been met within 60 days after notice by the Director of Community and Economic Development, the Director of Public Works may make the

necessary installations as provided in the site plan and charge the same to the cash bond account for that particular building.

- (3) *Commercial partial and/or temporary occupancy.* Partial and/or temporary occupancy of a building may be granted subsequent to the original site plan approvals if the following conditions are met:
- a. The applicant has submitted a Life Safety Plan containing the stamped seal of the supervising professional. Said Life Safety Plan shall demonstrate to the satisfaction of the Director that all life safety components for the entire building have been completed or that an equivalent or better level of protection is in place.
 - b. The Director and the Fire Chief have reviewed and approved the revised Life Safety Plan described in this subsection.
 - c. The applicant has paid an additional permit fee in an amount determined by the Director, which amount shall reflect the actual administrative costs of issuing the partial or temporary certificate of occupancy. In determining the fee amount, the Director may consider all relevant factors, including, but not limited to, the timing or urgency of the request for the partial or temporary occupancy permit, the number of inspections required to grant the partial or temporary occupancy permit, and the percentage of the building included in the partial or temporary occupancy permit. The fee for the partial or temporary occupancy permit shall not exceed fifty percent of the total permit fee.

Secs. 8-101—8-128. Reserved.

DIVISION 5. BUILDING SITE REGULATIONS

Sec. 8-129. Excavations.

- (a) *Excavation plans to be submitted in advance.* A building permit shall be obtained before commencing with excavation or driving piles for any foundation of any building or structure. The application for a building permit shall be filed with the plans and specifications of the building showing the location of the building or structure, the size and material of the foundation, and, if required, the loads to be placed thereon, where piles are to be driven, the spacing, size, and materials of the piles and the load to be placed on each.
- (b) *Guard rails.* Any person making excavations or causing the same to be made shall properly guard them and shall so protect them that the adjoining soil shall not cave in. No one shall excavate so as to injure any adjoining soil, ground, or building. Wherever such excavations are made within ten feet of any sidewalk, street, or alley, guard rails and warning lights and signs determined to be proper by the Director shall be installed and maintained. The Director may require guard rails around such other excavations as such they believe the protection of the public requires.

Sec. 8-130. Abandoned or water-filled excavations.

- (a) *Open basements.* Any open basement or basement excavation on which no work has been performed for a period of 60 days after the commencement of building or razing shall constitute a nuisance and the owner or contractor shall, within five business days of receipt of written notice from the Director, cause such basement or basement excavation to be properly filled and leveled off to the original grade. All concrete, including footings and foundations, must be removed in its entirety prior to such filling and shall not be buried.
- (b) *Fill and debris.* Any fill or debris on land or lots that has not been leveled off or removed within 30 days after its deposit and which is harboring rodents, preventing noxious weeds from being cut, or otherwise creating a nuisance shall be subject to the issuance of written orders by the Director requiring the leveling or removal of such fill or debris within 48 hours of receipt of such orders.
- (c) *Water-filled excavations.* Any open

basement or basement excavation in which one foot or more of water is permitted to stand shall constitute a nuisance and the owner shall, within 48 hours of receipt of written orders from the Director, cause the excavation or basement to be pumped dry.

- (d) *Publication of notice.* If the address of the owner or contractor cannot be ascertained with reasonable diligence, then the 48-hour period provided in subsections (a) through (c) of this section shall commence to run at the beginning of the day following two successive publications of the notice in the official newspaper.
- (e) *Failure to comply.* Failure to comply with a written order from the Director shall be cause to have the work done to abate the nuisance in accordance with Chapter 24, and the cost thereof charged back to the property or property owner.

Sec. 8-131. Littering and damage to property.

- (a) *General provisions.* No person engaged in work for which a building permit has been issued shall cause, maintain, or permit the littering of any public or private property with mud, dust, brush, stumps, tree limbs, construction, or other types of debris; nor shall such person cause damage to any public street, sidewalk, alley, curb, gutter, sewerage system, or property.
- (b) *Littering at razing or removal site.* No person shall leave litter, building debris, excavations, or ground piles on property on which a building is being razed or from which a building has been moved. If work is not being done in a satisfactory manner or is not progressing, thus causing a public safety hazard and nuisance, the Director shall issue a written order to the property owner specifying a definite period within which persons concerned shall clean up the property and level off the ground to the adjoining level, the City shall cause such work to be done to abate the nuisance in accordance with Chapter 24, and the cost thereof charged back to the property or the property owner.

Sec. 8-132. Lot corners.

- (a) *To be monumented.* Prior to issuance of a building permit, all lot corners of the property upon which any building or structure is to be located shall be monumented by a registered land surveyor. These monuments shall be marked by wooden guard stakes.
- (b) *Monuments to be maintained.* The lot corner monuments and guard stakes shall be maintained and kept readily visible until the footings have been inspected and approved by the Director.

Secs. 8-133—8-165. Reserved.

DIVISION 6. BUILDING CONSTRUCTION REGULATIONS

Sec. 8-166. Minimum building elevations.

- (a) The first habitable floor of any building or structure shall not be constructed below the current city elevation.
- (c) Uses requiring floodproofing measures shall be designed consistent with the current flood protection elevation. The Director shall require that the applicant submit a plan or document certified by a registered professional engineer or architect that the floodproofing measures are consistent with the flood protection elevation. Floodproofing measures shall include, but are not limited to, the following:
 - (1) Installation of water-tight doors, bulkheads, and shutters.
 - (2) Reinforcement of walls to resist water pressure.
 - (3) Use of paint, membrane, or mortar to reduce seepage of water through walls.
 - (4) Construction of water supply and waste treatment systems to prevent the entrance of floodwaters.

- (5) Pumping facilities for subsurface drainage systems for buildings, to receive external foundation wall and basement floor pressures.
- (6) Construction to resist rupture or collapse caused by water pressure or floating debris.
- (7) Installation of cutoff (backwater) valves on sewer lines or elimination of gravity flow basement drains.
- (8) Anchorage to resist flotation and lateral movement.
- (9) Addition of mass or weights to structures to resist flotation.
- (10) Installation of pumps to lower water levels in structures.
- (d) Accessory uses such as parking lots, yards, and other similar land or open land uses may be permitted at the current base flood elevation.
- (e) Fill shall be placed around buildings and structures to a minimum of one foot above base flood elevation and shall extend at such elevation at least 15 feet in each direction from the structure thereon. Fill material shall be stabilized in a manner recommended by the U.S. Soil Conservation Service and protected against erosion.

Secs. 8-167—8-202. Reserved.

DIVISION 7. OTHER CONSTRUCTION REQUIREMENTS

Sec. 8-203. Materials approved by Department of Safety and Professional Services.

Materials not listed in this article but approved by the State Department of Safety and Professional Services may be used in any building in the City, provided the necessary test sheets verifying such approval are on file in the office of the Department.

Sec. 8-204. Prefabricated and other similar buildings.

Nothing in this article shall prevent the erection of prefabricated, component, pre-cut, stressed-skin, or unit-constructed buildings, provided such buildings meet or are modified to comply with all requirements of this article.

Sec. 8-205. Items not covered by this article.

Any item, phase, or area of construction not specifically covered by this article shall meet with the approval of the Director. This article shall not be interpreted to limit the scope or use of other construction practices not specifically covered herein, provided the standards of construction and safety intended by this article are maintained. Detailed material, information, and structural design data on other construction practices shall be submitted to the Director for approval prior to starting construction.

Secs. 8-206—8-234. Reserved.

DIVISION 8. HOUSING REQUIREMENTS

Sec. 8-235. Buildings affected.

This division shall apply to buildings hereafter constructed which are not covered by the State Building Code. Sections 8-238 through 8-240 shall also apply to buildings heretofore constructed which are not covered by the State Building Code.

Sec. 8-236. Light and air regulations.

Every room used for human habitation, including bath and toilet rooms, shall be lighted directly upon a street or alley, upon a court on the same lot with the building, or upon the sky. Every court which is bound on one side by a lot line and which opens at one or both ends to the street, alley, or yard shall be an outer line court and shall be at least three feet wide. Every court which is between two buildings or parts of buildings on the same lot and which opens at one or both ends to the street, alley, or yard shall be an outer court and shall be at least six feet wide. Every court which is bounded on one side and both ends by walls and on the remaining side by a lot line shall be an inner lot line court and shall be at least six feet wide and at least 60 square feet in area. Every court which is bounded on all sides by walls shall be an inner court and shall be at least ten feet wide and at least 150 square feet in area. No building shall be built, altered, or enlarged so as to encroach upon the space reserved under this section for light and air.

Sec. 8-247. Ceilings.

All habitable rooms in each dwelling unit shall maintain a minimum ceiling height of seven feet. If beams or girders are exposed below the normal ceiling, a height of seven feet shall be maintained between the floor and the beams or girders. Rooms with sloping ceilings shall maintain a seven-foot average. In one-half story residences, areas with less than five feet of head room at the sides shall not be included in the above requirements, but the center ceiling height shall be at least seven feet.

Secs. 8-248—8-273. Reserved.

DIVISION 9. OTHER BUILDING REGULATIONS

Sec. 8-274. Razing of buildings.

- (a) *Permit required.* No person shall raze any building in the City without first securing a permit therefor from the Department and a permit for the sealing of the sewer from the Director. No permit shall be granted unless the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. The applicant shall agree to indemnify and hold the City harmless from all liability arising out of the job. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the permit, and no work shall be done under such permit until a new certificate of insurance certificate complying with this subsection has been filed with Risk Management. No certificate of insurance is required if either of the following conditions exists:
- (1) The building is located in a residential zoning district and is set back at least ten feet from all property lines.
 - (2) The building is located in any zoning district, is an accessory building as defined in Section 44-249, is no greater than one story, and is set back at least ten feet from all property lines, or is constructed and situated upon the property so that the same may be razed with no damage resulting to the person or property of others as determined by the Director and Risk Manager. Anyone aggrieved by such determination may appeal that decision to the Protection and Policy Committee in accordance with Wis. Stats. Ch. 68.
- (b) *Requirements.* The holder of a permit to raze a building shall comply with the following requirements:
- (1) *Property to be protected.* Streets, alleys, and private property shall be properly protected by erecting proper fences and scaffolds. If scaffolds are to be built on streets or alleys, they shall be properly protected with a top cover of planks, guard rails, and toe-boards to prevent the falling of debris on sidewalks or streets. The top of the scaffold shall be at least eight feet above the sidewalk or alley.

- (2) *Walls to be supported.* No person shall remove all horizontal support from exterior walls or partitions thereby permitting them to stand unsupported.
- (3) *Buildings to be razed floor-by-floor.* In buildings of more than one story, the exterior walls, interior partitions, and other supports shall be removed floor-by-floor, using the floor below as protection from falling debris and to prevent exterior and interior walls from collapsing.
- (4) *Razing to be gradual.* No walls, chimneys, or other construction shall be allowed to fall en masse on a floor and bulky material such as beams and columns shall be lowered and not thrown.
- (5) *Cranes.* Cranes may be used in wrecking or demolishing buildings provided the other requirements of this subsection are met.
- (6) *Sewers.* When a building is moved or demolished, its sewer shall be located at a point outside the foundation lines and sealed off. The plug or seal shall not be covered until the Director or a plumbing inspector under Section 8-356 gives approval.
- (7) *Obstruction of streets.* When razing requires the obstruction of a public street, alley, or sidewalk, a permit must be obtained from the Director of Public Works as provided in Section 34-11 before work on razing the structure can begin.
- (8) *Filling basement and excavated areas.* All loose material and debris shall be removed from the basement, crawlspaces, and other excavated areas. Upon ascertaining that all openings, pipelines, drains, and similar components have been properly capped, all basements, crawlspaces, excavated areas, and other below-grade voids resulting from the removal of pavements, slabs, foundations, and the like shall be filled to within four inches of finished grade with granular fill material. The material shall be well graded, free from debris and organic material. All granular fill shall be placed in layers of 12 inches or less and shall be compacted to not less than 95 percent of Modified Proctor (ASTM D-1557).
- (9) *Completion of project.* When razing activities are completed, the disturbed area shall be graded so that no gradients in disturbed earth shall be steeper than a slope of three to one (horizontal to vertical). A layer of arable topsoil capable of supporting perennial grasses shall be spread over the disturbed area to a minimum depth of four inches. The area shall be seeded with a perennial grass capable of survival in this climate and maintained until the area is stabilized and developed with zoning and other applicable provisions of this Code.

Sec. 8-275. Moving of dilapidated or detrimental building prohibited.

- (a) *Dilapidated buildings.* No permit shall be granted for the moving of any building from one location to another which, in the judgment of the Director, is so dilapidated and so out of repair as to be unsanitary or unfit for human habitation, occupancy, or use or is so out of repair that it would be unreasonable to repair the same.
- (b) *Detrimental buildings.*
 - (1) To protect and conserve the value of neighboring property, no permit shall be granted for the moving to a location within the City of any building which, in the judgment of the Director, would be detrimental to the character of the intended neighboring property. Such consideration shall be made on the basis of compatibility of external appearance, size, and architectural quality in relation to existing structures.
 - (2) The application for a moving permit shall be accompanied by three copies of a site plan of the proposed site, with such additional material as would permit the application of the foregoing standards.
- (c) *Denial; appeal.* The refusal to grant a moving permit shall be in writing and shall contain a detailed statement as to why the relocation would be detrimental to the value of the neighboring property, if such is the case. The applicant or any aggrieved party may, within ten days of the granting or refusal of a moving permit,

appeal to the Board of Appeals. The Board of Appeals shall hear such appeal in accordance with procedures which it shall provide.

Sec. 8-276. Building maintenance.

- (a) *Hazardous conditions.* A person who owns, leases, or occupies a building shall keep the building from structural or other conditions that constitute a substantial hazard to the health or safety of its occupants or create an unreasonable risk of personal injury as a result of any reasonably foreseeable use of the building other than negligence by an occupant.
- (b) *Common areas.* A person who owns a commercial building and leases the building to multiple tenants shall keep all common areas of the building maintained in a manner that is safe, functioning, sanitary, and undamaged.
- (c) *Building exterior.* A person who owns a building shall keep all exterior and weatherproofing components maintained in a manner that is safe, functioning, cleanable, and undamaged.
- (d) *Other structures.* Accessory structures, temporary structures, fences, and other structures shall be kept in a manner that is safe, functioning, cleanable, and undamaged.
- (e) *Insufficient repairs.* A person who owns a building shall ensure all repairs to the building are performed in a workmanlike manner. The term "workmanlike manner" includes, but is not limited to:
 - (1) The use of materials that have a consistent texture, color, quality, or appearance with adjacent materials.
 - (2) The complete performance of a job which does not leave unfinished edges, exposed nails or screws, loosely attached materials, or similar conditions.

Secs. 8-277—8-324. Reserved.

DIVISION 10. OTHER STRUCTURES

Sec. 8-325. Billboards and signs.

- (a) *General.* Billboards and signs are subject to all applicable regulations in Chapter 30.
- (b) *Materials to be used within Commercial Construction District.* When erected or maintained within the Commercial Construction District, billboards and signs shall be constructed and maintained entirely of incombustible materials, including the structural parts of the frames of such structures; except that braces, uprights, and the skeleton frames of billboards and signboards to which the metal facing is fastened may be wood.
- (c) *Not to be an obstruction.* No billboard or sign or any part of such structure, or any anchor, brace, guide wire, or guide rod shall be attached, fastened, or anchored to any fire escape, fire ladder, or stand pipe; and no such structure or any part of such structure, or any anchor, brace, guide wire, or guide rod shall be erected or maintained so as to cover or obstruct any doors, doorways, or windows or so as to prevent or hinder the raising or placing of ladders against any such building by the City Fire Department if necessary.
- (d) *Signs in public places.* No person shall erect, fasten, post, paint, or maintain any sign, picture, poster, or advertisement of any description upon any curb, sidewalk, fence, board, barrel, box, case, railing, pole, post, barricade, material, bridge, bridge fender, dock, pile, structure, or building of any kind placed upon any street, alley, public way, public ground, or public waterway.
- (e) *Temporary banner.* No person shall erect or maintain any temporary banner or sign extending beyond the curblineline of the street.

Sec. 8-326. Awnings over streets or sidewalks.

No person shall erect, repair, or maintain any awning over any sidewalk or street within the City except in accordance with this section.

- (1) *Permit required.* No person shall erect any awning over any sidewalk or street without first obtaining a permit therefor from the Director. No permit shall be granted unless the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager.
- (2) *Specifications.* Any awning erected over any sidewalk or street within the City shall be constructed of an adjustable iron frame firmly secured in place and covered with canvas or other suitable material. Such frame shall be at least 7½ feet in height above the highest point of the walk, and the lowest point of the flap or fringe of such awning shall not be less than 6½ feet above the sidewalk immediately beneath it.
- (3) *Permanent metal awnings.* Permanent metal-type awnings may be erected provided that a minimum clearance of ten feet is allowed from the sidewalk to the lowest part of the awning.

Sec. 8-327. Canopies, hoods, and projecting signs.

No permanent hood, canopy, or projecting sign shall be constructed unless in the manner herein provided.

- (1) *Permit and inspections required.* No canopy, hood, or projecting sign shall hereafter be erected without a permit therefor being first secured from the Director. All such canopies, hoods, or projecting signs shall be inspected yearly by the Director.
- (2) *Certificate of insurance for canopies, hoods, or projecting signs over the public right-of-way.* No permit shall be granted until the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the permit until a new certificate complying with this subsection has been filed with Risk Management.
- (3) *Clearance.* There shall be not less than ten feet between the grade of the sidewalk at any point and the lowest point of any appendage or projection of any canopy, hood, or projecting sign extending over a public street right-of-way.
- (4) *Project toward streets.* The projections of permanent hoods, canopies, or projecting signs shall not extend over the street nearer than two feet from a vertical projection of the outside face of the curb.
- (5) *Height.* The overall height of canopies or hoods, including all projections, ornamentations, accessories, or appurtenances, shall not exceed six feet. After the original erection, no sign, poster, or other thing extending beyond six feet above the ten-foot clearance required of such canopy shall be added to such canopy or hood. The maximum distance to the top of any canopy, including all projections, ornamentations, or appurtenances, signs, or other part of the canopy, shall not exceed 16 feet from any point of the sidewalk.
- (6) *Accessories to installations.* Any necessary appurtenances or signs of a temporary or permanent installation shall be rigidly attached to the hood or canopy in a manner satisfactory to the Director. No swinging signs or accessories shall be permitted.
- (7) *Signs erected above canopies or hoods.* Where projecting signs are erected above canopies or hoods, they shall in no manner be attached to any accessory, ornament, or other thing of a temporary or permanent nature. Such signs shall be hung independently of the canopy.
- (8) *Drainage to be provided.* All hoods, canopies, and projecting signs shall have gutters and conductors connected with the sewer at the building and shall be so drained as not to discharge any water onto the sidewalk or public highway, except as provided in the City Plumbing Code.

- (9) *Other design and material requirements.* Canopies, hoods, and projecting signs shall be built of incombustible material throughout, shall be capable of resisting a superimposed load of 30 pounds per square foot, shall extend from the lot line toward the curb at a height in the clear of not less than ten feet, and shall slope and drain toward the building in accordance with the City Plumbing Code.
- (10) *Suspension from building.* Canopies, hoods, and projecting signs shall be suspended from the building, with no supports resting upon the sidewalk or public highway.
- (11) *Approval required.* The Director shall approve the design and materials of construction of all canopies, hoods, and projecting signs.

Sec. 8-328. Fire escapes outside.

No outside fire escape or other structural addition projecting from a building over a public alley or thoroughfare shall be erected without first securing a permit from the Director. The Director shall not issue a permit for the building of such outside fire escape or other structural addition unless the plans provide for a minimum of 13 feet, six inches vertical clearance from the permanent established grade of the alley or thoroughfare below, provided where such grade has not been established, the clearance shall be on the basis of the proposed grade for such alley or thoroughfare as set by the Director of Public Works.

Sec. 8-329. Gas or oil distributing stations.

- (a) *Plans and specifications.* Plans and specifications for any gas or oil distributing station shall conform in all respects to the laws of the State and to existing laws for buildings and construction in the City.
- (b) *Design standards.*
 - (1) *Sidewalk, street, and curb grades.* Sidewalk, street, and curb grades shall be established by the Council and shall be obtained from the Engineering Division of the Department of Public Works. All construction shall conform to the grades so established.
 - (2) *Driveways and stationaries.*
 - a. *Surfacing.* All stationaries and driveways which receive moving traffic shall be surfaced with bituminous or Portland cement concrete. If Portland cement concrete is used, it shall be a minimum thickness of six inches or of a designed mix containing not less than 5½ bags of cement per cubic yard of concrete. If bituminous concrete is used, it shall be laid with a minimum thickness of two inches of a plant hot mix material upon either a four-inch Portland cement concrete base or a six-inch crushed stone base, such base to be properly compacted and rolled.
 - b. *Corner lots.* Driveway approaches measured along the curblines shall not be less than 25 feet from the intersection of the street right-of-way line on a corner lot or 35 feet from the point of intersection of the curb faces, whichever is greater.
 - c. *Curb cuts.* Two driveways shall be permitted on both the long and short side of any lot; but in no case shall two driveways be permitted on any side less than 100 feet long. Openings shall not exceed the distances set in this subsection. The opening at the curb to any proposed gas or oil distributing station shall not be greater than 30 feet and at the property line shall not be greater than 20 feet.
 - d. *Curbing required.* Except at driveway locations, curbing not less than eight inches in height and eight inches in width shall be constructed adjacent to all property lines and/or street setback lines abutting the street rights-of-way. At all driveway locations, the end 24 inches by eight inches curbing may be evenly tapered to allow the top of such curbing to intersect at the grade with the driveway.
 - e. *Driveways.* The curbing of all driveways on both sides shall commence at the outside sidewalk line at the grade established by the Engineering Division of the Department of Public Works. Such

curb shall continue and become attached to the curb at the street at the same grade as such street curbing, the outer edge of such curbing conforming with the entrance measurements as set forth in this section.

- f. *Distance between driveways.* The minimum distance between driveways at the property line shall be 30 feet.
 - g. *Lighting.* The type and location of all lighting shall be shown on the site plan. All outdoor light sources shall be controlled, directed, and/or otherwise screened from illuminating directly upon adjoining or opposite properties. This control can be by landscaping, buildings, louvers, and/or shields on the lights, or with similar devices.
 - h. *Fencing required.*
 - 1. When abutting a residential zone, decorative fencing that is impervious to sight and not less than four feet nor more than eight feet in height shall be installed along the interior boundaries of the proposed station property to a point 15 feet from the street right-of-way. Curbing eight inches by eight inches shall be placed along the property line within this 15 feet. When abutting a zone other than residential, curbing or bumper guards may replace the fencing equipment.
 - 2. All exterior waste or storage areas shall be properly fenced to screen them from public view.
 - i. *Setback area.*
 - 1. Where street setback areas are required, the setback area shall not be considered part of the station proper but shall be properly seeded and landscaped.
 - 2. With the permission of the Plan Commission, the station area may extend into the street setback area to within 15 feet of the street right-of-way line if proper curbing is installed as required by the Commission for the purpose of safety and protection of property.
 - 3. Interior and corner side yard setback areas bordering on residential zoning districts shall be landscaped and buffered as required in Chapter 44, regardless of size of parking area.
 - j. *Underground storage tanks.* The location and size of all underground fuel tanks shall be approved in writing by the Fire Prevention Division of the City Fire Department by submitting a site plan and application to such Division. Installations shall comply with the provisions of Chapter 18.
 - k. *Elevated pump islands.* All site plans shall show the following information:
 - 1. The location of the elevated pump islands.
 - 2. The location of a rectangular area that shall surround the pump islands. Such area shall be surfaced with Portland cement concrete or bituminous concrete in accordance with subsection (b)(2)a of this section, and covered and maintained with a solvent resistant material and shall project at least three feet to the front and rear of the pump island and eight feet to each side.
 - 3. The distance from the property line to the nearest point on the face of such pump island. Such distance shall be at least 15 feet.
- (c) *Permit.* No gas or oil distributing station shall be erected in the City without first securing a permit from the Director. No permit shall be issued by the Director until detailed plans and specifications have been submitted to the Plan Commission and subsequently approved by the Council.
- (d) *Approval of plans.* No permit shall be issued until a site plan fulfilling the following requirements has been approved by the Plan Commission pursuant to Chapter 44. Such site plan shall be drawn to an engineer's scale and shall show the location and dimension of all property lines, property description, sidewalks, curbs, trees, lighting standards, utility poles, fire hydrants, mail boxes, traffic signs, water mains, sanitary sewers,

storm sewers, storm sewer inlets, storm, sanitary, and water connections, and any other structures on or in the street adjacent to the property as well as on the property and shall show the location of all existing and proposed structures and installations on the property. All elevations shown on such site plan shall give the City datum. After a site plan has been approved by the Plan Commission, all construction and operation shall be in accordance with the provisions of the plan, and no certificate of occupancy shall be issued by the Director until all requirements have been fulfilled.

- (e) *Noncompliance and inspection.* If it is thought the terms of this section are being violated, the City Engineer or the Director, or any other parties properly designated by the Common Council may enter upon the premises at any reasonable time for inspection. If noncompliance is found, all business activities upon such premises shall be suspended until the terms of this section are complied with.

Sec. 8-330. Erection and operation of service stations dispensing liquefied petroleum gas.

- (a) *Permit.* No service station distributing liquefied petroleum gas shall be erected in the City without first securing a permit from the Director. No permit shall be issued by the Director until detailed plans and specifications have been submitted to the Plan Commission and subsequently approved by the Council.
- (b) No service station dispensing liquefied petroleum gas shall be permitted within 200 feet of a building used for institutional occupancy or public assemblies.
- (c) A site plan shall be submitted to the Plan Commission, and a copy of such site plan shall also be filed with the Fire Department to be retained in the Fire Department records.
- (d) No building permit for a liquefied petroleum gas service station installation shall be issued until plans are approved by the Fire Chief.
- (e) No permit for the installation of a liquefied petroleum gas service station shall be approved within the Commercial Construction District.
- (f) The total quantity of liquefied petroleum gas in one or more containers shall not exceed 12,000 gallons at a single service station.
- (g) Each storage container used exclusively in service station operations shall be a minimum of 50 feet from any building or group of buildings, from the centerline of the adjoining streets at the time of installation, and from the adjoining property lines which may be built upon. No container shall be closer than 20 feet to the adjacent right-of-way line of the street.
- (h) A six-inch diversion curb shall be installed to protect all liquefied petroleum storage containers at any service station where flammable liquids are also dispensed.
- (i) The design and construction of protective guard rails and barriers around containers and metering devices shall be subject to approval by the Fire Chief.
- (j) No gas shall be transferred at a liquefied petroleum gas station to any automotive fuel supply tank if such tank requires removal from its normally-established installed position for weighing or gauging.
- (k) Liquefied petroleum gas service stations shall be equipped with at least 20 pounds dry powder fire extinguisher or the equivalent, as approved by the Fire Chief.

Sec. 8-331. Television and radio receiving and transmitting antennas.

- (a) *Applicability.* This section shall apply to the outdoor portion of all apparatus used for receiving or transmitting television or radio waves of more than 12 inches in height.
- (b) *To be of incombustible materials.* All television and radio antenna systems, including the supporting tower or mast, shall be constructed of galvanized steel or other corrosion-resistant incombustible material. Where approved by the State Department of Safety and Professional Services, towers constructed of wood or wood

poles set in the ground may be used to support antenna systems, provided no wood tower or wood pole shall be mounted on the roof of any building or structure.

- (c) *Load requirements.*
 - (1) *Ice load.* The antenna and tower shall support the dead load of the structure plus an ice load of at least one-half inch in radial thickness. The ice load shall be computed upon the wires, cables, messengers, and antenna only.
 - (2) *To withstand wind.* The tower or mast shall be braced or guyed and anchored to resist a horizontal wind pressure of not less than 30 pounds per square foot of net exposed surface area. Guy wires shall not be anchored to a chimney or to any roof ventilator or vent pipe.
- (d) *To be independently mounted.* Antenna systems installed on the roof of a building shall not be supported by or attached to a chimney. All such installations shall be mounted on an independent platform or base and anchored in place. Such platform or base shall be large enough to distribute the weight of the tower over sufficient roof area so the roof will safely support the weight of the structure in addition to the required live and dead roof loads.
- (e) *Distance from streets and thoroughfares.* All antenna systems shall be so installed that no part of the structure will be nearer to a street or other public thoroughfare than the height of the antenna as measured from its platform or base to the top-most point. Any variance necessary from this requirement shall be reviewed as described in subsection (h). No wires, cables, or guy wires shall extend over any street or other public thoroughfare or over any electric power or communication lines.
- (f) *Not to interfere with utility poles and lines.* Poles used for electric power or for communication lines shall not be used for supporting or guying any antenna system. Where antenna installations are so located that damage will be caused to adjacent power or communication lines by the falling of the antenna structures, a separate safety wire shall be attached to the top of the tower and secured in a direction away from such power or communication lines.
- (g) *Electrical installations.* Electrical installations in connection with antenna systems, including the grounding of the tower or mast, shall comply in all respects with the requirements of the State Electrical Code.
- (h) *Variance.* The Plan Commission is authorized to hear and decide special exceptions to the terms of this section and to authorize such variances from the terms of this section as shall not be contrary to the public interest. Such variances shall be granted only where, owing to special conditions, a literal enforcement of the provisions of this section will result in practical difficulty or unnecessary hardship. It is the intent that the spirit of this section shall be observed, public safety and welfare secured, and substantial justice done. If a variance is granted under this section, the owner shall sign a contract, approved by the City Attorney, agreeing to hold the City harmless from and indemnify the City for any and all liability that may result from the construction and maintenance of any structure permitted pursuant to such variance.
 - (1) In all cases where such a variance is granted, the owner shall file a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the variance until a new certificate complying with this subsection has been filed with Risk Management.

Sec. 8-332. Pools, ponds, and spas.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Pond means any naturally-occurring or manmade body of water that retains or detains the natural flow of water. This definition does not include ponds used for or as part of a stormwater management plan as regulated in Chapter 42.

Pool means any constructed or prefabricated structure, either temporary (installed for a duration of less than seven days) or permanent (installed for a duration of seven days or more), either above ground or in-ground, containing or normally capable of containing water that is primarily used for the purpose of wading, swimming, or other recreational use. This definition excludes hot tubs, spas, and ponds.

Spa or hot tub means any hydro-massage pool or tub designed for immersion of users and primarily intended for recreational or therapeutic use which may or may not be equipped with a filter, heater, and motor-driven blower.

- (b) *Permit required.* No construction of a pool intended as a permanent installation, a humanmade pond, or a spa shall begin unless a permit therefor has been obtained and the fee paid as provided in the City Fee Schedule. The application for such permit shall be accompanied by a site plan showing the size, location, and description of the property.
- (c) *Requirements.*
 - (1) *Setback.* Permanent above- or in-ground pools, humanmade ponds, or spas shall maintain a minimum front yard setback of 25 feet and a rear and side yard setback of ten feet from adjoining property, subject to properly granted variance under Chapter 44. In determining this setback for above-ground pools, ponds, or spas with permanent fencing or decks, any deck or similar structure shall be considered part of the pool, pond, or spa.
 - (2) *Fencing.* All pools, ponds, or spas requiring a permit shall be encompassed by fencing as required under this subsection. A variance to maximum fence height may be granted under the procedures of Chapter 44. However, under no circumstance may the minimum fence height requirements of this subsection be varied.
 - a. *Structural requirements.* All fences under this subsection shall be constructed in such a manner as to comply with the requirements of Chapter 44, Article V, Division 6, and the requirements of this subsection.
 - 1. The fence must be able to withstand 200 pounds of force in any direction.
 - 2. The fence shall be so constructed and designed as to prevent penetration of an object greater than six inches in diameter.
 - 3. All such fences shall be constructed with a locking door or gate which complies with all other height and structural requirements of this section.
 - b. *Permanent in-ground pools, ponds, or spas.* Permanent in-ground pools, ponds, or spas, subject to Chapter 44, Article V, Division 9, shall be encompassed by a freestanding fence not less than 48 inches nor more than 96 inches from the ground level. Such fence shall be no less than three feet from the pool, pond, or spa at its nearest point. The fence shall comply with the requirements of this subsection.
 - c. *Above-ground pools.* Above-ground pools, ponds, and spas shall be encompassed by fencing which complies with one or any combination of options listed below and the requirements of this subsection.
 - 1. A fence in compliance with the requirements under this subsection for in-ground pools, ponds, or spas.
 - 2. A fence within three feet of the pool, pond, or spa, not less than 48 inches nor more than 96 inches from ground level.
 - 3. A fence attached to a deck or walkway, provided such fence is at least 36 inches above the surface of the deck or walkway and complies with subsection (c)(2)c.2 of this section.
 - 4. A pool wall not less than 48 inches from ground level, provided that steps, ladders, or other means of pool access are removed when the pool is not in use.

- (3) *Exceptions.* Fencing shall not be required under the following circumstances:
 - a. Pools, ponds, or spas with locking and solid structural covers. Such covers shall be in place whenever the pool, pond, or spa is not in use and/or is unsupervised by an adult.
 - b. Pools, ponds, or spas completely enclosed within a building.
 - c. Existing pools, ponds, or spas as of April 20, 2004.
 - d. The Director has determined that the pool, pond, or spa does not affect the safety, health, or welfare of the residents of the community and does not annoy, disturb, injure, or endanger the comfort, repose, health, peace, or safety of others.
- (d) *Operation of residential pools, ponds, or spas.*
 - (1) *Public pools, ponds, or spas prohibited in residential areas.* No person shall operate a public pool, pond, or spa on any premises zoned residential. The operation of a public pool, pond, or spa on residential premises is declared to be a public nuisance.
 - (2) *Interference with enjoyment of property rights prohibited.* No pool, pond, or spa shall be so located, designed, operated, or maintained as to unduly interfere with the enjoyment of the property rights of owners of property adjoining the pool, pond, or spa or located in the neighborhood.
 - (3) *Shielding lights.* Lights used to illuminate any pool shall be so arranged and shaded as to reflect light away from adjoining premises as regulated in Chapter 44, Article V, Division 8.
 - (4) *Unnecessary noise.* No person shall make, continue, or cause to be made or continued at any pool, pond, or spa any loud, unnecessary, or unusual noise or any noise which annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others. In the operation of any pool, pond, or spa, the use or permitting the use or operation of any radio, receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet, and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing of the persons who are in the pool, pond, or spa premises, shall be prohibited.
 - (5) *Indecent exposure.* Every person using an outdoor pool, pond or spa shall wear a bathing suit or other suitable garment to protect their person from indecent exposure.

Secs. 8-333—8-354. Reserved.

ARTICLE III. PLUMBING CODE

Sec. 8-355. Wisconsin State Plumbing Code adopted.

- (a) *Adoption by reference.* Wis. Stats. Ch. 145, and the Wisconsin State Plumbing Code, Wis. Admin. Code SPS chs. 325 and 381 through 387, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein. Failure to comply with any of the provisions of such statutes or Codes shall constitute a violation of this article, punishable according to the penalties provided herein.
- (b) *To be on file.* A copy of the Wisconsin State Plumbing Code shall be on file in the offices of the Department of Community and Economic Development and the City Clerk.

Sec. 8-356. Administration.

- (a) *Definitions.* The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Director means the Director of the Department of Community and Economic Development or their designee.

Plumbing inspector shall be interpreted to have the same meaning as “Plumbing Supervisor,” as that term is defined in Wis. Stats. § 145.05, and shall be construed as though followed by the words, “or their designee.”

(b) *Duties and authority.*

- (1) Plumbing inspectors shall supervise and inspect all plumbing and drainage work in or in connection with all buildings within the City and shall faithfully enforce all laws, ordinances, and rules in relation thereto. Plumbing inspectors shall see that the construction, reconstruction, demolition, and alteration of all plumbing and drainage installed in all buildings in the City conforms with state laws and with the rules and regulations of the State Department of Safety and Professional Services and of the City, shall see that the work is done by licensed plumbers as provided by state law and this article, and shall make or cause to be made all inspections required thereby and in the manner therein set forth. In the discharge of their duties, the plumbing inspectors may enter any building during reasonable hours. They shall supervise and inspect plumbing and drainage installations as necessary to adequately enforce and administer the provisions of this article, state law, and the State Plumbing Code, or any amendments thereto, to make plumbing safe and sanitary and to promote the public welfare in all classes of buildings.
- (2) Plumbing inspectors shall take applications and issue permits to qualified applicants and keep suitable records of the permits issued.

Sec. 8-357. Reinspection fees.

- (a) *Definition.* The term "re-inspection fee" means a special charge that may be assessed against a property owner by the City in order to defray the cost of exercising jurisdiction over this article and conducting related inspections within the City.
- (b) *When assessed.* An inspector may assess a re-inspection fee if a property is not available to be inspected at the time of a scheduled inspection and/or if the following conditions are met:
 - (1) The inspector has found that the owner's parcel is not in compliance with a provision of this article;
 - (2) The inspector has informed the property owner of the changes necessary to gain compliance; and
 - (3) Upon subsequent inspection, the inspector finds that the same article violation persists.
- (c) *Fees charged.* Each re-inspection fee shall be as provided in the City Fee Schedule. A separate re-inspection fee may be assessed each time the conditions under subsection (b) of this section exist.
- (d) *Appeals.* Within 30 days of assessment, a property owner against whom re-inspection fees have been assessed may appeal said fees to the Finance Committee.

Sec. 8-358. Testing and inspections.

Plumbing inspectors shall make or cause to be made all required testing and inspections in accordance with Wis. Admin. Code SPS § 382.21.

Sec. 8-359. Supervision of sewers.

- (a) The Director shall have jurisdiction over all building sanitary and storm sewers. No such sewer shall be laid, and no opening into or connection with a sewer service lateral shall be made, except under the direction and supervision of a plumbing inspector.
- (b) The Director of Public Works shall keep a proper sewer connection record in a book, card index, or plat provided for such purpose showing the location of the lot, the name of the owner of the premises desiring to make such connection, the master plumber, master plumber restricted service, or utility contractor proposing to lay the sewer or drain, and the exact location with respect to the public sewer of each sewer or drain so laid. Information concerning the size, location, and depth of public and private sewers or drains and

the position of the branches, junctions, and appurtenances shall be furnished by the Director of Public Works. All reasonable care shall be taken to ensure the correctness of such information, but such correctness shall not be guaranteed. When a junction is not found within three (3) feet of the point designated according to the measurements furnished, an approved Y or T fitting shall be used. Such connection shall be made upon approval of the Director of Public Works and under the direction of the plumbing inspector.

Sec. 8-360. Permits.

- (a) *Permit required.* A permit is required to perform work that constitutes "plumbing" as that term is defined in Wis. Stats. § 145.01(10).
- (b) *Application.*
 - (1) Application for a permit shall be filed with the Director on a blank form furnished for that purpose. No work shall be started before a permit has been issued.
 - (2) Permits may be applied for by licensed master plumbers, persons licensed as master plumbers (restricted), as described in Wis. Stats. § 145.14, utility contractors, and by qualified homeowners.
 - (3) The permit application shall include the name, phone number, and email address of the property owner and plumber and shall state that the property owner and plumber will be bound by and subject to the rules and regulations of this article.
- (c) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Plumbing Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.
- (d) *Insurance and bond for persons making street cuts.* Before a permit shall be issued for work requiring a cut, excavation, or service connection on the traveled portion of any street, a permit therefor shall be obtained, a bond executed and deposited, and a certificate of insurance filed in accordance with the provisions of Section 34-5(b).
- (e) *Fees.*
 - (1) Fees for permits issued under this section shall be as provided in the City Fee Schedule.
 - (2) If an application for a plumbing permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (f) *Restrictions on issuance.*
 - (1) No plumbing or sewer permit shall be granted until a building permit has been issued.
 - (2) No plumbing or sewer permit shall be issued to any person who is in violation of this article until such violation has been corrected.
 - (3) No plumbing or sewer permit shall be issued to any master plumber or person against whom an order issued by a plumbing inspector is pending, including, but not limited to, defective work, bad faith, unreasonable delay in performance of plumbing or drainage work, or failure to respond to official communication.
- (g) *Plan examination.* Plumbing plans and specifications for the types of plumbing installations specified in Wis. Admin. Code SPS § 382.20 shall be submitted to the Director for review. This review requirement applies to all new buildings and all additions and alterations involving six or more indoor and/or outdoor plumbing fixtures.
- (h) *Plan approval.* No permit shall be issued to commence work on any plumbing installation requiring review without plan approval from the City or the State Department of Safety and Professional Services."
- (i) *Issuance of plumbing permit.*

- (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."
- (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
- (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
- (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
- (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (h) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-361. Building sanitary sewers.

- (a) *Required.* Every building shall have a separate and independent connection with a public main sanitary sewer, private onsite water treatment system, or private main sanitary sewer. Each private main sanitary

sewer shall conform to City standards for public sewers and shall be approved by a plumbing inspector. Manholes shall be located not less than 25 feet from any building.

- (1) *Exemption.* Upon proof of the following, the Director may grant an exemption from the requirements of subsection (a) of this section:
 - a. The building is zoned Low Density Residential (R1) and is located within the City's Urban Expansion District.
 - b. The purpose of the exemption is to retrofit existing infrastructure that has been installed but not dedicated to the public and/or accepted as public right-of-way.
 - c. An easement exists on the face of the recorded subdivision plat, certified survey map (CSM) or replat which addresses the location of any shared lateral and identifies the ownership and maintenance responsibilities for the shared lateral from the common point of connection back to the sanitary sewer main.
 - d. An exemption is necessary to achieve compliance with any other requirement that the Director deems necessary.
- (b) *Piping.* All building sanitary sewer piping extending from a public sewer service lateral or other disposal terminal to within three feet to five feet of the outside foundation walls shall be of cast iron or vitrified clay. Such disposal terminal shall be the end of the sewer service lateral or, in the event no lateral has been installed, the City sewer main. Building sanitary sewer connections to a private main sanitary sewer shall be of cast iron pipe or vitrified clay pipe to within three feet to five feet outside of the foundation wall.
- (d) *Unconnected pipes to be closed off.* The ends of all sanitary sewer pipes not immediately connected shall be securely closed with a cap or plug to prevent the introduction of sand, earth, or drainage from an excavation.
- (e) *Replacement.* When it becomes necessary to replace any building sewer because of stoppages, such sewer shall be replaced in its full length with approved materials.
- (f) *Sewers carrying harmful discharges.* No person shall connect to a public sewer any sewer through which is discharged any substance likely to cause undue corrosion, obstruction, nuisance, explosion, or interference with sewage treatment processes.
- (g) *When buildings are razed or moved.* When a building is moved or demolished, the building sewer shall be located at a point outside the foundation walls and shall be sealed off. The plug or seal shall not be covered until approval has been given by a plumbing inspector.

Sec. 8-362. Building drains.

- (b) *Floor outlet fixtures below sidewalk grade.*
 - (1) *New construction.* In all new construction, all floor outlet fixtures located below the sidewalk grade shall be provided with an approved Palmer-type backwater valve.
 - (2) *Existing buildings where drainage systems subject to backflow.* Where a building drainage system is subject to backflow of sewage and where the building was erected prior to August 19, 1972, the owner of the building shall, when ordered by a plumbing inspector, install approved automatic-type backwater valves in all fixtures located below the sidewalk grade.

Sec. 8-363. Grease and oil treatment.

All required plumbing installations for occupancies other than dwelling units where grease, fats, oils, or similar waste products of cooking or food are introduced into the drain system shall be provided.

Sec. 8-364. Storm drainage.

- (a) *Drains to connect to storm sewers.* All clear water drains shall discharge into a storm sewer wherever possible in accordance with Wis. Admin. Code SPS § 382.38. Where a building was erected prior to August 19, 1972, the owner of the building shall disconnect all clear water drains from the sanitary sewer when ordered to do so by a plumbing inspector.
- (b) *Sump pumps.* Every foundation drain shall be connected to a sump pit containing an approved sump pump as specified Wis. Admin. Code SPS § 382.36.
 - (1) *New installations.* In all new construction, such approved sump pump shall discharge into a storm sewer where such is available or can be made available. In areas where a storm sewer is not available, the sump pump shall discharge into the surface at least ten feet from the building foundation. Discharge from the sump pump shall not be directed as to flow into a street or alley, over a sidewalk, or over adjoining property. Discharge from the sump pump shall not create a nuisance. The sump pump discharge shall be considered a nuisance in situations including, but not limited to, such discharge creating icing problems on a City street or sidewalk, entering a City street or sidewalk, creating ponds of standing water, or flowing over adjoining property. If the sump pump discharge is directed to the street, a permit must be obtained from the Director to direct the discharge from a sump pump to the street.
 - (2) *Existing installations creating a nuisance.* All sump pumps shall discharge into a storm sewer where such is available or can be made available if in the opinion of the Director the sump pump discharge creates a nuisance. Sump pump discharge shall be considered a nuisance in situations including, but not limited to, such discharge flowing into a street or alley, over a sidewalk, or over adjoining property. If such a nuisance exists, the Director shall require the owner of the property to install a storm sewer lateral and connect the sump pump discharge to the lateral.
- (c) *Required drainage of parking lots and surface drains.*
 - (1) All parking lots whose area exceeds 2,000 square feet shall provide for interior drainage and be connected with a storm sewer if one abuts or adjoins the parking lot. Lots of 2,000 square feet or less may drain the surface water runoff to an abutting public street or alley if such public way provides stormwater drainage. Where neither drainage method is available, an interior yard storage area shall be provided. All provisions for drainage require approval by a plumbing inspector and the Director.
 - (2) Where a parking lot is constructed and such construction impedes natural drainage of adjoining property, the parking lot drainage shall be extended as necessary to provide adequate drainage of the adjoining property.
 - (2) *Conduits.* The size of the conduit serving a parking lot shall be determined by the area to be drained. The conduit for areas less than 5,000 square feet shall be cast iron pipe from the yard drain or catch basin to the service lateral or, where no lateral has been installed, to the City sewer main or other designated terminal. Areas over 5,000 square feet may be served by pipes whose standards conform to City specifications for storm drainage.
 - (3) *Catch basin and grates.* Catch basin and grate areas shall conform to City specifications.
- (d) *Granting of funds for private clear water separation work.*
 - (1) *Granting of funds.* The City may grant funds for private clear water separation work subject to this subsection (d). Any repayment of funds granted for private clear water separation work to property owned by indigent persons may be deferred by the Council. Such deferment shall be granted only to owner-occupied, single-family, or duplex residential real estate. Such deferment shall be by resolution directing the Director to pay all or any portion of the costs for private clear water separation work used on such property from the Storm Sewer Construction Account.

- (2) *Copy of resolution to be filed with Register of Deeds for Brown County.* A copy of such resolution, with a statement of the amount and date paid and description of the property, certified by the City Clerk, shall be recorded with the Register of Deeds for Brown County; the amount shall thereby become a lien upon such real property in favor of the City prior to any other lien other than prior outstanding tax certificates or prior liens hereunder, for the amount paid, with legal interest, and shall be enforceable after transfer of title of the property by sale, inheritance, or will in the manner provided by law for the enforcement of mechanics liens.
- (3) *Discharge of lien.* The owner of such property, heirs, personal representatives, or assigns may discharge such lien at any time by paying the amount of such lien with accrued interest to the City Treasurer, who shall execute a satisfaction in such form as may be recorded with the Register of Deeds for Brown County.
- (4) *Purchase of lien.* The holder of any subsequent lien may purchase such lien by payment of the amount thereof with accrued interest to the City Treasurer, who shall execute a proper assignment thereof to such payee; and on recording such assignment, such assignee shall have the same rights the assignor had.
- (5) *When due.* After transfer of title by sale, inheritance, or will, or when the basis for indigency no longer exists, the deferred funds shall be due and owing in full.
- (6) *Limits for the determination of indigency.* The Council shall establish, by resolution, limits for the determination of indigency. Such limits shall include:
 - a. Maximum combined annual income of both spouses and their dependents.
 - b. Maximum combined assets of both spouses and their dependents.
- (7) *Subject to review.* Such income and asset figures shall be subject to periodic review and modification by the Council.
- (8) *Application.* Application for deferment shall be made to the Council upon an affidavit form provided by the City Clerk verified by each applicant.
 - a. The application shall list the relationship, ages, and employment status of the applicant and all dependents; a complete schedule setting forth all assets, liabilities, and income from all sources including the applicant individually and jointly with their spouse, and from their dependents; and any other pertinent information which may assist the City in evaluating such application.
- (9) *Notify Clerk of increases.* The applicant shall notify the City Clerk when there is a material change in the applicant's assets and/or their annual income increases above the limits described in this subsection(d).
- (10) *Providing false or incomplete information.* If the applicant willfully provides false or incomplete information, the basis for indigency shall no longer exist and the special assessment shall become due and owing in full.
- (11) *Application reviewed by Improvement and Services Committee.* The application for deferment shall be reviewed by the Improvement and Services Committee, which shall make a recommendation to the Council.
- (12) *Interest.* Interest may be charged during the deferment period. The interest rate shall not, however, exceed the legal rate prescribed by Wisconsin Statutes.

Sec. 8-365. Water supply systems.

- (a) *Water service.*

- (1) *Size.* The water service or building supply pipe to any building shall be of sufficient size to provide an ample flow of water under maximum use to all fixtures and points of service. Such size shall be determined by standards set forth by the Wisconsin Department of Safety and Professional Services.
 - (2) *Material.* The underground water service pipe from the City main or a private water supply system to any building shall be meet the requirements of Wis. Admin. Code SPS § 384.30 and the Green Bay Water Utility.
 - (3) *Valve controls.* Service laterals shall include a corporation stop at the main, and a curb stop or valve at the curb, or privately-owned pump and a valve or stop within three feet of entering each building and, where a meter is installed, a valve on both sides of the meter as specified in Wis. Admin. Code SPS § 382.40(4)(b). Meters of one and one-half (1½) inches in diameter or larger shall have a bypass around the meter.
- (b) *Separate water service.* Plans and specifications for private water mains are required to be submitted to the State Department of Safety and Professional Services for site plan review in accordance with Wis. Admin. Code SPS § 382.20.
 - (c) *Cross-connections prohibited.* No private water system shall be connected directly or indirectly to any private water main or pipe that is in turn connected to any publicly owned water main or pipe unless approved in writing by the State Department of Natural Resources pursuant to Wis. Admin. Code SPS § 382.40(3)(c).
 - (d) *Plumbing inspector may make orders.* A plumbing inspector may issue orders requiring any changes necessary to bring any water supply work up to prescribed standards.

Sec. 8-366. Authority to control water service.

After the completion and trial of the work, no person shall turn on or leave turned on any water service curb stop which for any reason has been turned off by the Green Bay Water Utility. No unauthorized individual shall turn water on or off after it has been turned on or off from a given service, nor shall anyone make openings in the street or turn off water at the main without a permit therefor and supervision thereof as provided for in this article.

Sec. 8-367. Compulsory connection to sewer service.

When notified, the owner of any building intended for human habitation or occupancy abutting on any street, alley, or other thoroughfare in which public sanitary sewer has been extended and is available for service shall cause to be made a sewer connection thereto.

Sec. 8-368. Compulsory connection to water and well abandonment.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning.

Cross-connection means a connection or potential connection between any part of a water supply system and another environment containing substances that, under any circumstances, would allow the substances to enter the water supply system by means of back siphonage or back pressure.

Licensed pump installer means any individual who has obtained a license under Wis. Stats. § 280.15(2m), and Wis. Admin. Code § NR 146.04, as a pump installer and has paid the annual license fee under Wis. Stats. § 280.15(2m)(c)2.

Licensed well driller means any individual who has obtained a license under Wis. Stats. § 280.15(2m), and Wis. Admin. Code § NR 146.04, as a water well driller and has paid the annual license fee under Wis. Stats. § 280.15(2m)(c)1.

Municipal water system means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county or municipal-owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.

Pump installation means the pump and its associated pressure system including any equipment and material needed to withdraw, obtain, discharge, and store water from a well or a spring. The pump installation includes the spring box, reservoir, pump, pump drop pipe, check valves, well cap or seal, pitless adapter, pitless receiver tank, pitless unit, above-ground discharge unit, associated discharge piping and associated connections, valves, and appurtenances, pressure tank, sampling faucet, water storage or pressure vessel or structure, the electrical wiring and controls needed to operate the pump or pressure system, and any chemical addition, water treatment device, or yard hydrant upstream of the water storage or pressure vessel or building control valve.

Unused well means a well which is not in use or does not have a functional pumping system.

Well means any drillhole or other excavation or opening deeper than it is wide that extends more than ten feet below the ground surface constructed for the purpose of obtaining groundwater.

Well filling and sealing means the filling and sealing of a well, drillhole, pit, or reservoir with materials in accordance with Wis. Admin. Code NR ch. 812 so the well, drillhole, pit, or reservoir will not act as a vertical conduit to contaminate another well, groundwater, or an aquifer.

- (b) *Compulsory connection to municipal water main.* The owner of any building intended for human habitation or occupancy abutting on any street, alley, or other thoroughfare in which a municipal water main has been extended and is available for service, shall cause to be made a water connection thereto within 120 days of notification of said extension and availability. Except as provided in subsection (4), the owner shall abandon any existing source of water currently being used for said building.
- (c) *Well filling and sealing required.* All unused wells and wells located on premises served by the municipal water system shall be filled and sealed in accordance with the terms of Wis. Admin. Code NR ch. 812 not later than one year from the date the municipal water system is available.
- (d) *Well filling and sealing procedures.* All wells required to be filled and sealed under this section shall be filled and sealed according to the procedures and standards established in Wis. Admin. Code NR ch. 812. A copy of the State Department of Natural Resources filling and sealing report shall be submitted by the well owner to the Water Utility within thirty days of the completion the well filling and sealing.
- (e) *Private well operation permit.*
 - (1) The Green Bay Water Utility may grant a permit to a private well owner to operate a private well for a period of five years provided the conditions of this section are met. A private well operation permit may be renewed provided that the conditions of this section are met.
 - (2) Permit applications shall be made on the form provided by the Water Utility.
 - (3) The Water Utility General Manager or their designee may conduct inspections or have water quality tests conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application.
 - (4) The Water Utility may only grant a private well operation permit if all of the following conditions are met.
 - a. The owner pays the private well operation permit fee as provided in the City Fee Schedule.
 - b. The demonstrates a need for use of a private well.
 - c. The owner operates the well in accordance with Wis. Admin. Code NR ch. 812.
 - d. Prior to issuing or renewing the permit, a minimum of one safe sample has been taken from the private well to establish that the water is bacteriologically safe.

- e. The well and pump system are functional and have been evaluated by a licensed well driller or pump installer and certified to comply with Wis. Admin. Code NR ch. 812. The evaluation shall be documented on a form provided by the State of Wisconsin Department of Natural Resources.
- (5) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Water Commission.
- (f) Unapproved cross-connections between any private well and pump installations and the municipal water system are prohibited.
- (g) *Hardship.* When, in the judgment of the Water Commission, after recommendation from the Water Utility, it would be inappropriate to apply literally a provision of this section because hardship would result, the Water Commission may waive or vary such provisions so that substantial justice may be done and the public interest secured.

Sec. 8-369. Individual sewage disposal systems.

Private domestic sewage treatment and disposal systems, where permitted, shall be constructed, maintained, and used in accordance with the provisions of Wis. Admin. Code SPS ch. 383.

Secs. 8-370—8-385. Reserved.

ARTICLE IV. ELECTRICAL CODE

DIVISION 1. GENERALLY

Secs. 8-386—8-402. Reserved.

DIVISION 2. LICENSURE

Sec. 8-403. License or registration required.

No person may install, repair, or maintain electrical wiring or engage in the business of installing, repairing, or maintaining electrical wiring, except as allowed pursuant to Wis. Stats. § 101.862 and this article.

Sec. 8-404. Licensure exemptions for homeowners.

Notwithstanding Wis. Stats. § 101.862(4)(a), a residential property owner may only install, repair, or maintain electrical wiring on premises that they own and occupy as a residence without a license if all of the following apply:

- (1) The premises is a one-family dwelling;
- (2) The homeowner signs the permit and accepts all responsibility for work performed; and
- (3) The homeowner does not perform any work on service entrance equipment.

Sec. 8-405. Proof of credentials.

The City of Green Bay has the right to verify the licensure of all persons performing electrical work.

Secs. 8-406—8-423. Reserved.

DIVISION 3. ELECTRICAL CODE REGULATIONS

Sec. 8-424. Adoption by reference.

Wis. Admin. Code SPS ch. 316, as it may be amended from time to time, is hereby adopted and incorporated by reference as though fully set forth herein.

Sec. 8-425. Existing services.

If any component of the electrical service, from the service point to the load side of the service disconnect, is repaired or replaced grounding and bonding is required by the City to the same extent required by Wis. Admin. Code SPS § 316.250, as amended from time to time.

Secs. 8-426—8-448. Reserved.

DIVISION 4. CODE ENFORCEMENT

Sec. 8-450. Electrical Inspectors.

- (a) *Jurisdiction.* Electrical Inspectors shall exercise jurisdiction over inspection of the installation, alteration, repair, servicing, or maintenance of electrical wiring in all public or private buildings, including places of employment, within the City of Green Bay city limits.
- (b) *Authority.* Electrical Inspectors shall ensure all work performed within their jurisdiction complies with this article.
- (c) *Duties.* Electrical Inspectors may issue permits and shall maintain records of permits issued to contractors and homeowners, along with any fees received for such permits.

Sec. 8-451. Permits.

- (a) *Permit required.* No person may install, repair, alter, service, or maintain electrical wiring without first obtaining a permit under this article.
- (b) *Application.* An application for an electrical permit shall be filed with the Director on a blank form to be furnished for that purpose. The application shall include the name, phone number, and email address of the property owner and contractor and shall state that the property owner and contractor will be bound by and subject to the rules and regulations of this article.
- (c) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Electrical Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.
- (d) *Permit fees.*
 - (1) Fees for building permits issued under this section shall be provided in the City Fee Schedule.
 - (2) If an application for a building permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (e) *Issuance of electrical permit.*
 - (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."

- (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
- (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
- (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
- (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (f) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-452. Inspection stages.

During the process of performing electrical work, the person performing such work shall ensure the following inspections occur when required by the Electrical Inspector:

- (1) *Rough.* An inspection before any electrical wiring is hidden from view.
- (2) *Service.* An inspection of the service equipment and grounding electrode system prior to energizing.
- (3) *Final.* An inspection after all work has been completed and wiring concealed.

Sec. 8-453. Compliance with article.

Electrical Inspectors may utilize any lawful means to gain compliance with this article, including, but not limited to:

- (1) Inspecting electrical wiring.
- (2) Withholding electrical permits.
- (3) Issuing orders to correct violations.
- (4) Assessing re-inspection fees.
- (5) Denying/removing the connection of power to equipment.
- (6) Issuing citations or complaints for violations.
- (7) Condemning a building that is not safe for human habitation.

Secs. 8-455—8-475. Reserved.

ARTICLE V. HEATING AND AIR CONDITIONING CODE

Sec. 8-477. Wisconsin State Heating, Ventilating, and Air Conditioning Code adopted.

Adoption by reference. The Wisconsin State Heating, Ventilating, and Air Conditioning Code, Wis. Admin. Code SPS chs. 323 and 364, and the National Fuel Gas Code, NFPA 54, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein.

Sec. 8-478. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Director means the Director of the Department of Community and Economic Development or their designee.

HVAC means heating, ventilating, and air conditioning.

HVAC equipment means materials, piping, fittings, devices, appliances, apparatus, controls, and control wiring used as part of or in connection with permanent heating, ventilating, air conditioning, or exhausting systems serving buildings.

Licensed heating contractor means a person, entity, or business is a registered HVAC contractor under Wis. Admin. Code SPS § 305.70 or holds an HVAC qualifier certification under Wis. Admin. Code SPS § 305.71.

Sec. 8-479. License Required.

No person, entity, or business may engage or offer to engage in installing or servicing heating, ventilating, or air conditioning (HVAC) equipment unless the person, entity, or business is a registered HVAC contractor under Wis. Admin. Code SPS § 305.70 or holds an HVAC qualifier certification under Wis. Admin. Code SPS § 305.71.

Sec. 8-480. Permits.

- (a) *Permit required.* No person shall install or repair within the City any furnace, boiler, air conditioner, fireplace, or woodburning stove, or commence any other HVAC work in any structure subject to this article and/or any applicable provisions of the Wisconsin Administrative Code incorporated into this article, without first obtaining a permit for said work from the Director. In addition to any plans and specifications otherwise

required under this article, the Director may require additional information consistent with their duty to review such plans prior to issuing permits under this section.

- (b) *To whom issued.* No permit shall be issued except to the owner of a residence to personally perform work on the owner's home or to a licensed heating contractor. Such permits shall be nontransferable.
- (c) *Application.* An application for an HVAC permit shall be filed with the Director on a blank form to be furnished for that purpose. The application shall include the name, phone number, and email address of the property owner and contractor and shall state that the property owner and contractor will be bound by and subject to the rules and regulations of this article.
- (d) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the HVAC Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection. (e) *Fees.*
 - (1) Fees for permits issued under this section shall be as provided in the City Fee Schedule.
 - (2) If an application for a permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (f) *Issuance of HVAC permit.*
 - (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."
 - (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
 - (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
 - (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
 - (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.

- c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (g) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-481. Inspection.

- (a) The Director shall examine and approve or disapprove all plans and specifications for the performance of any work governed by this article. The Inspector shall inspect all work as required by this article and shall order work stopped which is in violation of this article.
- (b) In any new building or addition, immediately upon completion of those portions of the installation which are to be concealed or covered, the licensed heating contractor shall notify the Director, who shall make an inspection within two working days after notice for inspection, excepting weekends and holidays. If no inspection is made within the specified time period, work may proceed. All other inspections shall be scheduled immediately upon notification of the completion of such work.
- (c) Wherever work for which a permit has been issued has been ordered stopped by the Inspector, the Inspector shall post a stop-work notice. After such notice has been posted, no further work shall be done until the violations have been corrected and such corrections approved by the Inspector.

Secs. 8-485—8-516. Reserved.

ARTICLE VI. MINIMUM HOUSING STANDARDS

DIVISION 1. GENERALLY

Sec. 8-517. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Approved means approved by or in accordance with regulations established by the Director of Community and Economic Development or their designee.

Basement means that portion of a building the floor of which is below the outside ground grade level.

Bath means a bathtub or shower stall.

Bedroom means a habitable room within a dwelling unit or part thereof which is used or intended to be used primarily for the purpose of sleeping, but not including any kitchen or dining room.

Boarding house or lodging house means a building or structure other than a hotel licensed by the State where lodging is furnished and meals for three (3) or more persons are served for compensation. A boarding house or lodging house may be considered a dormitory as defined and regulated within this Code.

City Building Code means Article II of this chapter.

City Electrical Code means Article IV of this chapter.

City Heating and Air Conditioning Code means Article V of this chapter.

City Plumbing Code means Article III of this chapter.

Director means the Director of the Department of Community and Economic Development or their designee.

Dormitory means a communal-type living arrangement of four or more persons not related by blood, adoption, or marriage who share common sleeping areas, kitchen, bath, and/or restroom facilities. The term "dormitory" includes, but is not limited to, shelter facilities, educational facility housing, rooming houses, boarding houses or lodging houses, community living arrangements, community based residential facilities, and migrant housing.

Dwelling means any building or structure which is wholly or partly used or intended to be used for living or sleeping by human occupants.

Dwelling unit means any habitable room or group of adjoining habitable rooms located within a dwelling or part thereof and forming a single unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating of meals.

Extermination means the control and elimination of infestation of insects, rodents, or other pests by eliminating their harborage places, removing or making inaccessible materials that may serve as their food, and poisoning, spraying, fumigating, trapping, or utilizing any other approved pest elimination methods.

Family means one or more individuals living on a premises as a single housekeeping unit.

Garbage broadly refers to both "garbage" and "refuse," as defined in Section 32-1 of this Code.

Habitable room means a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, toilet rooms, laundries, pantries, foyers, communicating corridors, closets, storage spaces, stairways, and rooms used for play or recreational purposes.

Homeless family means a group of one or more related individuals who are homeless individuals.

Homeless individual means an individual who lacks a fixed, regular, and adequate nighttime residence (without regard to whether the individual is a member of a family) or an individual whose primary nighttime residence is a supervised public or privately operated shelter designed to provide temporary living accommodations. Temporary living accommodations include welfare hotels, congregate shelters, dormitories, and transitional housing.

Infestation means the presence of any insects, rodents, or other pests within a dwelling or part thereof or on the dwelling premises or part thereof.

Kitchen means a habitable room used or intended to be used for cooking or the preparation of meals.

Living room means a habitable room within a dwelling unit which is used or intended to be used primarily for general living purposes.

Meaning of certain terms. Whenever the terms "dwelling," "dwelling unit," "rooming house," "rooming unit," or "premises" are used in this article, they shall be construed as though they were followed by the words "or any part thereof."

Non-dwelling structure means a garage, shed, or other similar storage or convenience building attached to or detached from a dwelling and used primarily for recreation and the storage of vehicles, lawn and garden appliances, and other household tools or equipment. A non-dwelling structure shall not be used for living or sleeping by human occupants.

Occupant means any person, including an owner or operator, living, sleeping, or cooking in or having actual possession of a dwelling or rooming unit or part thereof.

Operator means any person who has charge, care, or control of a building or part thereof in which dwelling or rooming units or part thereof are let.

Owner means any person who, individually or jointly or as tenant in common with other(s), has legal title or equitable title to any dwelling or dwelling unit or rooming unit or part thereof or who has charge, care, or control of any dwelling or dwelling unit or rooming unit or part thereof as executor, administrator, trustee, or guardian of the estate of the owner.

Plumbing includes, but is not limited to, all of the following facilities and equipment: water pipes, garbage disposal units, waste pipes, vent pipes, toilets, sinks, installed dishwashers, lavatories, baths, installed clothes washing machines, catch basins, drains, vents, domestic hot water heaters, and any other similar fixtures, together with all connections to water, sewer, or gas lines.

Portable heater means a UL-listed portable appliance used for heating a relatively small area, typically electrical in nature.

Premises means a platted lot or part thereof, an unplatted lot, or a parcel or a plot of land, either occupied or unoccupied by any dwelling or structure.

Recyclables means “recyclable waste,” as defined in § 32-1 of this Code.

Roomer means an occupant of a rooming house or part thereof who is not a member of the family of the operator of that rooming house, or an occupant of a dwelling unit or part thereof who is not a member of the family occupying the dwelling unit or part thereof.

Rooming house means a building or structure, other than a hotel licensed by the State of Wisconsin, where three or more persons are lodged for compensation. A rooming house may be considered a dormitory as defined and regulated within this article. The term “rooming house” does not include short term rentals as defined in Wis. Stats. § 66.0615(1)(dk).

Rooming unit means any room or group of rooms forming a single habitable unit in a rooming house or part thereof used or intended to be used for living and sleeping but not for cooking or eating meals.

Shelter facility means a temporary place of lodging for homeless individuals or homeless families. A shelter facility may be considered a dormitory as defined and regulated within this Code.

Sleeping room means a habitable room in a dwelling or dwelling unit of an area and volume as required by this code intended for or used primarily for sleeping purposes.

State Building Code means Wis. Admin. Code SPS chs. 320 through 325 and 361 through 366.

State Heating, Ventilating, and Air Conditioning Code means Wis. Admin. Code SPS chs. 323 and 364.

State Plumbing Code means Wis. Admin. Code SPS chs. 381 through 387.

Supplied means paid for, furnished by, or provided by or under the control of the owner or operator.

Unit heater means a self-contained, automatically controlled, vented, fuel-gas burning, space-heating appliance intended for installation in the space to be heated without the use of ducts, having integral means for circulation of air.

Sec. 8-518. Residential rental practices.

- (a) *State law adopted.* Wis. Admin. Code ATCP ch. 134 and Wis. Stats. § 704.95, as they may be amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein.
- (b) *Enforcement.* The Director may sign and issue citations for violations of this section and may delegate that authority to employees.
- (c) *Penalties.* Any person who violates this section shall forfeit not less than \$25.00 nor more than \$5,000.00 for each offense.

Secs. 8-519—8-542. Reserved.

DIVISION 2. PURPOSE AND SCOPE

Sec. 8-543. Purpose.

Buildings that are or are becoming dilapidated, neglected, overcrowded with occupants, or unsanitary jeopardize and are detrimental to the health, safety, morals, and welfare of the people of the City. Such buildings are rendered detrimental to the public through faulty design or construction, failure to be kept in a proper state of repair, lack of proper sanitary facilities or adequate lighting or ventilation, inability to properly heat, improper management, or any combination of these factors. The City finds that elimination of such buildings or structures and the prevention of the occurrence of such conditions in the future is in the best interest of the citizens of the City, and this article is enacted to foster and encourage such elimination.

Sec. 8-544. Compliance with other codes.

The provisions of this article shall not abrogate the responsibility of every person to comply with the provisions of the State Building Code and the building, zoning, plumbing, heating and air conditioning, and electrical codes of the City.

Secs. 8-545—8-566. Reserved.

DIVISION 3. ADMINISTRATION AND ENFORCEMENT

Sec. 8-568. Inspections.

- (a) *To be made by Director.* The Director of Community and Economic Development shall make inspections to determine the condition of dwelling units, rooming units, premises, and parts thereof located within the City and may enter any building during reasonable hours in the discharge of the duties. Any person who interferes with the Director in the discharge of the duties shall be in violation of this article. The Director shall have proper identification and shall show same when making such inspections.
- (b) *Access of owner or operator.* Every occupant of a dwelling, dwelling unit, rooming unit shall give the owner or operator thereof, or an agent or employee of the owner, access to any part of such dwelling, dwelling unit, rooming unit or its premises or part thereof at all reasonable times for the purpose of maintenance or making such repairs or alterations as are necessary to effect compliance with this article or with any lawful rule or regulation adopted, or any lawful notice or order issued, pursuant to the provisions of this article.

Sec. 8-570. Emergency orders.

Whenever the Director finds that an emergency exists which requires immediate action to protect the public health, the Director may, without notice of hearing and in accordance with the provisions of Wis. Stats. § 66.1337(4)(a), issue an order reciting the existence of such an emergency and requiring that such action be taken as the Director deems necessary to meet the emergency. Such order shall be effective immediately. Notwithstanding any other provision of this article, every notice served by the Director in accordance with the provisions of Sections 8-593(8), 8-596(a)(11), (b)(2) and (b)(3), and 8-632(j) shall be regarded as an order.

Sec. 8-571. Condemnation of dwellings and dwelling units or parts thereof as unfit for human habitation.

- (a) *When condemnation required.* Any dwelling unit or part thereof which the Director finds to have any of the following defects shall be condemned as unfit for human habitation, occupancy, or use:
- (1) One which is so damaged, decayed, dilapidated, unsanitary, difficult to heat, unsafe, or vermin-infested that it creates a hazard to the health or welfare of the occupants or the public.
 - (2) One which lacks illumination, ventilation, or sanitary facilities adequate to protect the health or welfare of the occupants or the general public.
 - (3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or welfare of the occupants or the general public.
- (b) Any dwelling or dwelling unit or part thereof may be condemned by the Director as unfit for human habitation if the owner or occupant fails to comply with any order based on the provisions of this article or any rule or regulation adopted pursuant hereto, provided such dwelling or dwelling unit or part thereof is, in the opinion of the Director, unfit for human habitation by reason of such failure to comply.
- (c) *Procedure for condemnation.* The condemnation of dwellings and dwelling units as unfit for human habitation, occupancy, or use shall be carried out in accordance with Wis. Stats. § 66.0413. Where such condemnation occurs, the Director shall post at the main entrance to such dwelling or dwelling unit a notice stating that the dwelling or dwelling unit is unfit for human habitation, occupancy, or use and has been condemned. It shall be further unlawful for any person to occupy, use, or enter such dwelling or dwelling unit thereafter, except for the purpose of making required repairs or alterations.
- (1) *Removal of notice prohibited.* The notice of condemnation shall remain posted until the required repairs or alterations are made. It shall be unlawful for any person to remove such notice without written permission from the Director.
 - (2) *Condemnation by police and fire departments.* The Director may temporarily grant authority under this section to the Chief of Police, Fire Chief, or their designees when circumstances so require.

Sec. 8-572. General penalty.

Any person who violates any provision of this article or any rule, regulation, or order made hereunder shall be subject to forfeiture of not less than \$25.00 nor more than \$5,000.00 for each offense.

Secs. 8-573—8-592. Reserved.

DIVISION 4. HOUSING STANDARDS

Sec. 8-593. 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 or part thereof for the purpose of living, sleeping, cooking, or eating meals therein which does not comply with the following requirements:

- (1) *Kitchen sink and lavatory.* Every dwelling unit shall contain an approved kitchen sink. Every dwelling unit shall contain a lavatory or wash basin in or adjacent to the toilet room.
- (2) *Toilet.* Every dwelling unit shall contain a toilet which shall be placed in a separate room enclosed with partitions which extend to the ceiling.
- (3) *Bath.* Every dwelling unit shall contain a bath which shall be contained within a toilet room or within a separate room which affords privacy to a person using such facility.

- (4) *Hot and cold water supply to bath and sinks.* Every bath, kitchen sink, and lavatory required under this article shall be properly connected with both hot and cold water lines.
- (5) *Water heating facilities.* Every dwelling shall have supplied water heating facilities which are properly installed and maintained in reasonably good working condition, properly connected with the hot water lines required under subsection (4) of this section, and capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every bath at a temperature of not less than 120 degrees Fahrenheit. Such supplied water heating facilities shall be capable of meeting these requirements when the dwelling or dwelling unit heating facilities are not in operation.
- (6) *Connection to water and sewer system.* Every kitchen sink, toilet, lavatory basin, and bath shall be in good working condition and properly connected to an approved water and sewer system.
- (7) *Plumbing.* All plumbing, plumbing equipment, and plumbing fixtures and the installation thereof shall comply with the Plumbing Codes of the City and of the State.
- (8) *Garbage and recyclables.* Every dwelling and dwelling unit shall be provided with adequate facilities for the storing of recyclables and garbage. Such facilities shall comply with the provisions of Chapter 32.
- (9) *Exits.* Every dwelling unit shall have exits which conform to the exit requirements of the City Building Code or the State Building Code, as applicable. Every exit and passageway shall also comply with the following requirements:
 - a. It shall be kept in good repair.
 - b. It shall be unobstructed at all times.

Sec. 8-594. Minimum standards for light, heating, and ventilation.

- (a) *Window area.* Every habitable room, toilet room, and bathroom shall have at least one window facing directly to the outdoors. The minimum window area shall be at least ten percent of the floor area of the room, but not less than 12 square feet. The top of at least one such window shall be not less than six and one-half (6½) feet above the floor. At least one half of the window shall be made so as to open the full width unless other means of adequately ventilating such rooms are installed and operating. The outside window in every toilet or bathroom shall have a total area of at least ten percent of the floor area, but not less than four square feet, provided no window or sky light shall be required in adequately ventilated bathrooms or toilet rooms equipped with a ventilation system which is kept in continuous operation.
- (b) *Electric equipment.* In accordance with Wis. Admin. Code SPS §§ 316.020 and 316.021, all electrical power and communication equipment shall be properly constructed, installed, operated, and maintained. Any of this equipment known to be defective shall be promptly repaired or isolated until repairs can be made.
- (c) *Heating facilities.*
 - (1) Every dwelling unit shall have supplied heating facilities; and such facilities shall be properly installed, maintained in good working condition, and capable of adequately heating all habitable rooms, bathrooms, and toilet rooms contained therein or intended for use by the occupants thereof to a temperature of at least 68 degrees Fahrenheit, measured three feet above the floor level, when the outside temperature is at or above negative fifteen (-15) degrees Fahrenheit. A dwelling unit shall contain a sufficient number of chimney outlets to permit the occupants, through the use of unit heaters furnished by the owner, to adequately heat all habitable rooms, bathrooms, and toilet rooms contained therein to a temperature of at least 68 degrees Fahrenheit, measured at least three feet above the floor level, when the outdoor temperature is at or above negative fifteen (-15) degrees Fahrenheit. This provision shall not be interpreted to permit the use of portable heaters where such use is prohibited by either the City Building or Heating and Air Conditioning Code or the State Building or Heating, Ventilating and Air Conditioning Codes, as applicable. Every central heating system shall comply with the City Building and Heating and Air Conditioning Codes and the State Building and

Heating, Ventilating and Air Conditioning Codes, as applicable. Such central heating systems shall also comply with the following requirements:

- a. The central heating unit shall be in good operating condition.
 - b. Every heat duct, steam pipe, and hot water pipe shall be free of leaks and shall function so that an adequate amount of heat is delivered where intended.
 - c. Every seal between the sections of a warm air furnace shall be tight, so noxious gases will not escape into heat ducts.
 - d. If the temperature of all dwelling units in a multi-unit dwelling is regulated by a single heating zone controlled by a single device, and the temperature standards articulated in this section cannot be maintained in any of the dwelling units included in that zone, the Director may issue orders to remedy the deficiency, including but not limited to requiring additional heating zones in the dwelling.
- (2) Every unit heater shall comply with the City Building and Heating and Air Conditioning Codes and the State Building and Heating, Ventilating, and Air Conditioning Codes, as applicable, and with all of the following requirements:
- a. No unit heater burning solid, liquid, or gaseous fuels shall be a portable type.
 - b. Every unit heater burning solid, liquid, or gaseous fuels shall be properly vented.
 - c. Every coal-burning or oil-burning unit heater shall have a fire-resistant panel beneath it.
 - d. The location of unit heaters, the insulation of walls and ceilings close to such heaters, and the construction, installation, and guarding of smoke pipes and walls or ceilings through which they go shall be in accordance with the Heating and Air Conditioning Code of the City in Article V of this chapter.
- (d) *Lighting of public halls and stairways.* Every public hall and public stairway in every dwelling containing four or more dwelling units or accommodating more than 20 persons shall be adequately lighted at all times. Such lighting shall include lights at all intersections of stairways. Instead of continuous lighting, every public hall and public stairway in dwellings containing fewer than four dwelling units or rooming houses accommodating more than three roomers but less than 20 persons shall be supplied with convenient light switches controlling an adequate lighting system which may be turned on when needed.
- (e) *Screens.* At least one window in each habitable room, toilet room, and bathroom where windows are required shall be supplied with a screen covering at least one-third of the window area, except where other means of adequately ventilating such rooms are available and operating. Screens shall have a wire mesh of not less than No. 16, and all installed screens must be in a state of good repair.
- (1) *Exception.* During the cold weather period from November 1 to March 31 of each calendar year, having screens installed is optional. Any screens installed must be in a state of good repair.(f) *Basement window screens.* Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with a screen or such other device as will effectively prevent their entrance.

Sec. 8-595. Minimum space, use, and location requirements.

No person shall occupy 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) *Dwelling unit to be occupied by one family.* No dwelling unit or part thereof shall be occupied by more than one family.
- (2) *Minimum floor area for dwelling unit or part thereof.* Every dwelling unit or part thereof shall contain at least 150 square feet of floor space for the first occupant thereof and at least 100 additional square

feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of total habitable room area.

- (3) *Minimum floor area for sleeping purposes.* Every room occupied by one person for sleeping purposes shall contain at least 70 square feet of floor space and 490 cubic feet of air space, and every room occupied by more than one person for sleeping purposes shall contain at least 60 square feet of floor space and 400 cubic feet of air space for each occupant thereof, provided these requirements shall be reduced by one-half for children under 12 years of age.
- (4) *Arrangement of sleeping, bath, and toilet rooms.* No dwelling or dwelling unit containing two or more sleeping rooms shall be so arranged that access to a bathroom or toilet room intended for use by the 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 or a bathroom or toilet room.
- (5) *When basement space may be habitable.* No basement space shall be used as a sleeping room or dwelling unit unless such sleeping room or dwelling unit is in conformity with existing City or State Building Codes and complies with the following requirements:
 - a. The total window area in each room shall be at least equal to the minimum window area required in Section 8-594(a).
 - b. Such required minimum window area shall be located entirely above the grade of the adjoining ground.
 - c. The total openable window area in each room shall be at least equal to the minimum required under Section 8-594(a), unless there is supplied some other approved ventilating device.
 - d. Every habitable room in a basement shall be at least seven feet, six inches high from the floor to the ceiling; and the ceiling shall be at least four feet above the outside ground grade level. The walls and floors shall be damp-proof and waterproof.
- (6) *Occupants to have access to sanitary facilities.* Every occupant of every dwelling or dwelling unit shall have unrestricted access to a toilet and bath and to a kitchen sink or lavatory located within that dwelling or dwelling unit.
- (7) *Ceiling height with respect to floor area.* At least one-half of the floor area of every habitable room shall have a ceiling height of at least seven feet, and the floor area of that part of any room where the ceiling height is less than five feet shall not be considered in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.
 - (a) *Exemption.* Any one- or two-family dwelling unit built prior to the State of Wisconsin's adoption of the Uniform Dwelling Code on June 1, 1980 is exempt from the basement room height requirement in Wis. Admin. Code SPS ch. 321.

Sec. 8-596. Maintenance of dwellings, dwelling units, and rooming units.

- (a) *Owner's responsibility.* No person shall occupy as owner-occupant or let to another for occupancy any dwelling, dwelling unit, or rooming unit for the purpose of living therein which does not comply with the following requirements:
 - (1) *Maintenance of foundations, exterior walls, roofs.* Every foundation, exterior wall, and roof shall be weather-tight, water-tight, and insect-proof, shall be rodent-proof in accordance with the terms of Section 6-7 (Rat Prevention), and shall be well-maintained and kept in a state of good repair. The exterior walls of dwellings, dwelling units, and rooming houses shall be either prefinished material, brick, stone, stucco, exterior plaster, stained or painted wood, water-proof shingles, or other material designed and advertised to be used as permanent exterior siding and capable of being painted, stained, or weatherproofed if not prefinished. Materials designed and advertised for insulation, sub-siding, or structural uses other than exterior walls shall not be allowed as exterior siding. Roofing materials shall

- be kept in a state of good repair and shall have no significant signs of wear, weathering, or other forms of deterioration.
- (2) *Maintenance of interior walls, doors, floors, ceilings, countertops, cabinets.* Every interior partition, wall, door, floor, ceiling, countertop, and cabinet shall be capable of affording privacy, kept in a state of good repair, and so maintained as to permit it to be kept clean and sanitary.
 - (3) *Rainwater drains.* Rainwater shall be so drained and conveyed from every roof so as not to cause dampness in the basement, walls, ceilings, or floors of any room. Drains shall be kept clean and free of debris, and shall allow for the proper flow of water. No downspout located within six feet of adjoining property shall be pointed toward such property.
 - (4) *Windows, doors, hatchways.* Every window, exterior door, and basement hatchway shall be weather-tight and shall be kept in a good working condition, well-maintained, and repaired. All windows and exterior doors shall open and close properly with all hardware in-tact and operational.
 - (5) *Protection of exterior surfaces.* All exterior surfaces shall be protected from the elements and against decay by paint or other approved protective coating applied in a workmanlike manner. Painted surfaces must be properly maintained and repaired, including, but not limited to, scraping, priming, and applying finishing coats to said surfaces.
 - (6) *Stairways and porches.* Every inside and outside stairway, every porch, and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and maintained in a state of good repair.
 - (7) *Supplied plumbing fixtures.* Every supplied plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition and in accordance with the Plumbing Codes of the City and the State.
 - (8) *Chimney and supplied smoke pipes.* Every chimney and every supplied smoke pipe shall be adequately supported, reasonably clean, and maintained in a state of good repair and in accordance with the City Building and Heating and Air Conditioning Codes and the State Building and Heating, Ventilating, and Air Conditioning Codes, as applicable.
 - (9) *Bathroom and toilet room floors.* Every bathroom and toilet room floor shall be so maintained as to be reasonably impervious to water and as to permit such floor to be kept in a clean and sanitary condition.
 - (10) *Supplied facilities.* Every supplied facility, piece of equipment, or utility which is required under this article shall be so constructed or installed that it will function properly and shall be maintained in good working condition.
 - (11) *Discontinuance of required services, facilities, equipment, or utilities.* No owner or operator shall cause any service, facility, equipment, or utility which is required to be supplied under the provisions of this article to be removed from, shut off from, or discontinued from any occupied dwelling or dwelling unit let or occupied by said owner or operator, except for such temporary interruption as may be necessary while actual repairs, replacements, or alterations are being made.
 - (12) *Pest extermination.* Whenever infestation exists in any dwelling or dwelling unit or part thereof, or in the shared or public parts of any dwelling or part thereof containing two or more dwelling units, or whenever infestation is caused by failure of the owner to maintain the dwelling or part thereof in a rat-proof or insect-proof condition, extermination thereof shall be the responsibility of the owner. The owner shall hire a pest management professional to inspect and treat, as necessary, all dwelling units sharing a common wall, floor, or ceiling with the dwelling unit containing the infestation. The pest management professional must provide documentation that the affected dwelling unit and surrounding units are clear and free of infestation and live activity.
 - (13) *Cleanliness of public areas of dwellings.* Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition in all communal, shared, or

public areas of the dwelling and premises or parts thereof which are used or shared by the occupants of two or more dwelling units.

- (14) *Vacant dwelling units to be clean and sanitary before being let for occupancy.* No owner shall occupy or rent to any other person for occupancy or allow any other person to occupy any vacant dwelling unit or part thereof unless it is clean, sanitary, free of infestation, and complies with all provisions of this article and all rules and regulations adopted pursuant thereto.
- (15) *Hanging screens.* The owner of a dwelling or dwelling unit shall be responsible for hanging all screens whenever the same are required under the provisions of this chapter or any rule or regulation adopted pursuant hereto. Screens shall be hung at all times except as otherwise provided in this article. If windows are designed to have screens installed, one must be installed and in a state of good repair as required by Section 8-594.

(b) *Responsibility of occupants.*

- (1) *Cleanliness.* Every occupant of a dwelling or dwelling unit or part thereof shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which is occupied or controlled.
- (2) *Disposal of garbage and recyclables.* Every occupant of a dwelling or dwelling unit or part thereof shall dispose of all garbage and recyclables in a clean and sanitary manner by placing it in the garbage or recyclables containers as required by Chapter 32.
- (3) *Extermination of pests.* Every occupant of a dwelling or part thereof or dwelling unit or part thereof shall assist the owner of the dwelling with the extermination of any pests, including, but not limited to, maintaining unit cleanliness, notifying the owner of any infestation, cooperating with extermination efforts, and preparing the unit for treatment.
- (4) *Use and operation of supplied plumbing fixtures.* Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

Sec. 8-597. Maintenance of non-dwelling structures, fences, and premises.

No owner shall permit any non-dwelling structure or fence to exist on any premises which does not comply with the following requirements:

- (1) *Maintenance of non-dwelling structures.* Every foundation, retaining wall, exterior wall, roof, window, exterior door, basement hatchway, and every other entrance way of every non-dwelling structure shall be weather-tight, water-tight, and insect-proof; shall be rodent-proof in accordance with the terms of Section 6-7; shall be well maintained and kept in a state of good repair; and shall have no significant signs of wear, weathering, or other forms of deterioration.
- (2) *Protection of exterior surfaces.* All exterior wood and other surfaces of all non-dwelling structures shall be properly protected from the elements and against decay by paint or other approved protective coating applied in a workmanlike manner. Painted surfaces must be properly maintained and repaired, including, but not limited to, scraping, priming, and applying finishing coats to said surfaces. Exterior walls of structures shall be prefinished material, brick, stone, stucco, exterior plaster, stained or painted wood, water-proof shingles, or a similar material designed and advertised to be used as permanent exterior siding and capable of being painted, stained, or weatherproofed if not prefinished. Materials designed and advertised for insulation, sub-siding, or structural uses other than exterior walls shall not be allowed as exterior siding.
- (3) *Maintenance of fences.* Every fence either shall be reasonably maintained and kept in a state of good repair or shall be removed. All components of fencing material shall be installed as designed or completely removed. Fences shall consist only of materials approved in Chapter 44. Nothing in this subsection shall permit fence removal where the fence is otherwise required by this Code.

- (4) *Grading and drainage of premises.* All premises or part thereof shall be so graded and maintained that no stagnant water will accumulate or stand on the premises or part thereof or within any building or structure located on the premises or part thereof.

Secs. 8-598—8-627. Reserved.

DIVISION 5. ROOMING HOUSE/SHELTER FACILITY REGULATIONS

Sec. 8-628. Compliance required.

No person shall operate a rooming house or shelter facility or occupy or let to another for occupancy any rooming unit in any rooming house or shelter facility except in compliance with the requirements of this division and any other applicable section within this Code.

Sec. 8-629. Permits.

- (a) *Required.* No person shall operate a rooming house or shelter facility without a valid rooming house/shelter facility permit issued by the Director in the name of the operator and for the specific dwelling or dwelling unit within which the rooming house or shelter facility is contained, provided the provisions of this subsection shall not apply to dormitories associated with and run in connection with licensed educational institutions, hotels, motels, bed and breakfast establishments, and community living arrangements which are licensed by an agency of the State of Wisconsin.
- (b) *Application.* The operator shall file the application for a rooming house/shelter facility permit and a site plan according to Sections 44-83 and 44-1581 in the office of the Director on forms prepared by the Director.
- (c) *Issuance of permit and fees.* When all applicable provisions of this division and any rules and regulations adopted pursuant hereto have been complied with by the operator, the Director shall issue a rooming house/shelter facility permit upon the payment of the fee, which shall be as provided in the City Fee Schedule. Shelter facilities shall be exempt from the fees. All rooming house/shelter facility permits so issued shall expire on July 1 following the date of issuance unless sooner suspended or revoked as herein provided. Occupancy shall not exceed the capacity specified in Section 8-632(d) or in Wis. Admin. Code SPS § 362.0400 or sections referenced therein.
- (d) *Posting of permit.* Every rooming house/shelter facility permit issued by the Director shall be conspicuously posted by the operator in the rooming house or shelter facility for which it is issued and shall remain so posted at all times unless removed by the order of the Director.
- (e) *Nontransferability of permit.* No rooming house/shelter facility permit issued under this division shall be transferable as to person or place. Every operator shall notify the Director in writing within 24 hours after having relinquished the operation of a rooming house or shelter facility and shall file in writing with the Director the name and address of the operator assuming the operation of the rooming house or shelter facility. Any operator so assuming operation must have obtained a valid rooming house/shelter facility permit in accordance with this section.
- (f) *Relationship of permit to other codes.* The issuance of a rooming house/shelter facility permit shall not relieve the owner or operator of responsibility for compliance with the Building and Zoning Codes and any other applicable laws of the City and County and applicable rules of the State Department of Health and Department of Safety and Professional Services.
- (g) *Hearing when permit is denied.* Any person whose application for a rooming house shelter facility permit has been denied may request and shall be granted a hearing on the matter before the Protection and Policy Committee under the procedure provided by Section 8-569.
- (h) *Suspension, revocation, and non-renewal of permit.*

- (1) *Grounds.* Whenever, upon inspection of a rooming house or shelter facility, the Director finds that conditions or practices exist which are in violation of any provision of this article or any other provisions of this Code, or any rule or regulation adopted pursuant hereto, or if the operator keeps or maintains a disorderly house, the rooming house/shelter facility permit may be revoked, suspended for up to six months, or non-renewed.
- (2) *Notice.* No permit issued under this section shall be revoked, suspended, or non-renewed except upon due notice and hearing to determine whether grounds for such action exist. The Director shall give written notice of the grounds for revocation, suspension, or nonrenewal to the operator of such rooming house or shelter facility, which shall constitute the complaint. The notice shall be served upon the licensee at least 15 days prior to the date of the hearing and shall state the time and place thereof.
- (2) *Hearing.* The hearing on a complaint for suspension, revocation, or nonrenewal shall be held before the Protection and Policy Committee. The operator of the rooming house or shelter facility shall be entitled to be heard, to be represented by counsel, and to present and cross-examine witnesses. The operator may be provided a transcript of the hearing at their own expense.
- (3) *Recommendation by Committee.* Following the hearing, the Protection and Policy Committee shall issue Findings of Fact and Conclusions of Law and shall make a recommendation to the Common Council whether the operator's rooming house/shelter facility permit should be suspended, revoked, or nonrenewed. The City Clerk shall provide the operator with a copy of the Committee's report.
- (4) *Council action.* The Common Council shall consider the report and recommendation of the Protection and Policy Committee no later than the second regularly scheduled meeting following its receipt of the Committee's report. The Director or the operator may file an objection to the recommendation and have the opportunity to present arguments supporting their objection to the Common Council. Council shall determine whether arguments shall be presented orally, in writing, or both. Following arguments and deliberation, the Common Council shall adopt, modify, or reject the Findings of Fact, Conclusions of Law, and Recommendation of the Protection and Policy Committee. Notice of Council's decision shall be provided to the operator within 20 days.
- (5) *Appeal.* An operator of a rooming house or shelter facility shall appeal the suspension, revocation, or nonrenewal of their rooming house/shelter facility permit to the Brown County Circuit Court within 30 days of receipt of notice of Common Council's action.

Sec. 8-630. Operator to control occupancy.

No operator shall at any time allow a larger number of persons to occupy any individual or group sleeping room than is permitted by this division.

Sec. 8-631. Applicability of other parts of this article.

No person shall operate a rooming house or shelter facility unless all of the requirements of Sections 8-594, 8-595, and 8-596 are complied with, provided for the purpose of interpreting the requirements of the designated sections applicable to the enforcement of this division, the term "dwelling" shall be interpreted to mean rooming house or shelter facility and the term "dwelling unit" shall be interpreted to mean rooming unit. Every dwelling unit located within a rooming house or shelter facility shall comply with all of the requirements for dwelling units as established in this article.

Sec. 8-632. Arrangement, equipping, maintenance, and use of facilities.

- (a) *Toilets and lavatory basins.* At least one toilet and lavatory basin, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each ten persons or fraction thereof residing within a rooming house or shelter facility, including members of the operator's family wherever they share the use of such facilities.

- (b) *Baths.* At least one bath, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a rooming house or shelter facility, including members of the operator's family wherever they share the use of such facilities.
- (c) *Location of sanitary facilities.* Every toilet, lavatory basin, and bath shall be located within a room which affords privacy to a person within. All such facilities shall be so located within the rooming house or shelter facility as to be accessible to the occupants of each rooming unit sharing such facilities without going outside of the dwelling or part thereof and without going through another dwelling unit or part thereof or through a rooming unit or part thereof of another occupant.
- (d) *Minimum area for sleeping purposes.*
 - (1) The capacity of any room occupied for sleeping purposes shall be as follows:
 - a. 400 cubic feet for each occupant over 12 years of age; and
 - b. 200 cubic feet for each occupant 12 years of age or under.
 - (2) The operator of a shelter facility may allow homeless families on an emergency basis to occupy a sleeping room which does not meet the above minimum sleeping area requirements if the operator makes all reasonable attempts to place the family in another shelter which meets those requirements and so long as the family is placed in a room which complies with these regulations within 72 hours.
- (e) *Number of sleeping rooms.* Every sleeping room in every rooming house or shelter facility shall be numbered in a plain and conspicuous manner, the number to be placed on the outside of the door to such sleeping room. No two doors shall bear the same number. No number on any door of any sleeping room shall be changed to any other number without first securing the written approval of the Director.
- (f) *Preparation or eating of meals in rooming units prohibited.* No occupant of a sleeping room shall prepare meals or store perishable foods therein. The operator shall post in every sleeping room a sign on which shall be written or printed in letters not less than three-eighths-inch in height the following words: "NO COOKING OR STORING PERISHABLE FOODS PERMITTED IN THIS ROOM." Such sign shall remain posted at all times.
- (g) *Bed linens and towels.* The operator of every rooming house or shelter facility shall effect the change of supplied bed linens and towels therein at least once each week and prior to the letting of any room to any occupant. The operator shall maintain all supplied bedding in a reasonably clean and sanitary manner.
- (h) *Shades and drapes.* Every window of every sleeping room shall be supplied with shades, draw drapes, or other devices or materials which when properly used will afford privacy to the occupant of the room.
- (i) *Sanitary maintenance.* The operator of every rooming house or shelter facility shall maintain in a sanitary condition all walls, floors, and ceilings and every part of the rooming house or shelter facility, and the entire premises, where the entire structure or building within which the rooming house or shelter facility is contained is leased or occupied by the operator.
- (j) *Storage and disposal of garbage and recyclables.* Adequate garbage and recyclable storage containers, whose type and location are approved under Chapter 32, shall be supplied by the rooming house or shelter facility operator. The operator shall dispose of all garbage and recyclables in a clean and sanitary manner by placing them in the required containers.
- (k) *Hanging screens, storm doors, and storm windows.* The operator of a rooming house or shelter facility shall hang all screen and double storm doors and windows whenever the same are required under this article or any rule or regulation adopted pursuant hereto except where the owner has agreed to supply such service.
 - (1) *Exception.* During the cold weather period from November 1 to March 31 of each calendar year, having screens installed is optional. Any screens installed must be in a state of good repair.
- (l) *Pest extermination.* Whenever infestation exists in any dwelling or dwelling unit or part thereof, or in the shared or public parts of any dwelling or part thereof containing two or more dwelling units, or whenever infestation is caused by failure of the owner to maintain the dwelling or part thereof in a rat-proof or insect-

proof condition, extermination thereof shall be the responsibility of the owner. The owner shall hire a pest management professional to inspect and treat, as necessary, all dwelling units sharing a common wall, floor, or ceiling with the dwelling unit containing the infestation. The pest management professional must provide documentation that the affected dwelling unit and surrounding units are clear and free of infestation and live activity.

- (m) *Exits.* Every sleeping room in every rooming house or shelter facility shall have exits which conform to the exit requirements of the City and State Building Codes, as applicable. In addition, every exit and passageway shall comply with the following:
- (1) It shall be easily accessible from every sleeping room by passageway, without passing through any part of another sleeping room.
 - (2) It shall be kept in a reasonably good state of repair.
 - (3) It shall be unobstructed at all times.

Sec. 8-633. Reporting of communicable disease by operator.

The operator of a rooming house or shelter facility shall report to the Brown County Health Commissioner or any State of Wisconsin health care professional licensed under Wis. Stats. Ch. 441 (nurses) or Ch. 448 (medical practitioners) immediately upon discovery the name of any person living in the rooming house or shelter facility who is suffering from any communicable disease, as listed in Appendix A to Wis. Admin. Code DHS ch. 145; and such report shall be made whenever there is reason to believe or suspect that any person in such rooming house or shelter facility may be afflicted with any communicable disease.

Secs. 8-634—8-646. Reserved.

DIVISION 6. DORMITORY FACILITY REGULATIONS

Sec. 8-647. Compliance required.

No person shall operate a dormitory facility or occupy or let to another for occupancy any rooming unit in any dormitory facility except in compliance with the requirements of this division and any other applicable section of this Code.

Sec. 8-648. Permits.

- (a) *Required.* No person shall operate a dormitory facility without a valid dormitory facility conditional use permit issued by the City of Green Bay in the name of the operator and for the specific dwelling or dwelling unit or part thereof within which the dormitory facility is contained, provided the provisions of this section shall not apply to dormitories associated with and run in connection with hotels, motels, and bed and breakfast establishments which are licensed by an agency of the State of Wisconsin.
- (b) *Application.* The operator shall file the application for a dormitory facility conditional use permit and a site plan in accordance with Section 44-83.
- (c) *Issuance of permit.* When the operator has complied with all applicable provisions of this division and any rules and regulations adopted pursuant hereto, the Director shall process the conditional use permit request in accordance with Section 44-83.
- (d) *Nontransferability of permit.* No dormitory facility conditional use permit issued under this division shall be transferable as to person or place. Every operator shall notify the Director of Planning in writing within 24 hours after having relinquished the operation of a dormitory facility and shall file in writing with the Director the name and address of the operator assuming the operation of the dormitory facility. Any operator so

assuming operation must have obtained a valid dormitory facility conditional use permit in accordance with this section.

- (e) *Relationship of permit to other codes.* The issuance of a dormitory facility conditional use permit shall not relieve the owner or operator of responsibility for compliance with the Building and Zoning Codes and any other applicable laws of the City and County and applicable rules of the State of Wisconsin.
- (f) *Revocation of permit.* Any dormitory facility conditional use permit that has been issued may be revoked in accordance with the provisions of Chapter 44.

Sec. 8-649. Operator to control occupancy.

No operator shall at any time allow a larger number of persons to occupy any individual or group sleeping room than is permitted by this division.

Sec. 8-650. Applicability of other parts of this article.

No person shall operate a dormitory facility unless all of the requirements of Sections 8-594, 8-595, and 8-596 are complied with, provided for the purpose of interpreting the requirements of the designated sections applicable to the enforcement of this division, the term "dwelling" shall be interpreted to mean dormitory facility and the term "dwelling unit" shall be interpreted to mean rooming unit or part thereof. Every dwelling unit located within a dormitory facility shall comply with all of the requirements for dwelling units as established in this article.

Sec. 8-651. Arrangement, equipping, maintenance, and use of facilities.

- (a) *Toilets and lavatory basins.* At least one toilet and lavatory basin, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a dormitory facility, including members of the operator's family wherever they share the use of such facilities.
- (b) *Baths.* At least one bath, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a dormitory facility, including members of the operator's family wherever they share the use of such facilities.
- (c) *Location of sanitary facilities.* Every toilet, lavatory basin, and bath shall be located within a room which affords privacy to a person within. All such facilities shall be so located within the dormitory facility as to be accessible to the occupants of each rooming unit sharing such facilities without going outside of the dwelling or part thereof and without going through another dwelling unit or part thereof or through a rooming unit or part thereof of another occupant.
- (d) *Minimum area for sleeping purposes.* The capacity of any room occupied for sleeping purposes shall be as follows:
 - (1) Sleeping areas of at least 50 square feet per person residing in the dormitory with no more than four individuals per room, except that more than four individuals may be allowed per room if all said individuals are related by blood, marriage, or adoption.
 - (2) Rooms shall consist of enclosed places having walls that extend from the ceiling to the floor and an entry door.
- (e) *Number of kitchens/dining areas.* Every dormitory shall have one kitchen and dining area for every ten individuals residing in the dormitory facility.
- (f) *Number of laundry facilities.* Every dormitory shall have one laundry facility consisting of a minimum of one clothes washer, one clothes dryer, and one washbasin for every ten individuals residing in the dormitory facility.

- (g) *Number and size of common area/lounge.* Every dormitory shall have one common use area/lounge of at least 600 square feet in size for every ten individuals residing in the dormitory facility for relaxation and recreation of the occupants.
- (h) *Sanitary maintenance.* The operator of every dormitory facility shall maintain in a sanitary condition all walls, floors, and ceilings and every part of the dormitory facility, and the entire premises, where the entire structure or building within which the dormitory facility is contained is leased or occupied by the operator.
- (i) *Storage and disposal of garbage and recyclables.* Adequate garbage and recyclable storage containers, whose type and location are approved under Chapter 32, shall be supplied by the dormitory facility operator. The operator shall dispose of all garbage and recyclables in a clean and sanitary manner by placing them in the required containers.
- (j) *Extermination of pests.* The operator of a dormitory facility shall cause the extermination of any insects, rodents, or other pests therein and on the entire premises where the entire structure or building within which the dormitory facility is contained is leased or occupied by the operator, except that whenever infestation of a dormitory facility is caused by a failure of the owner to maintain the dwelling within which the dormitory facility is contained in a rat-proof or reasonably insect-proof condition, extermination shall be the responsibility of the owner.
- (k) *Exits.* Every sleeping room in every dormitory facility shall have exits which conform to the exit requirements of the City and State Building Codes, as applicable. In addition, every exit and passageway shall comply with the following:
 - (1) It shall be easily accessible from every sleeping room by passageway, without passing through any part of another sleeping room.
 - (2) It shall be kept in a reasonably good state of repair.
 - (3) It shall be unobstructed at all times.

Secs. 8-652—8-668. Reserved.

ARTICLE VII. MANUFACTURED AND MOBILE HOMES

Sec. 8-669. State laws adopted.

Except as otherwise provided in this article, Wis. Stats. § 66.0435, all provisions of Wis. Stats. Ch. 101, and all provisions of Wis. Admin. Code Ch. SPS 326 describing and defining regulations relative to manufactured and mobile homes that the City may adopt as ordinances are hereby adopted and by reference made part of this article as if fully set forth herein. Any future amendments, revisions, or modifications of the statutes and regulations incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of manufactured and mobile homes in the City of Green Bay. A copy of such code shall be on file in the office of the Inspection Division.

Sec. 8-670. Parking of manufactured and mobile homes restricted.

Except as provided in this article, no person shall park within the City any manufactured and mobile home on any street, alley, highway, or other public place or on any privately-owned land.

Sec. 8-671. Manufactured and mobile home park licenses.

- (a) *Required.* No person shall establish, operate, or maintain or permit to be established, operated, or maintained upon any property owned, leased, or controlled by said person a manufactured and mobile home park within the City without first securing a license therefor from the Director of the Department of Community and Economic Development (Director) or their designee, pursuant to this article. Operation in

any fiscal year requires a license. Such license shall expire on 12:00 midnight on June 30 annually but may be renewed under the provisions of this article for additional maximum two-year periods.

- (b) *Location restricted.* An application for the construction of a manufactured and mobile home park shall be considered only when its proposed location is within a district zoned to permit such use.
- (c) *Application.* The application for a license or a renewal thereof shall be made on forms furnished by the City and shall include the name and address of the owner in fee of the tract or if the fee is vested in some person other than the applicant, a duly verified statement by such person that the applicant is authorized to construct or maintain the manufactured and mobile home park and make the application, and such legal description of the premises upon which the manufactured and mobile home park is or will be located as will readily identify and definitely locate the premises. The initial application for any existing, new, or revised manufactured and mobile home park shall contain a park plan showing the following, either as existing or as proposed:
 - (1) The area to be used for park purposes.
 - (2) Roadways and driveways.
 - (3) The location and designation of dependent and independent manufactured and mobile home spaces.
 - (4) The location of service buildings and the number of sanitary conveniences, including toilets, washrooms, laundries, and utility rooms, to be used by occupants of the manufactured and mobile home park.
 - (5) A complete layout of storm, sanitary, and water systems for the service building and spaces.
 - (6) The method and plan of garbage removal.
 - (7) A plan for electrical lighting of spaces.
- (d) *Issuance of license.*
 - (1) *Approval and fee required.* The application for such license or renewal thereof shall be approved by the Inspection Division. Before a license is issued, the applicant shall pay an annual fee in accordance with Wis. Admin. Code Ch. SPS 326. The fee shall be as provided in the City Fee Schedule. A penalty fee, as provided in the City Fee Schedule, shall apply to renewal applications postmarked after June 30.
 - (2) *Municipal sanitary facilities required.* No license shall be issued for a manufactured and mobile home park where municipal sanitary facilities are not available.
- (e) *Revocation and suspension.* A license may be suspended or revoked after a hearing held pursuant to Wis. Stats. § 66.0435. Any hearing for the suspension, revocation, or non-renewal of a license shall be conducted before the Protection and Policy Committee. At the conclusion of the hearing, the Protection and Policy Committee shall recommend to the Common Council that the license be suspended, revoked, or non-renewed if it finds that the licensee committed a violation. The Common Council shall consider and take action on the recommendation of the Protection and Policy Committee within 45 days after the committee adjourns the hearing. Appeal from a decision of the Common Council shall be by petition for writ of certiorari to the Brown County Circuit Court.

Sec. 8-672. Management of manufactured and mobile home parks.

- (a) *Office to be in park.* In every manufactured and mobile home park, there shall be located the office of the attendant or person in charge of such park. A copy of the park license and of this article shall be posted therein, and the park register shall at all times be kept in such office.
- (b) *Duties of attendant and licensee.* The attendant or person in charge, together with the licensee, shall:
 - (1) Keep a register of all occupants, which shall be open at all times to inspection by state, federal, and local officers and which shall show for all occupants of the manufactured and mobile home park the following information:

- a. Names and addresses.
 - b. Number and ages of all children.
 - c. Number of public elementary school children.
 - d. Number of public secondary school children.
 - e. State of legal residence.
 - f. Dates of entrance and departure.
 - g. License numbers of all manufactured and mobile homes and towing or other vehicles, and states issuing such licenses.
 - h. Place of last location and length of stay.
 - i. Place of employment of each occupant.
- (2) Maintain the park in a clean, orderly, and sanitary condition at all times.
 - (3) Ensure that the provisions of this article are complied with and enforced and report promptly to the proper authorities any violations of this article or any other violations of law which may come to attention.
 - (4) Collect the monthly parking permit fee and keep a record book showing the names of persons paying such fees and the amounts paid.
 - (5) Submit with the total monthly parking permit fees to the City Treasurer a monthly report showing the names of persons paying such fees and the amount paid if less than for a full month. Such report shall also indicate departure time for current tenants and arrival time for new tenants and departure time if occurring the same month as arrival.

Sec. 8-673. Applicability of plumbing, electrical, and building ordinances.

All plumbing, electrical, building, and other work on or at any park licensed under this article shall comply with City ordinances, the requirements of the State Plumbing, Electrical, and Building Codes, and the regulations of the State Department of Health. Licenses granted under this article grant no permission to erect or repair any structure or to do any plumbing or electrical work.

Sec. 8-674. Variances.

When, in the judgment of the Plan Commission or the Council, a provision of this article may not literally be applied due to unusual hardship, such provision may be altered as long as the basic intent of control herein stated is retained.

Exhibit A

Chapter 8 BUILDINGS AND CONSTRUCTION

ARTICLE I. IN GENERAL

Sec. 8-1. Director of Community and Economic Development to enforce.

The Director of Community and Economic Development is responsible for the enforcement of this chapter and may issue citations hereunder and may delegate such citation authority to their employees. It is declared that the intent of this chapter can be most effectively carried out by the cooperation of all City departments concerned, and all such departments shall cooperate with the Director in the enforcement of this chapter.

Sec. 8-2. Wisconsin Administrative Code to be on file.

Copies of the chapters of the Wisconsin Administrative Code incorporated into this chapter by reference shall be kept on file in the offices of the Department of Community and Economic Development and the City Clerk.

Sec. 8-3. Violations of this chapter.

Whenever the Director determines that there has been a violation or that there are reasonable grounds to believe that there has been a violation of any provision of this chapter or of any rule or regulation adopted pursuant hereto, the Director shall give notice of such violation to the person legally responsible therefor. Such notice shall provide sufficient information to the person responsible as to inform them of the actions necessary to correct the violation and specify a deadline by which such corrections must be made.

Sec. 8-4. Appeals; Zoning Board of Appeals.

- (a) *Jurisdiction.* The Zoning Board of Appeals, organized under Section 44-138, shall have the authority to hear the following matters.
 - (1) Any decision of the Director of the Department of Community and Economic Development (Director) to deny an application for any permit issued under this chapter, or any decision to revoke such a permit.
 - (2) Any error in any order made by the Director in the enforcement of this chapter.
- (b) *Appeal process.* Any person aggrieved by a decision, determination, or order of the Director as described in subsection (a) may appeal the decision, determination, or order to the Zoning Board of Appeals. Unless otherwise provided in this chapter, such appeals shall be governed by the following provisions.
 - (1) The aggrieved person must file a written petition with the City Clerk within 20 days of the decision, determination, or order being appealed or the petition shall be untimely. The petition must identify the permit denial, permit revocation, or enforcement order being appealed, the official who made the decision, determination, or order, and all other relevant facts related to the appeal.
 - (2) The official whose decision, determination, or order is appealed shall submit a written report to the Board describing the reasons for the decision, determination, or order and shall attend the appeal hearing to comment.
 - (3) The Board shall establish a reasonable time for the hearing of the appeal and give public notice thereof. The Board shall render a decision on the appeal within a reasonable time.
 - (4) The Board may reverse or affirm the decision, determination, or order, wholly or partially, as appropriate.
 - (5) A party aggrieved by a decision of the Zoning Board of Appeals under this section may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.

Sec. 8-5. Re-inspection fees.

- (a) *Definition.* The term "re-inspection fee" means a special charge that may be assessed against a property owner by the City in order to defray the administrative cost of exercising jurisdiction over this chapter and conducting related inspections within the City.
- (b) *When assessed.* An inspector may assess a re-inspection fee if a property is not available to be inspected at the time of a scheduled inspection or if all of the following conditions are met:
 - (1) The inspector has found that the owner's parcel is not in compliance with a provision of this chapter;
 - (2) The inspector has informed the property owner of the changes necessary to gain compliance; and
 - (3) Upon subsequent investigation or inspection, the inspector finds that the same violation persists.
- (c) *Fees charged.* Each re-inspection fee shall be as provided in the City Fee Schedule. A separate re-inspection fee may be assessed each time the conditions under subsection (b) of this section exist.
- (d) *Appeals.* Within 30 days of assessment, a property owner against whom re-inspection fees have been assessed may appeal said fees to the Finance Committee.

Sec. 8-6. General penalty.

Unless a more specific penalty is specified, any person who shall violate any provision of this chapter or any rule, regulation, or order made hereunder shall be subject to a penalty as provided in Section 1-6, except that the minimum penalty for each offense shall be \$25.00. Unless otherwise provided, each 24-hour period any such violation is allowed to exist shall constitute a separate violation.

Secs. 8-7—8-18. Reserved.

ARTICLE II. BUILDING CODE

DIVISION 1. GENERALLY

Sec. 8-19. Purpose.

The purpose of this article is to provide minimum City regulations, provisions, and requirements for buildings and structures within the City, thereby increasing safety to persons and property, stable design, and good methods of construction and uses of materials in any building or structure constructed, enlarged, altered, repaired, moved, converted to other use, or demolished; to regulate the equipment, maintenance, condition, use, occupancy, and safety of buildings in the City; and to promote the public health, safety, and general welfare. This article shall apply to new buildings and structures and to alterations and additions to existing buildings and structures within the City.

Sec. 8-20. Applicability.

- (a) *Persons affected.* This article shall be binding upon every owner of a building and every person in charge of or responsible for the condition of any building or structure in the City, or who causes repair or alteration thereof.
- (b) *Buildings affected.* This article shall apply to all buildings and structures, except buildings which were erected in compliance with the City Building Code and/or the State of Wisconsin building code in force at the time of their construction or last change in use and which:
 - (1) Have been repaired and maintained so that the structures are weathertight and the structural members are not hazardous to life or property;

- (2) Are kept free from accumulations of dirt, filth, rubbish, garbage, or other matter in or on the same or in the yards, courts, passageways, or other areas connected or belonging to the same; and
- (3) Do not have cross-connections in plumbing systems that are hazardous to the occupants or violate any provision of the Plumbing Code regarding cross-connections.

Sec. 8-21. Definitions.

The definitions in Wis. Admin. Code SPS § 320.07 shall apply to this article. Additionally, the following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section. Where a conflict exists between a definition in this section and in Wis. Admin. Code SPS § 320.07, the definition in the administrative code shall control.

Accessory building means a detached building, not used as a dwelling unit but incidental to that of the main building and which is located on the same lot. Accessory building does not mean farm building.

Accessory use means a use incidental to the use of the main building or to the principal use of the premises.

Air temperature means a measurement of the temperature of the air and not of radiant heat.

Alley means a public thoroughfare which affords a secondary means of access to abutting property and which is generally fewer than 20 feet wide.

Alteration means an enhancement, upgrading, or substantial change or modification other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning, and other systems within a dwelling.

Apartment means a part of a building occupied or designed or intended to be occupied by one or more persons as a single-living unit or as a single-family housekeeping unit and which includes the use of kitchen facilities, either in private or in common with others.

Approved as to materials and types of construction means approved by the Director as the result of investigation and tests conducted by the Director or an authorized agent or by reason of accepted principles or tests by national authorities or by technical or scientific organizations accepted by the Director. Approvals given shall be in writing, and a copy thereof kept on file in the Building Inspection Division.

Balcony means a landing or porch projecting from the wall of a building.

Basement means that portion of a dwelling below the first floor or groundfloor with its entire floor below grade.

Base flood has the meaning ascribed in Section 44-1045.

Boarding house or lodging house means a building or structure, other than a hotel licensed by the State, where lodging and meals for three or more persons are served for compensation.

Building means:

- (1) *Noun.* Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property. When a structure is divided into separate parts by unpierced walls extending from the ground up, each part is deemed a separate building.
- (2) *Verb.* Any enlargement, alteration, movement, or demolishing of any building or structure, and also any new heating plant or any material alteration in any existing heating plant, toilet room, or elevator.

Court means an open, unoccupied space other than a yard on the same lot with a building.

Inner court means any court other than an outer court.

Outer court means a court which extends directly to and opens on a street or other permanent open space or on a required yard.

Department means the Department of Community and Economic Development.

Director means the Director of the Department of Community and Economic Development or their designee.

Dwelling means any building, or portion thereof, which is designed or used exclusively for residential purposes.

One-family dwelling means a building designed and occupied exclusively by one family.

Two-family dwelling means a building or portion thereof designed for or occupied by not more than two families.

Extermination means the control or elimination of infestation by eliminating harboring places and removing or make inaccessible materials that may serve as food or by poisoning, spraying, trapping, fumigating by a licensed fumigator or any other effective elimination procedure.

Family means one or more individuals living on a premises as a single housekeeping unit.

Filling station means a place where gasoline, kerosene, or any other fuel, lubricating oil, or grease for operating motor vehicles is offered for sale at retail to the public and where deliveries are made at the time of sale and directly into the motor vehicles, including greasing and oiling on the premises.

Full story. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it; or if there is no floor above it, then the space between the floor and the ceiling next above it, not including in either case mezzanine floors or balconies.

Garage means a space or structure used for storing motorized vehicles that has any more than two sides completely enclosed.

Community garage means a garage, or a series of garages, for use only for the storage of noncommercial vehicles of residents of the neighborhood.

Private garage means a garage, for private use only, for the storage of not more than four motorized vehicles, including not more than one commercial vehicle, which shall be of less than two-ton capacity.

Public garage means a garage other than a private or community garage used for the storage, sale, hire, or repair of motor vehicles or of vehicles used in connection therewith.

Habitable room means any room in a dwelling unit used for sleeping, living, or dining purposes.

Half story means that part of a building between the eaves and the ridge line of pitched roofs used for storage or occupancy. When designed and constructed for limited storage, such portion is an attic.

Homeless family means a group of one or more related individuals who are homeless individuals.

Homeless individual means an individual who lacks a fixed and regular nighttime residence or an individual whose primary nighttime residence is a supervised public or privately-operated shelter designed to provide temporary living accommodations. Temporary living accommodations include welfare hotels, congregate shelters, and transitional housing.

Hotel means a building in which lodging and board is provided to the public for compensation and which caters to daily transient guests.

Impervious to water means constructed of concrete, cement block, terrazzo, brick, tile, or other similar material approved by the Director and having tight-fitting joints and more than four and one-half percent absorption by test.

Infestation means the sustained presence of household pests, vermin, or rodents.

Living room means a room used for sitting, dining, or cooking purposes, but does not include a room designed for laundry, workshop, furnace, play, or storage purposes.

Mezzanine floor means a balcony-like floor located between a main or full floor and the main ceiling next above and not exceeding in area more than one-third of such main or full floor.

Occupant means any individual residing in a dwelling.

Owner means the State, the City, the University of Wisconsin-Green Bay, any sewer or drainage district, any person, firm, partnership, corporation, or organization of any kind having a legal or equitable interest in a property.

Plumbing means all gas pipes and gas burning equipment, waste pipes, water pipes, water closets, sinks, lavatories, bath tubs, catch basins, drains, vents, and any other fixtures, together with connections to the water, sewer, or gas lines.

Provided means furnished, supplied, or paid for by, or under control of, the owner.

Rooming house means a building or structure, other than a hotel licensed by the State, where three or more persons are lodged for compensation.

Service station means a garage, other than a public garage, used in connection with liquid fuel dispensing stations and in which one or more vehicles can be accommodated for washing, greasing, oil changing, tire and battery replacement, or similar minor operations or adjustments.

Shelter facility means a temporary place of lodging for homeless individuals or homeless families.

Sleeping room means a room used for sleeping purposes.

Street means a public or private right-of-way, lane, or way set aside permanently for common travel and being 21 feet or more in width if it existed on November 3, 1959.

Structural alteration means any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

Structure means anything constructed, the use of which requires location on the ground or attachment to something having a permanent location on the ground.

Yard means an open, unoccupied space on the same lot with a dwelling and lying between the front, rear, or sides of the dwelling and the respective lot lines.

Sec. 8-22. Incorporation by reference.

The Wisconsin Uniform Dwelling Code, Wis. Admin. Code SPS Chs. 320 to 325, and Commercial Building Code, Wis. Admin. Code SPS Chs. 361 to 366, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein. Any conflict between this article and the Wisconsin Administrative Code shall be resolved in favor of the Wisconsin Administrative Code.

Secs. 8-23—8-45. Reserved.

DIVISION 2. ADMINISTRATION

Sec. 8-46. Division of Building Inspection.

- (a) *Duties.* The Director shall enforce all state laws, City ordinances, and lawful orders relating to the construction, alteration, repair, removal, location, occupancy, safety, and use of buildings and permanent building equipment.
- (b) *Records.* The Director shall keep records of and make monthly and annual reports to the Council on all of the following.
 - (1) All applications for building permits, which shall be numbered in the order of issuance.
 - (2) The number, description, and size of every building erected, which shall indicate the materials used and the cost of each building, as well as the aggregate cost of all buildings of the various classes.

- (3) All inspections made and all removals and condemnations of buildings.
- (4) All related fees collected, including the dates of their receipt and delivery to the City Treasurer.
- (d) *Powers.*
 - (1) *Inspection.* The Director may at all reasonable times for any proper purpose enter upon any public or private premises and make inspections thereof and may require the permit for any building, electrical, heating, or plumbing work, or the required license therefor, to be produced for inspection.
 - (2) *Emergency powers.* The Director shall have such emergency powers as are necessary to fulfill the purpose and intent of this article; that is, to promote the public health, safety, and welfare.

Sec. 8-47. Building permits.

- (a) *Building permit required.* No person shall erect or construct any building or structure, or shall add to, enlarge, move, improve, alter, convert, extend, or demolish any building or structure or cause the same to be done, or shall commence any work covered by this article on any structure without first obtaining a building permit therefor from the Director, provided the Director may authorize minor repairs not involving structural alterations without requiring a building permit to be issued.
 - (1) *Residential properties.* The Director may issue a permit under this section to an owner currently living and residing at the property. For residential properties not occupied by the owner, the Director shall only issue a permit under this section to a contractor who holds a dwelling contractor certification or dwelling contractor qualifier certification issued by the State of Wisconsin.
- (b) *Application.* An application for a building permit shall be filed with the Director on a blank form to be furnished for that purpose. Such application shall describe the land upon which the proposed building or work is to be done, either by lot, block, tract, or similar general description which will readily identify and definitively locate the proposed building or work, shall show the use or occupancy of all parts of the building, and shall include such other pertinent information as may be required by the Director.
- (c) *Information to accompany application.*
 - (1) *Site plan.* Each application for a building permit shall be accompanied by two copies of a site plan, drawn to scale, where not less than one inch equals 20 feet nor more than 1/16-inch equals one foot, which shows the actual dimensions of the lot to be built upon, the size and location of the buildings to be erected, the proper relationship of the buildings to the exterior lines of existing or proposed streets shown on the Official Map, and such other information as may be necessary to provide for the enforcement of this article. Such site plan shall indicate the detailed legal description of the property as it appears of record. In the case of unplatted land or parcels conveyed by metes and bounds, the site plan, together with sufficient measurements to permit property determination, shall be submitted to the Director, who shall certify as to whether the proposal is in conflict with the Official Map.
 - (2) *Other data required.* The following data shall be a part of, or shall accompany, all site plans submitted for approval:
 - a. The location of streets, alleys, lot lines, and any other buildings on the same lot or property.
 - b. The name of the owner.
 - c. The intended use of all rooms.
 - d. When required by the Director, computations, stress diagrams, and other data necessary to show the correctness of the plans.
 - (3) *Foundation specifications.* When necessary, information concerning the size and material of the foundations and, if required, the loads to be placed thereon, where piles are to be driven, and the spacing, size, and materials of the piles and the load to be placed on each shall accompany the application for a building permit.

(e) *Conditions of approval of application.*

- (1) *Sanitary sewers.* Where sanitary sewers are not installed or immediately available, no building permit shall be issued by the Director until a plumbing permit for an individual sewage disposal system has been issued in accordance with Section 8-370.
- (2) *Right to inspect.* The Director may, as a condition of the granting of a building permit, enter any premises for which such permit was issued at any reasonable time during the course of the work and until final inspection and approval thereof has been given to inspect such premises for compliance with all statutory and ordinance regulations concerning the construction, repair, use, and location of such building.
- (3) *Buildings covered by State Building Code.*
 - a. *Approval of plans.* Before a permit is issued for any building listed in subsection (e)(3)b or for the equipment for remodeling any such building, complete plans and specifications, including a site plan showing the position of the building with respect to lot lines, shall be submitted to the State Department of Safety and Professional Services for approval in accordance with the Wisconsin Administrative Code. Such plans shall be submitted to the State in such number as will permit a complete set of approved plans and specifications, together with any correspondence concerning such approval by the State, to be filed with the Department of Community and Economic Development.
 - b. The Department of Safety and Professional Services must approve permit applications for the following types of buildings:
 1. Hospitals.
 2. Buildings containing elevators.
 3. Buildings containing fire sprinkler systems or fire alarm systems.
 4. All other buildings required by state law or administrative regulation to be submitted.
 - c. *Changes in approved plans.* After plans have been approved for buildings and equipment thereof, no changes shall be permitted unless such changes are approved by the Department of Safety and Professional Services.
 - d. *Inspection of buildings covered by State Building Code.* The Director shall make inspections and require such changes as will be necessary for buildings and their equipment to conform with the approved plans, or the approved changes in such approved plans, which have been filed in their office.

(f) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Building Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.

(g) *Permit fees.*

- (1) Fees for building permits issued under this section shall be provided in the City Fee Schedule.
- (2) If an application for a building permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.

(h) *Issuance of building permit.*

- (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a building permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp both sets of plans and specifications as "approved."

- (2) *Who shall have plans and specifications.* One such approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
- (3) *Evidence of permit.* With every permit, Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
- (4) *Lapse.* A building permit shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further construction is necessary after one year, the permit holder shall make written application in duplicate to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the building permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
- (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the building permit shall be revoked by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work upon the subject building until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (7) *Preliminary foundation permit may be issued.* Whenever any person has applied for a building permit and all of the provisions of this section have been complied with, particularly with respect to review and approval of the site plan and other necessary conditions of approval as set forth in subsection (e) of this section, the Director may issue a preliminary foundation permit allowing the permittee to construct the foundation of any building for which a permit is sought. Thereafter, the Director may issue the final permit upon approval of plans and specifications for the remaining portion of the building to be constructed above the foundation. Nothing contained herein shall require the Building Inspector to issue the final permit unless the plans and specifications for the remainder of the building to be constructed above the foundation are in proper order and approved. The Director shall not issue such preliminary foundation permit unless all necessary information provided hereunder has been

reviewed and approved by the appropriate City departments and the only information remaining to be approved is the computation, stress diagrams, and other data necessary to show the correctness of the plans for that portion of the building to be constructed above the foundation.

- (i) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Secs. 8-48—8-67. Reserved.

DIVISION 3. ENFORCEMENT

Sec. 8-68. Unsafe buildings; razing or repair.

- (a) *Order to raze.* If any building located within the City is old, dilapidated, or out of repair and consequently dangerous, unsafe, unsanitary, or otherwise unfit for human habitation and unreasonable to repair, the Director may order the owner of the building to raze and remove such building; or, if the building can be made safe by reasonable repairs, order the owner to either make the building safe and sanitary or raze and remove it, at the owner's option; or, where there has been a cessation of normal construction of a building for more than two years, order the owner of the building to raze and remove such building. Any order issued under this section shall specify the repairs necessary to make the building safe and sanitary and shall specify a time within which the owner shall comply therewith. Such order shall be served as provided by Wis. Stats. § 66.0413.
- (b) *Failure to comply with order.*
 - (1) If the owner fails or refuses to comply with an order issued under this section within the time prescribed, the Director shall cause such building either to be razed and removed as provided by Wis. Stats. § 66.0413, through any available public agency or by contract or arrangement with private persons, or to be closed if unfit for human habitation, occupancy, or use.
 - (2) The cost of such razing and removal or closing shall be charged against the real estate and shall be assessed and collected as a special charge. When any building has been ordered razed and removed, the Director may sell the salvage and valuable material at the highest price obtainable. The proceeds of such sale, after deducting the expense of razing and removal of the building, shall be promptly remitted to the Circuit Court with a report of such sale or transaction, including the items of expense and the amounts deducted, for the use of the person entitled to the net proceeds, subject to the order of the Court. If there remains no surplus to be turned over to the Court, the report shall so state.
 - (3) If a building subject to a raze order under this section is unsanitary and unfit for human habitation, occupancy, or use and is not in danger of structural collapse, the Director shall post a placard on the premises containing the following notice: "This Building May Not Be Used For Human Habitation, Occupancy, or Use." The Director shall prohibit use of the building for human habitation, occupancy, or use until the necessary repairs have been made. Any person who rents, leases, or occupies a building which has been condemned for human habitation, occupancy, or use shall be fined not less than \$5.00 nor more than \$50.00 for each week of the violation.

Secs. 8-69—8-98. Reserved.

DIVISION 4. INSPECTION

Sec. 8-99. Structural portions to be inspected.

No structural portion of any part of any building or structure not supervised by an architect or professional engineer or their authorized representative, and no reinforced steel, structural framework of iron or steel, brick,

concrete block, frame, or any other materials used in the structural part of any building shall be covered or concealed in any manner without first securing the approval of the Building Inspection Division. The Building Inspection Division shall be notified at least one working day prior to such time as the work is to be inspected.

Sec. 8-100. Successive inspections to be made.

No work shall be done on any part of a building or structure beyond the point indicated in each successive inspection without first obtaining the approval of the Building Inspection Division. Upon notification by the permit holder or an agent of the completion of each of the respective steps in construction, the Director shall make the following successive inspections in accordance with the Department of Safety and Professional Services Administrative Code and shall either approve that portion of the construction as completed or shall notify the permit holder or an agent where the same fails to comply with the law:

- (1) Residential and/or commercial building inspections are required following specific phases of the construction process. The list in this section is not exhaustive, and additional inspections may be required as appropriate. The Director shall perform an inspection following each of the following steps in construction:
 - a. *Footings.* When forms for footings are in and ready to be poured. Forms for footings shall be framed with a minimum depth of six inch framing members.
 - b. *Foundation.* When footings are fully installed and the permit holder is ready to install concrete for the walls.
 - c. *Tar, stone, and tile.* When the walls are up and stone, tile, and damproofing have been installed.
 - d. *Rough-in.* When the roof and all framing, fire blocking, and bracing are in place, and all pipes, chimneys, and vents are completed.
 - e. *Insulation.* When the insulation has been installed.
- (2) *Certificate of occupancy.* The Chief Building Official, Plumbing Supervisor, Heating Inspector, Electrical Inspector, Engineering Department agents, and Fire Department Prevention Bureau, or their designees, shall each make a final inspection of all new buildings, additions, and alterations. If no violation of this article or any other ordinance, law, or order is found and if there is a sewer connected to the public system or a system approved by ordinance, a connection with adequate water supply and access to the premises by a graded and graveled public road, and the buildings, additions, and alterations are in compliance with the City's building, electrical, heating and air conditioning, plumbing, rat prevention, and fire prevention and control ordinances, the Director shall issue a certificate of occupancy stating the purpose for which the building is to be used and the maximum load and maximum number of persons that may be accommodated on each floor thereof. No building or part thereof shall be occupied until such certificate has been issued, except with the written consent of the Director, nor shall any building be occupied in any manner which conflicts with the conditions set forth in the certificate of occupancy. In no case shall a certificate of occupancy be issued until complete compliance with the conditions stipulated on the site plan have been met, except such certificate may be issued prior to complete compliance provided that a cash bond in an amount equal to the cost of site plan compliance, as stipulated by the Director of Public Works and indicated on the site plan, has been deposited with the City Treasurer. If all conditions have not been met within 60 days after notice by the Director of Community and Economic Development, the Director of Public Works may make the necessary installations as provided in the site plan and charge the same to the cash bond account for that particular building.
- (3) *Commercial partial and/or temporary occupancy.* Partial and/or temporary occupancy of a building may be granted subsequent to the original site plan approvals if the following conditions are met:
 - a. The applicant has submitted a Life Safety Plan containing the stamped seal of the supervising professional. Said Life Safety Plan shall demonstrate to the satisfaction of the Director that all life

safety components for the entire building have been completed or that an equivalent or better level of protection is in place.

- b. The Director and the Fire Chief have reviewed and approved the revised Life Safety Plan described in this subsection.
- c. The applicant has paid an additional permit fee in an amount determined by the Director, which amount shall reflect the actual administrative costs of issuing the partial or temporary certificate of occupancy. In determining the fee amount, the Director may consider all relevant factors, including, but not limited to, the timing or urgency of the request for the partial or temporary occupancy permit, the number of inspections required to grant the partial or temporary occupancy permit, and the percentage of the building included in the partial or temporary occupancy permit. The fee for the partial or temporary occupancy permit shall not exceed fifty percent of the total permit fee.

Secs. 8-101—8-128. Reserved.

DIVISION 5. BUILDING SITE REGULATIONS

Sec. 8-129. Excavations.

- (a) *Excavation plans to be submitted in advance.* A building permit shall be obtained before commencing with excavation or driving piles for any foundation of any building or structure. The application for a building permit shall be filed with the plans and specifications of the building showing the location of the building or structure, the size and material of the foundation, and, if required, the loads to be placed thereon, where piles are to be driven, the spacing, size, and materials of the piles and the load to be placed on each.
- (b) *Guard rails.* Any person making excavations or causing the same to be made shall properly guard them and shall so protect them that the adjoining soil shall not cave in. No one shall excavate so as to injure any adjoining soil, ground, or building. Wherever such excavations are made within ten feet of any sidewalk, street, or alley, guard rails and warning lights and signs determined to be proper by the Director shall be installed and maintained. The Director may require guard rails around such other excavations as such they believe the protection of the public requires.

Sec. 8-130. Abandoned or water-filled excavations.

- (a) *Open basements.* Any open basement or basement excavation on which no work has been performed for a period of 60 days after the commencement of building or razing shall constitute a nuisance and the owner or contractor shall, within five business days of receipt of written notice from the Director, cause such basement or basement excavation to be properly filled and leveled off to the original grade. All concrete, including footings and foundations, must be removed in its entirety prior to such filling and shall not be buried.
- (b) *Fill and debris.* Any fill or debris on land or lots that has not been leveled off or removed within 30 days after its deposit and which is harboring rodents, preventing noxious weeds from being cut, or otherwise creating a nuisance shall be subject to the issuance of written orders by the Director requiring the leveling or removal of such fill or debris within 48 hours of receipt of such orders. (c) *Water-filled excavations.* Any open basement or basement excavation in which one foot or more of water is permitted to stand shall constitute a nuisance and the owner shall, within 48 hours of receipt of written orders from the Director, cause the excavation or basement to be pumped dry.
- (d) *Publication of notice.* If the address of the owner or contractor cannot be ascertained with reasonable diligence, then the 48-hour period provided in subsections (a) through (c) of this section shall commence to run at the beginning of the day following two successive publications of the notice in the official newspaper.

- (e) *Failure to comply.* Failure to comply with a written order from the Director shall be cause to have the work done to abate the nuisance in accordance with Chapter 24, and the cost thereof charged back to the property or property owner.

Sec. 8-131. Littering and damage to property.

- (a) *General provisions.* No person engaged in work for which a building permit has been issued shall cause, maintain, or permit the littering of any public or private property with mud, dust, brush, stumps, tree limbs, construction, or other types of debris; nor shall such person cause damage to any public street, sidewalk, alley, curb, gutter, sewerage system, or property.
- (b) *Littering at razing or removal site.* No person shall leave litter, building debris, excavations, or ground piles on property on which a building is being razed or from which a building has been moved. If work is not being done in a satisfactory manner or is not progressing, thus causing a public safety hazard and nuisance, the Director shall issue a written order to the property owner specifying a definite period within which persons concerned shall clean up the property and level off the ground to the adjoining level, the City shall cause such work to be done to abate the nuisance in accordance with Chapter 24, and the cost thereof charged back to the property or the property owner.

Sec. 8-132. Lot corners.

- (a) *To be monumented.* Prior to issuance of a building permit, all lot corners of the property upon which any building or structure is to be located shall be monumented by a registered land surveyor. These monuments shall be marked by wooden guard stakes.
- (b) *Monuments to be maintained.* The lot corner monuments and guard stakes shall be maintained and kept readily visible until the footings have been inspected and approved by the Director.

Secs. 8-133—8-165. Reserved.

DIVISION 6. BUILDING CONSTRUCTION REGULATIONS

Sec. 8-166. Minimum building elevations.

- (a) The first habitable floor of any building or structure shall not be constructed below the current city elevation.
- (c) Uses requiring floodproofing measures shall be designed consistent with the current flood protection elevation. The Director shall require that the applicant submit a plan or document certified by a registered professional engineer or architect that the floodproofing measures are consistent with the flood protection elevation. Floodproofing measures shall include, but are not limited to, the following:
 - (1) Installation of water-tight doors, bulkheads, and shutters.
 - (2) Reinforcement of walls to resist water pressure.
 - (3) Use of paint, membrane, or mortar to reduce seepage of water through walls.
 - (4) Construction of water supply and waste treatment systems to prevent the entrance of floodwaters.
 - (5) Pumping facilities for subsurface drainage systems for buildings, to receive external foundation wall and basement floor pressures.
 - (6) Construction to resist rupture or collapse caused by water pressure or floating debris.
 - (7) Installation of cutoff (backwater) valves on sewer lines or elimination of gravity flow basement drains.
 - (8) Anchorage to resist flotation and lateral movement.
 - (9) Addition of mass or weights to structures to resist flotation.

- (10) Installation of pumps to lower water levels in structures.
- (d) Accessory uses such as parking lots, yards, and other similar land or open land uses may be permitted at the current base flood elevation.
- (e) Fill shall be placed around buildings and structures to a minimum of one foot above base flood elevation and shall extend at such elevation at least 15 feet in each direction from the structure thereon. Fill material shall be stabilized in a manner recommended by the U.S. Soil Conservation Service and protected against erosion.

Secs. 8-167—8-202. Reserved.

DIVISION 7. OTHER CONSTRUCTION REQUIREMENTS

Sec. 8-203. Materials approved by Department of Safety and Professional Services.

Materials not listed in this article but approved by the State Department of Safety and Professional Services may be used in any building in the City, provided the necessary test sheets verifying such approval are on file in the office of the Department.

Sec. 8-204. Prefabricated and other similar buildings.

Nothing in this article shall prevent the erection of prefabricated, component, pre-cut, stressed-skin, or unit-constructed buildings, provided such buildings meet or are modified to comply with all requirements of this article.

Sec. 8-205. Items not covered by this article.

Any item, phase, or area of construction not specifically covered by this article shall meet with the approval of the Director. This article shall not be interpreted to limit the scope or use of other construction practices not specifically covered herein, provided the standards of construction and safety intended by this article are maintained. Detailed material, information, and structural design data on other construction practices shall be submitted to the Director for approval prior to starting construction.

Secs. 8-206—8-234. Reserved.

DIVISION 8. HOUSING REQUIREMENTS

Sec. 8-235. Buildings affected.

This division shall apply to buildings hereafter constructed which are not covered by the State Building Code. Sections 8-238 through 8-240 shall also apply to buildings heretofore constructed which are not covered by the State Building Code.

Sec. 8-236. Light and air regulations.

Every room used for human habitation, including bath and toilet rooms, shall be lighted directly upon a street or alley, upon a court on the same lot with the building, or upon the sky. Every court which is bound on one side by a lot line and which opens at one or both ends to the street, alley, or yard shall be an outer line court and shall be at least three feet wide. Every court which is between two buildings or parts of buildings on the same lot and which opens at one or both ends to the street, alley, or yard shall be an outer court and shall be at least six feet wide. Every court which is bounded on one side and both ends by walls and on the remaining side by a lot line shall be an inner lot line court and shall be at least six feet wide and at least 60 square feet in area. Every court which is bounded on all sides by walls shall be an inner court and shall be at least ten feet wide and at least 150 square feet in area. No building shall be built, altered, or enlarged so as to encroach upon the space reserved under this section for light and air.

Sec. 8-237. Ceilings.

All habitable rooms in each dwelling unit shall maintain a minimum ceiling height of seven feet. If beams or girders are exposed below the normal ceiling, a height of seven feet shall be maintained between the floor and the beams or girders. Rooms with sloping ceilings shall maintain a seven-foot average. In one-half story residences, areas with less than five feet of head room at the sides shall not be included in the above requirements, but the center ceiling height shall be at least seven feet.

Secs. 8-238—8-273. Reserved.

DIVISION 9. OTHER BUILDING REGULATIONS

Sec. 8-274. Razing of buildings.

- (a) *Permit required.* No person shall raze any building in the City without first securing a permit therefor from the Department and a permit for the sealing of the sewer from the Director. No permit shall be granted unless the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. The applicant shall agree to indemnify and hold the City harmless from all liability arising out of the job. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the permit, and no work shall be done under such permit until a new certificate of insurance certificate complying with this subsection has been filed with Risk Management. No certificate of insurance is required if either of the following conditions exists:
- (1) The building is located in a residential zoning district and is set back at least ten feet from all property lines.
 - (2) The building is located in any zoning district, is an accessory building as defined in Section 44-249, is no greater than one story, and is set back at least ten feet from all property lines, or is constructed and situated upon the property so that the same may be razed with no damage resulting to the person or property of others as determined by the Director and Risk Manager. Anyone aggrieved by such determination may appeal that decision to the Protection and Policy Committee in accordance with Wis. Stats. Ch. 68.
- (b) *Requirements.* The holder of a permit to raze a building shall comply with the following requirements:
- (1) *Property to be protected.* Streets, alleys, and private property shall be properly protected by erecting proper fences and scaffolds. If scaffolds are to be built on streets or alleys, they shall be properly protected with a top cover of planks, guard rails, and toe-boards to prevent the falling of debris on sidewalks or streets. The top of the scaffold shall be at least eight feet above the sidewalk or alley.
 - (2) *Walls to be supported.* No person shall remove all horizontal support from exterior walls or partitions thereby permitting them to stand unsupported.
 - (3) *Buildings to be razed floor-by-floor.* In buildings of more than one story, the exterior walls, interior partitions, and other supports shall be removed floor-by-floor, using the floor below as protection from falling debris and to prevent exterior and interior walls from collapsing.
 - (4) *Razing to be gradual.* No walls, chimneys, or other construction shall be allowed to fall en masse on a floor and bulky material such as beams and columns shall be lowered and not thrown.
 - (5) *Cranes.* Cranes may be used in wrecking or demolishing buildings provided the other requirements of this subsection are met.
 - (6) *Sewers.* When a building is moved or demolished, its sewer shall be located at a point outside the foundation lines and sealed off. The plug or seal shall not be covered until the Director or a plumbing inspector under Section 8-356 gives approval.

- (7) *Obstruction of streets.* When razing requires the obstruction of a public street, alley, or sidewalk, a permit must be obtained from the Director of Public Works as provided in Section 34-11 before work on razing the structure can begin.
- (8) *Filling basement and excavated areas.* All loose material and debris shall be removed from the basement, crawlspaces, and other excavated areas. Upon ascertaining that all openings, pipelines, drains, and similar components have been properly capped, all basements, crawlspaces, excavated areas, and other below-grade voids resulting from the removal of pavements, slabs, foundations, and the like shall be filled to within four inches of finished grade with granular fill material. The material shall be well graded, free from debris and organic material. All granular fill shall be placed in layers of 12 inches or less and shall be compacted to not less than 95 percent of Modified Proctor (ASTM D-1557).
- (9) *Completion of project.* When razing activities are completed, the disturbed area shall be graded so that no gradients in disturbed earth shall be steeper than a slope of three to one (horizontal to vertical). A layer of arable topsoil capable of supporting perennial grasses shall be spread over the disturbed area to a minimum depth of four inches. The area shall be seeded with a perennial grass capable of survival in this climate and maintained until the area is stabilized and developed with zoning and other applicable provisions of this Code.

Sec. 8-275. Moving of dilapidated or detrimental building prohibited.

- (a) *Dilapidated buildings.* No permit shall be granted for the moving of any building from one location to another which, in the judgment of the Director, is so dilapidated and so out of repair as to be unsanitary or unfit for human habitation, occupancy, or use or is so out of repair that it would be unreasonable to repair the same.
- (b) *Detrimental buildings.*
 - (1) To protect and conserve the value of neighboring property, no permit shall be granted for the moving to a location within the City of any building which, in the judgment of the Director, would be detrimental to the character of the intended neighboring property. Such consideration shall be made on the basis of compatibility of external appearance, size, and architectural quality in relation to existing structures.
 - (2) The application for a moving permit shall be accompanied by three copies of a site plan of the proposed site, with such additional material as would permit the application of the foregoing standards.
- (c) *Denial; appeal.* The refusal to grant a moving permit shall be in writing and shall contain a detailed statement as to why the relocation would be detrimental to the value of the neighboring property, if such is the case. The applicant or any aggrieved party may, within ten days of the granting or refusal of a moving permit, appeal to the Board of Appeals. The Board of Appeals shall hear such appeal in accordance with procedures which it shall provide.

Sec. 8-276. Building maintenance.

- (a) *Hazardous conditions.* A person who owns, leases, or occupies a building shall keep the building from structural or other conditions that constitute a substantial hazard to the health or safety of its occupants or create an unreasonable risk of personal injury as a result of any reasonably foreseeable use of the building other than negligence by an occupant.
- (b) *Common areas.* A person who owns a commercial building and leases the building to multiple tenants shall keep all common areas of the building maintained in a manner that is safe, functioning, sanitary, and undamaged.
- (c) *Building exterior.* A person who owns a building shall keep all exterior and weatherproofing components maintained in a manner that is safe, functioning, cleanable, and undamaged.

- (d) *Other structures.* Accessory structures, temporary structures, fences, and other structures shall be kept in a manner that is safe, functioning, cleanable, and undamaged.
- (e) *Insufficient repairs.* A person who owns a building shall ensure all repairs to the building are performed in a workmanlike manner. The term "workmanlike manner" includes, but is not limited to:
 - (1) The use of materials that have a consistent texture, color, quality, or appearance with adjacent materials.
 - (2) The complete performance of a job which does not leave unfinished edges, exposed nails or screws, loosely attached materials, or similar conditions.

Secs. 8-277—8-324. Reserved.

DIVISION 10. OTHER STRUCTURES

Sec. 8-325. Billboards and signs.

- (a) *General.* Billboards and signs are subject to all applicable regulations in Chapter 30.
- (b) *Materials to be used within Commercial Construction District.* When erected or maintained within the Commercial Construction District, billboards and signs shall be constructed and maintained entirely of incombustible materials, including the structural parts of the frames of such structures; except that braces, uprights, and the skeleton frames of billboards and signboards to which the metal facing is fastened may be wood.
- (c) *Not to be an obstruction.* No billboard or sign or any part of such structure, or any anchor, brace, guide wire, or guide rod shall be attached, fastened, or anchored to any fire escape, fire ladder, or stand pipe; and no such structure or any part of such structure, or any anchor, brace, guide wire, or guide rod shall be erected or maintained so as to cover or obstruct any doors, doorways, or windows or so as to prevent or hinder the raising or placing of ladders against any such building by the City Fire Department if necessary.
- (d) *Signs in public places.* No person shall erect, fasten, post, paint, or maintain any sign, picture, poster, or advertisement of any description upon any curb, sidewalk, fence, board, barrel, box, case, railing, pole, post, barricade, material, bridge, bridge fender, dock, pile, structure, or building of any kind placed upon any street, alley, public way, public ground, or public waterway.
- (e) *Temporary banner.* No person shall erect or maintain any temporary banner or sign extending beyond the curblin of the street.

Sec. 8-326. Awnings over streets or sidewalks.

No person shall erect, repair, or maintain any awning over any sidewalk or street within the City except in accordance with this section.

- (1) *Permit required.* No person shall erect any awning over any sidewalk or street without first obtaining a permit therefor from the Director. No permit shall be granted unless the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager.
- (2) *Specifications.* Any awning erected over any sidewalk or street within the City shall be constructed of an adjustable iron frame firmly secured in place and covered with canvas or other suitable material. Such frame shall be at least 7½ feet in height above the highest point of the walk, and the lowest point of the flap or fringe of such awning shall not be less than 6½ feet above the sidewalk immediately beneath it.

- (3) *Permanent metal awnings.* Permanent metal-type awnings may be erected provided that a minimum clearance of ten feet is allowed from the sidewalk to the lowest part of the awning.

Sec. 8-327. Canopies, hoods, and projecting signs.

No permanent hood, canopy, or projecting sign shall be constructed unless in the manner herein provided.

- (1) *Permit and inspections required.* No canopy, hood, or projecting sign shall hereafter be erected without a permit therefor being first secured from the Director. All such canopies, hoods, or projecting signs shall be inspected yearly by the Director.
- (2) *Certificate of insurance for canopies, hoods, or projecting signs over the public right-of-way.* No permit shall be granted until the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the permit until a new certificate complying with this subsection has been filed with Risk Management.
- (3) *Clearance.* There shall be not less than ten feet between the grade of the sidewalk at any point and the lowest point of any appendage or projection of any canopy, hood, or projecting sign extending over a public street right-of-way.
- (4) *Project toward streets.* The projections of permanent hoods, canopies, or projecting signs shall not extend over the street nearer than two feet from a vertical projection of the outside face of the curb.
- (5) *Height.* The overall height of canopies or hoods, including all projections, ornamentations, accessories, or appurtenances, shall not exceed six feet. After the original erection, no sign, poster, or other thing extending beyond six feet above the ten-foot clearance required of such canopy shall be added to such canopy or hood. The maximum distance to the top of any canopy, including all projections, ornamentations, or appurtenances, signs, or other part of the canopy, shall not exceed 16 feet from any point of the sidewalk.
- (6) *Accessories to installations.* Any necessary appurtenances or signs of a temporary or permanent installation shall be rigidly attached to the hood or canopy in a manner satisfactory to the Director. No swinging signs or accessories shall be permitted.
- (7) *Signs erected above canopies or hoods.* Where projecting signs are erected above canopies or hoods, they shall in no manner be attached to any accessory, ornament, or other thing of a temporary or permanent nature. Such signs shall be hung independently of the canopy.
- (8) *Drainage to be provided.* All hoods, canopies, and projecting signs shall have gutters and conductors connected with the sewer at the building and shall be so drained as not to discharge any water onto the sidewalk or public highway, except as provided in the City Plumbing Code.
- (9) *Other design and material requirements.* Canopies, hoods, and projecting signs shall be built of incombustible material throughout, shall be capable of resisting a superimposed load of 30 pounds per square foot, shall extend from the lot line toward the curb at a height in the clear of not less than ten feet, and shall slope and drain toward the building in accordance with the City Plumbing Code.
- (10) *Suspension from building.* Canopies, hoods, and projecting signs shall be suspended from the building, with no supports resting upon the sidewalk or public highway.
- (11) *Approval required.* The Director shall approve the design and materials of construction of all canopies, hoods, and projecting signs.

Sec. 8-328. Fire escapes outside.

No outside fire escape or other structural addition projecting from a building over a public alley or thoroughfare shall be erected without first securing a permit from the Director. The Director shall not issue a

permit for the building of such outside fire escape or other structural addition unless the plans provide for a minimum of 13 feet, six inches vertical clearance from the permanent established grade of the alley or thoroughfare below, provided where such grade has not been established, the clearance shall be on the basis of the proposed grade for such alley or thoroughfare as set by the Director of Public Works.

Sec. 8-329. Gas or oil distributing stations.

- (a) *Plans and specifications.* Plans and specifications for any gas or oil distributing station shall conform in all respects to the laws of the State and to existing laws for buildings and construction in the City.
- (b) *Design standards.*
 - (1) *Sidewalk, street, and curb grades.* Sidewalk, street, and curb grades shall be established by the Council and shall be obtained from the Engineering Division of the Department of Public Works. All construction shall conform to the grades so established.
 - (2) *Driveways and stationaries.*
 - a. *Surfacing.* All stationaries and driveways which receive moving traffic shall be surfaced with bituminous or Portland cement concrete. If Portland cement concrete is used, it shall be a minimum thickness of six inches or of a designed mix containing not less than 5½ bags of cement per cubic yard of concrete. If bituminous concrete is used, it shall be laid with a minimum thickness of two inches of a plant hot mix material upon either a four-inch Portland cement concrete base or a six-inch crushed stone base, such base to be properly compacted and rolled.
 - b. *Corner lots.* Driveway approaches measured along the curbline shall not be less than 25 feet from the intersection of the street right-of-way line on a corner lot or 35 feet from the point of intersection of the curb faces, whichever is greater.
 - c. *Curb cuts.* Two driveways shall be permitted on both the long and short side of any lot; but in no case shall two driveways be permitted on any side less than 100 feet long. Openings shall not exceed the distances set in this subsection. The opening at the curb to any proposed gas or oil distributing station shall not be greater than 30 feet and at the property line shall not be greater than 20 feet.
 - d. *Curbing required.* Except at driveway locations, curbing not less than eight inches in height and eight inches in width shall be constructed adjacent to all property lines and/or street setback lines abutting the street rights-of-way. At all driveway locations, the end 24 inches by eight inches curbing may be evenly tapered to allow the top of such curbing to intersect at the grade with the driveway.
 - e. *Driveways.* The curbing of all driveways on both sides shall commence at the outside sidewalk line at the grade established by the Engineering Division of the Department of Public Works. Such curb shall continue and become attached to the curb at the street at the same grade as such street curbing, the outer edge of such curbing conforming with the entrance measurements as set forth in this section.
 - f. *Distance between driveways.* The minimum distance between driveways at the property line shall be 30 feet.
 - g. *Lighting.* The type and location of all lighting shall be shown on the site plan. All outdoor light sources shall be controlled, directed, and/or otherwise screened from illuminating directly upon adjoining or opposite properties. This control can be by landscaping, buildings, louvers, and/or shields on the lights, or with similar devices.
 - h. *Fencing required.*
 - 1. When abutting a residential zone, decorative fencing that is impervious to sight and not less than four feet nor more than eight feet in height shall be installed along the interior

boundaries of the proposed station property to a point 15 feet from the street right-of-way. Curbing eight inches by eight inches shall be placed along the property line within this 15 feet. When abutting a zone other than residential, curbing or bumper guards may replace the fencing equipment.

2. All exterior waste or storage areas shall be properly fenced to screen them from public view.
- i. *Setback area.*
 1. Where street setback areas are required, the setback area shall not be considered part of the station proper but shall be properly seeded and landscaped.
 2. With the permission of the Plan Commission, the station area may extend into the street setback area to within 15 feet of the street right-of-way line if proper curbing is installed as required by the Commission for the purpose of safety and protection of property.
 3. Interior and corner side yard setback areas bordering on residential zoning districts shall be landscaped and buffered as required in Chapter 44, regardless of size of parking area.
 - j. *Underground storage tanks.* The location and size of all underground fuel tanks shall be approved in writing by the Fire Prevention Division of the City Fire Department by submitting a site plan and application to such Division. Installations shall comply with the provisions of Chapter 18.
 - k. *Elevated pump islands.* All site plans shall show the following information:
 1. The location of the elevated pump islands.
 2. The location of a rectangular area that shall surround the pump islands. Such area shall be surfaced with Portland cement concrete or bituminous concrete in accordance with subsection (b)(2)a of this section, and covered and maintained with a solvent resistant material and shall project at least three feet to the front and rear of the pump island and eight feet to each side.
 3. The distance from the property line to the nearest point on the face of such pump island. Such distance shall be at least 15 feet.
- (c) *Permit.* No gas or oil distributing station shall be erected in the City without first securing a permit from the Director. No permit shall be issued by the Director until detailed plans and specifications have been submitted to the Plan Commission and subsequently approved by the Council.
 - (d) *Approval of plans.* No permit shall be issued until a site plan fulfilling the following requirements has been approved by the Plan Commission pursuant to Chapter 44. Such site plan shall be drawn to an engineer's scale and shall show the location and dimension of all property lines, property description, sidewalks, curbs, trees, lighting standards, utility poles, fire hydrants, mail boxes, traffic signs, water mains, sanitary sewers, storm sewers, storm sewer inlets, storm, sanitary, and water connections, and any other structures on or in the street adjacent to the property as well as on the property and shall show the location of all existing and proposed structures and installations on the property. All elevations shown on such site plan shall give the City datum. After a site plan has been approved by the Plan Commission, all construction and operation shall be in accordance with the provisions of the plan, and no certificate of occupancy shall be issued by the Director until all requirements have been fulfilled.
 - (e) *Noncompliance and inspection.* If it is thought the terms of this section are being violated, the City Engineer or the Director, or any other parties properly designated by the Common Council may enter upon the premises at any reasonable time for inspection. If noncompliance is found, all business activities upon such premises shall be suspended until the terms of this section are complied with.

Sec. 8-330. Erection and operation of service stations dispensing liquefied petroleum gas.

- (a) *Permit.* No service station distributing liquefied petroleum gas shall be erected in the City without first securing a permit from the Director. No permit shall be issued by the Director until detailed plans and specifications have been submitted to the Plan Commission and subsequently approved by the Council.
- (b) No service station dispensing liquefied petroleum gas shall be permitted within 200 feet of a building used for institutional occupancy or public assemblies.
- (c) A site plan shall be submitted to the Plan Commission, and a copy of such site plan shall also be filed with the Fire Department to be retained in the Fire Department records.
- (d) No building permit for a liquefied petroleum gas service station installation shall be issued until plans are approved by the Fire Chief.
- (e) No permit for the installation of a liquefied petroleum gas service station shall be approved within the Commercial Construction District.
- (f) The total quantity of liquefied petroleum gas in one or more containers shall not exceed 12,000 gallons at a single service station.
- (g) Each storage container used exclusively in service station operations shall be a minimum of 50 feet from any building or group of buildings, from the centerline of the adjoining streets at the time of installation, and from the adjoining property lines which may be built upon. No container shall be closer than 20 feet to the adjacent right-of-way line of the street.
- (h) A six-inch diversion curb shall be installed to protect all liquefied petroleum storage containers at any service station where flammable liquids are also dispensed.
- (i) The design and construction of protective guard rails and barriers around containers and metering devices shall be subject to approval by the Fire Chief.
- (j) No gas shall be transferred at a liquefied petroleum gas station to any automotive fuel supply tank if such tank requires removal from its normally-established installed position for weighing or gauging.
- (k) Liquefied petroleum gas service stations shall be equipped with at least 20 pounds dry powder fire extinguisher or the equivalent, as approved by the Fire Chief.

Sec. 8-331. Television and radio receiving and transmitting antennas.

- (a) *Applicability.* This section shall apply to the outdoor portion of all apparatus used for receiving or transmitting television or radio waves of more than 12 inches in height.
- (b) *To be of incombustible materials.* All television and radio antenna systems, including the supporting tower or mast, shall be constructed of galvanized steel or other corrosion-resistant incombustible material. Where approved by the State Department of Safety and Professional Services, towers constructed of wood or wood poles set in the ground may be used to support antenna systems, provided no wood tower or wood pole shall be mounted on the roof of any building or structure.
- (c) *Load requirements.*
 - (1) *Ice load.* The antenna and tower shall support the dead load of the structure plus an ice load of at least one-half inch in radial thickness. The ice load shall be computed upon the wires, cables, messengers, and antenna only.
 - (2) *To withstand wind.* The tower or mast shall be braced or guyed and anchored to resist a horizontal wind pressure of not less than 30 pounds per square foot of net exposed surface area. Guy wires shall not be anchored to a chimney or to any roof ventilator or vent pipe.
- (d) *To be independently mounted.* Antenna systems installed on the roof of a building shall not be supported by or attached to a chimney. All such installations shall be mounted on an independent platform or base and

anchored in place. Such platform or base shall be large enough to distribute the weight of the tower over sufficient roof area so the roof will safely support the weight of the structure in addition to the required live and dead roof loads.

- (e) *Distance from streets and thoroughfares.* All antenna systems shall be so installed that no part of the structure will be nearer to a street or other public thoroughfare than the height of the antenna as measured from its platform or base to the top-most point. Any variance necessary from this requirement shall be reviewed as described in subsection (h). No wires, cables, or guy wires shall extend over any street or other public thoroughfare or over any electric power or communication lines.
- (f) *Not to interfere with utility poles and lines.* Poles used for electric power or for communication lines shall not be used for supporting or guying any antenna system. Where antenna installations are so located that damage will be caused to adjacent power or communication lines by the falling of the antenna structures, a separate safety wire shall be attached to the top of the tower and secured in a direction away from such power or communication lines.
- (g) *Electrical installations.* Electrical installations in connection with antenna systems, including the grounding of the tower or mast, shall comply in all respects with the requirements of the State Electrical Code.
- (h) *Variance.* The Plan Commission is authorized to hear and decide special exceptions to the terms of this section and to authorize such variances from the terms of this section as shall not be contrary to the public interest. Such variances shall be granted only where, owing to special conditions, a literal enforcement of the provisions of this section will result in practical difficulty or unnecessary hardship. It is the intent that the spirit of this section shall be observed, public safety and welfare secured, and substantial justice done. If a variance is granted under this section, the owner shall sign a contract, approved by the City Attorney, agreeing to hold the City harmless from and indemnify the City for any and all liability that may result from the construction and maintenance of any structure permitted pursuant to such variance.
 - (1) In all cases where such a variance is granted, the owner shall file a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the variance until a new certificate complying with this subsection has been filed with Risk Management.

Sec. 8-332. Pools, ponds, and spas.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Pond means any naturally-occurring or manmade body of water that retains or detains the natural flow of water. This definition does not include ponds used for or as part of a stormwater management plan as regulated in Chapter 42.

Pool means any constructed or prefabricated structure, either temporary (installed for a duration of less than seven days) or permanent (installed for a duration of seven days or more), either above ground or in-ground, containing or normally capable of containing water that is primarily used for the purpose of wading, swimming, or other recreational use. This definition excludes hot tubs, spas, and ponds.

Spa or hot tub means any hydro-massage pool or tub designed for immersion of users and primarily intended for recreational or therapeutic use which may or may not be equipped with a filter, heater, and motor-driven blower.

- (b) *Permit required.* No construction of a pool intended as a permanent installation, a humanmade pond, or a spa shall begin unless a permit therefor has been obtained and the fee paid as provided in the City Fee Schedule. The application for such permit shall be accompanied by a site plan showing the size, location, and description of the property.
- (c) *Requirements.*

- (1) *Setback.* Permanent above- or in-ground pools, humanmade ponds, or spas shall maintain a minimum front yard setback of 25 feet and a rear and side yard setback of ten feet from adjoining property, subject to properly granted variance under Chapter 44. In determining this setback for above-ground pools, ponds, or spas with permanent fencing or decks, any deck or similar structure shall be considered part of the pool, pond, or spa.
- (2) *Fencing.* All pools, ponds, or spas requiring a permit shall be encompassed by fencing as required under this subsection. A variance to maximum fence height may be granted under the procedures of Chapter 44. However, under no circumstance may the minimum fence height requirements of this subsection be varied.
 - a. *Structural requirements.* All fences under this subsection shall be constructed in such a manner as to comply with the requirements of Chapter 44, Article V, Division 6, and the requirements of this subsection.
 1. The fence must be able to withstand 200 pounds of force in any direction.
 2. The fence shall be so constructed and designed as to prevent penetration of an object greater than six inches in diameter.
 3. All such fences shall be constructed with a locking door or gate which complies with all other height and structural requirements of this section.
 - b. *Permanent in-ground pools, ponds, or spas.* Permanent in-ground pools, ponds, or spas, subject to Chapter 44, Article V, Division 9, shall be encompassed by a freestanding fence not less than 48 inches nor more than 96 inches from the ground level. Such fence shall be no less than three feet from the pool, pond, or spa at its nearest point. The fence shall comply with the requirements of this subsection.
 - c. *Above-ground pools.* Above-ground pools, ponds, and spas shall be encompassed by fencing which complies with one or any combination of options listed below and the requirements of this subsection.
 1. A fence in compliance with the requirements under this subsection for in-ground pools, ponds, or spas.
 2. A fence within three feet of the pool, pond, or spa, not less than 48 inches nor more than 96 inches from ground level.
 3. A fence attached to a deck or walkway, provided such fence is at least 36 inches above the surface of the deck or walkway and complies with subsection (c)(2)c.2 of this section.
 4. A pool wall not less than 48 inches from ground level, provided that steps, ladders, or other means of pool access are removed when the pool is not in use.
- (3) *Exceptions.* Fencing shall not be required under the following circumstances:
 - a. Pools, ponds, or spas with locking and solid structural covers. Such covers shall be in place whenever the pool, pond, or spa is not in use and/or is unsupervised by an adult.
 - b. Pools, ponds, or spas completely enclosed within a building.
 - c. Existing pools, ponds, or spas as of April 20, 2004.
 - d. The Director has determined that the pool, pond, or spa does not affect the safety, health, or welfare of the residents of the community and does not annoy, disturb, injure, or endanger the comfort, repose, health, peace, or safety of others.
- (d) *Operation of residential pools, ponds, or spas.*

- (1) *Public pools, ponds, or spas prohibited in residential areas.* No person shall operate a public pool, pond, or spa on any premises zoned residential. The operation of a public pool, pond, or spa on residential premises is declared to be a public nuisance.
- (2) *Interference with enjoyment of property rights prohibited.* No pool, pond, or spa shall be so located, designed, operated, or maintained as to unduly interfere with the enjoyment of the property rights of owners of property adjoining the pool, pond, or spa or located in the neighborhood.
- (3) *Shielding lights.* Lights used to illuminate any pool shall be so arranged and shaded as to reflect light away from adjoining premises as regulated in Chapter 44, Article V, Division 8.
- (4) *Unnecessary noise.* No person shall make, continue, or cause to be made or continued at any pool, pond, or spa any loud, unnecessary, or unusual noise or any noise which annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others. In the operation of any pool, pond, or spa, the use or permitting the use or operation of any radio, receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet, and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing of the persons who are in the pool, pond, or spa premises, shall be prohibited.
- (5) *Indecent exposure.* Every person using an outdoor pool, pond or spa shall wear a bathing suit or other suitable garment to protect their person from indecent exposure.

Secs. 8-333—8-354. Reserved.

ARTICLE III. PLUMBING CODE

Sec. 8-355. Wisconsin State Plumbing Code adopted.

- (a) *Adoption by reference.* Wis. Stats. Ch. 145, and the Wisconsin State Plumbing Code, Wis. Admin. Code SPS Chs. 325 and 381 through 387, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein. Failure to comply with any of the provisions of such statutes or Codes shall constitute a violation of this article, punishable according to the penalties provided herein.
- (b) *To be on file.* A copy of the Wisconsin State Plumbing Code shall be on file in the offices of the Department of Community and Economic Development and the City Clerk.

Sec. 8-356. Administration.

- (a) *Definitions.* The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Director means the Director of the Department of Community and Economic Development or their designee.

Plumbing inspector shall be interpreted to have the same meaning as "Plumbing Supervisor," as that term is defined in Wis. Stats. § 145.05, and shall be construed as though followed by the words, "or their designee."

- (b) *Duties and authority.*

- (1) Plumbing inspectors shall supervise and inspect all plumbing and drainage work in or in connection with all buildings within the City and shall faithfully enforce all laws, ordinances, and rules in relation thereto. Plumbing inspectors shall see that the construction, reconstruction, demolition, and alteration of all plumbing and drainage installed in all buildings in the City conforms with state laws and with the rules and regulations of the State Department of Safety and Professional Services and of the City, shall see that the work is done by licensed plumbers as provided by state law and this article, and shall make or cause to be made all inspections required thereby and in the manner therein set forth. In the discharge of their duties, the plumbing inspectors may enter any building during reasonable hours.

They shall supervise and inspect plumbing and drainage installations as necessary to adequately enforce and administer the provisions of this article, state law, and the State Plumbing Code, or any amendments thereto, to make plumbing safe and sanitary and to promote the public welfare in all classes of buildings.

- (2) Plumbing inspectors shall take applications and issue permits to qualified applicants and keep suitable records of the permits issued.

Sec. 8-357. Testing and inspections.

Plumbing inspectors shall make or cause to be made all required testing and inspections in accordance with Wis. Admin. Code SPS § 382.21.

Sec. 8-358. Supervision of sewers.

- (a) The Director shall have jurisdiction over all building sanitary and storm sewers. No such sewer shall be laid, and no opening into or connection with a sewer service lateral shall be made, except under the direction and supervision of a plumbing inspector.
- (b) The Director of Public Works shall keep a proper sewer connection record in a book, card index, or plat provided for such purpose showing the location of the lot, the name of the owner of the premises desiring to make such connection, the master plumber, master plumber restricted service, or utility contractor proposing to lay the sewer or drain, and the exact location with respect to the public sewer of each sewer or drain so laid. Information concerning the size, location, and depth of public and private sewers or drains and the position of the branches, junctions, and appurtenances shall be furnished by the Director of Public Works. All reasonable care shall be taken to ensure the correctness of such information, but such correctness shall not be guaranteed. When a junction is not found within three (3) feet of the point designated according to the measurements furnished, an approved Y or T fitting shall be used. Such connection shall be made upon approval of the Director of Public Works and under the direction of the plumbing inspector.

Sec. 8-359. Permits.

- (a) *Permit required.* A permit is required to perform work that constitutes "plumbing" as that term is defined in Wis. Stats. § 145.01(10).
- (b) *Application.*
 - (1) Application for a permit shall be filed with the Director on a blank form furnished for that purpose. No work shall be started before a permit has been issued.
 - (2) Permits may be applied for by licensed master plumbers, persons licensed as master plumbers (restricted), as described in Wis. Stats. § 145.14, utility contractors, and by qualified homeowners.
 - (3) The permit application shall include the name, phone number, and email address of the property owner and plumber and shall state that the property owner and plumber will be bound by and subject to the rules and regulations of this article.
- (c) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Plumbing Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.
- (d) *Insurance and bond for persons making street cuts.* Before a permit shall be issued for work requiring a cut, excavation, or service connection on the traveled portion of any street, a permit therefor shall be obtained, a bond executed and deposited, and a certificate of insurance filed in accordance with the provisions of Section 34-5(b).
- (e) *Fees.*

- (1) Fees for permits issued under this section shall be as provided in the City Fee Schedule.
 - (2) If an application for a plumbing permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (f) *Restrictions on issuance.*
- (1) No plumbing or sewer permit shall be granted until a building permit has been issued.
 - (2) No plumbing or sewer permit shall be issued to any person who is in violation of this article until such violation has been corrected.
 - (3) No plumbing or sewer permit shall be issued to any master plumber or person against whom an order issued by a plumbing inspector is pending, including, but not limited to, defective work, bad faith, unreasonable delay in performance of plumbing or drainage work, or failure to respond to official communication.
- (g) *Plan examination.* Plumbing plans and specifications for the types of plumbing installations specified in Wis. Admin. Code SPS § 382.20 shall be submitted to the Director for review. This review requirement applies to all new buildings and all additions and alterations involving six or more indoor and/or outdoor plumbing fixtures.
- (h) *Plan approval.* No permit shall be issued to commence work on any plumbing installation requiring review without plan approval from the City or the State Department of Safety and Professional Services.”
- (i) *Issuance of plumbing permit.*
- (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."
 - (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
 - (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
 - (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
 - (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.

- b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (h) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-360. Building sanitary sewers.

- (a) *Required.* Every building shall have a separate and independent connection with a public main sanitary sewer, private onsite water treatment system, or private main sanitary sewer. Each private main sanitary sewer shall conform to City standards for public sewers and shall be approved by a plumbing inspector. Manholes shall be located not less than 25 feet from any building.
- (1) *Exemption.* Upon proof of the following, the Director may grant an exemption from the requirements of subsection (a) of this section:
- a. The building is zoned Low Density Residential (R1) and is located within the City's Urban Expansion District.
 - b. The purpose of the exemption is to retrofit existing infrastructure that has been installed but not dedicated to the public and/or accepted as public right-of-way.
 - c. An easement exists on the face of the recorded subdivision plat, certified survey map (CSM) or replat which addresses the location of any shared lateral and identifies the ownership and maintenance responsibilities for the shared lateral from the common point of connection back to the sanitary sewer main.
 - d. An exemption is necessary to achieve compliance with any other requirement that the Director deems necessary.
- (b) *Piping.* All building sanitary sewer piping extending from a public sewer service lateral or other disposal terminal to within three feet to five feet of the outside foundation walls shall be of cast iron or vitrified clay. Such disposal terminal shall be the end of the sewer service lateral or, in the event no lateral has been installed, the City sewer main. Building sanitary sewer connections to a private main sanitary sewer shall be of cast iron pipe or vitrified clay pipe to within three feet to five feet outside of the foundation wall.
- (d) *Unconnected pipes to be closed off.* The ends of all sanitary sewer pipes not immediately connected shall be securely closed with a cap or plug to prevent the introduction of sand, earth, or drainage from an excavation.
- (e) *Replacement.* When it becomes necessary to replace any building sewer because of stoppages, such sewer shall be replaced in its full length with approved materials.
- (f) *Sewers carrying harmful discharges.* No person shall connect to a public sewer any sewer through which is discharged any substance likely to cause undue corrosion, obstruction, nuisance, explosion, or interference with sewage treatment processes.

- (g) *When buildings are razed or moved.* When a building is moved or demolished, the building sewer shall be located at a point outside the foundation walls and shall be sealed off. The plug or seal shall not be covered until approval has been given by a plumbing inspector.

Sec. 8-361. Building drains.

- (b) *Floor outlet fixtures below sidewalk grade.*
- (1) *New construction.* In all new construction, all floor outlet fixtures located below the sidewalk grade shall be provided with an approved Palmer-type backwater valve.
 - (2) *Existing buildings where drainage systems subject to backflow.* Where a building drainage system is subject to backflow of sewage and where the building was erected prior to August 19, 1972, the owner of the building shall, when ordered by a plumbing inspector, install approved automatic-type backwater valves in all fixtures located below the sidewalk grade.

Sec. 8-362. Grease and oil treatment.

All required plumbing installations for occupancies other than dwelling units where grease, fats, oils, or similar waste products of cooking or food are introduced into the drain system shall be provided.

Sec. 8-363. Storm drainage.

- (a) *Drains to connect to storm sewers.* All clear water drains shall discharge into a storm sewer wherever possible in accordance with Wis. Admin. Code SPS § 382.38. Where a building was erected prior to August 19, 1972, the owner of the building shall disconnect all clear water drains from the sanitary sewer when ordered to do so by a plumbing inspector.
- (b) *Sump pumps.* Every foundation drain shall be connected to a sump pit containing an approved sump pump as specified Wis. Admin. Code SPS § 382.36.
- (1) *New installations.* In all new construction, such approved sump pump shall discharge into a storm sewer where such is available or can be made available. In areas where a storm sewer is not available, the sump pump shall discharge into the surface at least ten feet from the building foundation. Discharge from the sump pump shall not be directed as to flow into a street or alley, over a sidewalk, or over adjoining property. Discharge from the sump pump shall not create a nuisance. The sump pump discharge shall be considered a nuisance in situations including, but not limited to, such discharge creating icing problems on a City street or sidewalk, entering a City street or sidewalk, creating ponds of standing water, or flowing over adjoining property. If the sump pump discharge is directed to the street, a permit must be obtained from the Director to direct the discharge from a sump pump to the street.
 - (2) *Existing installations creating a nuisance.* All sump pumps shall discharge into a storm sewer where such is available or can be made available if in the opinion of the Director the sump pump discharge creates a nuisance. Sump pump discharge shall be considered a nuisance in situations including, but not limited to, such discharge flowing into a street or alley, over a sidewalk, or over adjoining property. If such a nuisance exists, the Director shall require the owner of the property to install a storm sewer lateral and connect the sump pump discharge to the lateral.
- (c) *Required drainage of parking lots and surface drains.*
- (1) All parking lots whose area exceeds 2,000 square feet shall provide for interior drainage and be connected with a storm sewer if one abuts or adjoins the parking lot. Lots of 2,000 square feet or less may drain the surface water runoff to an abutting public street or alley if such public way provides stormwater drainage. Where neither drainage method is available, an interior yard storage area shall be provided. All provisions for drainage require approval by a plumbing inspector and the Director.

- (2) Where a parking lot is constructed and such construction impedes natural drainage of adjoining property, the parking lot drainage shall be extended as necessary to provide adequate drainage of the adjoining property.
 - (2) *Conduits.* The size of the conduit serving a parking lot shall be determined by the area to be drained. The conduit for areas less than 5,000 square feet shall be cast iron pipe from the yard drain or catch basin to the service lateral or, where no lateral has been installed, to the City sewer main or other designated terminal. Areas over 5,000 square feet may be served by pipes whose standards conform to City specifications for storm drainage.
 - (3) *Catch basin and grates.* Catch basin and grate areas shall conform to City specifications.
- (d) *Granting of funds for private clear water separation work.*
- (1) *Granting of funds.* The City may grant funds for private clear water separation work subject to this subsection (d). Any repayment of funds granted for private clear water separation work to property owned by indigent persons may be deferred by the Council. Such deferment shall be granted only to owner-occupied, single-family, or duplex residential real estate. Such deferment shall be by resolution directing the Director to pay all or any portion of the costs for private clear water separation work used on such property from the Storm Sewer Construction Account.
 - (2) *Copy of resolution to be filed with Register of Deeds for Brown County.* A copy of such resolution, with a statement of the amount and date paid and description of the property, certified by the City Clerk, shall be recorded with the Register of Deeds for Brown County; the amount shall thereby become a lien upon such real property in favor of the City prior to any other lien other than prior outstanding tax certificates or prior liens hereunder, for the amount paid, with legal interest, and shall be enforceable after transfer of title of the property by sale, inheritance, or will in the manner provided by law for the enforcement of mechanics liens.
 - (3) *Discharge of lien.* The owner of such property, heirs, personal representatives, or assigns may discharge such lien at any time by paying the amount of such lien with accrued interest to the City Treasurer, who shall execute a satisfaction in such form as may be recorded with the Register of Deeds for Brown County.
 - (4) *Purchase of lien.* The holder of any subsequent lien may purchase such lien by payment of the amount thereof with accrued interest to the City Treasurer, who shall execute a proper assignment thereof to such payee; and on recording such assignment, such assignee shall have the same rights the assignor had.
 - (5) *When due.* After transfer of title by sale, inheritance, or will, or when the basis for indigency no longer exists, the deferred funds shall be due and owing in full.
 - (6) *Limits for the determination of indigency.* The Council shall establish, by resolution, limits for the determination of indigency. Such limits shall include:
 - a. Maximum combined annual income of both spouses and their dependents.
 - b. Maximum combined assets of both spouses and their dependents.
 - (7) *Subject to review.* Such income and asset figures shall be subject to periodic review and modification by the Council.
 - (8) *Application.* Application for deferment shall be made to the Council upon an affidavit form provided by the City Clerk verified by each applicant.
 - a. The application shall list the relationship, ages, and employment status of the applicant and all dependents; a complete schedule setting forth all assets, liabilities, and income from all sources including the applicant individually and jointly with their spouse, and from their dependents; and any other pertinent information which may assist the City in evaluating such application.

- (9) *Notify Clerk of increases.* The applicant shall notify the City Clerk when there is a material change in the applicant's assets and/or their annual income increases above the limits described in this subsection(d).
- (10) *Providing false or incomplete information.* If the applicant willfully provides false or incomplete information, the basis for indigency shall no longer exist and the special assessment shall become due and owing in full.
- (11) *Application reviewed by Improvement and Services Committee.* The application for deferment shall be reviewed by the Improvement and Services Committee, which shall make a recommendation to the Council.
- (12) *Interest.* Interest may be charged during the deferment period. The interest rate shall not, however, exceed the legal rate prescribed by Wisconsin Statutes.

Sec. 8-364. Water supply systems.

- (a) *Water service.*
 - (1) *Size.* The water service or building supply pipe to any building shall be of sufficient size to provide an ample flow of water under maximum use to all fixtures and points of service. Such size shall be determined by standards set forth by the Wisconsin Department of Safety and Professional Services.
 - (2) *Material.* The underground water service pipe from the City main or a private water supply system to any building shall be meet the requirements of Wis. Admin. Code SPS § 384.30 and the Green Bay Water Utility.
 - (3) *Valve controls.* Service laterals shall include a corporation stop at the main, and a curb stop or valve at the curb, or privately-owned pump and a valve or stop within three feet of entering each building and, where a meter is installed, a valve on both sides of the meter as specified in Wis. Admin. Code SPS § 382.40(4)(b). Meters of one and one-half (1½) inches in diameter or larger shall have a bypass around the meter.
- (b) *Separate water service.* Plans and specifications for private water mains are required to be submitted to the State Department of Safety and Professional Services for site plan review in accordance with Wis. Admin. Code SPS § 382.20.
- (c) *Cross-connections prohibited.* No private water system shall be connected directly or indirectly to any private water main or pipe that is in turn connected to any publicly owned water main or pipe unless approved in writing by the State Department of Natural Resources pursuant to Wis. Admin. Code SPS § 382.40(3)(c).
- (d) *Plumbing inspector may make orders.* A plumbing inspector may issue orders requiring any changes necessary to bring any water supply work up to prescribed standards.

Sec. 8-365. Authority to control water service.

After the completion and trial of the work, no person shall turn on or leave turned on any water service curb stop which for any reason has been turned off by the Green Bay Water Utility. No unauthorized individual shall turn water on or off after it has been turned on or off from a given service, nor shall anyone make openings in the street or turn off water at the main without a permit therefor and supervision thereof as provided for in this article.

Sec. 8-366. Compulsory connection to sewer service.

When notified, the owner of any building intended for human habitation or occupancy abutting on any street, alley, or other thoroughfare in which public sanitary sewer has been extended and is available for service shall cause to be made a sewer connection thereto.

Sec. 8-367. Compulsory connection to water and well abandonment.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning.

Cross-connection means a connection or potential connection between any part of a water supply system and another environment containing substances that, under any circumstances, would allow the substances to enter the water supply system by means of back siphonage or back pressure.

Licensed pump installer means any individual who has obtained a license under Wis. Stats. § 280.15(2m), and Wis. Admin. Code NR § 146.04, as a pump installer and has paid the annual license fee under Wis. Stats. § 280.15(2m)(c)2.

Licensed well driller means any individual who has obtained a license under Wis. Stats. § 280.15(2m), and Wis. Admin. Code NR § 146.04, as a water well driller and has paid the annual license fee under Wis. Stats. § 280.15(2m)(c)1.

Municipal water system means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county or municipal-owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.

Pump installation means the pump and its associated pressure system including any equipment and material needed to withdraw, obtain, discharge, and store water from a well or a spring. The pump installation includes the spring box, reservoir, pump, pump drop pipe, check valves, well cap or seal, pitless adapter, pitless receiver tank, pitless unit, above-ground discharge unit, associated discharge piping and associated connections, valves, and appurtenances, pressure tank, sampling faucet, water storage or pressure vessel or structure, the electrical wiring and controls needed to operate the pump or pressure system, and any chemical addition, water treatment device, or yard hydrant upstream of the water storage or pressure vessel or building control valve.

Unused well means a well which is not in use or does not have a functional pumping system.

Well means any drillhole or other excavation or opening deeper than it is wide that extends more than ten feet below the ground surface constructed for the purpose of obtaining groundwater.

Well filling and sealing means the filling and sealing of a well, drillhole, pit, or reservoir with materials in accordance with Wis. Admin. Code NR Ch. 812 so the well, drillhole, pit, or reservoir will not act as a vertical conduit to contaminate another well, groundwater, or an aquifer.

- (b) *Compulsory connection to municipal water main.* The owner of any building intended for human habitation or occupancy abutting on any street, alley, or other thoroughfare in which a municipal water main has been extended and is available for service, shall cause to be made a water connection thereto within 120 days of notification of said extension and availability. Except as provided in subsection (4), the owner shall abandon any existing source of water currently being used for said building.
- (c) *Well filling and sealing required.* All unused wells and wells located on premises served by the municipal water system shall be filled and sealed in accordance with the terms of Wis. Admin. Code NR Ch. 812 not later than one year from the date the municipal water system is available.
- (d) *Well filling and sealing procedures.* All wells required to be filled and sealed under this section shall be filled and sealed according to the procedures and standards established in Wis. Admin. Code NR Ch. 812. A copy of the State Department of Natural Resources filling and sealing report shall be submitted by the well owner to the Water Utility within thirty days of the completion the well filling and sealing.
- (e) *Private well operation permit.*
- (1) The Green Bay Water Utility may grant a permit to a private well owner to operate a private well for a period of five years provided the conditions of this section are met. A private well operation permit may be renewed provided that the conditions of this section are met.

- (2) Permit applications shall be made on the form provided by the Water Utility.
- (3) The Water Utility General Manager or their designee may conduct inspections or have water quality tests conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application.
- (4) The Water Utility may only grant a private well operation permit if all of the following conditions are met.
 - a. The owner pays the private well operation permit fee as provided in the City Fee Schedule.
 - b. The owner demonstrates a need for use of a private well.
 - c. The owner operates the well in accordance with Wis. Admin. Code NR Ch. 812.
 - d. Prior to issuing or renewing the permit, a minimum of one safe sample has been taken from the private well to establish that the water is bacteriologically safe.
 - e. The well and pump system are functional and have been evaluated by a licensed well driller or pump installer and certified to comply with Wis. Admin. Code NR Ch. 812. The evaluation shall be documented on a form provided by the State of Wisconsin Department of Natural Resources.
- (5) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Water Commission.
- (f) Unapproved cross-connections between any private well and pump installations and the municipal water system are prohibited.
- (g) *Hardship.* When, in the judgment of the Water Commission, after recommendation from the Water Utility, it would be inappropriate to apply literally a provision of this section because hardship would result, the Water Commission may waive or vary such provisions so that substantial justice may be done and the public interest secured.

Sec. 8-368. Individual sewage disposal systems.

Private domestic sewage treatment and disposal systems, where permitted, shall be constructed, maintained, and used in accordance with the provisions of Wis. Admin. Code SPS Ch. 383.

Secs. 8-369—8-385. Reserved.

ARTICLE IV. ELECTRICAL CODE

DIVISION 1. GENERALLY

Secs. 8-386—8-402. Reserved.

DIVISION 2. LICENSURE

Sec. 8-403. License or registration required.

No person may install, repair, or maintain electrical wiring or engage in the business of installing, repairing, or maintaining electrical wiring, except as allowed pursuant to Wis. Stats. § 101.862 and this article.

Sec. 8-404. Licensure exemptions for homeowners.

Notwithstanding Wis. Stats. § 101.862(4)(a), a residential property owner may only install, repair, or maintain electrical wiring on premises that they own and occupy as a residence without a license if all of the following apply:

- (1) The premises is a one-family dwelling;
- (2) The homeowner signs the permit and accepts all responsibility for work performed; and
- (3) The homeowner does not perform any work on service entrance equipment.

Sec. 8-405. Proof of credentials.

The City of Green Bay has the right to verify the licensure of all persons performing electrical work.

Secs. 8-406—8-423. Reserved.

DIVISION 3. ELECTRICAL CODE REGULATIONS

Sec. 8-424. Adoption by reference.

Wis. Admin. Code SPS Ch. 316, as it may be amended from time to time, is hereby adopted and incorporated by reference as though fully set forth herein.

Sec. 8-425. Existing services.

If any component of the electrical service, from the service point to the load side of the service disconnect, is repaired or replaced grounding and bonding is required by the City to the same extent required by Wis. Admin. Code SPS § 316.250, as amended from time to time.

Secs. 8-426—8-449. Reserved.

DIVISION 4. CODE ENFORCEMENT

Sec. 8-450. Electrical Inspectors.

- (a) *Jurisdiction.* Electrical Inspectors shall exercise jurisdiction over inspection of the installation, alteration, repair, servicing, or maintenance of electrical wiring in all public or private buildings, including places of employment, within the City of Green Bay city limits.
- (b) *Authority.* Electrical Inspectors shall ensure all work performed within their jurisdiction complies with this article.
- (c) *Duties.* Electrical Inspectors may issue permits and shall maintain records of permits issued to contractors and homeowners, along with any fees received for such permits.

Sec. 8-451. Permits.

- (a) *Permit required.* No person may install, repair, alter, service, or maintain electrical wiring without first obtaining a permit under this article.
- (b) *Application.* An application for an electrical permit shall be filed with the Director on a blank form to be furnished for that purpose. The application shall include the name, phone number, and email address of the property owner and contractor and shall state that the property owner and contractor will be bound by and subject to the rules and regulations of this article.

- (c) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Electrical Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.
- (d) *Permit fees.*
- (1) Fees for building permits issued under this section shall be provided in the City Fee Schedule.
 - (2) If an application for a building permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (e) *Issuance of electrical permit.*
- (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."
 - (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
 - (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
 - (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
 - (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
 - (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If,

subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.

- (f) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-452. Inspection stages.

During the process of performing electrical work, the person performing such work shall ensure the following inspections occur when required by the Electrical Inspector:

- (1) *Rough.* An inspection before any electrical wiring is hidden from view.
- (2) *Service.* An inspection of the service equipment and grounding electrode system prior to energizing.
- (3) *Final.* An inspection after all work has been completed and wiring concealed.

Sec. 8-453. Compliance with article.

Electrical Inspectors may utilize any lawful means to gain compliance with this article, including, but not limited to:

- (1) Inspecting electrical wiring.
- (2) Withholding electrical permits.
- (3) Issuing orders to correct violations.
- (4) Assessing re-inspection fees.
- (5) Denying/removing the connection of power to equipment.
- (6) Issuing citations or complaints for violations.
- (7) Condemning a building that is not safe for human habitation.

Secs. 8-454—8-476. Reserved.

ARTICLE V. HEATING AND AIR CONDITIONING CODE

Sec. 8-477. Wisconsin State Heating, Ventilating, and Air Conditioning Code adopted.

The Wisconsin State Heating, Ventilating, and Air Conditioning Code, Wis. Admin. Code SPS Chs. 323 and 364, and the National Fuel Gas Code, NFPA 54, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein.

Sec. 8-478. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Director means the Director of the Department of Community and Economic Development or their designee.

HVAC means heating, ventilating, and air conditioning.

HVAC equipment means materials, piping, fittings, devices, appliances, apparatus, controls, and control wiring used as part of or in connection with permanent heating, ventilating, air conditioning, or exhausting systems serving buildings.

Licensed heating contractor means a person, entity, or business is a registered HVAC contractor under Wis. Admin. Code SPS § 305.70 or holds an HVAC qualifier certification under Wis. Admin. Code SPS § 305.71.

Sec. 8-479. License Required.

No person, entity, or business may engage or offer to engage in installing or servicing heating, ventilating, or air conditioning (HVAC) equipment unless the person, entity, or business is a registered HVAC contractor under Wis. Admin. Code SPS § 305.70 or holds an HVAC qualifier certification under Wis. Admin. Code SPS § 305.71.

Sec. 8-480. Permits.

- (a) *Permit required.* No person shall install or repair within the City any furnace, boiler, air conditioner, fireplace, or woodburning stove, or commence any other HVAC work in any structure subject to this article and/or any applicable provisions of the Wisconsin Administrative Code incorporated into this article, without first obtaining a permit for said work from the Director. In addition to any plans and specifications otherwise required under this article, the Director may require additional information consistent with their duty to review such plans prior to issuing permits under this section.
- (b) *To whom issued.* No permit shall be issued except to the owner of a residence to personally perform work on the owner's home or to a licensed heating contractor. Such permits shall be nontransferable.
- (c) *Application.* An application for an HVAC permit shall be filed with the Director on a blank form to be furnished for that purpose. The application shall include the name, phone number, and email address of the property owner and contractor and shall state that the property owner and contractor will be bound by and subject to the rules and regulations of this article.
- (d) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the HVAC Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.
 - (e) *Fees.*
 - (1) Fees for permits issued under this section shall be as provided in the City Fee Schedule.
 - (2) If an application for a permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (f) *Issuance of HVAC permit.*
 - (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."
 - (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
 - (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
 - (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to

the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.

(5) *Revocation.*

- a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
- b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
- c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.

(6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.

- (g) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-481. Inspection.

- (a) The Director shall examine and approve or disapprove all plans and specifications for the performance of any work governed by this article. The Inspector shall inspect all work as required by this article and shall order work stopped which is in violation of this article.
- (b) In any new building or addition, immediately upon completion of those portions of the installation which are to be concealed or covered, the licensed heating contractor shall notify the Director, who shall make an inspection within two working days after notice for inspection, excepting weekends and holidays. If no inspection is made within the specified time period, work may proceed. All other inspections shall be scheduled immediately upon notification of the completion of such work.
- (c) Wherever work for which a permit has been issued has been ordered stopped by the Inspector, the Inspector shall post a stop-work notice. After such notice has been posted, no further work shall be done until the violations have been corrected and such corrections approved by the Inspector.

Secs. 8-482—8-516. Reserved.

ARTICLE VI. MINIMUM HOUSING STANDARDS

DIVISION 1. GENERALLY

Sec. 8-517. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Approved means approved by or in accordance with regulations established by the Director of Community and Economic Development or their designee.

Basement means that portion of a building the floor of which is below the outside ground grade level.

Bath means a bathtub or shower stall.

Bedroom means a habitable room within a dwelling unit or part thereof which is used or intended to be used primarily for the purpose of sleeping, but not including any kitchen or dining room.

Boarding house or lodging house means a building or structure other than a hotel licensed by the State where lodging is furnished and meals for three (3) or more persons are served for compensation. A boarding house or lodging house may be considered a dormitory as defined and regulated within this Code.

City Building Code means Article II of this chapter.

City Electrical Code means Article IV of this chapter.

City Heating and Air Conditioning Code means Article V of this chapter.

City Plumbing Code means Article III of this chapter.

Director means the Director of the Department of Community and Economic Development or their designee.

Dormitory means a communal-type living arrangement of four or more persons not related by blood, adoption, or marriage who share common sleeping areas, kitchen, bath, and/or restroom facilities. The term "dormitory" includes, but is not limited to, shelter facilities, educational facility housing, rooming houses, boarding houses or lodging houses, community living arrangements, community based residential facilities, and migrant housing.

Dwelling means any building or structure which is wholly or partly used or intended to be used for living or sleeping by human occupants.

Dwelling unit means any habitable room or group of adjoining habitable rooms located within a dwelling or part thereof and forming a single unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating of meals.

Extermination means the control and elimination of infestation of insects, rodents, or other pests by eliminating their harborage places, removing or making inaccessible materials that may serve as their food, and poisoning, spraying, fumigating, trapping, or utilizing any other approved pest elimination methods.

Family means one or more individuals living on a premises as a single housekeeping unit.

Garbage broadly refers to both "garbage" and "refuse," as defined in Section 32-1 of this Code.

Habitable room means a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, toilet rooms, laundries, pantries, foyers, communicating corridors, closets, storage spaces, stairways, and rooms used for play or recreational purposes.

Homeless family means a group of one or more related individuals who are homeless individuals.

Homeless individual means an individual who lacks a fixed, regular, and adequate nighttime residence (without regard to whether the individual is a member of a family) or an individual whose primary nighttime residence is a supervised public or privately operated shelter designed to provide temporary living accommodations. Temporary living accommodations include welfare hotels, congregate shelters, dormitories, and transitional housing.

Infestation means the presence of any insects, rodents, or other pests within a dwelling or part thereof or on the dwelling premises or part thereof.

Kitchen means a habitable room used or intended to be used for cooking or the preparation of meals.

Living room means a habitable room within a dwelling unit which is used or intended to be used primarily for general living purposes.

Meaning of certain terms. Whenever the terms "dwelling," "dwelling unit," "rooming house," "rooming unit," or "premises" are used in this article, they shall be construed as though they were followed by the words "or any part thereof."

Non-dwelling structure means a garage, shed, or other similar storage or convenience building attached to or detached from a dwelling and used primarily for recreation and the storage of vehicles, lawn and garden appliances, and other household tools or equipment. A non-dwelling structure shall not be used for living or sleeping by human occupants.

Occupant means any person, including an owner or operator, living, sleeping, or cooking in or having actual possession of a dwelling or rooming unit or part thereof.

Operator means any person who has charge, care, or control of a building or part thereof in which dwelling or rooming units or part thereof are let.

Owner means any person who, individually or jointly or as tenant in common with other(s), has legal title or equitable title to any dwelling or dwelling unit or rooming unit or part thereof or who has charge, care, or control of any dwelling or dwelling unit or rooming unit or part thereof as executor, administrator, trustee, or guardian of the estate of the owner.

Plumbing includes, but is not limited to, all of the following facilities and equipment: water pipes, garbage disposal units, waste pipes, vent pipes, toilets, sinks, installed dishwashers, lavatories, baths, installed clothes washing machines, catch basins, drains, vents, domestic hot water heaters, and any other similar fixtures, together with all connections to water, sewer, or gas lines.

Portable heater means a UL-listed portable appliance used for heating a relatively small area, typically electrical in nature.

Premises means a platted lot or part thereof, an unplatted lot, or a parcel or a plot of land, either occupied or unoccupied by any dwelling or structure.

Recyclables means "recyclable waste," as defined in § 32-1 of this Code.

Roomer means an occupant of a rooming house or part thereof who is not a member of the family of the operator of that rooming house, or an occupant of a dwelling unit or part thereof who is not a member of the family occupying the dwelling unit or part thereof.

Rooming house means a building or structure, other than a hotel licensed by the State of Wisconsin, where three or more persons are lodged for compensation. A rooming house may be considered a dormitory as defined and regulated within this article. The term "rooming house" does not include short term rentals as defined in Wis. Stats. § 66.0615(1)(dk).

Rooming unit means any room or group of rooms forming a single habitable unit in a rooming house or part thereof used or intended to be used for living and sleeping but not for cooking or eating meals.

Shelter facility means a temporary place of lodging for homeless individuals or homeless families. A shelter facility may be considered a dormitory as defined and regulated within this Code.

Sleeping room means a habitable room in a dwelling or dwelling unit of an area and volume as required by this code intended for or used primarily for sleeping purposes.

State Building Code means Wis. Admin. Code SPS Chs. 320 through 325 and 361 through 366.

State Heating, Ventilating, and Air Conditioning Code means Wis. Admin. Code SPS Chs. 323 and 364.

State Plumbing Code means Wis. Admin. Code SPS Chs. 381 through 387.

Supplied means paid for, furnished by, or provided by or under the control of the owner or operator.

Unit heater means a self-contained, automatically controlled, vented, fuel-gas burning, space-heating appliance intended for installation in the space to be heated without the use of ducts, having integral means for circulation of air.

Sec. 8-518. Residential rental practices.

- (a) *State law adopted.* Wis. Admin. Code ATCP Ch. 134 and Wis. Stats. § 704.95, as they may be amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein.
- (b) *Enforcement.* The Director may sign and issue citations for violations of this section and may delegate that authority to employees.
- (c) *Penalties.* Any person who violates this section shall forfeit not less than \$25.00 nor more than \$5,000.00 for each offense.

Secs. 8-519—8-542. Reserved.

DIVISION 2. PURPOSE AND SCOPE

Sec. 8-543. Purpose.

Buildings that are or are becoming dilapidated, neglected, overcrowded with occupants, or unsanitary jeopardize and are detrimental to the health, safety, morals, and welfare of the people of the City. Such buildings are rendered detrimental to the public through faulty design or construction, failure to be kept in a proper state of repair, lack of proper sanitary facilities or adequate lighting or ventilation, inability to properly heat, improper management, or any combination of these factors. The City finds that elimination of such buildings or structures and the prevention of the occurrence of such conditions in the future is in the best interest of the citizens of the City, and this article is enacted to foster and encourage such elimination.

Sec. 8-544. Compliance with other codes.

The provisions of this article shall not abrogate the responsibility of every person to comply with the provisions of the State Building Code and the building, zoning, plumbing, heating and air conditioning, and electrical codes of the City.

Secs. 8-545—8-568. Reserved.

DIVISION 3. ADMINISTRATION AND ENFORCEMENT

Sec. 8-569. Inspections.

- (a) *To be made by Director.* The Director of Community and Economic Development shall make inspections to determine the condition of dwelling units, rooming units, premises, and parts thereof located within the City and may enter any building during reasonable hours in the discharge of the duties. Any person who

interferes with the Director in the discharge of the duties shall be in violation of this article. The Director shall have proper identification and shall show same when making such inspections.

- (b) *Access of owner or operator.* Every occupant of a dwelling, dwelling unit, rooming unit shall give the owner or operator thereof, or an agent or employee of the owner, access to any part of such dwelling, dwelling unit, rooming unit or its premises or part thereof at all reasonable times for the purpose of maintenance or making such repairs or alterations as are necessary to effect compliance with this article or with any lawful rule or regulation adopted, or any lawful notice or order issued, pursuant to the provisions of this article.

Sec. 8-570. Emergency orders.

Whenever the Director finds that an emergency exists which requires immediate action to protect the public health, the Director may, without notice of hearing and in accordance with the provisions of Wis. Stats. § 66.1337(4)(a), issue an order reciting the existence of such an emergency and requiring that such action be taken as the Director deems necessary to meet the emergency. Such order shall be effective immediately. Notwithstanding any other provision of this article, every notice served by the Director in accordance with the provisions of Sections 8-593(8), 8-596(a)(11), (b)(2) and (b)(3), and 8-632(j) shall be regarded as an order.

Sec. 8-571. Condemnation of dwellings and dwelling units or parts thereof as unfit for human habitation.

- (a) *When condemnation required.* Any dwelling unit or part thereof which the Director finds to have any of the following defects shall be condemned as unfit for human habitation, occupancy, or use:
 - (1) One which is so damaged, decayed, dilapidated, unsanitary, difficult to heat, unsafe, or vermin-infested that it creates a hazard to the health or welfare of the occupants or the public.
 - (2) One which lacks illumination, ventilation, or sanitary facilities adequate to protect the health or welfare of the occupants or the general public.
 - (3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or welfare of the occupants or the general public.
- (b) Any dwelling or dwelling unit or part thereof may be condemned by the Director as unfit for human habitation if the owner or occupant fails to comply with any order based on the provisions of this article or any rule or regulation adopted pursuant hereto, provided such dwelling or dwelling unit or part thereof is, in the opinion of the Director, unfit for human habitation by reason of such failure to comply.
- (c) *Procedure for condemnation.* The condemnation of dwellings and dwelling units as unfit for human habitation, occupancy, or use shall be carried out in accordance with Wis. Stats. § 66.0413. Where such condemnation occurs, the Director shall post at the main entrance to such dwelling or dwelling unit a notice stating that the dwelling or dwelling unit is unfit for human habitation, occupancy, or use and has been condemned. It shall be further unlawful for any person to occupy, use, or enter such dwelling or dwelling unit thereafter, except for the purpose of making required repairs or alterations.
 - (1) *Removal of notice prohibited.* The notice of condemnation shall remain posted until the required repairs or alterations are made. It shall be unlawful for any person to remove such notice without written permission from the Director.
 - (2) *Condemnation by police and fire departments.* The Director may temporarily grant authority under this section to the Chief of Police, Fire Chief, or their designees when circumstances so require.

Sec. 8-572. General penalty.

Any person who violates any provision of this article or any rule, regulation, or order made hereunder shall be subject to forfeiture of not less than \$25.00 nor more than \$5,000.00 for each offense.

Secs. 8-573—8-592. Reserved.

DIVISION 4. HOUSING STANDARDS

Sec. 8-593. 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 or part thereof for the purpose of living, sleeping, cooking, or eating meals therein which does not comply with the following requirements:

- (1) *Kitchen sink and lavatory.* Every dwelling unit shall contain an approved kitchen sink. Every dwelling unit shall contain a lavatory or wash basin in or adjacent to the toilet room.
- (2) *Toilet.* Every dwelling unit shall contain a toilet which shall be placed in a separate room enclosed with partitions which extend to the ceiling.
- (3) *Bath.* Every dwelling unit shall contain a bath which shall be contained within a toilet room or within a separate room which affords privacy to a person using such facility.
- (4) *Hot and cold water supply to bath and sinks.* Every bath, kitchen sink, and lavatory required under this article shall be properly connected with both hot and cold water lines.
- (5) *Water heating facilities.* Every dwelling shall have supplied water heating facilities which are properly installed and maintained in reasonably good working condition, properly connected with the hot water lines required under subsection (4) of this section, and capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every bath at a temperature of not less than 120 degrees Fahrenheit. Such supplied water heating facilities shall be capable of meeting these requirements when the dwelling or dwelling unit heating facilities are not in operation.
- (6) *Connection to water and sewer system.* Every kitchen sink, toilet, lavatory basin, and bath shall be in good working condition and properly connected to an approved water and sewer system.
- (7) *Plumbing.* All plumbing, plumbing equipment, and plumbing fixtures and the installation thereof shall comply with the Plumbing Codes of the City and of the State.
- (8) *Garbage and recyclables.* Every dwelling and dwelling unit shall be provided with adequate facilities for the storing of recyclables and garbage. Such facilities shall comply with the provisions of Chapter 32.
- (9) *Exits.* Every dwelling unit shall have exits which conform to the exit requirements of the City Building Code or the State Building Code, as applicable. Every exit and passageway shall also comply with the following requirements:
 - a. It shall be kept in good repair.
 - b. It shall be unobstructed at all times.

Sec. 8-594. Minimum standards for light, heating, and ventilation.

- (a) *Window area.* Every habitable room, toilet room, and bathroom shall have at least one window facing directly to the outdoors. The minimum window area shall be at least ten percent of the floor area of the room, but not less than 12 square feet. The top of at least one such window shall be not less than six and one-half (6½) feet above the floor. At least one half of the window shall be made so as to open the full width unless other means of adequately ventilating such rooms are installed and operating. The outside window in every toilet or bathroom shall have a total area of at least ten percent of the floor area, but not less than four square feet, provided no window or sky light shall be required in adequately ventilated bathrooms or toilet rooms equipped with a ventilation system which is kept in continuous operation.

- (b) *Electric equipment.* In accordance with Wis. Admin. Code SPS §§ 316.020 and 316.021, all electrical power and communication equipment shall be properly constructed, installed, operated, and maintained. Any of this equipment known to be defective shall be promptly repaired or isolated until repairs can be made.
- (c) *Heating facilities.*
 - (1) Every dwelling unit shall have supplied heating facilities; and such facilities shall be properly installed, maintained in good working condition, and capable of adequately heating all habitable rooms, bathrooms, and toilet rooms contained therein or intended for use by the occupants thereof to a temperature of at least 68 degrees Fahrenheit, measured three feet above the floor level, when the outside temperature is at or above negative fifteen (-15) degrees Fahrenheit. A dwelling unit shall contain a sufficient number of chimney outlets to permit the occupants, through the use of unit heaters furnished by the owner, to adequately heat all habitable rooms, bathrooms, and toilet rooms contained therein to a temperature of at least 68 degrees Fahrenheit, measured at least three feet above the floor level, when the outdoor temperature is at or above negative fifteen (-15) degrees Fahrenheit. This provision shall not be interpreted to permit the use of portable heaters where such use is prohibited by either the City Building or Heating and Air Conditioning Code or the State Building or Heating, Ventilating and Air Conditioning Codes, as applicable. Every central heating system shall comply with the City Building and Heating and Air Conditioning Codes and the State Building and Heating, Ventilating and Air Conditioning Codes, as applicable. Such central heating systems shall also comply with the following requirements:
 - a. The central heating unit shall be in good operating condition.
 - b. Every heat duct, steam pipe, and hot water pipe shall be free of leaks and shall function so that an adequate amount of heat is delivered where intended.
 - c. Every seal between the sections of a warm air furnace shall be tight, so noxious gases will not escape into heat ducts.
 - d. If the temperature of all dwelling units in a multi-unit dwelling is regulated by a single heating zone controlled by a single device, and the temperature standards articulated in this section cannot be maintained in any of the dwelling units included in that zone, the Director may issue orders to remedy the deficiency, including but not limited to requiring additional heating zones in the dwelling.
 - (2) Every unit heater shall comply with the City Building and Heating and Air Conditioning Codes and the State Building and Heating, Ventilating, and Air Conditioning Codes, as applicable, and with all of the following requirements:
 - a. No unit heater burning solid, liquid, or gaseous fuels shall be a portable type.
 - b. Every unit heater burning solid, liquid, or gaseous fuels shall be properly vented.
 - c. Every coal-burning or oil-burning unit heater shall have a fire-resistant panel beneath it.
 - d. The location of unit heaters, the insulation of walls and ceilings close to such heaters, and the construction, installation, and guarding of smoke pipes and walls or ceilings through which they go shall be in accordance with the Heating and Air Conditioning Code of the City in Article V of this chapter.
- (d) *Lighting of public halls and stairways.* Every public hall and public stairway in every dwelling containing four or more dwelling units or accommodating more than 20 persons shall be adequately lighted at all times. Such lighting shall include lights at all intersections of stairways. Instead of continuous lighting, every public hall and public stairway in dwellings containing fewer than four dwelling units or rooming houses accommodating more than three roomers but less than 20 persons shall be supplied with convenient light switches controlling an adequate lighting system which may be turned on when needed.

- (e) *Screens.* At least one window in each habitable room, toilet room, and bathroom where windows are required shall be supplied with a screen covering at least one-third of the window area, except where other means of adequately ventilating such rooms are available and operating. Screens shall have a wire mesh of not less than No. 16, and all installed screens must be in a state of good repair.
- (1) *Exception.* During the cold weather period from November 1 to March 31 of each calendar year, having screens installed is optional. Any screens installed must be in a state of good repair.(f) *Basement window screens.* Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with a screen or such other device as will effectively prevent their entrance.

Sec. 8-595. Minimum space, use, and location requirements.

No person shall occupy 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) *Dwelling unit to be occupied by one family.* No dwelling unit or part thereof shall be occupied by more than one family.
- (2) *Minimum floor area for dwelling unit or part thereof.* Every dwelling unit or part thereof shall contain at least 150 square feet of floor space for the first occupant thereof and at least 100 additional square feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of total habitable room area.
- (3) *Minimum floor area for sleeping purposes.* Every room occupied by one person for sleeping purposes shall contain at least 70 square feet of floor space and 490 cubic feet of air space, and every room occupied by more than one person for sleeping purposes shall contain at least 60 square feet of floor space and 400 cubic feet of air space for each occupant thereof, provided these requirements shall be reduced by one-half for children under 12 years of age.
- (4) *Arrangement of sleeping, bath, and toilet rooms.* No dwelling or dwelling unit containing two or more sleeping rooms shall be so arranged that access to a bathroom or toilet room intended for use by the 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 or a bathroom or toilet room.
- (5) *When basement space may be habitable.* No basement space shall be used as a sleeping room or dwelling unit unless such sleeping room or dwelling unit is in conformity with existing City or State Building Codes and complies with the following requirements:
 - a. The total window area in each room shall be at least equal to the minimum window area required in Section 8-594(a).
 - b. Such required minimum window area shall be located entirely above the grade of the adjoining ground.
 - c. The total openable window area in each room shall be at least equal to the minimum required under Section 8-594(a), unless there is supplied some other approved ventilating device.
 - d. Every habitable room in a basement shall be at least seven feet, six inches high from the floor to the ceiling; and the ceiling shall be at least four feet above the outside ground grade level. The walls and floors shall be damp-proof and waterproof.
- (6) *Occupants to have access to sanitary facilities.* Every occupant of every dwelling or dwelling unit shall have unrestricted access to a toilet and bath and to a kitchen sink or lavatory located within that dwelling or dwelling unit.
- (7) *Ceiling height with respect to floor area.* At least one-half of the floor area of every habitable room shall have a ceiling height of at least seven feet, and the floor area of that part of any room where the

ceiling height is less than five feet shall not be considered in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.

- (a) *Exemption.* Any one- or two-family dwelling unit built prior to the State of Wisconsin's adoption of the Uniform Dwelling Code on June 1, 1980 is exempt from the basement room height requirement in Wis. Admin. Code SPS Ch. 321.

Sec. 8-596. Maintenance of dwellings, dwelling units, and rooming units.

- (a) *Owner's responsibility.* No person shall occupy as owner-occupant or let to another for occupancy any dwelling, dwelling unit, or rooming unit for the purpose of living therein which does not comply with the following requirements:
 - (1) *Maintenance of foundations, exterior walls, roofs.* Every foundation, exterior wall, and roof shall be weather-tight, water-tight, and insect-proof, shall be rodent-proof in accordance with the terms of Section 6-7 (Rat Prevention), and shall be well-maintained and kept in a state of good repair. The exterior walls of dwellings, dwelling units, and rooming houses shall be either prefinished material, brick, stone, stucco, exterior plaster, stained or painted wood, water-proof shingles, or other material designed and advertised to be used as permanent exterior siding and capable of being painted, stained, or weatherproofed if not prefinished. Materials designed and advertised for insulation, sub-siding, or structural uses other than exterior walls shall not be allowed as exterior siding. Roofing materials shall be kept in a state of good repair and shall have no significant signs of wear, weathering, or other forms of deterioration.
 - (2) *Maintenance of interior walls, doors, floors, ceilings, countertops, cabinets.* Every interior partition, wall, door, floor, ceiling, countertop, and cabinet shall be capable of affording privacy, kept in a state of good repair, and so maintained as to permit it to be kept clean and sanitary.
 - (3) *Rainwater drains.* Rainwater shall be so drained and conveyed from every roof so as not to cause dampness in the basement, walls, ceilings, or floors of any room. Drains shall be kept clean and free of debris, and shall allow for the proper flow of water. No downspout located within six feet of adjoining property shall be pointed toward such property.
 - (4) *Windows, doors, hatchways.* Every window, exterior door, and basement hatchway shall be weather-tight and shall be kept in a good working condition, well-maintained, and repaired. All windows and exterior doors shall open and close properly with all hardware in-tact and operational.
 - (5) *Protection of exterior surfaces.* All exterior surfaces shall be protected from the elements and against decay by paint or other approved protective coating applied in a workmanlike manner. Painted surfaces must be properly maintained and repaired, including, but not limited to, scraping, priming, and applying finishing coats to said surfaces.
 - (6) *Stairways and porches.* Every inside and outside stairway, every porch, and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and maintained in a state of good repair.
 - (7) *Supplied plumbing fixtures.* Every supplied plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition and in accordance with the Plumbing Codes of the City and the State.
 - (8) *Chimney and supplied smoke pipes.* Every chimney and every supplied smoke pipe shall be adequately supported, reasonably clean, and maintained in a state of good repair and in accordance with the City Building and Heating and Air Conditioning Codes and the State Building and Heating, Ventilating, and Air Conditioning Codes, as applicable.
 - (9) *Bathroom and toilet room floors.* Every bathroom and toilet room floor shall be so maintained as to be reasonably impervious to water and as to permit such floor to be kept in a clean and sanitary condition.

- (10) *Supplied facilities.* Every supplied facility, piece of equipment, or utility which is required under this article shall be so constructed or installed that it will function properly and shall be maintained in good working condition.
 - (11) *Discontinuance of required services, facilities, equipment, or utilities.* No owner or operator shall cause any service, facility, equipment, or utility which is required to be supplied under the provisions of this article to be removed from, shut off from, or discontinued from any occupied dwelling or dwelling unit let or occupied by said owner or operator, except for such temporary interruption as may be necessary while actual repairs, replacements, or alterations are being made.
 - (12) *Pest extermination.* Whenever infestation exists in any dwelling or dwelling unit or part thereof, or in the shared or public parts of any dwelling or part thereof containing two or more dwelling units, or whenever infestation is caused by failure of the owner to maintain the dwelling or part thereof in a rat-proof or insect-proof condition, extermination thereof shall be the responsibility of the owner. The owner shall hire a pest management professional to inspect and treat, as necessary, all dwelling units sharing a common wall, floor, or ceiling with the dwelling unit containing the infestation. The pest management professional must provide documentation that the affected dwelling unit and surrounding units are clear and free of infestation and live activity.
 - (13) *Cleanliness of public areas of dwellings.* Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition in all communal, shared, or public areas of the dwelling and premises or parts thereof which are used or shared by the occupants of two or more dwelling units.
 - (14) *Vacant dwelling units to be clean and sanitary before being let for occupancy.* No owner shall occupy or rent to any other person for occupancy or allow any other person to occupy any vacant dwelling unit or part thereof unless it is clean, sanitary, free of infestation, and complies with all provisions of this article and all rules and regulations adopted pursuant thereto.
 - (15) *Hanging screens.* The owner of a dwelling or dwelling unit shall be responsible for hanging all screens whenever the same are required under the provisions of this chapter or any rule or regulation adopted pursuant hereto. Screens shall be hung at all times except as otherwise provided in this article. If windows are designed to have screens installed, one must be installed and in a state of good repair as required by Section 8-594.
- (b) *Responsibility of occupants.*
- (1) *Cleanliness.* Every occupant of a dwelling or dwelling unit or part thereof shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which is occupied or controlled.
 - (2) *Disposal of garbage and recyclables.* Every occupant of a dwelling or dwelling unit or part thereof shall dispose of all garbage and recyclables in a clean and sanitary manner by placing it in the garbage or recyclables containers as required by Chapter 32.
 - (3) *Extermination of pests.* Every occupant of a dwelling or part thereof or dwelling unit or part thereof shall assist the owner of the dwelling with the extermination of any pests, including, but not limited to, maintaining unit cleanliness, notifying the owner of any infestation, cooperating with extermination efforts, and preparing the unit for treatment.
 - (4) *Use and operation of supplied plumbing fixtures.* Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

Sec. 8-597. Maintenance of non-dwelling structures, fences, and premises.

No owner shall permit any non-dwelling structure or fence to exist on any premises which does not comply with the following requirements:

- (1) *Maintenance of non-dwelling structures.* Every foundation, retaining wall, exterior wall, roof, window, exterior door, basement hatchway, and every other entrance way of every non-dwelling structure shall be weather-tight, water-tight, and insect-proof; shall be rodent-proof in accordance with the terms of Section 6-7; shall be well maintained and kept in a state of good repair; and shall have no significant signs of wear, weathering, or other forms of deterioration.
- (2) *Protection of exterior surfaces.* All exterior wood and other surfaces of all non-dwelling structures shall be properly protected from the elements and against decay by paint or other approved protective coating applied in a workmanlike manner. Painted surfaces must be properly maintained and repaired, including, but not limited to, scraping, priming, and applying finishing coats to said surfaces. Exterior walls of structures shall be prefinished material, brick, stone, stucco, exterior plaster, stained or painted wood, water-proof shingles, or a similar material designed and advertised to be used as permanent exterior siding and capable of being painted, stained, or weatherproofed if not prefinished. Materials designed and advertised for insulation, sub-siding, or structural uses other than exterior walls shall not be allowed as exterior siding.
- (3) *Maintenance of fences.* Every fence either shall be reasonably maintained and kept in a state of good repair or shall be removed. All components of fencing material shall be installed as designed or completely removed. Fences shall consist only of materials approved in Chapter 44. Nothing in this subsection shall permit fence removal where the fence is otherwise required by this Code.
- (4) *Grading and drainage of premises.* All premises or part thereof shall be so graded and maintained that no stagnant water will accumulate or stand on the premises or part thereof or within any building or structure located on the premises or part thereof.

Secs. 8-598—8-627. Reserved.

DIVISION 5. ROOMING HOUSE/SHELTER FACILITY REGULATIONS

Sec. 8-628. Compliance required.

No person shall operate a rooming house or shelter facility or occupy or let to another for occupancy any rooming unit in any rooming house or shelter facility except in compliance with the requirements of this division and any other applicable section within this Code.

Sec. 8-629. Permits.

- (a) *Required.* No person shall operate a rooming house or shelter facility without a valid rooming house/shelter facility permit issued by the Director in the name of the operator and for the specific dwelling or dwelling unit within which the rooming house or shelter facility is contained, provided the provisions of this subsection shall not apply to dormitories associated with and run in connection with licensed educational institutions, hotels, motels, bed and breakfast establishments, and community living arrangements which are licensed by an agency of the State of Wisconsin.
- (b) *Application.* The operator shall file the application for a rooming house/shelter facility permit and a site plan according to Sections 44-83 and 44-1581 in the office of the Director on forms prepared by the Director.
- (c) *Issuance of permit and fees.* When all applicable provisions of this division and any rules and regulations adopted pursuant hereto have been complied with by the operator, the Director shall issue a rooming house/shelter facility permit upon the payment of the fee, which shall be as provided in the City Fee Schedule. Shelter facilities shall be exempt from the fees. All rooming house/shelter facility permits so issued shall expire on July 1 following the date of issuance unless sooner suspended or revoked as herein provided. Occupancy shall not exceed the capacity specified in Section 8-632(d) or in Wis. Admin. Code SPS § 362.0400 or sections referenced therein.

- (d) *Posting of permit.* Every rooming house/shelter facility permit issued by the Director shall be conspicuously posted by the operator in the rooming house or shelter facility for which it is issued and shall remain so posted at all times unless removed by the order of the Director.
- (e) *Nontransferability of permit.* No rooming house/shelter facility permit issued under this division shall be transferable as to person or place. Every operator shall notify the Director in writing within 24 hours after having relinquished the operation of a rooming house or shelter facility and shall file in writing with the Director the name and address of the operator assuming the operation of the rooming house or shelter facility. Any operator so assuming operation must have obtained a valid rooming house/shelter facility permit in accordance with this section.
- (f) *Relationship of permit to other codes.* The issuance of a rooming house/shelter facility permit shall not relieve the owner or operator of responsibility for compliance with the Building and Zoning Codes and any other applicable laws of the City and County and applicable rules of the State Department of Health and Department of Safety and Professional Services.
- (g) *Hearing when permit is denied.* Any person whose application for a rooming house shelter facility permit has been denied may request and shall be granted a hearing on the matter before the Protection and Policy Committee under the procedure provided by Section 8-569.
- (h) *Suspension, revocation, and non-renewal of permit.*
 - (1) *Grounds.* Whenever, upon inspection of a rooming house or shelter facility, the Director finds that conditions or practices exist which are in violation of any provision of this article or any other provisions of this Code, or any rule or regulation adopted pursuant hereto, or if the operator keeps or maintains a disorderly house, the rooming house/shelter facility permit may be revoked, suspended for up to six months, or non-renewed.
 - (2) *Notice.* No permit issued under this section shall be revoked, suspended, or non-renewed except upon due notice and hearing to determine whether grounds for such action exist. The Director shall give written notice of the grounds for revocation, suspension, or nonrenewal to the operator of such rooming house or shelter facility, which shall constitute the complaint. The notice shall be served upon the licensee at least 15 days prior to the date of the hearing and shall state the time and place thereof.
 - (2) *Hearing.* The hearing on a complaint for suspension, revocation, or nonrenewal shall be held before the Protection and Policy Committee. The operator of the rooming house or shelter facility shall be entitled to be heard, to be represented by counsel, and to present and cross-examine witnesses. The operator may be provided a transcript of the hearing at their own expense.
 - (3) *Recommendation by Committee.* Following the hearing, the Protection and Policy Committee shall issue Findings of Fact and Conclusions of Law and shall make a recommendation to the Common Council whether the operator's rooming house/shelter facility permit should be suspended, revoked, or nonrenewed. The City Clerk shall provide the operator with a copy of the Committee's report.
 - (4) *Council action.* The Common Council shall consider the report and recommendation of the Protection and Policy Committee no later than the second regularly scheduled meeting following its receipt of the Committee's report. The Director or the operator may file an objection to the recommendation and have the opportunity to present arguments supporting their objection to the Common Council. Council shall determine whether arguments shall be presented orally, in writing, or both. Following arguments and deliberation, the Common Council shall adopt, modify, or reject the Findings of Fact, Conclusions of Law, and Recommendation of the Protection and Policy Committee. Notice of Council's decision shall be provided to the operator within 20 days.
 - (5) *Appeal.* An operator of a rooming house or shelter facility shall appeal the suspension, revocation, or nonrenewal of their rooming house/shelter facility permit to the Brown County Circuit Court within 30 days of receipt of notice of Common Council's action.

Sec. 8-630. Operator to control occupancy.

No operator shall at any time allow a larger number of persons to occupy any individual or group sleeping room than is permitted by this division.

Sec. 8-631. Applicability of other parts of this article.

No person shall operate a rooming house or shelter facility unless all of the requirements of Sections 8-594, 8-595, and 8-596 are complied with, provided for the purpose of interpreting the requirements of the designated sections applicable to the enforcement of this division, the term "dwelling" shall be interpreted to mean rooming house or shelter facility and the term "dwelling unit" shall be interpreted to mean rooming unit. Every dwelling unit located within a rooming house or shelter facility shall comply with all of the requirements for dwelling units as established in this article.

Sec. 8-632. Arrangement, equipping, maintenance, and use of facilities.

- (a) *Toilets and lavatory basins.* At least one toilet and lavatory basin, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each ten persons or fraction thereof residing within a rooming house or shelter facility, including members of the operator's family wherever they share the use of such facilities.
- (b) *Baths.* At least one bath, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a rooming house or shelter facility, including members of the operator's family wherever they share the use of such facilities.
- (c) *Location of sanitary facilities.* Every toilet, lavatory basin, and bath shall be located within a room which affords privacy to a person within. All such facilities shall be so located within the rooming house or shelter facility as to be accessible to the occupants of each rooming unit sharing such facilities without going outside of the dwelling or part thereof and without going through another dwelling unit or part thereof or through a rooming unit or part thereof of another occupant.
- (d) *Minimum area for sleeping purposes.*
 - (1) The capacity of any room occupied for sleeping purposes shall be as follows:
 - a. 400 cubic feet for each occupant over 12 years of age; and
 - b. 200 cubic feet for each occupant 12 years of age or under.
 - (2) The operator of a shelter facility may allow homeless families on an emergency basis to occupy a sleeping room which does not meet the above minimum sleeping area requirements if the operator makes all reasonable attempts to place the family in another shelter which meets those requirements and so long as the family is placed in a room which complies with these regulations within 72 hours.
- (e) *Number of sleeping rooms.* Every sleeping room in every rooming house or shelter facility shall be numbered in a plain and conspicuous manner, the number to be placed on the outside of the door to such sleeping room. No two doors shall bear the same number. No number on any door of any sleeping room shall be changed to any other number without first securing the written approval of the Director.
- (f) *Preparation or eating of meals in rooming units prohibited.* No occupant of a sleeping room shall prepare meals or store perishable foods therein. The operator shall post in every sleeping room a sign on which shall be written or printed in letters not less than three-eighths-inch in height the following words: "NO COOKING OR STORING PERISHABLE FOODS PERMITTED IN THIS ROOM." Such sign shall remain posted at all times.
- (g) *Bed linens and towels.* The operator of every rooming house or shelter facility shall effect the change of supplied bed linens and towels therein at least once each week and prior to the letting of any room to any occupant. The operator shall maintain all supplied bedding in a reasonably clean and sanitary manner.

- (h) *Shades and drapes.* Every window of every sleeping room shall be supplied with shades, draw drapes, or other devices or materials which when properly used will afford privacy to the occupant of the room.
- (i) *Sanitary maintenance.* The operator of every rooming house or shelter facility shall maintain in a sanitary condition all walls, floors, and ceilings and every part of the rooming house or shelter facility, and the entire premises, where the entire structure or building within which the rooming house or shelter facility is contained is leased or occupied by the operator.
- (j) *Storage and disposal of garbage and recyclables.* Adequate garbage and recyclable storage containers, whose type and location are approved under Chapter 32, shall be supplied by the rooming house or shelter facility operator. The operator shall dispose of all garbage and recyclables in a clean and sanitary manner by placing them in the required containers.
- (k) *Hanging screens, storm doors, and storm windows.* The operator of a rooming house or shelter facility shall hang all screen and double storm doors and windows whenever the same are required under this article or any rule or regulation adopted pursuant hereto except where the owner has agreed to supply such service.
 - (1) *Exception.* During the cold weather period from November 1 to March 31 of each calendar year, having screens installed is optional. Any screens installed must be in a state of good repair.
- (l) *Pest extermination.* Whenever infestation exists in any dwelling or dwelling unit or part thereof, or in the shared or public parts of any dwelling or part thereof containing two or more dwelling units, or whenever infestation is caused by failure of the owner to maintain the dwelling or part thereof in a rat-proof or insect-proof condition, extermination thereof shall be the responsibility of the owner. The owner shall hire a pest management professional to inspect and treat, as necessary, all dwelling units sharing a common wall, floor, or ceiling with the dwelling unit containing the infestation. The pest management professional must provide documentation that the affected dwelling unit and surrounding units are clear and free of infestation and live activity.
- (m) *Exits.* Every sleeping room in every rooming house or shelter facility shall have exits which conform to the exit requirements of the City and State Building Codes, as applicable. In addition, every exit and passageway shall comply with the following:
 - (1) It shall be easily accessible from every sleeping room by passageway, without passing through any part of another sleeping room.
 - (2) It shall be kept in a reasonably good state of repair.
 - (3) It shall be unobstructed at all times.

Sec. 8-633. Reporting of communicable disease by operator.

The operator of a rooming house or shelter facility shall report to the Brown County Health Commissioner or any State of Wisconsin health care professional licensed under Wis. Stats. Ch. 441 (nurses) or Ch. 448 (medical practitioners) immediately upon discovery the name of any person living in the rooming house or shelter facility who is suffering from any communicable disease, as listed in Appendix A to Wis. Admin. Code DHS Ch. 145; and such report shall be made whenever there is reason to believe or suspect that any person in such rooming house or shelter facility may be afflicted with any communicable disease.

Secs. 8-634—8-646. Reserved.

DIVISION 6. DORMITORY FACILITY REGULATIONS

Sec. 8-647. Compliance required.

No person shall operate a dormitory facility or occupy or let to another for occupancy any rooming unit in any dormitory facility except in compliance with the requirements of this division and any other applicable section of this Code.

Sec. 8-648. Permits.

- (a) *Required.* No person shall operate a dormitory facility without a valid dormitory facility conditional use permit issued by the City of Green Bay in the name of the operator and for the specific dwelling or dwelling unit or part thereof within which the dormitory facility is contained, provided the provisions of this section shall not apply to dormitories associated with and run in connection with hotels, motels, and bed and breakfast establishments which are licensed by an agency of the State of Wisconsin.
- (b) *Application.* The operator shall file the application for a dormitory facility conditional use permit and a site plan in accordance with Section 44-83.
- (c) *Issuance of permit.* When the operator has complied with all applicable provisions of this division and any rules and regulations adopted pursuant hereto, the Director shall process the conditional use permit request in accordance with Section 44-83.
- (d) *Nontransferability of permit.* No dormitory facility conditional use permit issued under this division shall be transferable as to person or place. Every operator shall notify the Director of Planning in writing within 24 hours after having relinquished the operation of a dormitory facility and shall file in writing with the Director the name and address of the operator assuming the operation of the dormitory facility. Any operator so assuming operation must have obtained a valid dormitory facility conditional use permit in accordance with this section.
- (e) *Relationship of permit to other codes.* The issuance of a dormitory facility conditional use permit shall not relieve the owner or operator of responsibility for compliance with the Building and Zoning Codes and any other applicable laws of the City and County and applicable rules of the State of Wisconsin.
- (f) *Revocation of permit.* Any dormitory facility conditional use permit that has been issued may be revoked in accordance with the provisions of Chapter 44.

Sec. 8-649. Operator to control occupancy.

No operator shall at any time allow a larger number of persons to occupy any individual or group sleeping room than is permitted by this division.

Sec. 8-650. Applicability of other parts of this article.

No person shall operate a dormitory facility unless all of the requirements of Sections 8-594, 8-595, and 8-596 are complied with, provided for the purpose of interpreting the requirements of the designated sections applicable to the enforcement of this division, the term "dwelling" shall be interpreted to mean dormitory facility and the term "dwelling unit" shall be interpreted to mean rooming unit or part thereof. Every dwelling unit located within a dormitory facility shall comply with all of the requirements for dwelling units as established in this article.

Sec. 8-651. Arrangement, equipping, maintenance, and use of facilities.

- (a) *Toilets and lavatory basins.* At least one toilet and lavatory basin, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a dormitory facility, including members of the operator's family wherever they share the use of such facilities.

- (b) *Baths.* At least one bath, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a dormitory facility, including members of the operator's family wherever they share the use of such facilities.
- (c) *Location of sanitary facilities.* Every toilet, lavatory basin, and bath shall be located within a room which affords privacy to a person within. All such facilities shall be so located within the dormitory facility as to be accessible to the occupants of each rooming unit sharing such facilities without going outside of the dwelling or part thereof and without going through another dwelling unit or part thereof or through a rooming unit or part thereof of another occupant.
- (d) *Minimum area for sleeping purposes.* The capacity of any room occupied for sleeping purposes shall be as follows:
 - (1) Sleeping areas of at least 50 square feet per person residing in the dormitory with no more than four individuals per room, except that more than four individuals may be allowed per room if all said individuals are related by blood, marriage, or adoption.
 - (2) Rooms shall consist of enclosed places having walls that extend from the ceiling to the floor and an entry door.
- (e) *Number of kitchens/dining areas.* Every dormitory shall have one kitchen and dining area for every ten individuals residing in the dormitory facility.
- (f) *Number of laundry facilities.* Every dormitory shall have one laundry facility consisting of a minimum of one clothes washer, one clothes dryer, and one washbasin for every ten individuals residing in the dormitory facility.
- (g) *Number and size of common area/lounge.* Every dormitory shall have one common use area/lounge of at least 600 square feet in size for every ten individuals residing in the dormitory facility for relaxation and recreation of the occupants.
- (h) *Sanitary maintenance.* The operator of every dormitory facility shall maintain in a sanitary condition all walls, floors, and ceilings and every part of the dormitory facility, and the entire premises, where the entire structure or building within which the dormitory facility is contained is leased or occupied by the operator.
- (i) *Storage and disposal of garbage and recyclables.* Adequate garbage and recyclable storage containers, whose type and location are approved under Chapter 32, shall be supplied by the dormitory facility operator. The operator shall dispose of all garbage and recyclables in a clean and sanitary manner by placing them in the required containers.
- (j) *Extermination of pests.* The operator of a dormitory facility shall cause the extermination of any insects, rodents, or other pests therein and on the entire premises where the entire structure or building within which the dormitory facility is contained is leased or occupied by the operator, except that whenever infestation of a dormitory facility is caused by a failure of the owner to maintain the dwelling within which the dormitory facility is contained in a rat-proof or reasonably insect-proof condition, extermination shall be the responsibility of the owner.
- (k) *Exits.* Every sleeping room in every dormitory facility shall have exits which conform to the exit requirements of the City and State Building Codes, as applicable. In addition, every exit and passageway shall comply with the following:
 - (1) It shall be easily accessible from every sleeping room by passageway, without passing through any part of another sleeping room.
 - (2) It shall be kept in a reasonably good state of repair.
 - (3) It shall be unobstructed at all times.

Secs. 8-652—8-668. Reserved.

ARTICLE VII. MANUFACTURED AND MOBILE HOMES

Sec. 8-669. State laws adopted.

Except as otherwise provided in this article, Wis. Stats. § 66.0435, all provisions of Wis. Stats. Ch. 101, and all provisions of Wis. Admin. Code SPS Ch. 326 describing and defining regulations relative to manufactured and mobile homes that the City may adopt as ordinances are hereby adopted and by reference made part of this article as if fully set forth herein. Any future amendments, revisions, or modifications of the statutes and regulations incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of manufactured and mobile homes in the City of Green Bay. A copy of such code shall be on file in the office of the Inspection Division.

Sec. 8-670. Parking of manufactured and mobile homes restricted.

Except as provided in this article, no person shall park within the City any manufactured and mobile home on any street, alley, highway, or other public place or on any privately-owned land.

Sec. 8-671. Manufactured and mobile home park licenses.

- (a) *Required.* No person shall establish, operate, or maintain or permit to be established, operated, or maintained upon any property owned, leased, or controlled by said person a manufactured and mobile home park within the City without first securing a license therefor from the Director of the Department of Community and Economic Development (Director) or their designee, pursuant to this article. Operation in any fiscal year requires a license. Such license shall expire on 12:00 midnight on June 30 annually but may be renewed under the provisions of this article for additional maximum two-year periods.
- (b) *Location restricted.* An application for the construction of a manufactured and mobile home park shall be considered only when its proposed location is within a district zoned to permit such use.
- (c) *Application.* The application for a license or a renewal thereof shall be made on forms furnished by the City and shall include the name and address of the owner in fee of the tract or if the fee is vested in some person other than the applicant, a duly verified statement by such person that the applicant is authorized to construct or maintain the manufactured and mobile home park and make the application, and such legal description of the premises upon which the manufactured and mobile home park is or will be located as will readily identify and definitely locate the premises. The initial application for any existing, new, or revised manufactured and mobile home park shall contain a park plan showing the following, either as existing or as proposed:
 - (1) The area to be used for park purposes.
 - (2) Roadways and driveways.
 - (3) The location and designation of dependent and independent manufactured and mobile home spaces.
 - (4) The location of service buildings and the number of sanitary conveniences, including toilets, washrooms, laundries, and utility rooms, to be used by occupants of the manufactured and mobile home park.
 - (5) A complete layout of storm, sanitary, and water systems for the service building and spaces.
 - (6) The method and plan of garbage removal.
 - (7) A plan for electrical lighting of spaces.
- (d) *Issuance of license.*

- (1) *Approval and fee required.* The application for such license or renewal thereof shall be approved by the Inspection Division. Before a license is issued, the applicant shall pay an annual fee in accordance with Wis. Admin. Code SPS Ch. 326. The fee shall be as provided in the City Fee Schedule. A penalty fee, as provided in the City Fee Schedule, shall apply to renewal applications postmarked after June 30.
- (2) *Municipal sanitary facilities required.* No license shall be issued for a manufactured and mobile home park where municipal sanitary facilities are not available.
- (e) *Revocation and suspension.* A license may be suspended or revoked after a hearing held pursuant to Wis. Stats. § 66.0435. Any hearing for the suspension, revocation, or non-renewal of a license shall be conducted before the Protection and Policy Committee. At the conclusion of the hearing, the Protection and Policy Committee shall recommend to the Common Council that the license be suspended, revoked, or non-renewed if it finds that the licensee committed a violation. The Common Council shall consider and take action on the recommendation of the Protection and Policy Committee within 45 days after the committee adjourns the hearing. Appeal from a decision of the Common Council shall be by petition for writ of certiorari to the Brown County Circuit Court.

Sec. 8-672. Management of manufactured and mobile home parks.

- (a) *Office to be in park.* In every manufactured and mobile home park, there shall be located the office of the attendant or person in charge of such park. A copy of the park license and of this article shall be posted therein, and the park register shall at all times be kept in such office.
- (b) *Duties of attendant and licensee.* The attendant or person in charge, together with the licensee, shall:
 - (1) Keep a register of all occupants, which shall be open at all times to inspection by state, federal, and local officers and which shall show for all occupants of the manufactured and mobile home park the following information:
 - a. Names and addresses.
 - b. Number and ages of all children.
 - c. Number of public elementary school children.
 - d. Number of public secondary school children.
 - e. State of legal residence.
 - f. Dates of entrance and departure.
 - g. License numbers of all manufactured and mobile homes and towing or other vehicles, and states issuing such licenses.
 - h. Place of last location and length of stay.
 - i. Place of employment of each occupant.
 - (2) Maintain the park in a clean, orderly, and sanitary condition at all times.
 - (3) Ensure that the provisions of this article are complied with and enforced and report promptly to the proper authorities any violations of this article or any other violations of law which may come to attention.
 - (4) Collect the monthly parking permit fee and keep a record book showing the names of persons paying such fees and the amounts paid.
 - (5) Submit with the total monthly parking permit fees to the City Treasurer a monthly report showing the names of persons paying such fees and the amount paid if less than for a full month. Such report shall also indicate departure time for current tenants and arrival time for new tenants and departure time if occurring the same month as arrival.

Sec. 8-673. Applicability of plumbing, electrical, and building ordinances.

All plumbing, electrical, building, and other work on or at any park licensed under this article shall comply with City ordinances, the requirements of the State Plumbing, Electrical, and Building Codes, and the regulations of the State Department of Health. Licenses granted under this article grant no permission to erect or repair any structure or to do any plumbing or electrical work.

Sec. 8-674. Variances.

When, in the judgment of the Plan Commission or the Council, a provision of this article may not literally be applied due to unusual hardship, such provision may be altered as long as the basic intent of control herein stated is retained.



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.14

To approve General Ordinance No. 14-24, Creating Section 2-187, Green Bay Municipal Code, relating to Zoning Board of Appeals.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. DRAFT GO 14-24 - Create 2-187 - Zoning Board of Appeals

GENERAL ORDINANCE NO. 14-24

AN ORDINANCE
CREATING SECTION 2-187,
GREEN BAY MUNICIPAL CODE,
RELATING TO ZONING BOARD OF APPEALS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 2-187, Green Bay Municipal Code, is hereby created to read:

Sec. 2-187. – Zoning Board of Appeals

- (a) The Zoning Board Of Appeals shall be composed and organized in accordance with Section 44-138.
- (b) The Board of Appeals shall have jurisdiction over appeals and other matters pursuant to Sec. 8-4 and Sec. 44-139, et seq.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2024.

APPROVED:

Eric Genrich, Mayor

ATTEST:

Celestine Jeffreys, Clerk

jvl

June 25, 2024



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.15

Informational Only: Clerk's Election Training Membership.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.16

Informational Only: The Report by the Clerk on alternate in-person absentee sites.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 2024-06-11 Alt IPAV report for P and P

Alternative In-Person Absentee Voting Sites

Why host alternative in-person sites?

In 2022, we expanded our IPAV hours, creating one evening and one Saturday for every election. While this was a step in the right direction we need to do more to bring voting closer to the voters. We've received community concerns about the small space and poor observation opportunities offered by hosting IPAV in the clerk's office. As the third largest city in Wisconsin, our diverse population has work and family obligations that may prevent them from voting on one Tuesday. Thus, it is paramount that we offer voting options to meet the needs of all voters.

Census data reveals that, nationwide, more voters are opting to vote before Election Day. In our own city, early voting has held steady at about 30% of all ballots cast. Finally, with both major political parties now encouraging early voting, we anticipate an increase in participation, and will accommodate those new voting habits.

Funding

No new funds are needed for this expansion as our current budget allocation is sufficient to meet needs. I will draft a budget amendment to move funds from salaries to equipment, in accordance with our typical process.

- The staffing costs are approx. \$23,000; equipment costs are \$14,000
- Of the original staffing budget for 2024, approximately \$45,000 remains uncommitted and unspent
- Committed funds include expenditures for staffing, uncommitted funds will be partially allocated for equipment.

Staffing

- We usually recruit data entry specialists from the current poll worker pool.
- Staffing numbers:
 - 4 data entry specialists/greeter budgeted for City Hall
 - 16 data entry specialists/greeter the two alternate sites
 - 2 alt site leaders

Ballot security at two alternative sites

Ballot security at the alternative sites will follow much the same process as at polls. Generally, ballots are counted, secured, and then checked against the system.

- At the alt sites, voters may vote, register, and return mailed ballots.
- Voters will use the express vote, eliminating the need for pre-printed ballots.
- Ballots will be retained in ballot boxes, secured with security zip ties.
- Data entry specialists will use tracking sheets to record the final number ballots, separating IPAV ballots from dropped-off mailed ballots.
- At the end of the evening, ballots are transported back to city hall in security bags, with security zip ties
- A clerk's staff member will verify the security zip tie numbers and number of ballots returned
- The next day, clerk's staff will verify the ballots returned are the ballots showing in Wis Vote

Observers and Media

- Observers and media may be present at alternate sites, following the same rules as at polls.



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.17

Informational Only: St. John's Ministries Emergency Season Report.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. St. John's Ministries Report- June 13 2024
2. Shelter Report 23_24

June 13, 2024

To members of Green Bay's Protection and Policy Committee and the Common Council,

To satisfy a requirement of our Conditional Use Permit dated December 6, 2022 that states "Before June 30 of each year, St. John's Ministries shall provide a report to the Protection and Policy Committee," I submit to you this update as well as the attached *Emergency Shelter Season Report*.

As a seasonal shelter of last resort, we have experienced a significant increase in need for our services. As you are acutely aware, there are many housing and health-related crises gripping our nation. Green Bay has certainly seen our share of these struggles.

Our shelter season is November 1 to April 30. Our 19th season was our busiest to date and marked our second season with a Women's Shelter (700 East Walnut Street) in addition to our Men's Shelter (411-427 St. John Street). We averaged a 19 percent increase per night of guests seeking shelter as compared to the previous season.

We began the season consolidating male and female guests to the shelter at 411-427 St. John Street. This was due to challenges recruiting enough employees (particularly those able to work overnight shifts) to safely and adequately operate both facilities. Gratefully, due to community support and extremely dedicated employees, we were able to open the Women's Shelter on December 4 and never had to consolidate services to one facility again.

	Men	Women	Total
This season per night average:	84	37	121
Last season per night average:	71	31	102
Total guests sheltered this season:	662		
Total guests sheltered last season:	605		
Season high:	Season low:		
Men	117 on January 24	Men	45 on November 3
Women	53 on February 20	Women	21 on November 3

Thank you for allowing the opportunity to share this report. At St. John's Ministries, we are grateful for multiple collaborations with City of Green Bay government and all other community agencies and individuals dedicated to serving our brothers and sisters experiencing homelessness. I would be happy to answer any questions and provide tours of our facilities.

Jesse Brunette- Executive Director



Emergency Shelter

Season Report

November 1, 2023 - April 30, 2024



Increased Shelter Nights

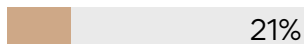
21,930

19% increase from
2022-23 shelter season

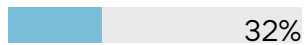
Guest Barriers



Mental Health



Substance Use
Disorder



Chronic Health
Condition



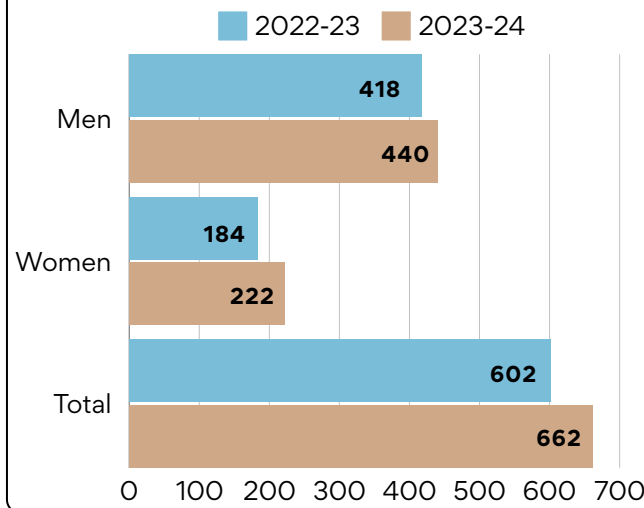
Developmental
Disability



Physical Disability

COMPASSION

Guests Sheltered



Guest Demographics

White: 45%

Black: 22%

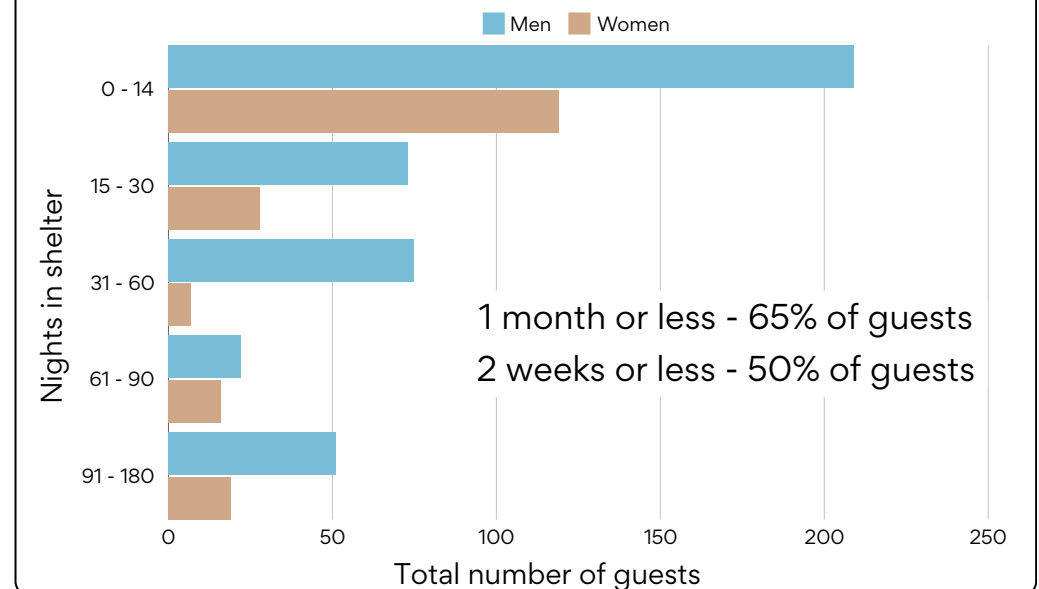
American Indian: 13%

Hispanic: 10%

Other: 9%

SERVANT
LEADERSHIP

Length of Stay



Guest Ages

AGE	18-24	25-34	35-44	45-54	55-64	65+
MEN	25	108	101	88	89	20
WOMEN	23	35	54	59	36	15

**HONOR THE DIGNITY,
RESTORE HOPE AND
CREATE LASTING
CHANGE FOR THOSE
EXPERIENCING
HOMELESSNESS OR
HOUSING INSTABILITY
IN THE GREATER
GREEN BAY
COMMUNITY.**

HOPE FAMILY

Emergency Shelter

Season Report

November 1, 2023 - April 30, 2024



Micah Center

Total Visits	7,198 visits
Weekly Visits	275 visits
Unique Visitors	640 adults



Wellspring

Total Visits	2,439 visits
Weekly Visits	94 visits
Unique Visitors	271 women



Community Partners

Community partners & organizations offering programming & workshops

HopeChats Community

Brown Co. Public Health

FoodWise - UW Madison Extension

Samaritan's Heart Mission Church

Green Bay Police Department

Vivent Health

Catholic Charities

FSET

NEW Community Clinic

United Way Brown County

Dr. Arnold

Daytime Programming

Workshops Offered	159
Participation	904 attendees
Community Partners	Micah Center - 11 Wellspring - 13

JUSTICE
HOPE
HUMILITY
LOVE
INTEGRITY

Volunteer Support

Individuals	230
Group Volunteers	99 volunteers 12 groups
Meal Teams	125 teams
Meals Served	48,246 meals
Volunteer Hours	17,889 hours

WPS Volunteer Awards



LaVon Rader

Heart of Gold Lifetime Achievement Winner



SNC Marsh, Small Group Nominee



Judy Fye, Adult Nominee



NEW Lutheran HS
Large Group Nominee





Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.18

Informational Only: Liquor Violation Report.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Comm Police P&P 06.12.24
2. 23-24LiqVio 6.12.24

CITY OF GREEN BAY POLICE DEPARTMENT

TO: PROTECTION AND POLICY COMMITTEE

FROM: COMMUNITY POLICING

DATE: June 12, 2024

From May 29, 2024 to June 12, 2024 there have been no liquor violations, no DA referrals, no ordinance violations, no warnings and no property referrals.

Sincerely,

**LT. STEVE MAHONEY & LT. ERIN YOUNG
DISTRICT POLICING**

kc

2023/2024 LIQUOR VIOLATIONS

Subject's Name	Tavern Name And Address	Date/Type Violation	Status of Case
Maxwell C. Barnowsky 23-246542 W2023-374-144	Black Saddle 201 N. Washington St.	No Licensed Operator on the Premises (Owner)	Issued Written Warning
Dylan J. Weires 23-246542 W2023-792-006	Black Saddle 201 N. Washington St.	Loitering in a Licensed Premises after Hours	Issued Written Warning
Dylan J. Weires 23-247371 2324737181401	Black Saddle 201 N. Washington St.	Disorderly Conduct	Court Date: 10/30/23; Guilty; \$376
Nathaniel D. Maas 23-248994 2324899480801	Cock and Bull 1237 Main Street	Bartending without an Operator's License	Court Date: 11/6/23; Guilty, \$187
Scott M. Opolka 23-248994 2324899480802	Cock and Bull 1237 Main Street	Bartending without an Operator's License	Court Date: 11/6/23; Guilty by Default, \$187
Kendra C. Willis 23-248994 2324899480803	Cock and Bull 1237 Main St.	Bartending without an Operator's License	Court Date: 11/6/23; Guilty, \$187
Jason E. Charles 23-253930 W2023-557-087	Getaway Bar 631 Bellevue St.	Disorderly House/Failure to Maintain Order	Issued Written Warning
Randal G. Trembl 23-262321 2326232143901	Brewski's Bar 1100 S. Broadway Street	Violation of Stipulation/Agreement	Court Date: 2/5/24



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.19

Informational Only: A report by the City Clerk's Office regarding current licensees who have failed to file a renewal application for the 2024-2025 license year.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Failed to File



Celestine Jeffreys
City of Green Bay Clerk
100 North Jefferson Street - Room 106
Green Bay, Wisconsin 54301-5026
celestine.jeffreys@greenbaywi.gov
www.greenbaywi.gov

Phone 920.448.3010
Fax 920.448.3016

Liquor License Renewal Applications Not Filed as of June 13, 2024

Company Name	Trade Name	Address	Type
JJAA777, LLC	JULIES CAFE EAST	1685 MAIN ST	"Class B" Liquor and Class "B" Beer
MJ HOSPITALITY CORPORATION	DRINK	708 BODART ST	"Class B" Liquor and Class "B" Beer
RENEE DAWN DUFFECK	R&T'S PUB	1699 E MASON ST	"Class B" Liquor and Class "B" Beer
MADRID TAPAS AND WINE BAR LLC	MADRID TAPAS	225 E WALNUT	"Class B" Liquor and Class "B" Beer
SOUTH BAY MARINE CENTER, INC	SKIPPER'S CHOICE	101 BAY BEACH RD	Class "A" Beer

The licensing year for alcohol beverage licenses runs from July 1 to June 30 regardless of when they were granted. State law requires an applicant to file a new application each license year.

For the 2024-2025 renewal period, licensees were mailed a renewal pack February 2024. They also were e-mailed and mailed information about the renewal process in April 2024. Due to changes in the state forms, the Clerk's Office extended the liquor license renewal deadline to May 1.

On May 3, an e-mail was sent to licensees who failed to file. A letter was also mailed to the mailing address of the licensed establishment and the home address of the agent on May 7.

The BID Districts and Brown County Tavern League were notified of those licensees who did not file. This update serves as an additional avenue to provide communication to those who have not filed.

A licensee must submit a complete renewal application with necessary documents to the Clerk's Office no later than Friday, June 28, 2024, at 11:30 a.m. Failure to submit a complete application will result in the expiration of their current license and the business can no longer serve/sell as of midnight on June 30.

After July 1, the legal entity must submit an original application. If that person held an available "Class B" Liquor and Class "B" beer license, that license will be released into the pool of available at the July 30 Council meeting.



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # N.20

Informational Only: Clerk Licensing Report.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 6.12.2024 CLERK'S OFFICE LIQUOR LICENSING REPORT



Clerk & Treasurer's Office
 100 North Jefferson Street - Room 106
 Green Bay, Wisconsin 54301-5026
 clerk@greenbaywi.gov
 www.greenbaywi.gov

Phone 920.448.3010
 Fax 920.448.3016

Licenses Granted by Council, not yet issued as of June 12, 2024

License Type	Company Name	Trade Name	Addresses	Approver
Class A Beer & Class A Liquor	FAMILY DOLLAR STORES OF WI LLC	FAMILY DOLLAR	1285 MAIN ST	Inspections, Payment New License approved 6.6.2023 Extension Filed anticipated opening 11/3/2023.
Class B Beer & Class B Liquor	MADRID TAPAS AND WINE BAR LLC	MADRID TAPAS	225 E WALNUT ST	Inspections, Payment, Renewal Waiver Granted until December 2023 Revocation Hearing at May 21, 2024 Council meeting. Held until the June 11 Common Council Meeting. Held until the June 25 Council Meeting.
Class "B" Beer & "Class B" Liquor	Vic Theatre Green Bay, LLC	Vic Theatre	130 E Walnut	Transfer request granted at the May 21, 2024, Common Council Meeting. Effective July 1, 2024.
Class "B" Beer & "Class B" Liquor-Reserve	The Spices of Green Bay, LLC	Spices Restaurant & Bar	1860 University	Payment, Inspections Granted 10.17.23. Waiver requested and granted until April 30, 2024. Second waiver requested and reviewed a June 3 P&P Meeting.
Class A Liquor, Class A Beer	Neo Beverages, LLC	Neo's Discount Tobacco & Liquor	1117 W. Mason	Inspections, Payment. Granted 1/17/2024. Extension granted until May 31, 2024. Extension request filed and approved at Council 6/11/2024. Extension request valid until 7/31/24.
Class A Liquor, Class A Beer	JR Smith, LLC	Main Street Mini Mart	1698 Main	Payment. Granted 3/5/2024. Extension granted until June 17 and will be reviewed at the June 17 P&P Meeting.
Class B Beer Class C Wine	GREEN BAY KOI, INC	KOI RAMEN	1593 W MASO N ST	PAYMENT, INSPECTIONS. GRANTED AT COUNCIL MAY 21, 2024
Class B Liquor, Class B beer	CRA Restaurants, LLC	First and Goal Sports Bar and Grill	2148 University Ave	Payment, Inspections. Granted at Council 5/21/2024
Class C Wine, Class B Beer	Green Bay Casuals Soccer Pub LLC	Green Bay Casuals Soccer Pub	1238-11 Main	Payment, Inspections. Granted at Council 6/10/2024.

Opening Delays? All liquor licenses are granted by Council with the intention a liquor license will be issued within 60 days. Please communicate, in writing, any opening-day delays to the Clerk's Office and provide a new anticipated opening date. Please review our [Extension Request Fact Sheet](#) for instructions. Then, fill out the [Extension Request Form](#) to file an issuance extension with the Clerk's Office.

Summary of Licenses Granted and Issued for

Class “B” Beer & “Class B” Liquor Licenses:

The City of Green Bay has a quota of 172 available “Class B” Liquor and Class “B” Beer licenses under state law.

The City granted 2 licenses that have not yet been issued (see page 1).

The City of Green Bay may only take the number of applications to the number of licenses available. Applications are considered to those who apply with a fully completed application and first in time.

The new application paperwork can be found at: <https://greenbaywi.gov/264/Liquor-Sales---New-Establishments>

Summary of Licenses Granted and Issued

for Reserve Liquor Licenses:

The City of Green Bay has a quota of 32 Class B Combination Liquor and Beer Reserve licenses under state law.

The City of Green Bay has 4 Class B Combination Liquor and Beer Reserve issued (The Daily Buzz, LLC at 130 E. Walnut, The Legacy Green Bay, LLC at 1004 Brett Favre Pass, Vast Properties Group, LLC, at 401 N. Washington St., and Fiesta Latina Restaurant Bar, LLC at 1911 University Ave).

The City of Green Bay has 1 granted “Class B” Liquor and Class “B” Beer license that has not yet been issued.

A Reserve liquor license in the City of Green Bay costs \$10,000 (one-time non-refundable issuance fee) plus the license fee prorated. The license shall not be transferred or surrendered.

**REPORT OF THE PROTECTION AND POLICY COMMITTEE
GRANTING OPERATOR LICENSES**

June 25, 2024

The Protection and Policy Committee wishes to request that the following applications for Operator Licenses be granted.

Stipulations placed on licenses shall continue to be in effect.

OPERATOR LICENSES

Anderson, Talon J	Kruse, Paige M	Stein, Mary E
ARCE, ANTHONY J	Lane, Ryan G	Stordock, Jeffrey S
Brien, Jamie J	Laronge, Abigail P	Tremble-Tushaus,
Mallory N		
Cleeremans, Mary F.	LINDSTROM, HANNAH M	Vander Sande, Scott A
Clement, Elliot T	LOTTO, JEFFREY M	VanRemortel, Kathleen
Davis, Mickyela TL	Lovrek, Diane L	Verhagen, Joseph J
DEKEYSER, MARY K	McAllister, William J	Wampler, Thomas J
Douglas, Renee L	McClellan, Kiana R	Washington, Megan L
Fontaine, Christine M	McGuire, Lindsey Jo	Wesoloski, Teresa L
Friedrich, Leah A	Menne, Rylee M	Winzenried, Hayley J
Frizzell, Molly M	Miller, Nicole M	Woosencraft, Mark R
GEHM, ALYSSA R	Mleziva, Roger M	Wotruba, Zachary L
Geib, Haley JM	Moderski, Taylor R	Yang, Jazzlyn PTT
GOLDSMITH, KATELYN J	Mosher, James R	Zeutzius, Amy J
Hacker, Tina M	Mulvey, Alexander R	Zimmer, Steven D
Hamilton, Abigail J	Murray, Stephanie R.A.	Zmyslo, Elizabeth A
Hanson, Heather K	Paluda, Kelsey M	
Hearden, Zachary T	PEETERS PAZUREK,	
Heezen, Christina M	Plante, Kara L	
Hemb, Marsha L	Popek, Rebecca J	
Hendrix, Savannah J	QUIGLEY, TAYLOR C	
Hines, Deryl J	Radloff, Jennifer L	
Howard-Bey, Angela	Regouski, Nathan M	
Jackson, Yolanda A	Reidinger, Lauren L	
Jetzer, Lynn M	Rossow, Vanessa A	
Johnston, Michael J	RYAN, EMMA L	
Junion, Kelsey A	Schmohe, Todd E	
Kaczynski, Abigail G	Schultz, Malorie J	
King, Nyah V	Sorensen, Elisabeth H	
Klug, Matthew S	Srnka, Danae L	
Koeller, Jared M	Starr, Phillip W	



Report to the Green Bay Plan Commission

MEETING DATE

June 25, 2024

PREPARED BY

Dena Mooney, Staff

AGENDA ITEM # P.I

To deny the request to amend the City's Official Map by removing future Lafayette Drive extension to future Eric Street extension and replace with a cul-de-sac at the end of Lafayette Drive.

BACKGROUND

Reason for Request: To build homes where future Lafayette Drive would connect to future Eric Street

Surrounding Zoning and Land Uses:

Subject Property: Rural Residential (RR) | Undeveloped Lands

North: Low Density Residential (RI) | Single-Family Residential

South: Rural Residential (RR) | Undeveloped Lands Low Density Residential (RI) | Single-Family Residential

East: Low Density Residential (RI) | Single-Family Residential | Two-Family Residential

West: Rural Residential (RR) | Undeveloped Lands Single-Family Residential

Comprehensive Plan: The 2022 Smart Growth Plan designates this area for Low Density Residential.

Report: The subject area is a wooded, undeveloped area south of Hazelwood Lane, north of future Parkwood Drive extension, east of Crestwood Springs Drive and west of Packerland Drive. The petitioners own Parcels 6H-1247-2 and 6H-1247-3. The petitioners are proposing to divide the land and create home sites where Lafayette Drive is officially mapped to extend to the future Eric Street extension. A structure cannot be built in conflict with the Official Map per Sec. 34-1(f) of the City of Green Bay Municipal Code. Instead of Lafayette Drive extending to future Eric Street, the applicant is proposing to cul-de-sac Lafayette Drive. A proposed lot layout is included in this report showing how their property would be divided with the road change.

Justification for the request by the applicant includes the following:

1. There are two parcels on the southside of Hazelwood Lane that are deeper than the other lots on Hazelwood Lane. These two lots impact the depth of the lots on future Lafayette Drive, resulting in small lots that are not consistent with the neighborhood or as desirable to buyers.
2. The expenses associated with the cost of extending Lafayette Drive and Eric Street are too high, which would result in expensive lots.
3. Development of this area involves another large property owner to the south (Kubiak) who may not be interested in developing their property for new home sites.
4. The proposed lot layout will still add new housing stock to the city and the lots will be in keeping with the neighborhood.

Staff does not support the request. The Green Bay Smart Growth 2020 Transportation Plan emphasizes the importance of grid-pattern streets. They offer greater overall road capacity, increased route choices for local trips, and direct routes for biking and walking compared to conventional street patterns. Currently, the Official Map shows Lafayette Drive as a connected street to future Eric Street. Removing that connection

and replacing it with a cul-de-sac is inconsistent with the recommendation of the Smart Growth Plan. The Smart Growth Plan (Page 19-16) states, “It has been argued that cul-de-sacs are desirable and that houses at the end of cul-de-sacs sell at premium prices because people do not want traffic in front of their house. This should not be a surprise. If the options are between a house on a street with traffic and a house on a street with no traffic, most would choose the house with no traffic. However, neighborhoods with grid-pattern streets can and do provide low-volume roads, which, when designed properly, provide desirable housing options with minimal traffic impacts. These grid-pattern neighborhoods also offer environments that provide safer, more comfortable, and attractive places to walk and bike.” Furthermore, the 2020 Green Bay Housing Market Study stresses the need for more housing. While two home sites are proposed on the cul-de-sac, a connected road allows for homes on both the north and south sides of future Lafayette Street.

Part of the Official Map amendment process is to reach out to other city departments and the Green Bay School District for feedback and to see if the request would conflict with their operations. As of the drafting of this report, Water Utility, Parks, and Public Works have no comments. The Fire Department had concerns about the size of the cul-de-sacs that are already officially mapped, but no concerns with the proposed cul-de-sac.

Alderperson Hinkfuss and affected property owners within 200’ have been notified of the request. Staff received questions from some of the neighboring property owners trying to understand the request, but they didn’t specifically state whether they support or object to the request. An email was received from Dave Kubiak, property owner of 2060 and 2090 Packerland Drive, stating he has no objection to the request.

RECOMMENDATION

Denial of the request.

FISCAL IMPACT

ATTACHMENTS

1. OMA 24-01 Application
2. OMA 24-01 Narrative
3. OMA 24-01 Map with Aerial
4. OMA 24-01 Proposed Lot Layout
5. 2022 Smart Growth Plan-Grid Pattern Streets Excerpt



REQUEST FOR CITY ACTION PLAN COMMISSION

Community and Economic
Development Department
100 N. Jefferson Street, Rm 608
Green Bay, WI 54301-5026
(920) 448-3400 - phone
(920) 448-3426 - fax
www.greenbaywi.gov

Location of Property: Lafayette Drive, Eric Street

Parcel Number(s): 6H-1247-2, 6H-1247-3

Petitioner(s): Vierbicher (Brad Rymer)

Date: 05/21/24

Email: brym@vierbicher.com

Phone Number: 920-434-9670

Address: 400 Security Blvd

City: Green Bay

State: WI

Zip: 54313

Property Owner: Tom & Mary Saphner

Phone Number: 920-490-0495

Submit this Request Form and all required attachments to the Community and Economic Development Department, Room 608, City Hall

To: Honorable Mayor and Common Council, c/o City Clerk

I, Brad Rymer, respectfully request that the City of Green Bay take the following action:

- ☐ Rezone Property (\$375.00 Review Fee)
- ☐ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$375.00 Review Fee)
- ☐ PUD and PUD Amendments (\$425.00 Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 + \$35.00 per Lot/Outlot Review Fee)
- ☐ Approve Preliminary Condominium Plat (\$250.00 + \$35.00 per Lot/Outlot/Lot Equivalent Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Certified Survey Map (\$250.00 Review Fee)
- ☐ Approve Final City/Extraterritorial Subdivision Plat (\$150.00 Review Fee)
- ☐ Approve Final Condominium Plat (\$150.00 Review Fee)
- ☐ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)
- ☐ Development District Map Amendment (\$200.00 Administration Fee)
- ☒ Official Map Amendment (\$200.00 Administration Fee)
- ☐ Plat of Right-of-Way (\$200.00 Administration Fee)
- ☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)
- ☐ Street Name Change (\$200.00 Administration Fee)
- ☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)
- ☐ Vacate a Street/Alley/Pedestrian Way (\$300.00 Administration Fee) PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Closure of Street/Alley/Pedestrian Way (\$300.00 Administration Fee) PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Comprehensive Plan Amendments (\$275.00 Review Fee)
- ☐ Other (\$200.00 Administration Fee): _____

Owner Signature: _____

Date: May 21 2024

Petitioner Signature(s): _____

Checklist of required attachments:

- Map
- Legal Description
- Applicant Narrative Describing Project
- All Other Pertinent Information

For office use only:

Review Fee: _____

Receipt No.: _____

Zoning Petition No.: _____

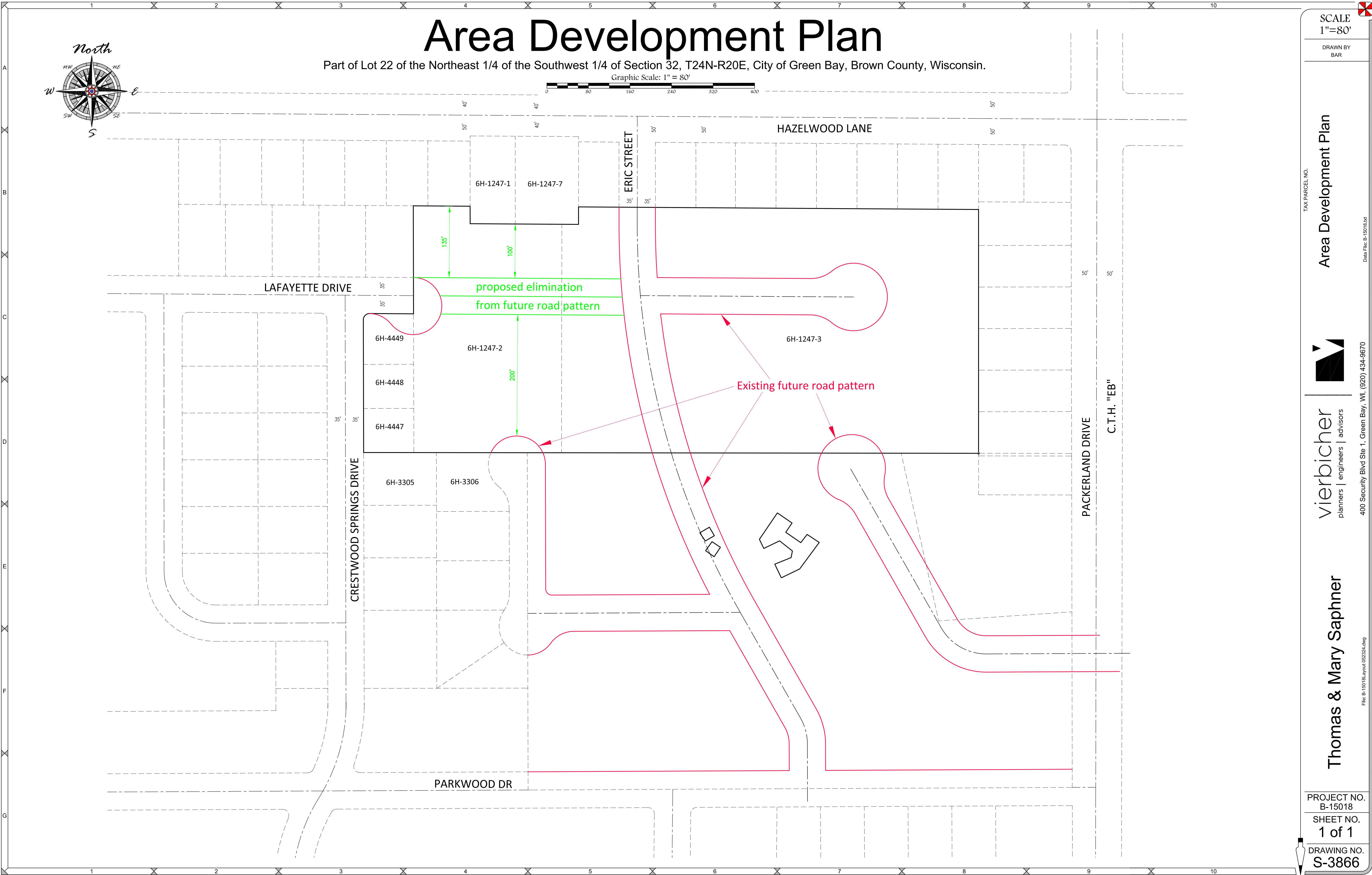
File: B-15018

Client: Thomas & Mary Saphner

Date: May 24, 2024

Official Map Amendment request...

Parcels 6H-1247-2 and 6H-1247-3 (approx. 12 acres) are currently undeveloped and owned by Thomas and Mary Saphner. They live adjacent and Southerly to the subject parcels at 2051 Crestwood Springs Drive (6H-3305). They also own parcels 6H-4447, 6H-4448 & 6H-4449 along Crestwood Springs Drive and 6H-3306 in the rear of their existing house. They love the neighborhood and want to maintain the highest standards for it. The Saphners would like to build a new home on the large parcel while keeping in mind options for future development of the area. There is an existing future road pattern on the area. The adopted road pattern through this area offers connectivity from Hazelwood Lane to Parkwood Drive via Eric Street with several cul-de-sacs to fill in the area. It also shows Lafayette Drive connecting to Eric Street. Based on acceptable minimum lot depths (not City code minimums), the Lafayette Drive extension runs into a conflict area as parcels 6H-1247-1 and 6H-1247-7 have additional depth lots that protrude into the client's North property line. The distance from those rear property lines to the existing partially dedicated cul-de-sac on the South of the client's parcel is only 370 feet. Based on the acceptable minimum lot depth of 3 lots and the right of way width of Lafayette Drive extended, we wouldn't have enough room to get everything through this pinch point. This proposal maintains the approved connection from Hazelwood Lane to Parkwood Drive but eliminates the connection of Lafayette Drive to future Eric Street. Through this proposed adjustment to the road pattern, the Saphners would be able to build their home in the desired location on a "future" lot off Lafayette Drive while still maintaining viable development options for the area.



SCALE
1"=80'

DRAWN BY
BAR

TAX PARCEL NO.

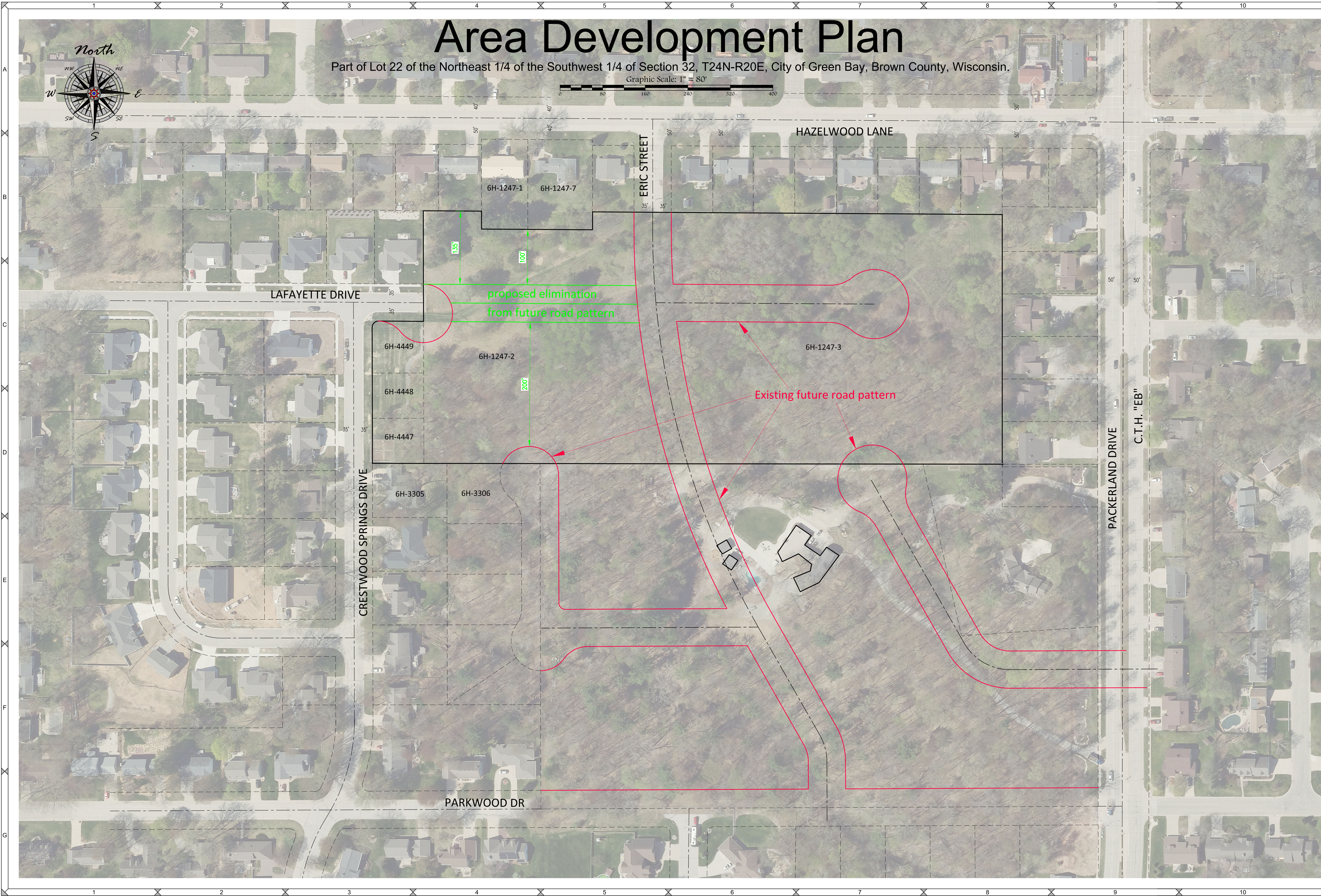
Area Development Plan


vierbicher
planners | engineers | advisors

400 Security Blvd Ste 1, Green Bay, WI (920) 434-9670
Data File: B-15018.txt

Thomas & Mary Saphner

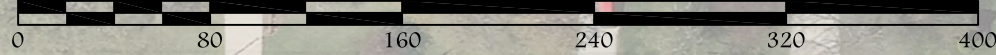
PROJECT NO.
B-15018
SHEET NO.
1 of 1
DRAWING NO.
S-3866



Area Development Plan

Part of Lot 22 of the Northeast 1/4 of the Southwest 1/4 of Section 32, T24N-R20E, City of Green Bay, Brown County, Wisconsin.

Graphic Scale: 1" = 80'



SCALE
1"=80'

DRAWN BY
BAR

TAX PARCEL NO.
Area Development Plan



vierbicher
planners | engineers | advisors

Thomas & Mary Saphner

PROJECT NO.
B-15018

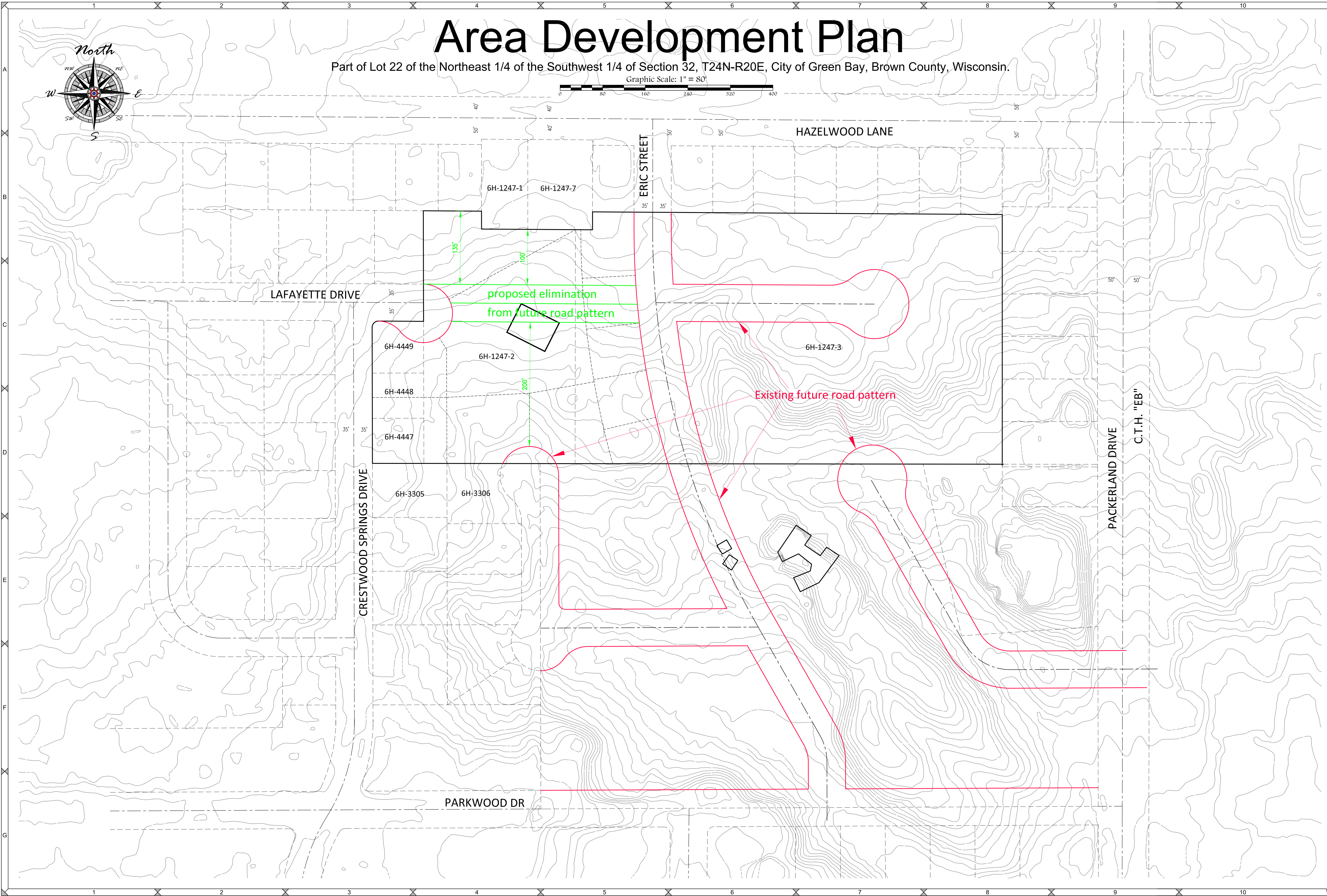
SHEET NO.
1 of 1

DRAWING NO.
S-3866

400 Security Blvd Ste 1, Green Bay, WI (920) 434-9670

File: B-15018Layout 052324.dwg

Data File: B-15018.txt



Area Development Plan

Part of Lot 22 of the Northeast 1/4 of the Southwest 1/4 of Section 32, T24N-R20E, City of Green Bay, Brown County, Wisconsin.

Graphic Scale: 1" = 80'

SCALE
1"=80'

DRAWN BY
BAR

TAX PARCEL NO.
Area Development Plan



vierbicher
planners | engineers | advisors

Thomas & Mary Saphner

PROJECT NO.
B-15018

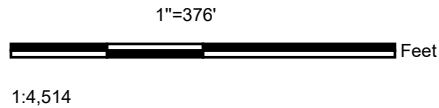
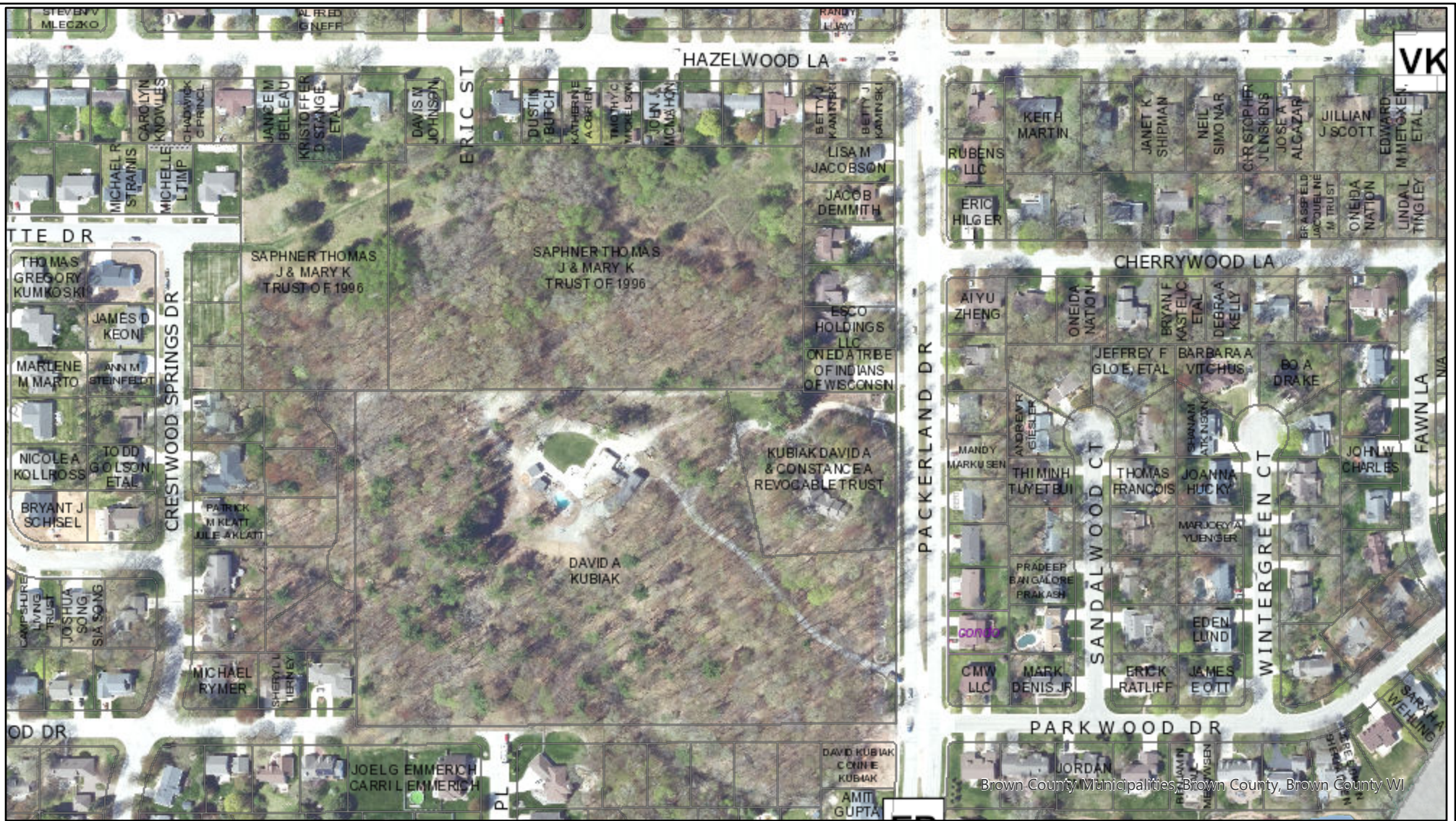
SHEET NO.
1 of 1

DRAWING NO.
S-3866

400 Security Blvd Ste 1, Green Bay, WI (920) 434-9670

File: B-15018Layout 052324.dwg

Data File: B-15018.txt



Legend

TaxParcel-smallScale

- Condominium
- Right of Way
- TaxParcel
- Undetermined
- CacheExtent

- Major Lakes & Rivers Small Scale
- Municipal Boundaries Large Scale
- 2 acres
- Wetlands
- School Property

Parks

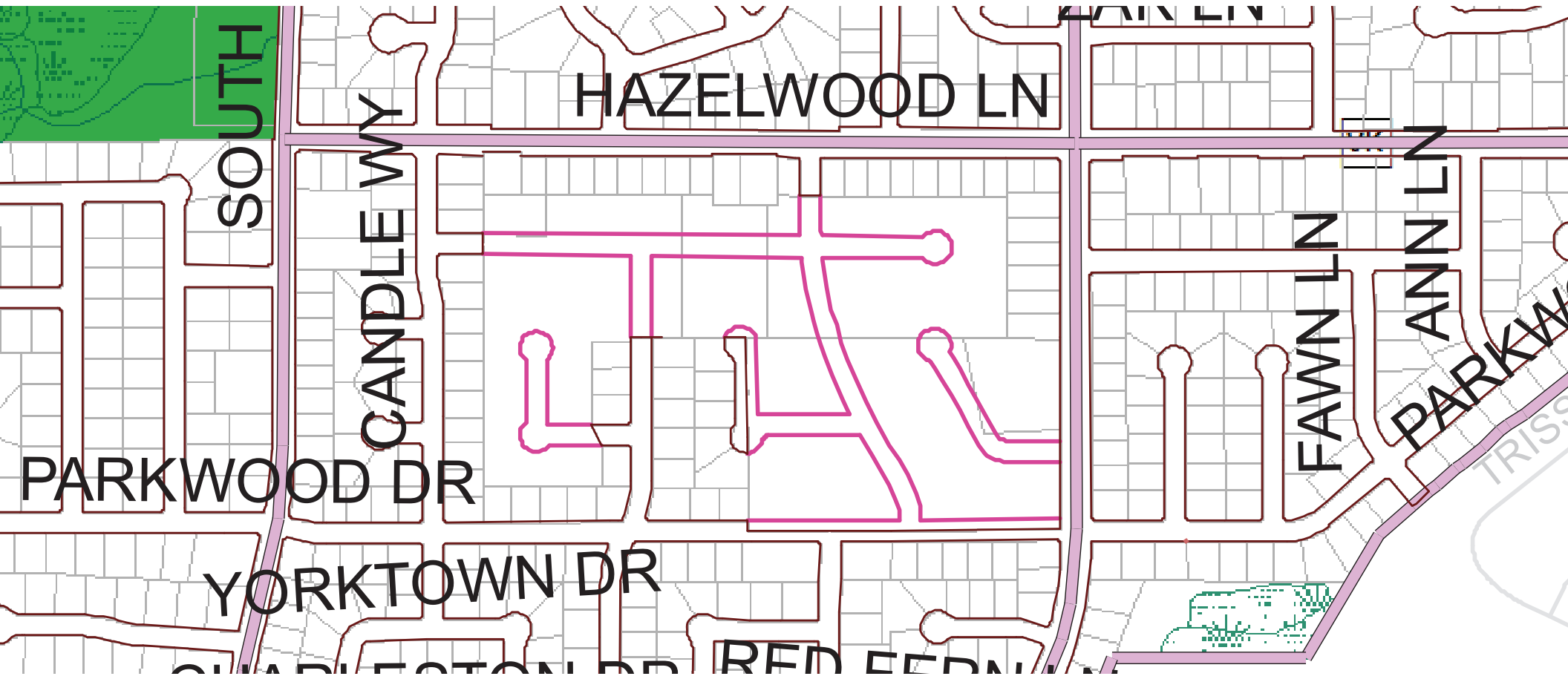
- <all other values>
- Amusement Park
- Athletic Fields
- Boat Launch
- Campground
- Community Park

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.

Date Printed: 22 May 2024

City of Green Bay

Brown County Municipalities, Brown County, Brown County WI



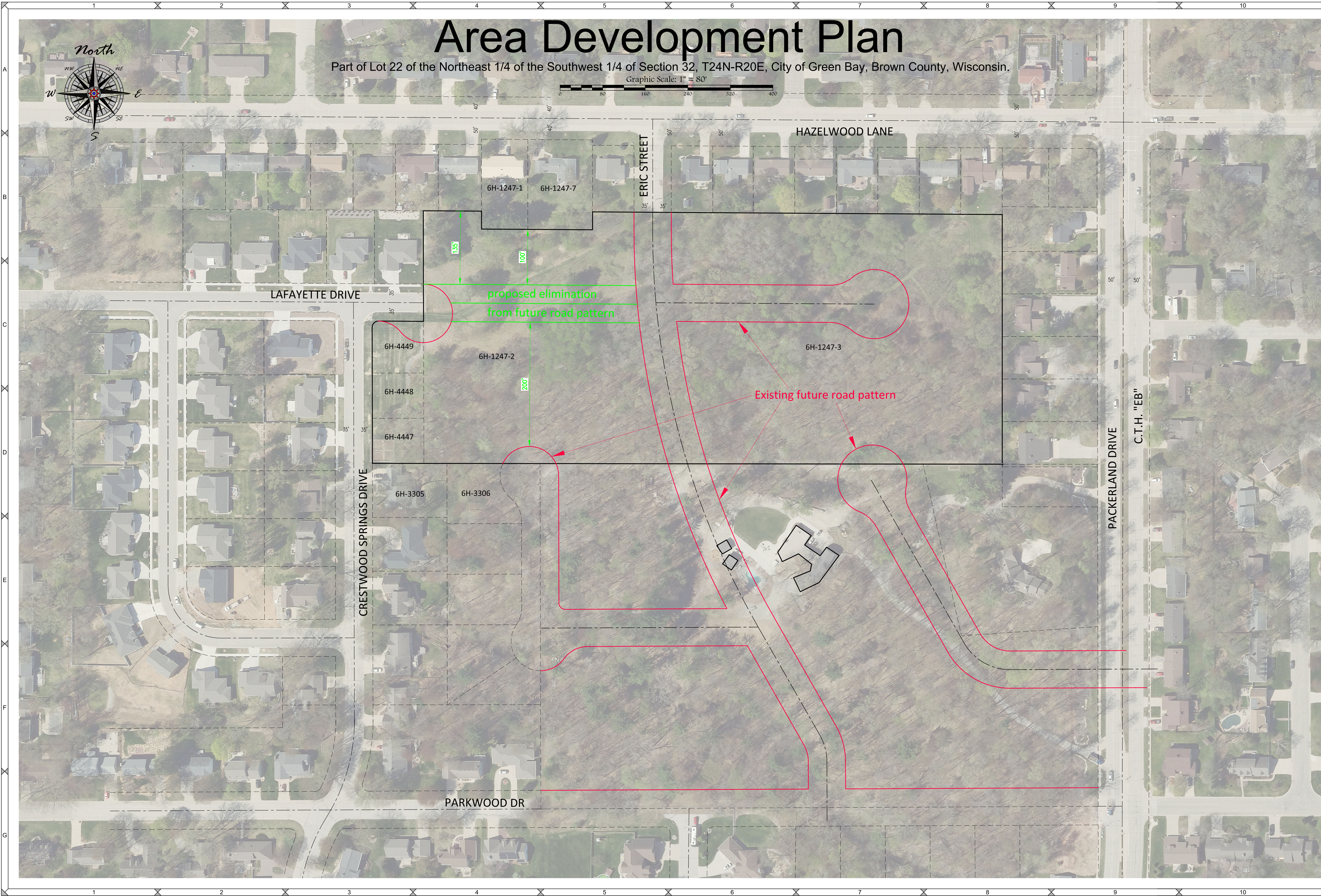
File: B-15018

Client: Thomas & Mary Saphner

Date: May 24, 2024

Official Map Amendment request...

Parcels 6H-1247-2 and 6H-1247-3 (approx. 12 acres) are currently undeveloped and owned by Thomas and Mary Saphner. They live adjacent and Southerly to the subject parcels at 2051 Crestwood Springs Drive (6H-3305). They also own parcels 6H-4447, 6H-4448 & 6H-4449 along Crestwood Springs Drive and 6H-3306 in the rear of their existing house. They love the neighborhood and want to maintain the highest standards for it. The Saphners would like to build a new home on the large parcel while keeping in mind options for future development of the area. There is an existing future road pattern on the area. The adopted road pattern through this area offers connectivity from Hazelwood Lane to Parkwood Drive via Eric Street with several cul-de-sacs to fill in the area. It also shows Lafayette Drive connecting to Eric Street. Based on acceptable minimum lot depths (not City code minimums), the Lafayette Drive extension runs into a conflict area as parcels 6H-1247-1 and 6H-1247-7 have additional depth lots that protrude into the client's North property line. The distance from those rear property lines to the existing partially dedicated cul-de-sac on the South of the client's parcel is only 370 feet. Based on the acceptable minimum lot depth of 3 lots and the right of way width of Lafayette Drive extended, we wouldn't have enough room to get everything through this pinch point. This proposal maintains the approved connection from Hazelwood Lane to Parkwood Drive but eliminates the connection of Lafayette Drive to future Eric Street. Through this proposed adjustment to the road pattern, the Saphners would be able to build their home in the desired location on a "future" lot off Lafayette Drive while still maintaining viable development options for the area.



SCALE
1"=80'

DRAWN BY
BAR

TAX PARCEL NO.

Area Development Plan


vierbicher
planners | engineers | advisors

400 Security Blvd Ste 1, Green Bay, WI (920) 434-9670

Thomas & Mary Saphner

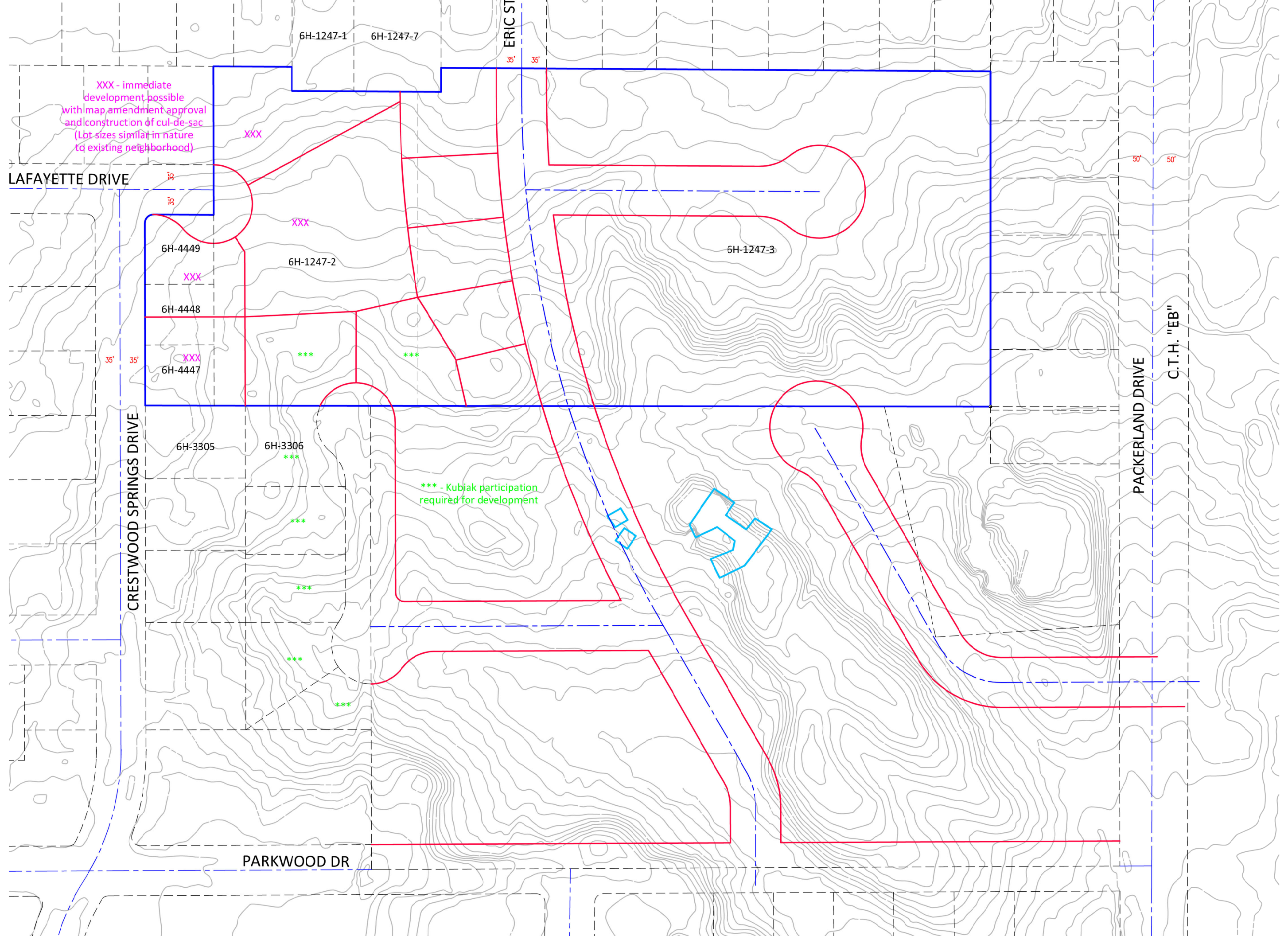
PROJECT NO.
B-15018

SHEET NO.
1 of 1

DRAWING NO.
S-3866

FILE: B-15018/Layout/052324.dwg

Data File: B-15018.txt



XXX - immediate
development possible
with map amendment approval
and construction of cul-de-sac
(Lbt sizes similar in nature
to existing neighborhood)

XXX

XXX

XXX

XXX

6H-3305

6H-3306

*** - Kubiak participation
required for development

19. Transportation Plan

optimizing traffic flow. According to the Institute of Transportation Engineers (ITE) 15 percent of intersections would benefit from signal timing adjustments alone, without any hardware changes.²

By interconnecting and coordinating traffic signals and instituting timing plans and a central master control system, traffic flow can dramatically be improved. Such systems can integrate volume-density actuated controllers that can account for traffic volumes and patterns throughout the day.



A roundabout at Lineville Road and Cardinal Lane in Howard

Intersection improvements: Improvements to intersections, via traffic control devices or design changes can increase traffic flow, reduce congestion, and improve safety. The use of roundabouts is one such design change that has proven to be a successful and cost effective means of increasing traffic flow, reducing delay, and enhancing both pedestrian and vehicular safety in the Green Bay metro area. Several roundabouts have been constructed in Brown

² *Twelve Tools for Improving Mobility and Managing Congestion.* Washington, D.C.: Urban Land Institute, 1991.

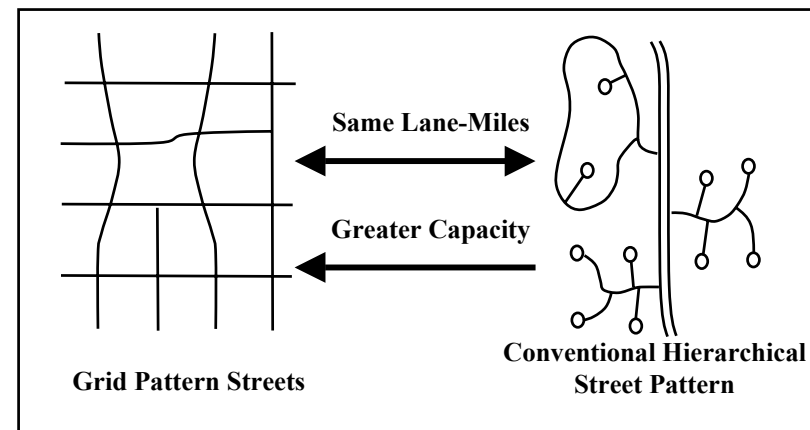
County, including two along Lineville Road at the intersections at Cardinal Lane and Rockwell Road in the Village of Howard.

The Brown County Planning Commission conducted a study of the Lineville Road roundabouts and found that not only did they reduce traffic delays, improve traffic flow and intersection capacity, but they reduced speeds in a school zone, decreased accident rates, and improved conditions for pedestrian and bicycle safety. The cost of constructing and maintaining roundabouts have been shown to be significantly less than installing and maintaining traffic signals.

Grid Pattern Streets: Much of Green Bay is constructed on a grid pattern or a modified grid pattern street network. As described in the discussion above, there are some clear advantages to grid pattern street networks including:

- Greater overall road capacity
- Increased route choices for local trips
- Direct routes for biking and walking.

Figure 19-8: Grid Street vs. Conventional Street Patterns



Grid pattern streets still maintain a hierarchical street function as described in the functional classification section. However, traffic is more dispersed throughout the road network. Because of traffic dispersion and increased route options, a grid pattern street network has greater capacity than the conventional street pattern where all local and collector roads funnel onto a single arterial street (see Figure 19-8).

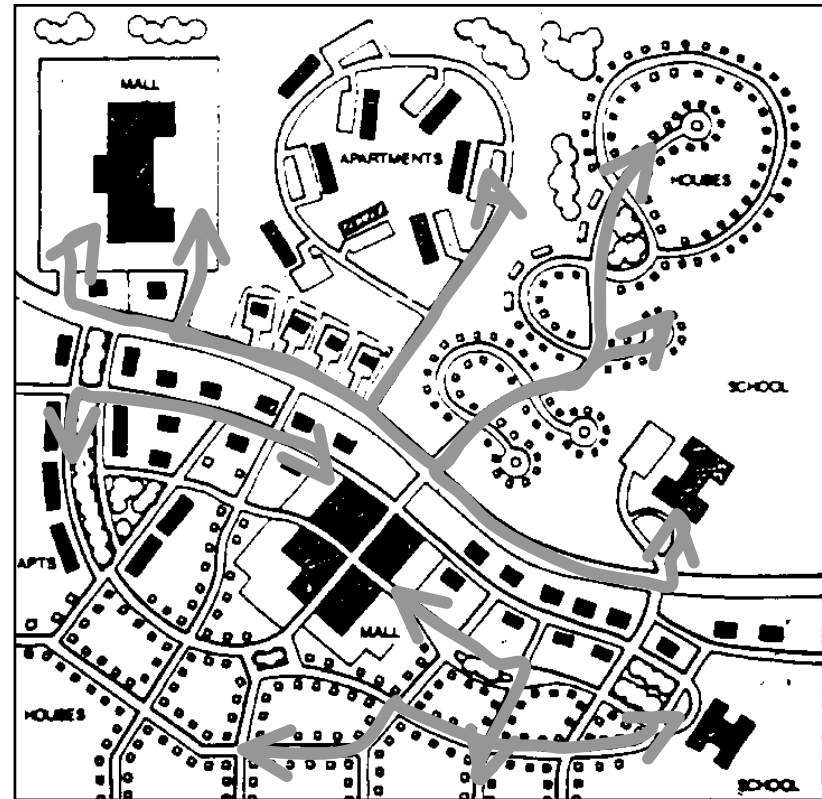
Figure 19-9 illustrates, in a slightly exaggerated manner, the relationship between development type and street pattern. The diagram shows an arterial roadway serving two distinct street patterns. The top half of the figure illustrates a hierarchical or “dendritic” road network with segregated land uses, typical of most suburban development. The bottom half of the figure depicts the same land uses on a grid pattern or modified grid pattern street network.

The purpose of principal arterial streets is primarily to accommodate longer trips. However, the conventional road network requires all trips, regardless of distance, to load onto the arterial roadway. As a result, the arterial street must accommodate local trips as well as long distance trips. Furthermore, once the arterial reaches a point of congestion, the only alternative available to travelers is to sit in congestion or not make the trip. It has been estimated that this type of street and land use pattern results in local trips accounting for up to 60-70 percent of arterial traffic.

In contrast, the grid pattern street network allows local trips to use alternative routes and avoid the arterial streets entirely. This image also illustrates how land use placement and mix can result in shorter trip distances, which make walking and biking more viable alternatives.

From a pedestrian perspective, the suburban road network and land use pattern creates long walking distances between land uses. Furthermore, pedestrians must walk along high-speed noisy arterial

Figure 19-9: Development on Interconnected vs. Conventional Street Pattern



streets and cross multi-lane intersections to get to destinations. As a result, pedestrians experience an uncomfortable and unsafe walking environment, assuming that pedestrians are willing to make the trip at all.

In contrast, the grid pattern development allows pedestrians a direct route and walkable distance to destinations on local roads. As will be described later, local roads can and should provide a comfortable, safe and attractive pedestrian environment.

Grid pattern streets should still follow a functional class hierarchy where design is a critical aspect of how the street will function. Arterial streets should be designed to provide for convenient travel flow that will be attractive to longer distance through-trips, whereas local streets need to be designed to accommodate low speed, shorter distance trips. Roadway design should encourage traffic to drive at speeds and in a manner that is appropriate to the adjacent land uses and street functional classification.

It has been argued that cul-de-sacs are desirable and that houses at the end of cul-de-sacs sell at premium prices because people do not want traffic in front of their house. This should not be a surprise, if the options are between a house on a street with traffic and a house on a street with no traffic, most would choose the house with no traffic. However, neighborhoods with grid pattern streets can and do provide low-volume roads, which when designed properly provide desirable housing options with minimal traffic impacts. These grid pattern neighborhoods also offer environments that provide safer, more comfortable, and attractive places to walk and bike.



Neighborhood Streets

Grid Pattern Residential Streets: As previously discussed, grid pattern streets are an important element in providing traffic alternatives and reducing local trips on arterial streets. Furthermore, grid pattern streets allow convenient and direct walking and biking access to destinations.

Narrow Streets: Narrow streets have been shown to reduce traffic speeds, creating a quieter, safer, and more comfortable pedestrian- and bicycle-friendly neighborhoods. Narrow streets benefit developers by reducing costs and benefit the City by reducing maintenance, snow removal and reconstruction costs. Weekly alternative-side parking can allow for street cleaning and snow removal. Although narrower streets may create some challenges for emergency vehicles, extra planning efforts should be able to address those issues.

Safety: It is often assumed that wider roads are safer roads. While it is true that “upgraded” roads decrease the number of accidents per vehicle mile, these statistics can be misleading since they do not take into account the extra trips and the increased length of trips that such upgrades encourage. However, accident rates per trip or per hour spent on the road remain much the same for narrower streets as for wider roads. Furthermore, straighter and wider roads encourage higher speeds. As a result, the accidents that do happen tend to be more severe, resulting in more injuries or a greater likelihood of death. Greater discussion of safety is included in the pedestrian section.

Emergency Vehicle Access: One of the greatest concerns in narrowing streets is that emergency vehicle access will be limited. One of the important aspects of narrow streets is that they are within a grid pattern system so that any individual property has access from two directions. In older neighborhoods, the alley provides an additional access point. Still, emergency response personnel should



Report to the Green Bay Plan Commission

MEETING DATE

June 25, 2024

PREPARED BY

Stephanie Hummel, Staff

AGENDA ITEM # P.2

To approve a Conditional Use Permit to establish a general industrial use at 3885 Finger Rd., subject to compliance with Zoning Ordinance 19-23 and all other regulations of the Green Bay Municipal Code. (ZP 24-17 Public hearing held June 17, 2024).

BACKGROUND

Primary Address: 3855 Finger Road

Aldersperson/District: Ald. Grant, District I

Reason for Request: To allow for a general industrial use within the Grandview Industrial Park.

Surrounding Zoning and Land Uses:

SUBJECT: Planned Unit Development (PUD); Vacant Land

NORTH: Rural Residential (RR); Vacant Land

SOUTH: Low-Density Residential (R1); Single-Family Homes and Farmland

EAST: Town of Humboldt, Low-Density Residential and Farmland

WEST: Planned Unit Development (PUD); Industrial (Carnivore)

Comprehensive Plan: The 2022 Smart Growth Plan currently designates this area for Commercial and Business Park use. The CUP request is consistent with the recommendations of the Comprehensive Plan.

Report: 3855 Finger Road is a 12.699 parcel on the City's far-east side, bordering the Town of Humboldt to the east. It is within the Grandview Industrial Park (GIP) Planned Development Area. The GIP was established to provide a location for industrial businesses and promote the efficient and effective growth of light-medium industrial businesses for the City. General industrial uses are allowed with a Conditional Use Permit within the GIP.

The applicant is proposing the construction of a 100,000 square foot manufacturing facility. If the CUP is approved, it must meet all code standards for both the City's municipal code and the PUD for the GIP (ZO 19-23). Current site plan appears to conform with both and would be reviewed in detail during regular site plan review and building permit application.

A neighborhood meeting was held on May 29, 2024, with approximately 50 people in attendance. Issues discussed and answers given are as follows:

- **Noise:** The facility will have levels at 60 decibels at the property line due to the placement of the building housing the forge.
- **Operations:** This will be a 24-hour facility, five days a week, with "hammer hours" from 5am-3pm Monday through Thursday, and occasional overtime hours on Fridays. They expect 10-12 trucks per day. There will be 75 employees to start, with potential expansion in the future for an additional 75

employees.

- **Roads:** According to Steve Grenier, Director of Public Works, “Finger Road is a county trunk highway and is currently designed to accommodate heavy trucks. Northview Road is a local road that cannot currently handle the truck weights and volumes. Should this proposal, or any similar proposal in the future, move forward, City staff would reconstruct Northview Road to a width and thickness to accommodate the anticipated heavy truck loads. There is no need for a Traffic Impact Analysis for this project.”
- **Water Line:** Some neighbors were concerned the additional truck traffic and industrial use could damage the water line. Brian Powell, Director of the Water Utility, said this isn’t a concern as the lines are built to withstand this.

Based on these comments and additional conversations at the neighborhood meeting, the applicant updated their site plan (see attachment “Old vs New Renderings”).

Conditional use approval may be recommended by the Plan Commission with reasonable consideration of the following:

1. The establishment, maintenance, or operation of the conditional use will not be detrimental to or endanger the public health, safety, or general welfare.
2. The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
3. The conditional use, its exterior architectural design, and functional plan of any proposed structure will not be injurious to the use of other property in the immediate vicinity nor substantially diminish or impair property values within the surrounding neighborhood.
4. Adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided.
5. Adequate measures have been or will be taken to provide ingress and egress and so designed as to minimize traffic congestion.
6. Adequate parking facilities as specified in Article XVIII of Section 44-83 within the Municipal Code.
7. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located and all other applicable City ordinances.

Staff feels that this facility has been designed appropriately for not only GIP standards, but also to provide minimal impact on the neighboring residential uses. The building layout was created to reduce noise at the parcel lines (current zoning allows up to 80 decibels), there are many thoughtful landscaping details, and the applicant made various adjustments to their site plan based on neighbor feedback. The proposed structure will not have a negative impact on the surrounding properties. Staff feels the CUP is appropriate.

Ald. Grant and adjacent property owners within 200 ft. of the subject area have been notified of the request. The Town of Humboldt was also notified. There have been no inquiries regarding this request as of the drafting of this report.

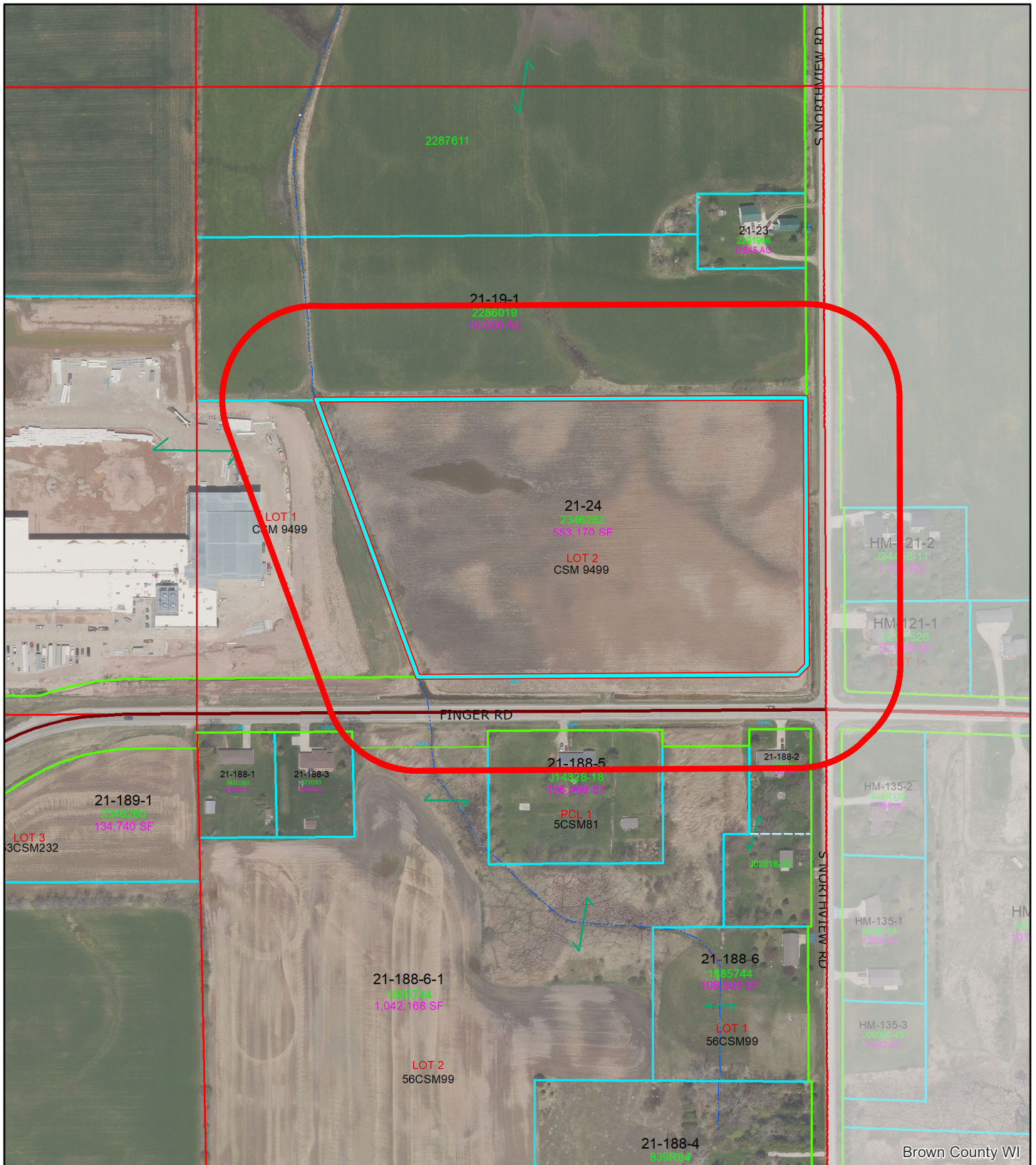
RECOMMENDATION

Approval of the request, subject to compliance with Zoning Ordinance 19-23 and all other regulations of the Green Bay Municipal Code.

FISCAL IMPACT

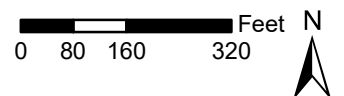
ATTACHMENTS

1. ZP 24-17 Map
2. ZP 24-17 Street View
3. ZP 24-17 Site Plan
4. ZP 24-17 Old vs New Renderings
5. ZP 24-17 Narrative
6. ZP 24-17 Cleveland Hardware Forging Acoustical Testing
7. Z.O. 19-23 Grandview Industrial Park PUD
8. ZP 24-17 Application



(ZP 24-17) Conditional Use Permit for General Industrial Use in Grandview Industrial Park

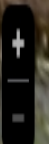
This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Department of Community and Economic Development. E.R. 04 Jun 2024 X:\Planning\Basemaps\template_8.5x11.mxd

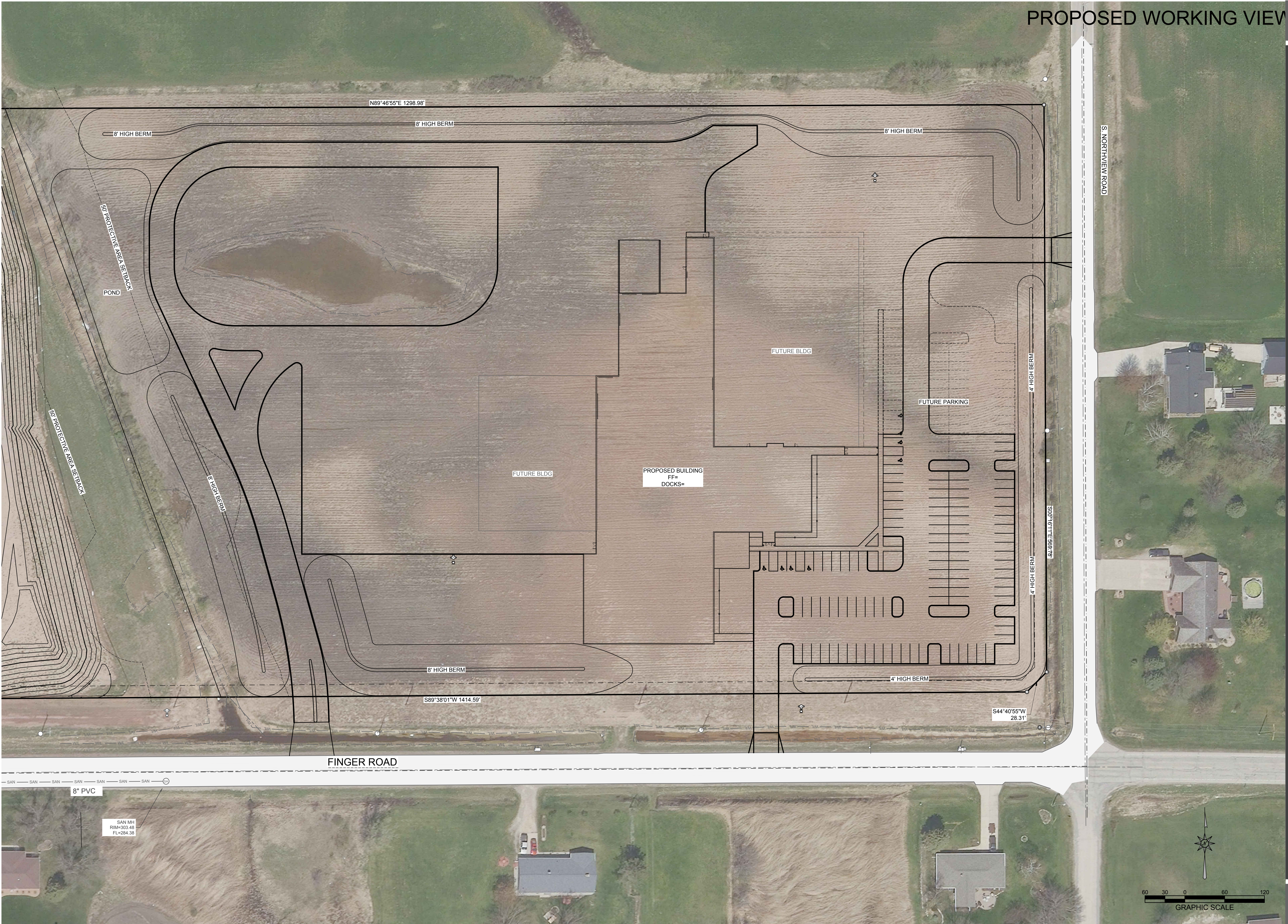


- 3855 Finger Road
- 200-ft. Notification Area



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PROPOSED WORKING VIEW

DESIGN / BUILD
GENERAL CONTRACTING
STEEL FABRICATION



State ID# 680499

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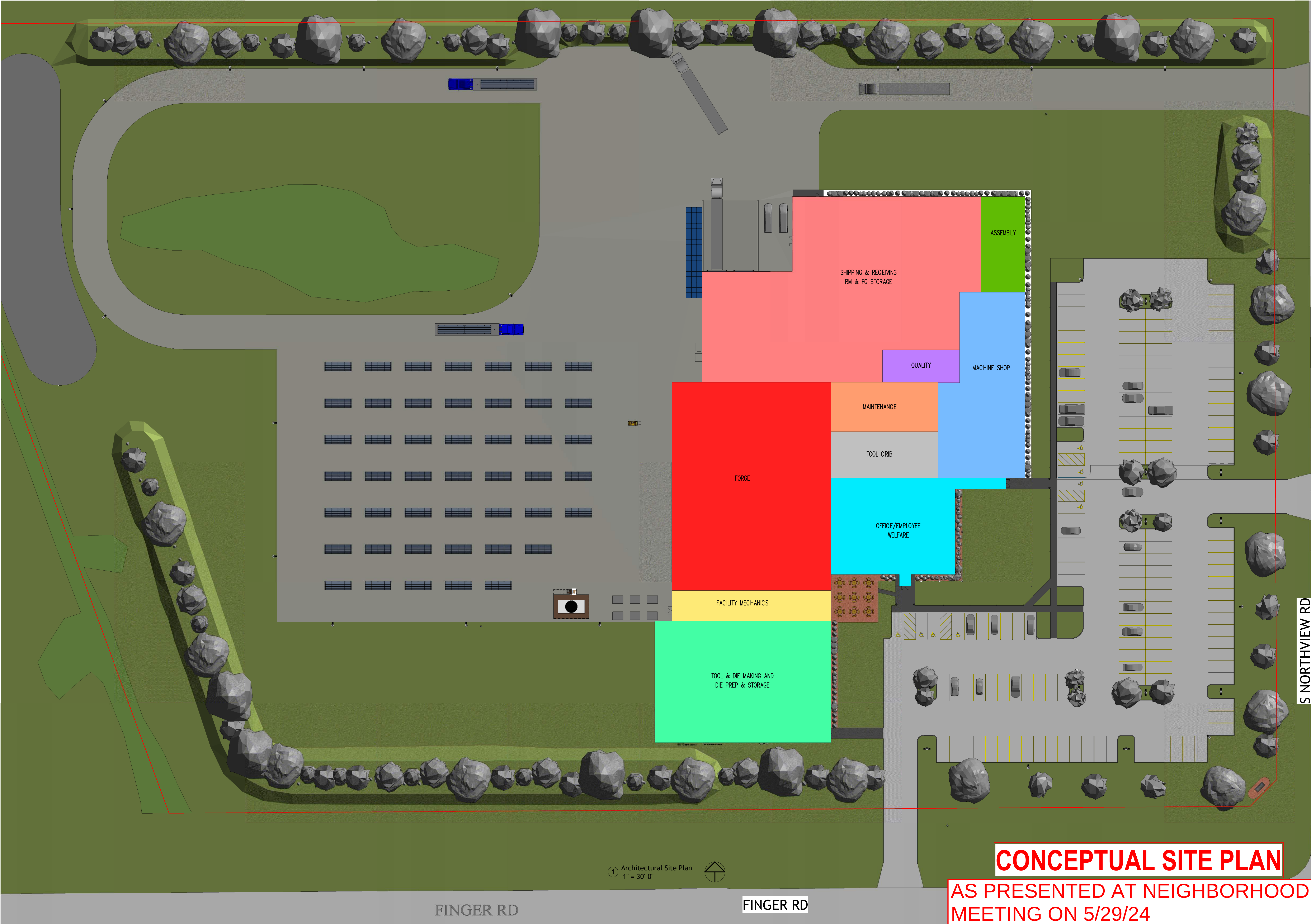
ENGINEERING • SURVEYING • ENVIRONMENTAL

2289 Schuchter Court, Green Bay, WI 54313
PH: 920-589-5765 Fax: 920-589-2767
www.machiv.com
Project Number: 1827-10-24

PROJECT:
GREEN BAY DROP FORGE
NEW FACILITY
3855 FINGER ROAD
GREEN BAY, WI 54311

PROJECT NO.:
24-100

SHEET NO.:
C0.1



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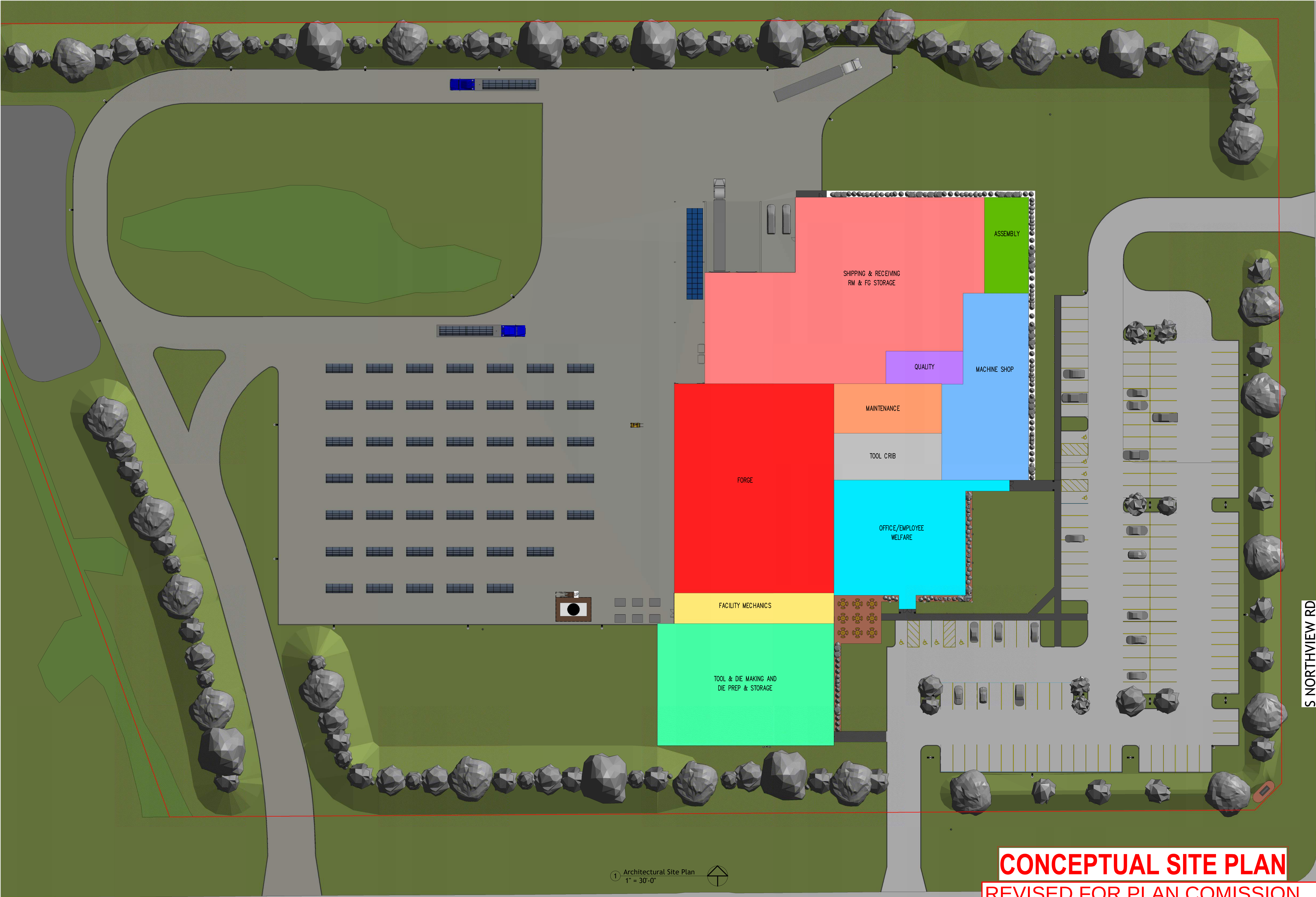
PROJECT:
CLEVELAND HARDWARE & FORGING CO.
NEW FACILITY
Enter address here
Address Line 2

PROJECT NO.:
24-100

SHEET NO.:
AC1

ARCHITECTURAL CIVIL PLAN

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ARCHITECTURAL CIVIL PLAN

CONCEPTUAL SITE PLAN

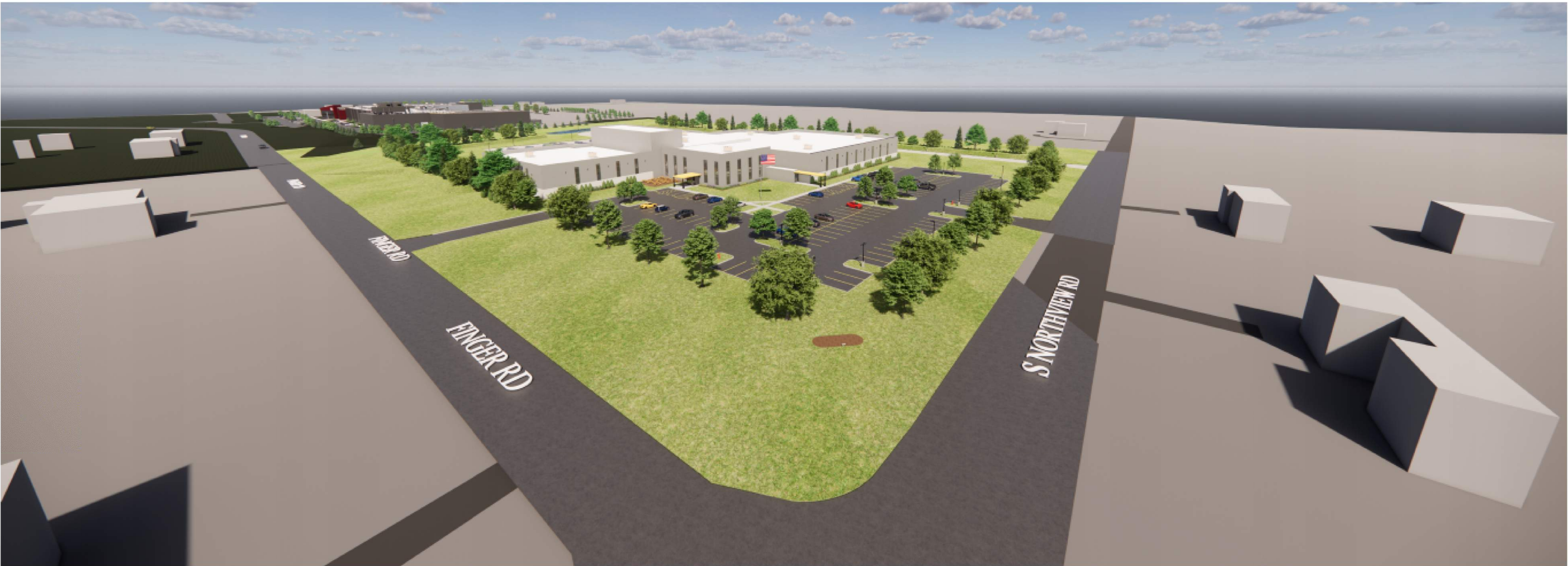
**REVISED FOR PLAN COMISSION
MEETING ON 6/17/24**



AS PRESENTED AT NEIGHBORHOOD
MEETING ON 5/29/24

CONCEPTUAL RENDERERS

① Front
1" = 30'-0"



③ Southeast
1" = 30'-0"

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24-100

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REVISED FOR PLAN COMISSION
MEETING ON 6/17/24

CONCEPTUAL RENDERS
(NOT TO SCALE)

① Front
1" = 30'-0"



② Southeast
1" = 30'-0"

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24-100

SHEET NO.:
A3.1



① Northeast
1" = 30'-0"



② Northwest
1" = 30'-0"



③ Southwest
1" = 30'-0"

CONCEPTUAL RENDERS AS PRESENTED AT NEIGHBORHOOD MEETING ON 5/29/24

DESIGN / BUILD
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METAL BUILDINGS

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PROJECT NO.:
24-100

SHEET NO.:
A3.2

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Revision History

Revision Number	Revision Date
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EXTERIOR RENDERINGS

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CONCEPTUAL RENDERERS
(NOT TO SCALE)

REVISED FOR PLAN COMISSION
MEETING ON 6/17/24



1 Northeast
1" = 30'-0"



2 Northwest
1" = 30'-0"



3 Southwest
1" = 30'-0"

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Revision History

Revision Number	Revision Date
2	06/05/24

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PROJECT NO.:
24-100

SHEET NO.:
A3.2

EXTERIOR RENDERINGS PHASE 1

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CLEVELAND HARDWARE & FORGING CO.

AFFILIATED BUSINESS UNITS:

Green Bay Drop Forge • Green Bay, WI
Cleveland Hardware • Green Bay, WI
Fox Valley Forge • Aurora, IL



WHO ARE WE?

Cleveland Hardware and Forging Company "CHFC" is comprised of three business units: Cleveland Hardware, Green Bay Drop Forge and Fox Valley Forge.

Cleveland Hardware was established in 1878 in Cleveland, OH. In 2019 the facility in OH was shut down and the operations were moved to Green Bay, WI. Today this business unit assembles and distributes hardware for bus manufacturers, industrial equipment, aviation, heavy & specialized trucks and service vehicles.

Green Bay Drop Forge was founded in 1914 and produces custom forged parts weighing <10 pounds for a variety of industries including tool manufacturers, lawn and garden, railroad, solar, energy, mining, defense, medical and distribution. They use 1500, 2500 and 3000 lb. drop hammers, as well as small upsetters and machining tools to produce a saleable product.

Fox Valley Forge was founded in 1948 and produces near final parts, weighing 20-100 pounds for a variety of industries including heavy and specialized truck, off highway construction vehicles, energy, agriculture, oil, gas and water and material handling. They use a large 2500 Ton Mechanical, a 3000 Ton Hydraulic press, large upsetters and machining equipment to produce a saleable product.

PROJECT SCOPE

Our commitment to modernization consists of constructing a 100,000 ft² manufacturing facility and investing in equipment advancements tailored specifically for our forging operations.

An overview of the major equipment investments includes:

1. New fully automated Lasco press line composed of a VPA 1000/200 hydraulic preforming press and SPR 2000 SO screw press with in-line saw and induction heating. This two-press solution will replace both current press lines that currently use outdated induction furnaces, no longer offer the best technical solution for our product and processes, and increase output from ~70 pcs/hr to 120-150 pcs/hr.
2. Two new semi-automated Lasco hammer lines composed of a hydraulic double-acting forging hammer HO-U 315 and hydraulic double-acting forging hammer HO-U 160 with induction heating and offline saw. These two hammer line investments will replace all eleven existing board drop hammers and nine gas furnaces with new equipment that will increase output from ~100-200 pcs/hr to ~300-400 pcs/hr.
3. We are still in beginning stages of scoping out new fully automated upset line(s). This investment will replace all nine existing upset machines and nine gas furnaces. Current processes are currently averaging ~75 pcs/hr, but with the new solutions we are looking to achieve rates of ~120 pcs/hr.

CLEVELAND HARDWARE & FORGING CO.

AFFILIATED BUSINESS UNITS:

Green Bay Drop Forge • Green Bay, WI

Cleveland Hardware • Green Bay, WI

Fox Valley Forge • Aurora, IL



PROJECT TIMELINE

CHFC is currently working with Schuh Construction and Mach IV, on site and facilities design. Construction is scheduled for August 2024. The installation and commissioning of the four new pieces of equipment will be staged from June-August 2025 with full production no later than September 2025.

PROPOSED OPERATIONS

Press Production: Monday-Friday 24 hours

Hammer/Machine Shop/Upset Production: Monday-Thursday 5-3, OT on Fridays

Office: Monday-Friday 8-5

115-130 employees

Titles & Roles:

- | | | |
|-----------------------|---------------------------|---------------|
| • Production Laborers | • Accounting/IT/HR | • Quality |
| • Engineering | • Purchasing/Supply Chain | • Maintenance |
| • Safety | • Sales/Customer Service | • Shipping |
| • Operations | | |
| Managers/Supervisors | | |

WHAT ARE WE FOCUSED ON?

We as leaders in the company are looking at current restraints and challenges that we are faced with every day and are in the process of making decisions that will take CHFC into the next 100+ years.

We recognize that we need to accomplish the following to meet our long-term objectives:

- We will make improvements/upgrades to our facilities to continue to be an employer of choice.
- We will advance current technologies to ensure that we can remain competitive in the market and expand into new ones.
- We will strengthen customer relationships and capitalize on the demand that exists in the market.



Shen Milsom & Wilke
125 S Wacker Drive, #1510
Chicago, IL 60606
T: 312-559-4585
F: 312-559-5359

Cleveland Hardware & Forging

GREEN BAY, WI

New Green Bay Location – Rev 1

SM&W PROJECT #23323AS

Prepared for:

Cleveland Hardware and Forging Company
1341 South State Street
Green Bay, WI 54304

Jun 7, 2024

Table of Contents

1.0	Introduction	3
2.0	Terminology	3
3.0	Design Criteria	3
4.0	Existing and Proposed Conditions	4
5.0	Survey Procedures	7
6.0	Survey Results.....	9

1.0 INTRODUCTION

This document presents a summary of our test procedures and results for the future forging facility in Green Bay, WI, and existing facilities in Elk Grove, and Rockford, IL. The future site in Green Bay will have new drop forge hammers similar to the hammers in Klein Tools (Elk Grove) and Estwing (Rockford).

SM&W conducted testing on 9/29/2023 (Estwing) and 10/5/2023 (Klein Tools).

Please let us know if you have any questions about this information.

2.0 TERMINOLOGY

Sound Levels

The logarithmic unit of measure defining the amplitude of sound pressure level (SPL) is decibel (dB). Human hearing is not equally sensitive across all frequencies. We tend to perceive mid-frequencies (speech) better than high or low frequencies. To account for human hearing response at typical listening levels, sound pressure can be expressed in units of A-weighted decibels (dBA).

For dBA rating, a higher number corresponds to louder sound levels. By way of reference, a 3-point difference in dBA rating represents a just-noticeable difference; a change of 5-6 points is clearly noticeable, and a sound level that is 10 points higher is perceived to be twice as loud.

Vibration Terminology

Root-mean-square (RMS) acceleration is typically measured as a multiple of the acceleration due to Earth's gravity (g). One g is approximately equal to 9.8 m/s² or 386 in./s². The g is one of the most common units for vibration measurements with accelerometers. RMS amplitude is used to describe the "smoothed" vibration amplitude of acceleration and velocity.

3.0 DESIGN CRITERIA

The new site is parcel 21-24 3855 Finger Road, Green Bay, WI 54311. The noise and vibration ordinance ((Section 24-146 and Section 24-180) for Green Bay was provided by Cleveland Hardware and Forging Company, and it is also can be found on the [Municode Library](#) website. The details are shown below.

3.1 Noise Ordinance

Sec. 24-146. Regulation of noise.

- (b) *Unreasonably loud noise.* No person shall produce unreasonably loud noise. A court shall consider any relevant factors to determine whether any noise is unreasonable, including, but not limited to, the following:
- (1) *Decibels.* A court may determine any noise is unreasonable solely because it exceeds 80 dB(A) using an A-weighted sound pressure level instrument when measured from any property not under control of the person producing the noise.
 - (2) *Time of day.* Certain noise that is reasonable during daytime hours may be unreasonably loud during nighttime hours.
 - (3) *Land use.* Certain loud noise that is unreasonably loud in residential areas may be reasonable in mixed-use, commercial, or industrial areas.
 - (4) *Duration of noise.* Certain loud noise may be reasonable for a short time but may be unreasonable if the noise persists over a long time.

Note that there is only one clear objective limit in the noise ordinance, which is 80 dB(A). Based on the description of (1) *Decibels*, 80 dB(A) at the property line is selected as a noise limit for the analysis. The ordinance makes no mention of noise frequency and is a consistent limit across all possible perceived frequencies

3.2 Vibration Ordinance

Sec. 24-180. Vibrations

- (a) *In general.* No use or structure shall be operated or occupied as to vibrate in such an amount or to such a degree or intensity as to constitute a hazardous condition or as to unreasonably interfere with the use and enjoyment of property by any person of normal sensitivities or otherwise as to create a public nuisance.
- (b) *Specific standards.* Uses creating vibration shall comply with the performance standards identified in the below table, Maximum Permitted Vibration, and shall be conducted in such a manner as to make such vibration completely imperceptible from any point along a non-industrial zoning district boundary line. Vibration shall be measured at any point along a property line with a three-point component measuring system recognized as a standard for such purpose and shall be expressed as displacement in inches.

Maximum permitted Vibration	
Frequency in Cycles per Second	Maximum Vibration Displacement in inches
Under 10	0.0008
10-19	0.0005
20-29	0.0002
30-39	0.0002
40 and over	0.0001

4.0 EXISTING AND PROPOSED CONDITIONS

The aerial views of the future site in Green Bay, WI, is shown in Figure 1 and Figure 2 below. The distanced to the property line are shown in in Figure 3.



Figure 1. Aerial View of the Site – South West View



Figure 2. Aerial View of the Site – South East View

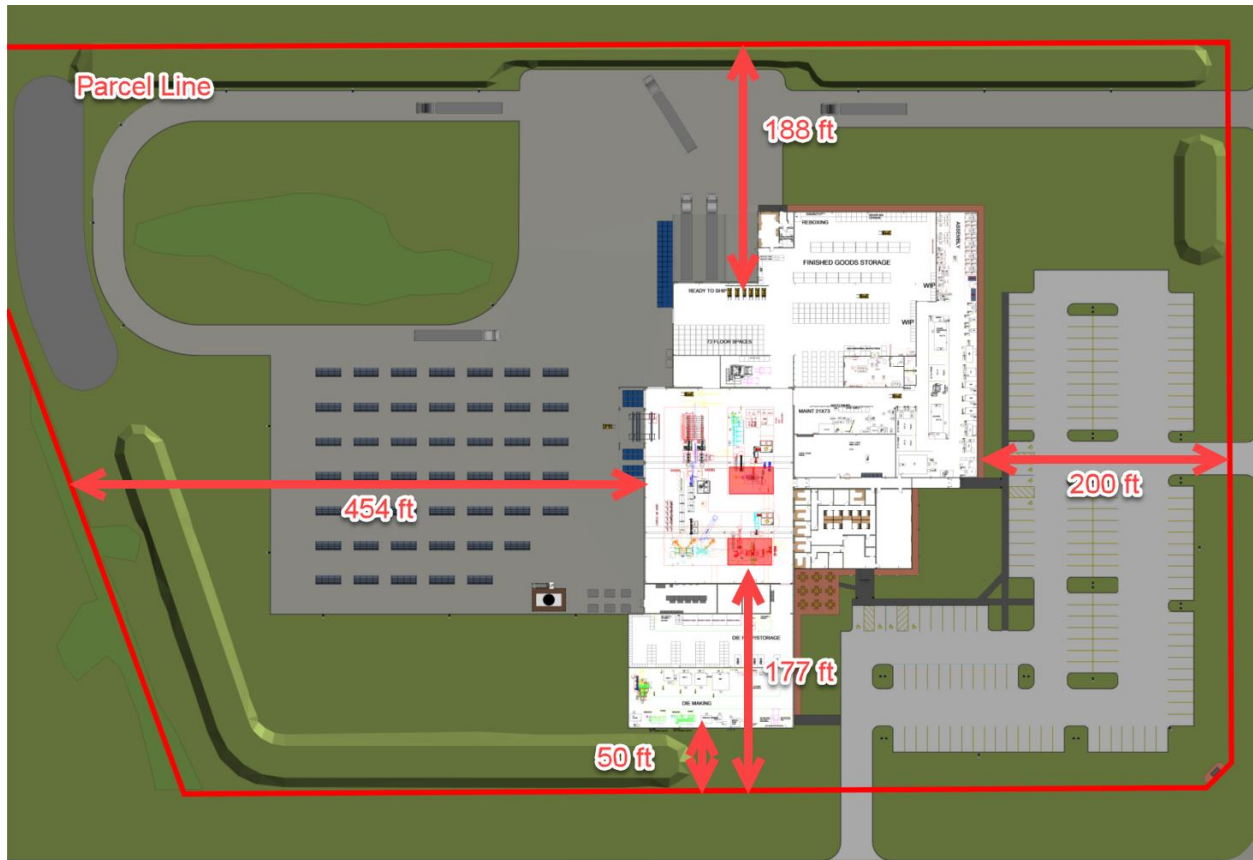


Figure 3. Distances to Parcel Line

The new facility will be constructed as follows:

- Wall: 12" precast concrete wall panel
- Roof:

- Height
 - High Bay Forge Building 48'
 - Lower Bays Forge Building 30'
- Composition
 - 60 Mil TPO or PVC membrane, mechanically fastened.
 - 5.2" of ISO roof insulation
 - 22 gauge 1.5B-deck

The exterior assemblies (wall and roof) are similar to Estwing and KelinTools facilities and are expected to provide similar sound isolation performance.

5.0 SURVEY PROCEDURES

One site survey was performed at each site, and both noise and vibration levels were measured.

5.1 Noise

Sound pressure levels were measured at the site utilizing a Bruel & Kjaer Type 2270-S sound level meter, which meet ANSI S1.4 criteria for Type 1 sound level meter. Calibration was performed before the testing. The meter was mounted on a tripod with a windscreen to prevent wind noise from influencing the measured data. Sound levels were measured on fast response in 1/3 octave band from 6.3 Hz to 20 kHz. The sound pressure levels reported in this document are max levels.



Figure 4. Estwing (inside)



Figure 5. Estwing (outside)



Figure 6. Klein Tools (inside)



Figure 7. Klein Tools (outside)

5.2 Vibration

Vibration measurements were made using a tri-axial piezoelectric accelerometer, model G-Link 200 manufactured by LORD MicroStrain. Data were transferred wirelessly through a LORD MicroStrain WSDA-1500-LXRS Wireless Sensor Data Aggregator to a Microsoft Surface Laptop 4 running SensorConnect software. The frequency response of the sensors is 0.5 Hz to 500 Hz with amplitude resolution from 0.0000002g to 2g. An accelerometer measured the Z-axis which was the plane perpendicular to the surface. Fourier transforms were applied to determine the amplitude of frequency peaks in the vertical axis. During our testing, accelerometers were installed at various locations on the metal surface of the heavy object fixed to the ground.



Figure 8. Estwing (outside)



Figure 9. Estwing Tools (inside)



Figure 10. Klein Tools (inside)

6.0 SURVEY RESULTS

6.1 Noise

Table 1 shows the measured noise levels at various locations in three sites.

Table 1. Measured Noise Levels				
Site	Location		Goal	Measured Noise Level
Estwing	Inside (33 ft from hammer)			105 dBA
	Outside (12 ft from building) With door open			100 dBA
	Outside (12 ft from building) With door closed			78 dBA
Klein Tools	Inside (30 ft from hammer)			105 dBA
	Outside (130 ft from building)			84 dBA*
Estimated Noise Level (based on Estwing)				
New Location (Green Bay)	West	With door open	80 dBA	79 dBA
		With door closed		57 dBA
	South			66 dBA
	East			60 dBA
	North			61 dBA
* The background noise coming from traffic was dominating (loud). Since the traffic noise was too loud, the measurement of the receiving level of the hammering was unavailable.				

- Source Levels
 - o The noise levels inside the factories were similar between the two sites, which was 105 dBA.
- Receiving Levels (Estimated)
 - o West (454 ft away)
 - The estimated noise level at 454 ft outside of the factory to the west is 79 dBA with the door open and 57 dBA with the door closed, which both are less than the noise ordinance of 80 dBA.
 - o South (50 ft away)
 - The estimated noise level at 50 ft outside of the factory to the south is 66 dBA, which is less than the noise ordinance of 80 dBA.
 - o East (200 ft away)
 - The estimated noise level at 200 ft outside of the factory to the east is 60 dBA, which is less than the noise ordinance of 80 dBA.
 - o North (188 ft away)
 - The estimated noise level at 200 ft outside of the factory to the north is 61 dBA, which is less than the noise ordinance of 80 dBA.

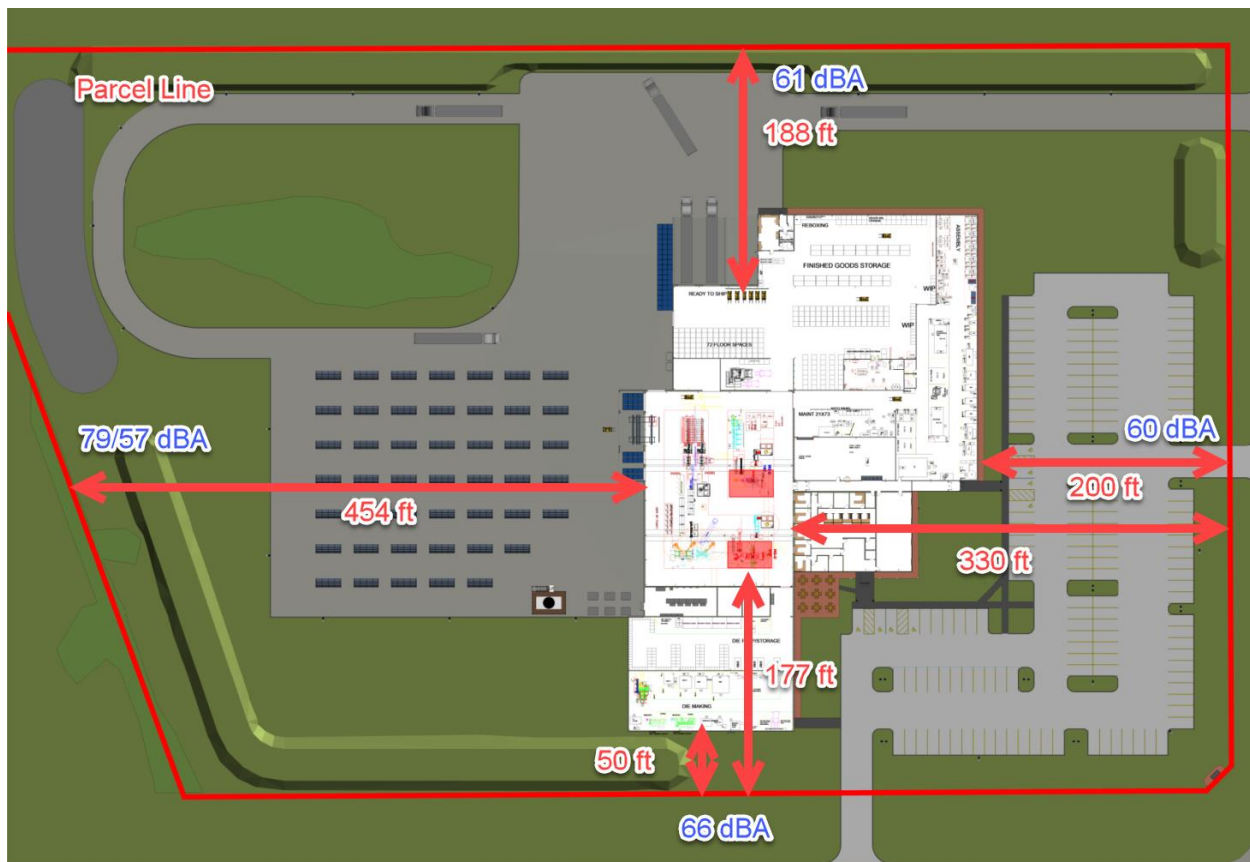


Figure 11. Distance and Estimated Noise Levels at Property Line

- Conclusion
 - o The proposed wall and roof of the future factory in Green Bay would provide enough sound isolation to meet the Green Bay noise code.
 - Note that 80 dBA is only one parameter listed in the noise ordinance, and a court shall consider any relevant factors to determine whether any noise is unreasonable.
 - For reference, 60 dBA is a typical human's conversation level.

6.2 Vibration

Table 2 shows the measured vibration levels at various locations in two sites.

Table 2. Measured Vibration Levels		
Site	Location	Measured Vibration Level
Estwing	Data is not valid.	
Klein Tools	Inside (30 ft from hammer)	0.02 G
	Outside (350 ft from building)	0.003 G*
* The vibration was coming from heavy traffic.		

Table 3 shows the estimated vibration levels of displacement in inches and compared with the vibration ordinance. Note that displacement was calculated based on frequency and acceleration (G).

Table 3. Measured and Estimated Vibration Levels (Displacement in Inches)			
Frequency in Cycles per Second	Maximum Vibration Displacement in inches	Klein Tools (30ft) 0.02 G	New Location (Green Bay) Estimated at 177 ft
Under 10	0.0008	0.00097	0.00016
10-19	0.0005	0.00027	0.00005
20-29	0.0002	0.00012	0.00002
30-39	0.0002	0.00006	0.00001
40 and over	0.0001	0.00006	0.00001

177 ft is the distance between the future hammer location and the closet property line to the south. As shown in Table 3, the estimated vibration levels are much lower than the maximum allowable vibration by 1/10 and meet the vibration ordinance.

ZONING ORDINANCE NO. 19-23

AN ORDINANCE ZONING CERTAIN PROPERTY LOCATED AT 641 SOUTH GRANDVIEW ROAD, 3757 VITAL PLACE, 3751 EAST MASON STREET, 3760 EAST MASON STREET, AND 3855 FINGER ROAD AS A PLANNED UNIT DEVELOPMENT DISTRICT FOR PURPOSES OF DEVELOPING THE GRANDVIEW INDUSTRIAL PARK (ZP 23-39)

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section **44-30**, Green Bay Municipal Code, together with the zoning map referred to therein, is hereby amended by establishing a Planned Unit Development District on the properties listed below and as depicted as Phase I on Exhibit A - Location Map and described below:

Parcel ID	Address	Legal description
21-189	3751 E Mason St	LOT 4 OF 53 CSM 232 BNG PRT OF NW1/4 NE1/4 SEC 12 T23N R21E
21-189-1	3760 E Mason St	LOT 3 OF 53 CSM 232 BNG PRT OF NW1/4 NE1/4 SEC 12 T23N R21E
21-22	3757 Vital Place	LOT 1 OF 53 CSM 232 BNG PRT OF SW1/4 SE1/4 SEC 1 T23N R21E
21-22-1	641 S Grandview Rd	W 310 FT OF S 399 FT OF SW1/4 SE1/4 SEC 1 T23N R21E EX RDS
21-24	3855 Finger Rd	LOT 2 OF CSM 9499 BNG PRT OF SE1/4 SE1/4 SEC 1 T23N R21E

Planned Unit Development Phase I area contains 2,187,669 sq ft/50.22 acres, more or less.

SECTION 2. Pursuant to Chapter 44, Article XX, Green Bay Municipal Code, as they apply, the following conditions are imposed:

- A. **INDUSTRIAL PARK OVERVIEW.** The Grandview Industrial Park (GIP) is a planned development designed to provide a high-quality location **for industrial businesses** and promote the efficient and effective growth of light-medium industrial businesses within the greater Green Bay market, while also integrating land area suitable for supportive commercial retail and service uses.

GIP will initially consist of five parcels **totaling** approximately 50 acres of **land** area. This is the first phase of a larger industrial park that will ultimately include approximately 30 parcels, comprising approximately 375 acres of land. It is located on the east side of the city on both sides of the 3700-3800 Blocks of East Mason Street approximately one and a half miles east of Interstate 43, nine and a half miles from Interstate 41 and about 11 miles from the Green Bay Austin Straubel International Airport.

Through appropriate land use regulation, supportive infrastructure, proximity to the

interstate highway system and nearness of work force, the City has set the stage for a regional industrial “campus” that has been identified as a necessity in the Green Bay Smart Growth Comprehensive Plan and 2021 Commercial Market Study.

GIP is intended to be primarily a light to medium intensity industrial park supporting production, processing, storage, distribution, and transportation uses. Select commercial and workforce-oriented support uses such as restaurants, business and personal services, and vehicle-oriented businesses are also permitted along arterial roadways. It is important to note that regulation within this PUD may be differentiated based on the industrial or commercial nature of the use

- B. **LAND-USE REGULATIONS.** The only permitted or conditional uses that may be established and/or maintained within the PUD area shall be those uses listed below. All other uses shall be specifically prohibited within the PUD area.

Table I-1. Principal Uses in the PUD

Use	GIP	Development Standards	Location limited
Production, Processing, and Storage			
Agricultural Uses	P		
Limited production and processing	P	X	
Light industrial uses	P		
General industrial uses	C		
Heavy industrial uses	C		
Contractor yard	C		
Dry cleaning establishment, commercial laundry	P		
Research and development facility	P		
Warehousing (not including self-service)	P		
Wholesale and distribution facility	P		
Transportation Uses			
Ground transportation service	C		
Motor freight terminal	C	X	
Package delivery service	P		
Public Service and Utility Uses			
Public safety/service facility	P		
Telecommunication tower, wireless communication facility	C	X	
Substation/distribution equipment	C		
Solar or Wind Energy Systems	C		
Office and Mixed Uses			
General office	P		
Government office	P		
Bank or other financial institution	P		Arterial Road
Clinic, healthcare facility	P		Arterial Road
Commercial Uses			
Accommodation and Food Service Uses			

Restaurant,* not including drive-through	P		Arterial Road
Restaurant* with drive-through	P		Arterial Road
Service Businesses			
Business service**	P		
Building maintenance, janitorial service	P		
Catering service	P		
Printing and publishing establishment	P		
Small appliance repair service	P		
Tool/equipment rental facility	P		
Animal hospital, veterinary clinic	C	X	Arterial Road
Animal grooming establishment	C		
Animal boarding facility, kennel	C	X	Arterial Road
Retail Sales			
General retail sales **	C		Arterial Road
Building material sales	P	X	
Contractor showroom	P		
Greenhouse, garden supply store	C		
Commercial Recreation and Entertainment			
Health clubs, fitness centers	C	X	Arterial Road
Vehicle Services			
Automobile rental	C	X	Arterial Road
Convenience store	P		Arterial Road
Fuel/gas/service station	P	X	Arterial Road
Motor vehicle repair, major	C		
Motor vehicle repair, minor	P		Arterial Road
Drive-through facility	C	X	Arterial Road
Educational Uses (Amd. GO 10-18)			
School, specialty or personal instruction, etc.	C	X	
Group daycare center, preschool (9 or more children)	C	X	Arterial Road

Note: P = Permitted Use; C = Conditional Use

* Any establishment at which primarily alcoholic beverages are served must also meet the requirements of Green Bay Municipal Code, Chapter 4 – Alcohol Beverages.

** See Land Use Definitions section of the Green Bay Zoning Code, Chapter 44, Green Bay Municipal Code for complete list of uses.

Table I-2. Accessory Uses in the PUD:

Use	GIP	Development Standards	Location Limited
Antennas, satellite dishes, and similar equipment	P	X	
Carwash	C	X	
Music (outdoor live or amplified music)	C		Arterial Road
Off-street loading docks	P		
Outdoor display of vehicles	C	X	
Outdoor commercial recreation	C	X	Arterial Road
Outdoor sales, display, and storage	P	X	
Parking (surface)	P		
Parking (structured)	P		

Parking and storage of vehicles licensed to a business	P	X	
Signs, as regulated by Chapter 30	P		
Small wind energy systems	P	X	
Solar energy systems	P	X	
Telecommunication facilities	C	X	
Warehousing, incidental repair, or processing necessary to conduct a permitted principal use, conducted within the principal building	P	X	Arterial Road
Waste and recycling storage	P	X	

Note: P = Permitted Use; C = Conditional Use

- I. Table 1-1 and 1-2 above lists all permitted and conditional uses allowed in the PUD.
 - a. Permitted uses. Uses specified with a "P" are permitted in the PUD or districts where designated, provided that the use complies with all other applicable provisions of this PUD.
 - b. Conditional uses. Uses specified with a "C" are allowed as a conditional use in the PUD where designated, provided that the use complies with all other applicable provisions of this PUD.
 - c. Prohibited uses. Any use not listed as either "P" (permitted) or "C" (conditional) or any use not determined by the Zoning Administrator to be substantially similar to a use listed as permitted or conditional shall be prohibited in the PUD.
 - d. Specific development standards. Permitted and conditional uses specified with an "x" under the development standards column shall be subject to the standards identified in Article XVI of the Green Bay Zoning Code, Chapter 44, the City of Green Bay Municipal Code and below.
 - e. Specific uses are only permitted on parcels with arterial roadway frontage as listed in the use tables and depicted on Exhibit B.
2. Accessory Structures: An accessory structure shall be considered attached and an integral part of the principal structure when it is connected by an enclosed passageway. Such structures shall be subject to the following requirements:
 - a. The structure shall meet the required yard setbacks for a principal structure, as established for the PUD.
 - b. For Commercial uses, the total floor area of an accessory structure shall not exceed the ground floor area of the principal building located on the same lot.
 - c. The structure shall not exceed the height of the principal building to which it is attached.
3. Outdoor storage and Display:
 - a. Outdoor storage areas shall not exceed 35 percent of the lot area and shall be contiguous to the principal use on the site.
 - b. Solid or a minimum of a 90 percent screen is required for outdoor storage and loading/service bays unless the loading/service bay doors are an integral

and necessary component of the principal building and operation of the use, as determined by the Zoning Administrator. The fence shall be at least six feet in overall height and shall consist of wood, vinyl, or masonry material.

- c. All outdoor storage, outdoor display, employee and customer parking, drives and other facilities are required to be surfaced as regulated in Section 44-1694 of the Green Bay Zoning Code, Chapter 44, Green Bay Municipal Code.
- d. No material/product may be stored higher than the screening.
- e. No outdoor storage shall encroach within a required setback.
- f. Outdoor storage shall be completely screened in compliance with Section 44-1964 of the Green Bay Zoning Code, Chapter 44, Green Bay Municipal Code and the Landscape Section of this PUD.
- g. Outdoor sales and display areas shall be separated from any adjacent street, sidewalk, or public walkway by a low landscaped screen, in compliance with Section 44-1918 of the City of Green Bay Zoning Code Chapter 44, Green Bay Municipal Code.

C. SITE RELATED REGULATIONS. The purpose of this section is to regulate the development of land in an integrated and innovative fashion; allow for flexibility in site design; and to encourage development that is sensitive to environmental, cultural, and economic considerations.

I. Dimensional and area requirements. Dimensional and area requirements shall meet the standards in the commercial and industrial districts as enumerated within Articles VIII and IX of the Green Bay Zoning Code, Chapter 44, Green Bay Municipal Code, with the following modifications:

- a. Lot(s). Minimum lot width and lot area shall be regulated as follows:
 - (1) Minimum lot area: 10,000 sq. ft. for commercially used lots and 40,000 sq. ft. for industrially used lots.
 - (2) Minimum frontage: 75 feet for commercially used lots and 200 feet for industrially used lots.
- b. Floor area ratio (FAR): Minimum is 0.25 for both commercially used lots and industrially used lots.
- c. Setbacks:
 - (1) Front yard setback, principal structures. Minimum 25 feet.
 - (2) Front yard setback, accessory and/or ancillary structures. Minimum 100 feet. Additionally, no accessory and/or ancillary structures shall be closer to the right-of-way than the principal structure(s) on the site.
 - (3) Side yard Setback. 10 feet.
 - (4) Rear yard setback. 15 feet.
 - (5) The side façade of a corner building adjoining a public street shall maintain the minimum front yard setback for both the front and side facades.
 - (6) When a side or rear yard adjoins a residential use, the side yard or rear yard setback is 25 feet with screening as regulated by the landscaping standards of this PUD (see Section 2.C.3.d.).
 - (7) Special setbacks. No detached accessory structure shall be located closer

- than three (3) feet from the principal structure. Distance between structures shall be measured from wall to wall.
- d. Impervious Surface. Impervious surfaces shall meet the standards in the commercial and industrial districts as enumerated within Articles VIII and IX of the Green Bay Zoning Code, Chapter 44, Green Bay Municipal Code, with the following modifications:
- (1) Maximum impervious surface. 70% in both the commercially used lots and industrially used lots.
 - (2) Special Considerations. The maximum impervious surface requirement may be increased to 80% if green infrastructure elements such as bioretention areas/ rain gardens, bioswales, green roofs, etc. are installed at a 1.5 to 1 (impervious to green infrastructure) ratio.
2. Access, Circulation and Parking. Access, circulation, parking and outdoor storage or display areas on lots throughout the PUD area shall meet the standards as set forth within the Green Bay Zoning Code, Article XVIII of the Green Bay Municipal Code, and as modified as follows:
- a. Industrial use drives. If possible, separate individual drives shall be established for customer/employee parking lot access and commercial truck traffic access.
 - b. Areas used for permanent screened outdoor storage:
 - (1) Interior Landscaping. Permanent screened outdoor storage areas are exempt from the interior landscaping and island requirements of Section 2.C.3.e.
 - (2) Pedestrian and Bicycle access and Parking. Permanent screened outdoor storage areas are exempt from the pedestrian and bicycle access and parking regulations of the Green Bay Zoning Code, Article XVIII of the Green Bay Municipal Code.
3. Landscaping. Landscaping for any development site within the PUD area shall meet the standards as set forth below:
- a. All undeveloped areas of a development site shall at a minimum be covered in vegetative ground cover as well as:
 - (1) One (1) tree and three (3) shrubs per 7,500 square feet of total lot area for a commercial use and one (1) tree and two (3) shrubs per 10,000 square feet of total lot area for Industrial uses.
 - (2) Required trees and shrubs are encouraged to be organized in an attractive and ecologically beneficial configuration that may include grouping and variations of plan species. The use of native plants is ideal.
 - (3) All landscape material shall be installed to current industry standards.
 - (4) All ground cover, landscaping and screening features shall be kept free of refuse and debris.
 - (5) Maintenance and replacement of landscape materials on the site shall be the responsibility of the occupant/landowner. Replacement of dead or dying plants shall be required to take place within no more than one planting season.

- (6) Landscaping required within subsection b-f below may count towards satisfying this tree/shrub requirement.
 - b. Frontage Landscaping. In addition to the requirements of Section 2.C.3.a, all land area located along a public right-of-way shall contain:
 - (1) A minimum of one (1) deciduous, ornamental, or evergreen tree for every 30 linear feet of right-of-way/street frontage.
 - (2) Required frontage trees are encouraged to be organized in an attractive and ecologically beneficial configuration that may include grouping and variations of plant species.
 - c. Buffering Outdoor Storage. All permanent outdoor storage areas shall be screened from view and include:
 - (1) A solid fence or wall that is impervious to sight.
 - (2) Fence or wall shall be a minimum of eight (8) feet of in height.
 - d. Buffer from Residential. Property lines adjacent to lands currently zoned residential or that have future residential land use designation in the City's Comprehensive Plan shall include:
 - (1) A screening element such as a fence, berm or evergreen trees/shrubs that is 80% impervious to sight year-round running the length of the property line adjacency.
 - (2) Screening shall be a minimum of 8 feet high at installation if a fence/berm or at plant maturity.
 - e. Interior Parking Facility Landscaping. Interior parking lot landscaping regulations apply to all parking facilities containing 25 or more parking stalls designed/intended to be used by visitors, customers, and employees. The goal is to minimize the expansive appearance of hard surface areas and provide shade trees that reduce the "heat island" affect associated with such development. Internal parking facility landscaping shall consist of:
 - (1) Landscaped islands shall be provided at the end of all parking rows and within the rows of parking spaces so that there are no more than 15 consecutive parking spaces without an island.
 - (2) Landscape islands shall have a minimum interior dimension of at least 10 feet in width and 15 feet in length.
 - (3) Landscape islands shall be planted with vegetative ground cover and a minimum of 1 shade or deciduous tree that is hardy and salt resistant.
 - f. Building Foundation Landscaping. Landscaping required around customer and office areas shall be regulated as follows:
 - (1) A minimum of 5 feet of landscaped area shall be provided around a minimum of 60% of a structure's foundation, excluding areas utilized for loading/service.
 - (2) Plant material shall be decorative such as ornamental trees, flowering shrubs and perennials.
- 4. Stormwater Management and Grading. A storm water management and grading plan meeting the standards established by the Department of Public Works, Brown County, and the State of Wisconsin shall be submitted to and approved by the

City prior to the issuance of building permits. The purpose of these standards to promote the use of green infrastructure or vegetated stormwater management measures, where suitable, to manage stormwater runoff volumes and quality.

- a. Scope. Storm water management and grading shall be comprehensive and take into account expected build-out of the entire PUD area as depicted on Exhibit A.

- (1) A regional stormwater management approach may be utilized for any and all new developments; if so, the site may be required to buy in and be a part of the regional plan. This will be required upon approval of the Department of Public Works.

- b. Additional Function.

- (1) Human-scale interest and native planting should be included.
 - (2) Stormwater management facilities shall function not only as a utility but also as site amenity. This applies to both regional and site specific.
 - a) Site amenities include but not limited to walking paths, sitting areas, art, educational/interpretive signage, etc.
 - (3) It is encouraged to include suitable green infrastructure practices in streetscapes (tree boxes, sidewalk bioretention areas, curb bump-outs).
 - (4) In areas where infiltration is needed to manage stormwater or where soils are highly erodible, these areas shall be identified on erosion control plans and specifically protected from disturbance during and after development.
 - (5) Stormwater management areas such as bioretention areas, rain gardens, stormwater trees, or other plantings may count toward required landscape minimums.

5. Refuse and Mechanical Equipment. Screening of refuse material containers and mechanical equipment throughout the PUD area shall meet the standards as set forth within the Green Bay Zoning Code, Article XIX-Division 3 of the Green Bay Municipal Code, and as modified as follows:

- a. Refuse storage and ground mechanical equipment shall not be located closer to the right-of-way than the front façade of the principal structure located on the same lot, regardless of minimum setbacks.
 - b. Wall or roof mounted mechanical equipment is regulated by Architectural Standards Section 2.D.2.h.

6. Lighting. Lighting throughout the PUD area shall meet the standards as set forth within the Green Bay Zoning Code, Article V-Division 8 of the Green Bay Municipal Code and further regulated as follows:

- a. Pedestrian oriented lighting is required for all walkways/trails and building entrances.
 - b. Wall or roof-mounted lighting shall be integrated into overall building design/architecture. Fixtures shall be consistent for either the entire building or alternatively for each of the building's individual units.

7. Signage throughout the PUD area shall be regulated as follows:
 - a. Signage shall meet the standards for the Business Park District (BP) as set forth in Chapter 30, Article II of the Green Bay Municipal Code with the following additions.
 - b. Industrial Park Identity Signage.

Signs identifying the industrial park itself as well as identifying uses located within the PUD boundaries, though they may not be on the parcel for which the use is located.

 - (1) Must be located as depicted on Exhibit B. These are highly visible locations on arterial roads near entrances to the industrial park boundaries.
 - (2) Industrial Park identity signage shall be limited to the monument style of signage no greater than 300 square feet in area (per side) and no greater than 10 feet in height.
 - c. **Monument Signage for Individual Parcels**
 - (1) **Maximum height of a monument sign is limited to no greater than 10 feet in height.**
 - d. **Campus way finding signage (internal operations for wall signs for industrial use sites)**
 - (1) **Directional signage is limited to no greater than 64 total square feet per sign.**
 - (2) **Any directional signage exceeding standards for the Business Park District (BP) shall be counted towards the overall maximum attached sign area for signs attached to buildings.**
 - (3) **No greater than 10 percent of a directional sign may be used for branding purposes.**
 - e. **Campus way finding signage (internal operations for freestanding signs for industrial use sites)**
 - (1) **Directional signage is limited to no greater than 32 total square feet per sign.**
 - (2) **A directional sign is permitted along a travel route within the campus. Multiple freestanding directional signs are permitted if an individual freestanding directional sign is separated by a minimum of 500 feet from another freestanding directional sign.**
 - (3) **Sign height is limited to 8 feet.**
 - (4) **No greater than 10 percent of a directional sign may be used for branding purposes.**
- D. STRUCTURAL DESIGN REGULATIONS. The purpose of this section is to regulate the design and materials used for buildings within the PUD area to maintain and enhance the aesthetic, function, and values of property within the greater area.
- I. Applicability. Architectural design of new construction, additions to existing

buildings, and alterations to existing buildings within the PUD area shall meet the standards as set forth below:

- a. New Construction. The requirements of this Section shall apply to all structures and buildings within the PUD area constructed after the effective date of its adoption. Future expansions of structures shall be compatible with the existing structures.
- b. Exceptions and Appeals. Exceptions to the Architectural Design Standards may be granted by the Director of Community and Economic Development. Exceptions can include: 1. permission to substitute building materials; 2. construction of comparable quality or design; or 3. to enable unique and inventive architectural concepts within the PUD.
 - (1) Denial by the Director of Community and Economic Development of the requested exception may be appealed to the Plan Commission. Appeals shall be made within thirty (30) days of the date of the denial.

2. Architectural Design Standards.

- a. Orientation.
 - (1) Front façades shall face the street right-of-way, land area dedicated to pedestrian ways or internal drive aisle (if building does not front the right-of-way).
 - (2) Service or loading areas shall not be permitted between the building and the street right-of-way.
- b. Height. The maximum height on commercially used lots shall be thirty-five (35) feet, including screening for rooftop mechanicals. The maximum height in industrially used lots shall be fifty (50) feet, including screening for rooftop mechanicals.
 - (1) Smokestacks, water towers, and similar structures associated with industrial uses may exceed the maximum height limit as specified by conditional use in Chapter 44, Article IX and Article II, Section 44-83 of the Municipal Code.
 - (2) Heights of structures may be increased with a conditional use permit as specified by conditional use in Chapter 44, Article II, Section 44-83 of the Municipal Code.
- c. Exterior Materials. Building materials should be durable and appropriate for the district.
 - (1) Commercial structures.
 - a) Exterior building façades shall be predominately:
 - i. Brick or brick veneer.
 - ii. Stone or stone veneer.
 - iii. Glass (curtain/storefront).
 - iv. Windows and doors.
 - b) The following materials may be used as secondary building façade materials. Secondary materials shall not cumulatively exceed 40% of the front and side façades or 75% of the rear façade.
 - i. Concrete panels.

- ii. Decorative or split-face block.
 - iii. Architectural/decorative metals.
 - iv. Wood or wood composite.
 - v. Cementitious panels/siding.
 - vi. Stucco or exterior insulation and finish system (EIFS).
 - c) The following materials may be used as accent building façade materials. Accent materials shall not cumulatively exceed 10% of the front and side façades or 10% of the rear façade.
 - i. Vertical vinyl or corrugated metal siding.
 - ii. Concealed fastener metal panels.
 - d) The following materials are prohibited exterior building façade materials.
 - i. Smooth face or non-decorative block.
 - ii. Asphaltic or fiberglass siding.
 - iii. Non-decorative metal panels or corrugated metal.
 - iv. Plywood, chipboard, rough texture wood siding, or other non-decorative wood.
 - v. Imitation/“fake” brick or stone and gravel aggregates.
- (2) Industrial structures.
- a) Exterior building façades shall be predominately:
 - i. Brick or brick veneer.
 - ii. Stone or stone veneer.
 - iii. Concrete panels.
 - iv. Cementitious panels/siding.
 - v. Concealed fastener metal panels.
 - vi. Windows and doors.
 - b) The following materials may be used as accent building façade materials. Accent materials shall not cumulatively exceed 10% of the front and side façades or 10% of the rear façade.
 - i. Vinyl or corrugated metal siding.
 - ii. Decorative or split-face block.
 - iii. Architectural/decorative metals.
 - iv. Wood or wood composite.
 - v. Stucco or exterior insulation and finish system (EIFS).
 - c) The following materials are prohibited exterior building façade materials:
 - i. Smooth face or non-decorative block.
 - ii. Asphaltic or fiberglass siding.
 - iii. Non-decorative metal panels or corrugated metal.
 - iv. Plywood, chipboard, rough texture wood siding, or other non-decorative wood.
 - v. Imitation/“fake” brick or stone and gravel aggregates.
- (3) Material substitutions may be permitted as an exception per Section 2.D.1.a. of this PUD.
- d. Façade Articulation. Buildings shall be designed to provide interest and

variety. Flat, unadorned walls should be avoided.

- (1) Façade lengths for industrially used structures shall not be greater than one hundred (100) feet without articulation, and façade lengths for commercially used structures shall not be greater than fifty (50) feet without articulation. Articulation includes, but is not limited to:
 - a) Division of façade into individual components (i.e. storefronts, distinct uses) through the use of architectural elements such as entrances, arcades, windows, balconies, awnings, marquees, etc.
 - b) Recesses or projections of the main façade plane.
 - c) Recesses or projections of upper floors from the ground floor façade plane.
 - d) Vertical division using different materials and textures.
 - e) Roof form variation such as the change in roof lines or roof types.
- (2) Minimum fenestration. Facades facing the right-of-way or pedestrian way/internal drive aisle for which the building fronts (if building does not front the right-of-way) shall consist of a minimum percentage of windows and doors to promote a visual connection. The principal structure on a corner property that faces two public rights-of-way shall be treated as two front facades. Mirrored, smoked, or heavily tinted glass is discouraged. Windows should be proportional with doors in height and design. The minimum percentage of windows and doors are based on floor and use as follows:
 - a) Ground floor, industrial use. Total area of windows and doors shall comprise no less than ten (10) percent of the ground floor customer and office areas.
 - b) Ground floor, commercial use. Total area of windows and doors shall comprise no less than ten (20) percent of the ground floor façade area.
 - c) Upper floors, all uses. Total area of windows and doors shall comprise no less than ten (10) percent of the total façade area above the ground floor.
- e. Building Entrances. Main entrances shall be clearly identified and articulated using detailing, distinctive materials and/or colors, projections, recesses, or another comparable element.
 - (1) Main entrances are defined as those regularly used by employees, customers, and/or the public.
 - (2) Main entrances shall be visible from the right-of-way or pedestrian way/internal drive aisle for which the building fronts (if building does not front the right-of-way).
- f. Patios, Decks and Balconies.
 - (1) Ground level patios and decks facing the right-of-way or pedestrian way/internal drive aisle for which the building fronts (if building does not front the right-of-way) should be bordered with treatment such as landscaping.
 - (2) Exterior stairs leading to a deck or balcony shall not be permitted on

- the front or right-of-way side of buildings
- g. Accessory structures. Accessory structures shall match the character of the principal structure, reflected in colors, materials, windows, and architectural features.
- h. Mechanical and Exterior Building Systems. Mechanical and exterior building systems should be integrated into the overall building design.
 - (1) Roof-mounted equipment shall be screened, preferably by parapet walls. Screening shall be architecturally compatible with the structure which it is attached, be of identical or substantially similar materials used on the nearest building façade and designed as an integral part of the building.
 - (2) Wall mounted equipment are not permitted on the front or any right-of-way facing side of the building.
 - (3) Refer to Section 2.C.5 of the PUD.

SECTION 3. The provisions of this ordinance, including, without limitation, the granting of a conditional-use permit and all obligations, conditions, restrictions, and limitations related thereto shall run with and be jointly and severally binding upon the fee simple owner and the beneficial owner of all or any portion of the subject property. All obligations, requirements, and rights of the owner shall run with the land and shall automatically be assigned to be binding upon and inure to the benefit of its successors and assigns, including, but not limited to, any entity acquiring any financial interest in the subject property and/or any subsequent owner and/or beneficial owner of all or any portion of the subject property.

SECTION 4. Each exhibit which is attached to this ordinance is deemed to be and is expressly made a part of and incorporated into this ordinance to the same extent as if each such exhibit, and the plans identified therein, had been set forth in its entirety in the body of this ordinance.

SECTION 5. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 6. In addition to all other remedies available to the City of Green Bay, the City may decline to issue any building or other permits otherwise required by any ordinance of this City while any violation of this ordinance remains uncured.

SECTION 7. If any provision in this ordinance is held invalid or unconstitutional by any court of competent jurisdiction, such a decision shall not affect the validity of any other provision of this ordinance. It is hereby declared to be the intention of the City of Green Bay that all provisions of this ordinance are separable.

SECTION 8. This ordinance shall not take effect until a public hearing is held thereon as provided by Chapter 44, Article II, Division 2, Section 44-82 Zoning Amendments, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2023.

APPROVED:

Eric Genrich, Mayor

ATTEST:

Celestine Jeffreys, City Clerk

jl:
10.13.23

Attachments:

Exhibit A - Location Map
Exhibit B – Land-Use Map

EXHIBIT A: LOCATION MAP

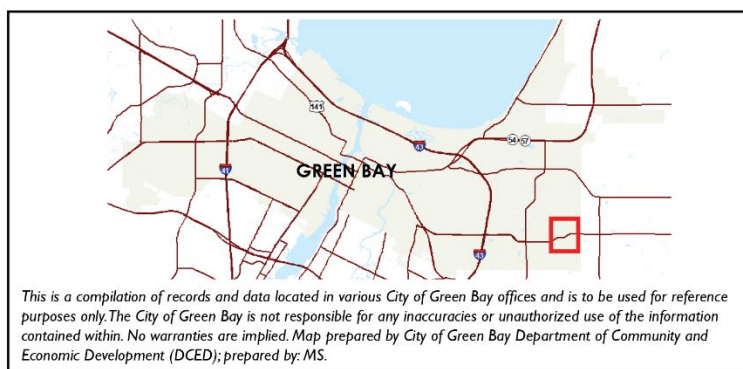
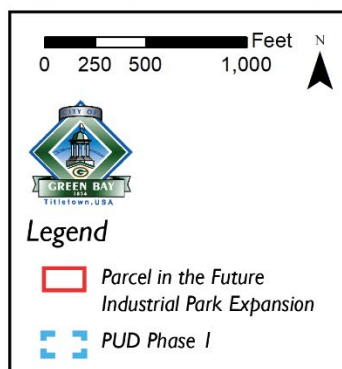
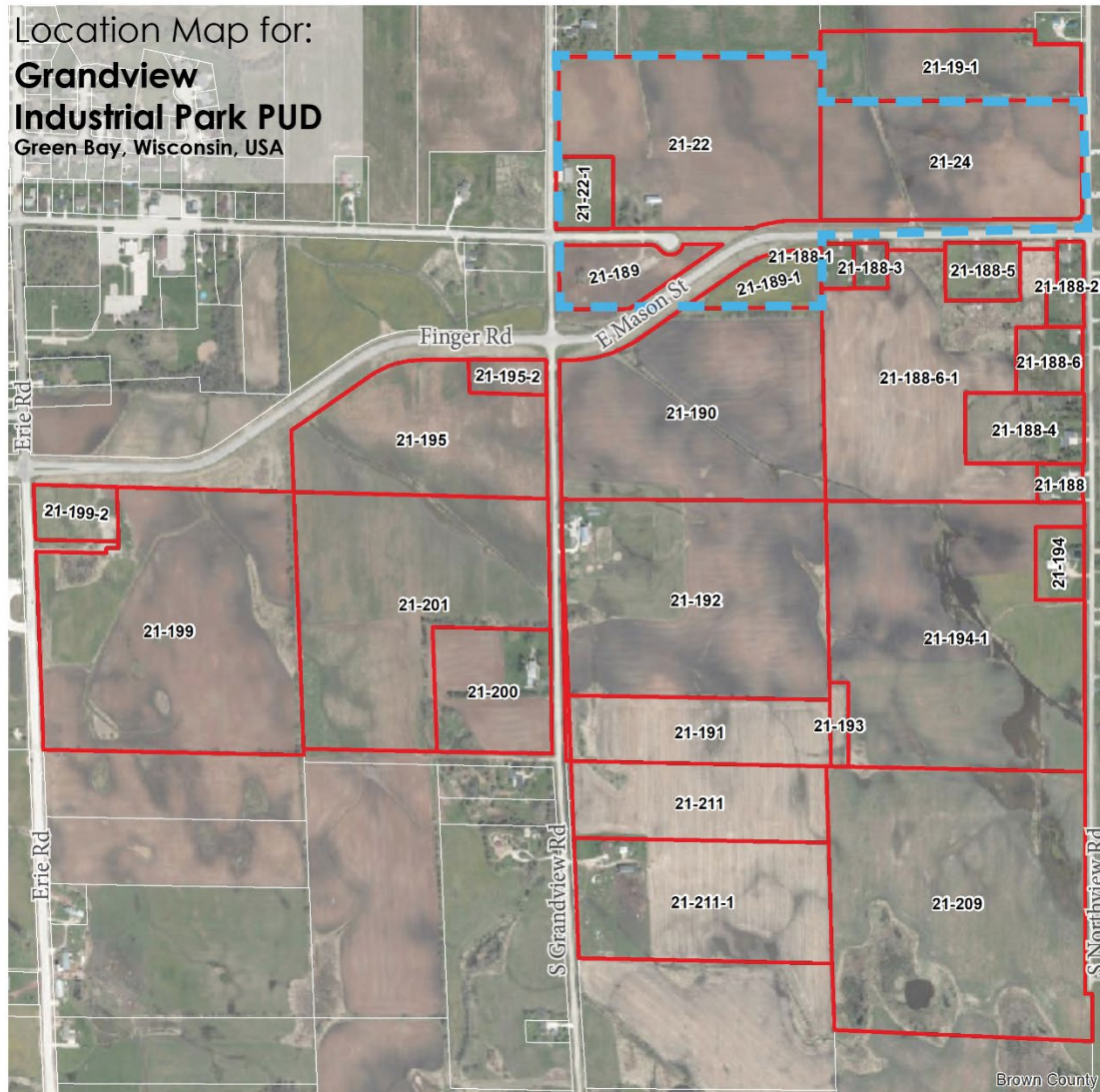


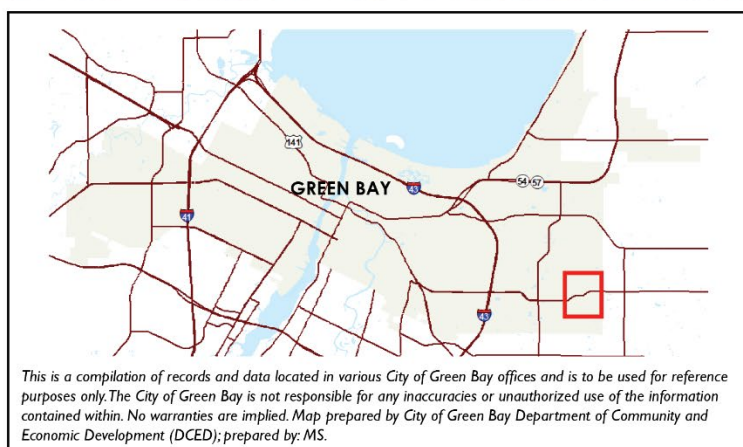
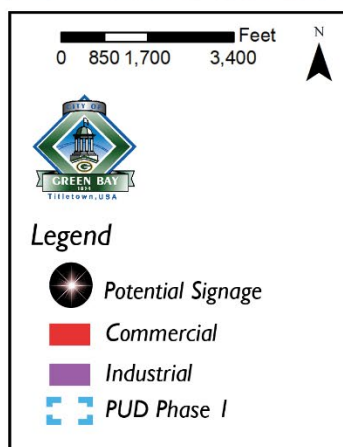
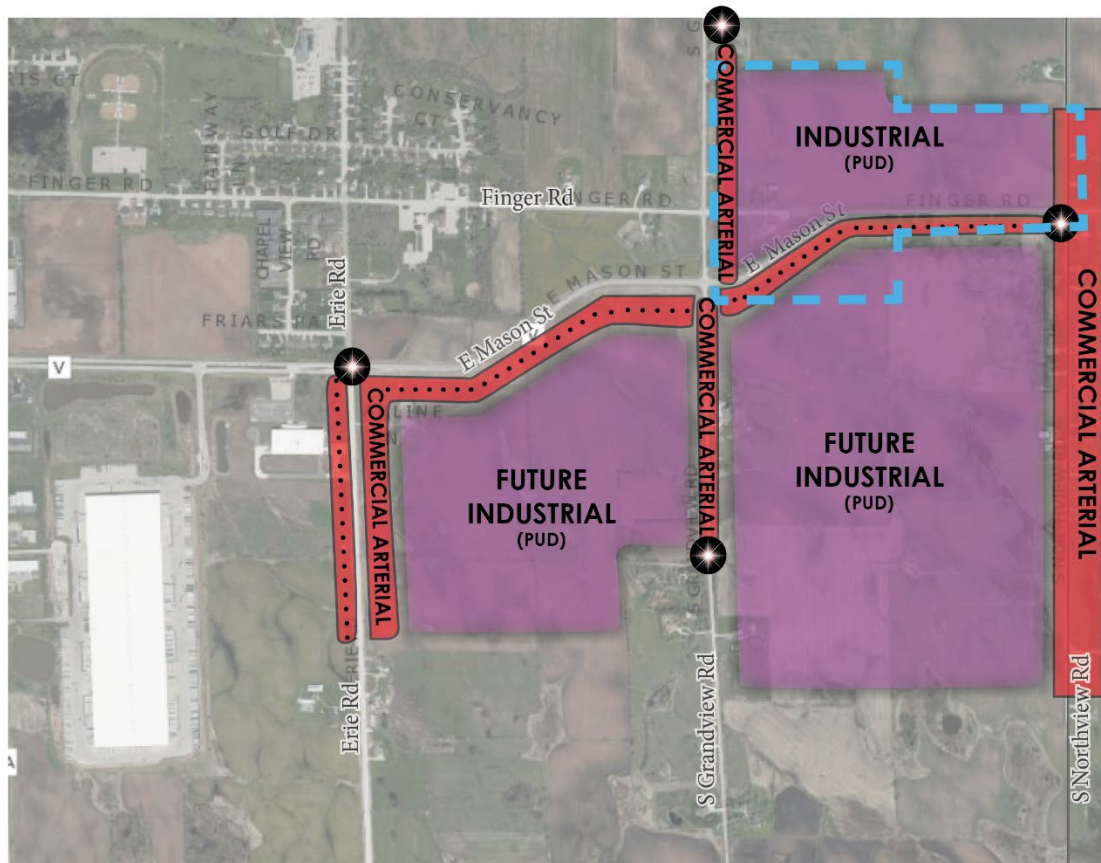
EXHIBIT B: LAND-USE MAP

Land-Use Composition for:

Grandview

Industrial Park PUD

Green Bay, Wisconsin, USA





REQUEST FOR CITY ACTION PLAN COMMISSION

Community and Economic
Development Department
100 N. Jefferson Street, Rm 608
Green Bay, WI 54301-5026
(920) 448-3400 - phone
(920) 448-3426 - fax
www.greenbaywi.gov

Location of Property: 3855 Finger Rd.

Parcel Number(s): 21-24

Petitioner(s): Cleveland Hardware and Forging, Robert Mach Agent Date: May 20, 2024

Email: rmach@mach-iv.com

Phone Number: 920-569-5765

Address: 2260 Salscheider Ct.

City: Green Bay

State: WI

Zip: 54313

Property Owner: City of Green Bay

Phone Number: 920-448-3396

Submit this Request Form and all required attachments to the Community and Economic Development Department, Room 608, City Hall

To: Honorable Mayor and Common Council, c/o City Clerk

I, Robert Mach, Agent for Cleveland Hardware and, respectfully request that the City of Green Bay take the following action:

- | | |
|-------------------------------------|--|
| ☐ | Rezone Property (\$375.00 Review Fee) |
| ☒ | Conditional Use and CUP Amendment, including Single Lot Duplexes (\$375.00 Review Fee) |
| ☐ | PUD and PUD Amendments (\$425.00 Review Fee) |
| ☐ | Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 + \$35.00 per Lot/Outlot Review Fee) |
| ☐ | Approve Preliminary Condominium Plat (\$250.00 + \$35.00 per Lot/Outlot/Lot Equivalent Review Fee) |
| ☐ | Approve Preliminary City/Extraterritorial Certified Survey Map (\$250.00 Review Fee) |
| ☐ | Approve Final City/Extraterritorial Subdivision Plat (\$150.00 Review Fee) |
| ☐ | Approve Final Condominium Plat (\$150.00 Review Fee) |
| ☐ | Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee) |
| ☐ | Development District Map Amendment (\$200.00 Administration Fee) |
| ☐ | Official Map Amendment (\$200.00 Administration Fee) |
| ☐ | Plat of Right-of-Way (\$200.00 Administration Fee) |
| ☐ | Discontinue a Public Utility Easement (\$200.00 Administration Fee) |
| ☐ | Street Name Change (\$200.00 Administration Fee) |
| ☐ | Declare City Property "City Surplus" (\$200.00 Administration Fee) |
| ☐ | Vacate a Street/Alley/Pedestrian Way (\$300.00 Administration Fee) PLEASE FILL OUT PAGE 2 OF APPLICATION |
| ☐ | Closure of Street/Alley/Pedestrian Way (\$300.00 Administration Fee) PLEASE FILL OUT PAGE 2 OF APPLICATION |
| ☐ | Comprehensive Plan Amendments (\$275.00 Review Fee) |
| ☐ | Other (\$200.00 Administration Fee): _____ |

Owner Signature: _____

Date: May 20, 2024

Petitioner Signature(s): Robert Mach

Digitally signed by Robert Mach
Date: 2024.05.20 16:56:18 -0500

Checklist of required attachments:

- Map
- Legal Description
- Applicant Narrative Describing Project
- All Other Pertinent Information

For office use only:

Review Fee: \$375.-

Receipt No. 2265555-4

Zoning Petition No.: 2P 24-17



Report to the Green Bay Plan Commission

MEETING DATE

June 25, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # P.3

To approve to amend the City's Comprehensive Plan for the property located at 2532 University Avenue, 2540 University Avenue, and 2500 Block University Avenue (Parcel 21-1249-1-3) from a combination of Light Industrial and Commercial land use to Medium/High Density Residential land use. (CPA 24-01 Public hearing held June 17, 2024).

BACKGROUND

Reason for Request: The proposed comprehensive plan amendment is proposed to codify underlying Future Land Use to developments recently completed, currently under construction, and proposed, including multifamily uses on three parcels located on University Avenue.

Surrounding Zoning and Land Uses:

Subject Property: General Commercial (C1) | Varied Density Residential (R3) | Planned Unit Development | Vacant and Multi-Family Residential

North: General Commercial (C1) | Self Storage

South: Public Institutional (PI) | Baird Creek Parkway

East: Varied Density Residential (R3) | Green Space, Forest Land

West: General Commercial (C1) | Varied Density Residential (R3) | General Industrial (GI) | Multi-Family Residential and Auto Repair

Comprehensive Plan: The 2022 Smart Growth Green Bay Comprehensive Plan recommends commercial use for this property as well as the properties to the west and north. The comp plan also recommends light industrial to the south and east (the former Packerland Packaging site). The University Avenue Corridor Plan calls for the three parcels to be part of a larger-scale multifamily development.

Report: A zoning change application involving a 1.033 acre parcel at 2532 University Avenue has been submitted by RTH LLC (Toonen Companies) to request the development of a multifamily residential housing project on the parcel. This parcel currently has a future land use designation of commercial within the 2022 Smart Growth Green Bay Comprehensive Plan. In order to rezone the property, a planned unit development or comprehensive plan amendment is needed to permit a zone change on the property in alignment with the comprehensive plan.

The subject parcel is adjacent to the Toonen Companies larger development of the former industrial site parcel, which is a 33-acre property that has both completed and under construction apartment homes. Toonen Companies is seeking to create additional multifamily housing on the 1.033 parcel. To the west of the 1.033 property, Gorman Companies is currently nearing completion of a 48-unit multifamily residential development.

As part of this request, city staff recognizes that the two surrounding properties at 2540 University and Parcel 21-1249-1-3 have a future land use designation of Light Industrial (2540 University Avenue) and Commercial (Parcel 21-1249-1-3). 2540 University Avenue has been part of a multi-year redevelopment

process to change the site from the former Packerland Packing use to a multifamily use. Some of the residential buildings have been leased for years, while other units remain under construction. Parcel 21-1249-1-3 is located at the corner of University and Rothe. This parcel is part of an approved Planned Unit Development to allow for multifamily residential with office/assembly space on a portion of the ground floor.

Toonen Companies has requested the rezone of the parcel at 2532 University Avenue to allow for multifamily use expansion on the 1.03-acre lot. The city believes it is appropriate to amend the comprehensive plan for all three properties which have multifamily construction as they are in alignment with the University Avenue Corridor Plan. The University Avenue Corridor Plan calls for the three parcels to have a medium/high density residential use. An action to amend the comprehensive plan for all three properties to Medium/High Density Residential use codifies both the Corridor Plan and existing/under construction/proposed land use for the sites.

Ald. C. Stevens and neighbors within 400 ft. have been notified of the meeting based on Plan Commission policy. Staff has not received any inquiries about the request as of the drafting of this report.

RECOMMENDATION

Approval of the request to amend the Comprehensive Plan for parcels at 2532 University Avenue, 2540 University Avenue and Parcel 21-1249-1-3 from Light Industrial and Commercial to Medium/High Density Residential.

FISCAL IMPACT

ATTACHMENTS

1. CPA 24-01 Submitted Items
2. 24-01 FLU Map



REQUEST FOR CITY ACTION PLAN COMMISSION

Community and Economic
Development Department
100 N. Jefferson Street, Rm 608
Green Bay, WI 54301-5026
(920) 448-3400 - phone
(920) 448-3426 - fax
www.greenbaywi.gov

Location of Property: University Avenue

Parcel Number(s): 21-1247-1

Petitioner(s): Vierbicher (Steve Bieda)

Date: 05/21/24

Email: sbie@vierbicher.com

Phone Number: 920-434-9670

Address: 400 Security Blvd

City: Green Bay

State: WI

Zip: 54313

Property Owner: RTH LLC

Phone Number: 920-406-9300

Submit this Request Form and all required attachments to the Community and Economic Development Department, Room 608, City Hall

To: Honorable Mayor and Common Council, c/o City Clerk

I, Steve Bieda, respectfully request that the City of Green Bay take the following action:

- ☒ Rezone Property (\$375.00 Review Fee)
- ☐ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$375.00 Review Fee)
- ☐ PUD and PUD Amendments (\$425.00 Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Subdivision Plat (\$150.00 + \$35.00 per Lot/Outlot Review Fee)
- ☐ Approve Preliminary Condominium Plat (\$250.00 + \$35.00 per Lot/Outlot/Lot Equivalent Review Fee)
- ☐ Approve Preliminary City/Extraterritorial Certified Survey Map (\$250.00 Review Fee)
- ☐ Approve Final City/Extraterritorial Subdivision Plat (\$150.00 Review Fee)
- ☐ Approve Final Condominium Plat (\$150.00 Review Fee)
- ☐ Grant a City/Extraterritorial Subdivision/CSM Variance (\$150.00 Review Fee)
- ☐ Development District Map Amendment (\$200.00 Administration Fee)
- ☐ Official Map Amendment (\$200.00 Administration Fee)
- ☐ Plat of Right-of-Way (\$200.00 Administration Fee)
- ☐ Discontinue a Public Utility Easement (\$200.00 Administration Fee)
- ☐ Street Name Change (\$200.00 Administration Fee)
- ☐ Declare City Property "City Surplus" (\$200.00 Administration Fee)
- ☐ Vacate a Street/Alley/Pedestrian Way (\$300.00 Administration Fee) PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☐ Closure of Street/Alley/Pedestrian Way (\$300.00 Administration Fee) PLEASE FILL OUT PAGE 2 OF APPLICATION
- ☒ Comprehensive Plan Amendments (\$275.00 Review Fee)
- ☐ Other (\$200.00 Administration Fee): _____

Owner Signature: _____

Date: _____

Petitioner Signature(s): Steve Bieda

5/22/24

Checklist of required attachments:

- Map
- Legal Description
- Applicant Narrative Describing Project
- All Other Pertinent Information

For office use only:

Review Fee: _____

Receipt No.: 2705579-0013

Zoning Petition No.: _____

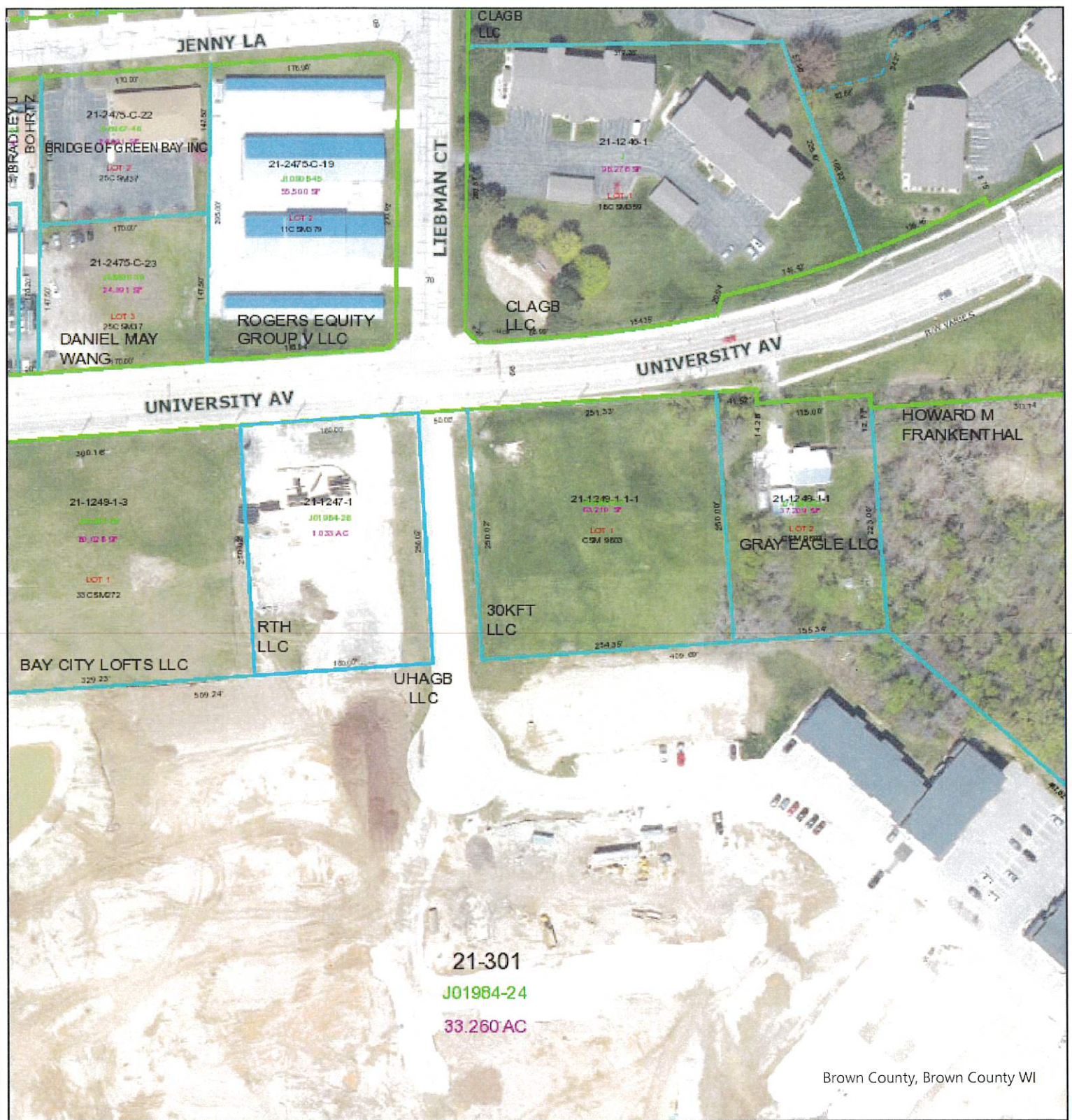
File: R-11514

Client: RTH, LLC

Date: May 22, 2024

Rezone request...

Parcel 21-1247-1 on University Avenue is currently zoned C-1 Commercial with the comprehensive plan showing Commercial for the future land use. The site is currently owned by RTH, LLC, an entity of Robert Toonen of Toonen Companies. Toonen Companies is currently under construction with the multi-family development in the rear of this property (21-301) known as Elevate (comp plan shows LI-Light Industry). They would like to bring elements of the Elevate community down to University Avenue and onto this parcel. By rezoning to R-3, this would allow him to combine the parcels into one and construct another unit closer to University Avenue as part of the overall development of Elevate. I will enclose a proposed site plan for your reference.



Brown County, Brown County WI



1"=188'

1:2,257 Feet

Legend

Property Hook

Parcel Line

Block boundary

Bulkhead Line

Historic Parcel Line (20under)

Hydrography

Lines between deeds or lots (20pdashed)

Lot boundary

Meander line

Original Right of Way

PLSS line

Parcel line

Plat boundary

Private Road Right of Way

Right of Way line

U

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UGB - GIS

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied.

Date Printed: 22 May 2024

City of Green Bay

UNIVERSITY AVENUE

<<15" SAN

33'

33'

<<15" SAN

BIO-FILTER

APPROXIMATELY
6.5' EXPOSED

24 UNITS
(12 per FLOOR)

FF ELEV.:145.00

13 STALLS

12 STALLS

12 STALLS

APPROXIMATELY
7' EXPOSED

5 STALLS

CLUBHOUSE

FF ELEV.:157.15

STAIRS

MAIL
FF ELEV.:151.05

ELEV. @ GARAGE DOOR
OPENING: 155.30

APPROXIMATE 3.5'
FINISHING WALL



Brown County Municipalities, Brown County, Brown County WI



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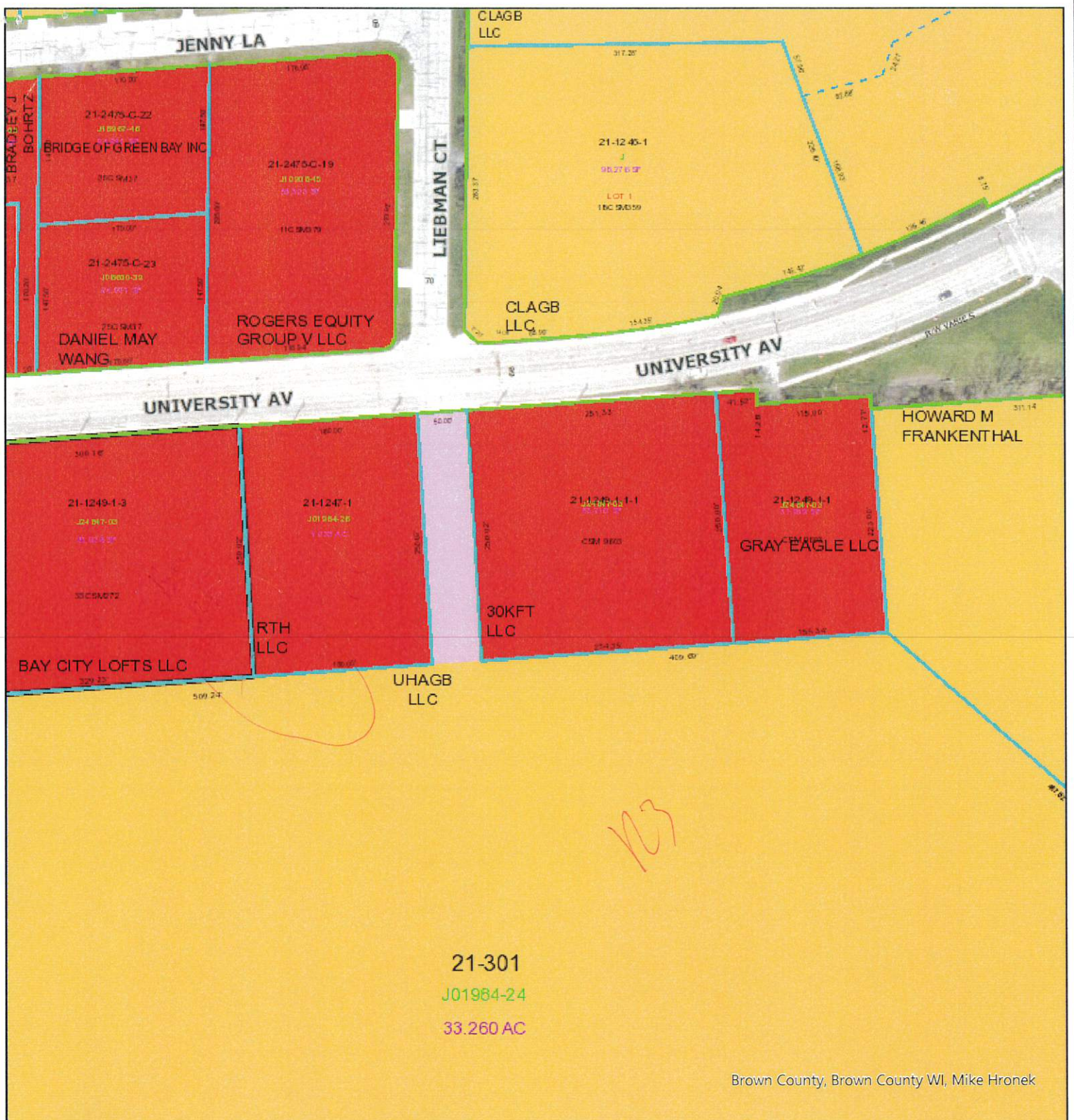
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T

U_{GB - GIS}

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Date Printed: 22 May 2024



Brown County, Brown County WI, Mike Hronek



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1:2,257 Feet

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Date Printed: 22 May 2024

City of Green Bay



Report to the Green Bay Plan Commission

MEETING DATE

June 25, 2024

PREPARED BY

Jon LeRoy, Zoning Administrator

AGENDA ITEM # P.4

To approve the request for a zoning district change at 2532 University Avenue from General Commercial (C1) to Varied Density Residential (R3).
(ZP 24-18 Public hearing held June 17, 2024).

BACKGROUND

Reason for Request: The proposed rezoning would permit the expansion of multifamily development along University Avenue for 2532 University Avenue (Parcel 21-1247-1), which is a 1.033 lot adjacent to te 33.3 acre Toonen Properties University Heights apartment campus.

Surrounding Zoning and Land Uses:

Subject Property: General Commercial (C1) | Vacant

North: General Commercial (C1) | Self Storage

South: Varied Density Residential (R3) | University Heights Multi-Family Residential

East: Varied Density Residential (R3) | University Heights Multi-Family Residential

West: Planned Unit Development | Multi-Family Residential

Comprehensive Plan: The 2022 Smart Growth Green Bay Comprehensive Plan recommends commercial use for this property as well as the properties to the west and north. The comp plan recommends light industrial to the south and east (the former Packerland Packaging industrial site). The University Avenue Corridor Plan calls for the area to be part of a larger-scale multifamily development. As noted from the previous comprehensive plan amendment item on the agenda, city staff recommends approval of the land use designation for this site and the surrounding western and southern properties to clean up and codify the area as medium/high density residential, which is consistent with both existing development patterns and the proposed redevelopment of the 1.033 acre site.

Report: The zoning change application involves a 1.033 acre parcel at 2532 University Avenue.

Toonen Companies is looking to create additional multifamily housing at the subject parcel. The parcel has been a blighted brownfield site for approximately 10 years. Past uses included an auto service center and gas station, but those facilities were razed in 2018.

Toonen Companies owns and operates University Heights apartment campus on the 33-acre property directly south and east of the subject property. Toonen Companies is seeking a rezone to expand their existing residential campus with an additional 2-story residential apartment building and parking for the campus clubhouse, which is to be constructed directly south of the subject parcel.

Ald. C. Stevens and neighbors within 400 ft. have been notified of the meeting based on Plan Commission policy. Staff has not received any inquiries about the request as of the drafting of this report.

RECOMMENDATION

Approval of the request to rezone the property from General Commercial (C1) to Varied-Density Residential (R3).

FISCAL IMPACT

ATTACHMENTS

1. 24-18 Application and Submitted Materials
2. 24-18 Zoning Map



REQUEST FOR CITY ACTION PLAN COMMISSION

Community and Economic
Development Department
100 N. Jefferson Street, Rm 608
Green Bay, WI 54301-5026
(920) 448-3400 - phone
(920) 448-3426 - fax
www.greenbaywi.gov

Location of Property: University Avenue

Parcel Number(s): 21-1247-1

Petitioner(s): Vierbicher (Steve Bieda)

Date: 05/21/24

Email: sbie@vierbicher.com

Phone Number: 920-434-9670

Address: 400 Security Blvd

City: Green Bay

State: WI

Zip: 54313

Property Owner: RTH LLC

Phone Number: 920-406-9300

Submit this Request Form and all required attachments to the Community and Economic Development Department, Room 608, City Hall

To: Honorable Mayor and Common Council, c/o City Clerk

I, Steve Bieda, respectfully request that the City of Green Bay take the following action:

- ☒ Rezone Property (\$375.00 Review Fee)
- ☐ Conditional Use and CUP Amendment, including Single Lot Duplexes (\$375.00 Review Fee)
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- ☐ Other (\$200.00 Administration Fee): _____

Owner Signature: _____

Date: _____

Petitioner Signature(s): Steve Bieda

5/22/24

Checklist of required attachments:

- Map
- Legal Description
- Applicant Narrative Describing Project
- All Other Pertinent Information

For office use only:

Review Fee: _____

Receipt No.: _____

Zoning Petition No.: _____

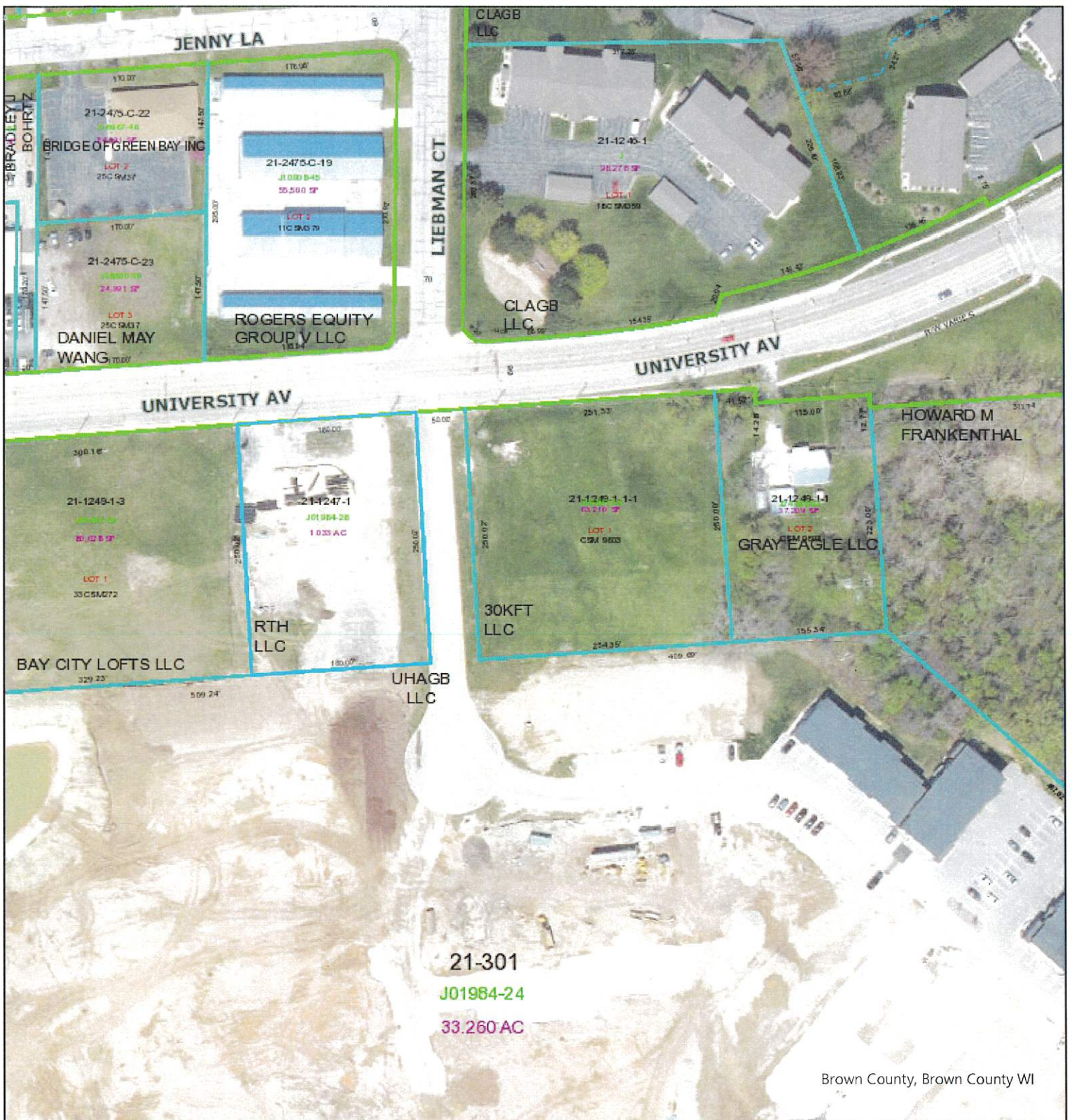
File: R-11514

Client: RTH, LLC

Date: May 22, 2024

Rezone request...

Parcel 21-1247-1 on University Avenue is currently zoned C-1 Commercial with the comprehensive plan showing Commercial for the future land use. The site is currently owned by RTH, LLC, an entity of Robert Toonen of Toonen Companies. Toonen Companies is currently under construction with the multi-family development in the rear of this property (21-301) known as Elevate (comp plan shows LI-Light Industry). They would like to bring elements of the Elevate community down to University Avenue and onto this parcel. By rezoning to R-3, this would allow him to combine the parcels into one and construct another unit closer to University Avenue as part of the overall development of Elevate. I will enclose a proposed site plan for your reference.



Brown County, Brown County WI



1"=188'

1:2,257 Feet

Legend

Property Hook

Parcel Line

Block boundary

Bulkhead Line

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Date Printed: 22 May 2024

City of Green Bay

UNIVERSITY AVENUE

<<15" SAN

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APPROXIMATELY
6.5' EXPOSED

**24 UNITS
(12 per FLOOR)**

FF ELEV.:145.00

13 STALLS

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ELEV. @ GARAGE
DOOR OPENING: 145.50

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CLUBHOUSE

FF ELEV.:157.15

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MAIL
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Brown County Municipalities, Brown County, Brown County WI



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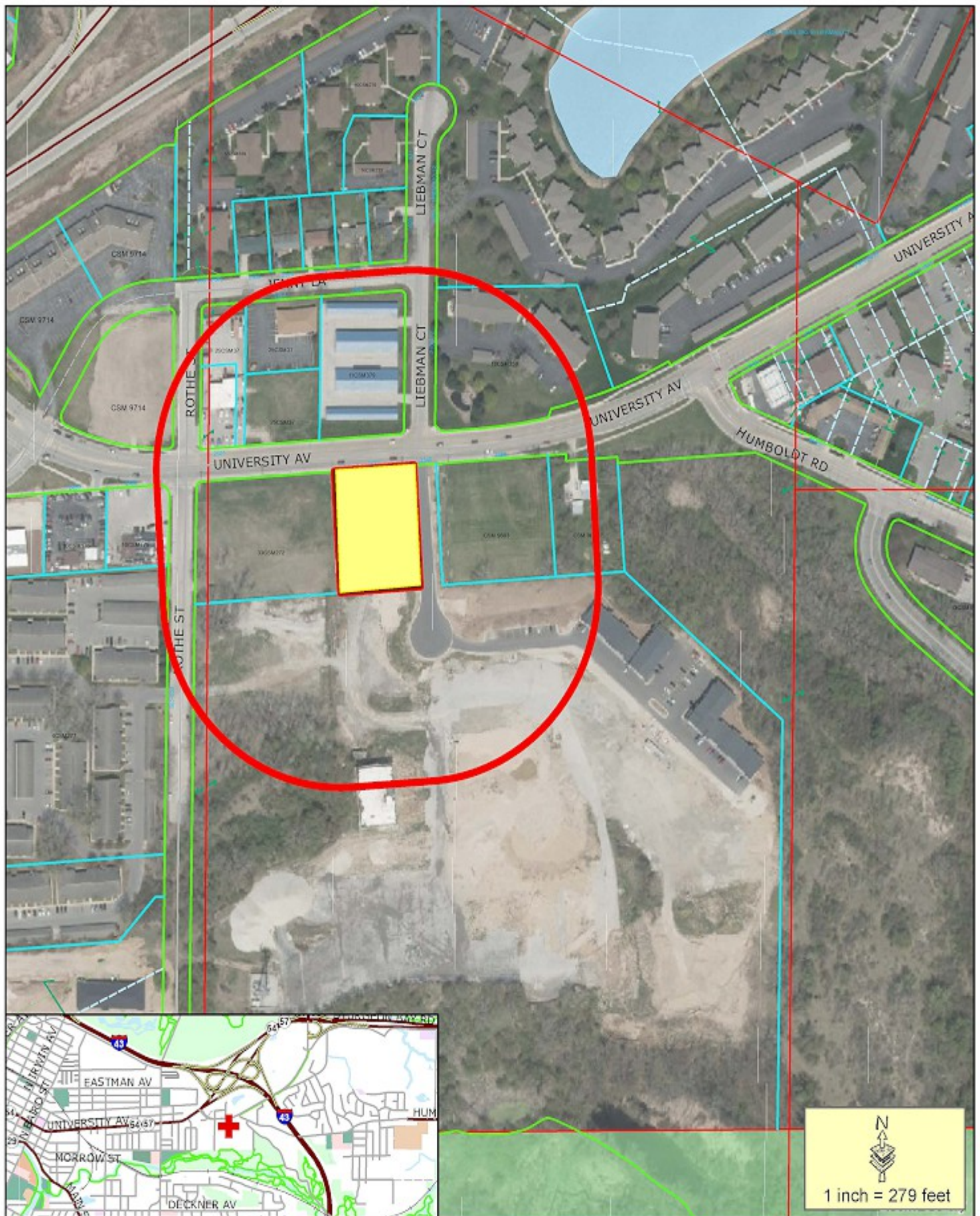
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U_{GB - GIS}

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Date Printed: 22 May 2024

City of Green Bay



- Proposed Rezone Parcel
- 400' Property Owner Notice

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Map prepared by JL

Proposed Rezone Parcel
2532 University Ave
General Commercial (C1) to
Varied Density Residential (R3) Zoning District



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # Q.1

To approve the Purchase of 36 LIFEPAK-1000 Defibrillators for a total cost of \$83,633.04.

BACKGROUND

RECOMMENDATION

Approval of the request.

FISCAL IMPACT

ATTACHMENTS

- I. Finance Request 6-18-24 Police Defibrillators Package



Purchasing Department
100 North Jefferson Street - Room 101
Green Bay, Wisconsin 54301-5026
www.greenbaywi.gov

Phone 920.448.3047
Fax 920.448.3050

5/23/2024

Finance Committee 6/18/2024.

Consideration and possible action to approve a Purchase of 36 ea. LIFEPAK 1000 Defibrillators for a total cost of 83,633.04. This cost takes into account current outdated units will be traded back. This purchase will be made directly with Stryker.

This is a government purchase utilizing a Sourcewell Contract Purchase #041823. This is to be funded through the 2024 Bonded Money for the City of Green Bay Police Department.

Respectfully Submitted,

Thomas J. Walenski

Thomas J. Walenski
Procurement Manager
City of Green Bay

Green Bay Police Department

2024 Approved Bonded Funds

Requisition #140

Department Contact for this Requisition: Rick Jurkanis @ 3237

Specs for Defibrillators (36 Each)

Total cost: \$83,633.04 (Includes trade in of 27 current defibrillators and shipping costs)

Account Number: \$85,000 approved 2024 Bond Funds (See below for funding breakdown)

Created and Approved by Rick Jurkanis 6/05/24

Note: Quote provided by Stryker. Sourcewell Contract #041823.

Please review specs with Captain Andy Opperman before issuing Purchase Order

\$83,633.04: 2024 Bond 423300-55140-27336

**Sourcewell Contract #: 041823**

Quote Number: 10901768

Version: 1

Prepared For: CITY OF GREEN BAY POLICE

Attn:

Rep: Joe Lancelle

Email: joe.lancelle@stryker.com

Phone Number:

Quote Date: 04/29/2024

Expiration Date: 08/21/2024

Equipment Products:

#	Product	Description	U/M	Qty	Sell Price	Total
1.0	99425-000023	LIFEPAK 1000 Graphical Display - includes one non-rechargeable battery, one carrying case w/ shoulder strap, two pair QUIK-COMBO REDI-PAK electrodes and Ship Kit	PCE	36	\$2,516.68	\$90,600.48
2.0	41425-000034	Ship Kit - Literature, LP1000, W RCHG, English	PCE	36	\$0.00	\$0.00
Equipment Total:						\$90,600.48

Trade In Credit:

Product	Description	Qty	Credit Ea.	Total Credit
TR-PFR3-LP1K	TRADE-IN-PHILIPS HEARTSTART FR3 TOWARDS PURCHASE OF LIFEPAK 1000	27	-\$300.00	-\$8,100.00

Price Totals:

Estimated Sales Tax (0.000%):	\$0.00
Freight/Shipping:	\$1,132.56
Grand Total:	\$83,633.04

Prices: In effect for 30 days

Terms: Net 30 Days



Sourcewell Contract #: 041823

Quote Number: 10901768

Version: 1

Prepared For: CITY OF GREEN BAY POLICE

Attn:

Rep: Joe Lancelle

Email: joe.lancelle@stryker.com

Phone Number:

Quote Date: 04/29/2024

Expiration Date: 08/21/2024

Terms and Conditions:

Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule. Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency. A copy of Stryker Medical's terms and conditions can be found at https://techweb.stryker.com/Terms_Conditions/index.html.

Rick Jurkanis

From: Thomas Walenski
Sent: Wednesday, June 5, 2024 10:32 AM
To: Rick Jurkanis
Cc: Troy VanHandel; Kristal Tyczkowski
Subject: FW: Defibs
Attachments: GBPD Quote.pdf

Morning Rick

This one is ready to go – should go through fin/coun for approval.

Sourcewell Purchase – no need for a RFB

THOMAS J. WALENSKI

Procurement Manager
City of Green Bay
Purchasing Department
920.448.3048
greenbaywi.gov

From: Lancelle, Joe <joe.lancelle@stryker.com>
Sent: Thursday, May 23, 2024 2:04 PM
To: Thomas Walenski <Thomas.Walenski@greenbaywi.gov>
Cc: Troy VanHandel <Troy.VanHandel@greenbaywi.gov>; Rick Jurkanis <Rick.Jurkanis@greenbaywi.gov>
Subject: Re: Defibs

Hey Thomas,

Let me know if this works!

Thanks!

Joe Lancelle

Account Manager - Northern Wisconsin & Upper Michigan
Stryker Emergency Care

EMS + Physio Control
C 920 639 4239
joe.lancelle@stryker.com
www.ems.stryker.com

From: Thomas Walenski <Thomas.Walenski@greenbaywi.gov>
Date: Thursday, May 23, 2024 at 1:45 PM
To: "Lancelle, Joe" <joe.lancelle@stryker.com>
Cc: Troy VanHandel <Troy.VanHandel@greenbaywi.gov>, Rick Jurkanis <Rick.Jurkanis@greenbaywi.gov>
Subject: RE: Defibs

Afternoon Joe

We would like to use the contract and use your pricing. We checked with Sourcwell and they said that was perfectly acceptable.
So, if you could adjust your quote to list the Sourcwell Contract and match the pricing you gave us we will be able to get this purchase rolling.

Thanks

THOMAS J. WALENSKI
Procurement Manager
City of Green Bay
Purchasing Department
920.448.3048
greenbaywi.gov

From: Lancelle, Joe <joe.lancelle@stryker.com>
Sent: Thursday, May 23, 2024 1:26 PM
To: Thomas Walenski <Thomas.Walenski@greenbaywi.gov>
Cc: Rick Jurkanis <Rick.Jurkanis@greenbaywi.gov>; Troy VanHandel <Troy.VanHandel@greenbaywi.gov>
Subject: Re: Defibs

Thomas,

You bet! Contract number is 041823

Joe Lancelle
Account Manager - Northern Wisconsin & Upper Michigan
Stryker Emergency Care
EMS + Physio Control
C 920 639 4239
joe.lancelle@stryker.com
www.ems.stryker.com

From: Thomas Walenski <Thomas.Walenski@greenbaywi.gov>
Date: Thursday, May 23, 2024 at 1:15 PM
To: "Lancelle, Joe" <joe.lancelle@stryker.com>
Cc: Rick Jurkanis <Rick.Jurkanis@greenbaywi.gov>, Troy VanHandel <Troy.VanHandel@greenbaywi.gov>
Subject: RE: Defibs

You don't often get email from thomas.walenski@greenbaywi.gov. [Learn why this is important](#)

Afternoon Joe

Appreciate you looking into that for us – can you share with me the Contract #

Thanks

THOMAS J. WALENSKI

Procurement Manager

City of Green Bay

Purchasing Department

920.448.3048

greenbaywi.gov

From: Lancelle, Joe <joe.lancelle@stryker.com>

Sent: Thursday, May 23, 2024 1:06 PM

To: Thomas Walenski <Thomas.Walenski@greenbaywi.gov>

Cc: Rick Jurkanis <Rick.Jurkanis@greenbaywi.gov>; Troy VanHandel <Troy.VanHandel@greenbaywi.gov>

Subject: Re: Defibs

Hey Thomas,

Sourcewell is offered for the Lifepak1000, but the price with that contract would be \$2,664.72 per device. So you are getting better pricing without using it.

Let me know if you have any other questions or need anything else from me.

Thanks!

Joe Lancelle

Account Manager - Northern Wisconsin & Upper Michigan

Stryker Emergency Care

EMS + Physio Control

C 920 639 4239

joe.lancelle@stryker.com

www.ems.stryker.com

From: Thomas Walenski <Thomas.Walenski@greenbaywi.gov>

Date: Wednesday, May 22, 2024 at 10:35 AM

To: "Lancelle, Joe" <joe.lancelle@stryker.com>

Cc: Rick Jurkanis <Rick.Jurkanis@greenbaywi.gov>, Troy VanHandel <Troy.VanHandel@greenbaywi.gov>

Subject: FW: Defibs

You don't often get email from thomas.walenski@greenbaywi.gov. [Learn why this is important](#)

EXTERNAL EMAIL

Morning Joe

Can you check to see if there is a contract that is offered for this purchase – Omnia-Sourcewell-GSA

If so – can you add that information to the quote.

Thanks

THOMAS J. WALENSKI

Procurement Manager

City of Green Bay
Purchasing Department
920.448.3048
greenbaywi.gov

From: Rick Jurkanis <Rick.Jurkanis@greenbaywi.gov>
Sent: Wednesday, May 22, 2024 10:26 AM
To: Thomas Walenski <Thomas.Walenski@greenbaywi.gov>
Subject: Defibs



Rick Jurkanis
Business Manager
Green Bay Police Department
920.448.3237 | rick.jurkanis@greenbaywi.gov

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Sourcewell Contract #: 041823

Quote Number: 10901768

Version: 1

Prepared For: CITY OF GREEN BAY POLICE

Attn:

Rep: Joe Lancelle

Email: joe.lancelle@stryker.com

Phone Number:

Quote Date: 04/29/2024

Expiration Date: 08/21/2024

Equipment Products:

#	Product	Description	U/M	Qty	Sell Price	Total
1.0	99425-000023	LIFEPAK 1000 Graphical Display - includes one non-rechargeable battery, one carrying case w/ shoulder strap, two pair QUIK-COMBO REDI-PAK electrodes and Ship Kit	PCE	36	\$2,516.68	\$90,600.48
2.0	41425-000034	Ship Kit - Literature, LP1000, W RCHG, English	PCE	36	\$0.00	\$0.00
Equipment Total:						\$90,600.48

Trade In Credit:

Product	Description	Qty	Credit Ea.	Total Credit
TR-PFR3-LP1K	TRADE-IN-PHILIPS HEARTSTART FR3 TOWARDS PURCHASE OF LIFEPAK 1000	27	-\$300.00	-\$8,100.00

Price Totals:

Estimated Sales Tax (0.000%):	\$0.00
Freight/Shipping:	\$1,132.56
Grand Total:	\$83,633.04

Prices: In effect for 30 days

Terms: Net 30 Days



Sourcewell Contract #: 041823

Quote Number:	10901768		
Version:	1		
Prepared For:	CITY OF GREEN BAY POLICE	Rep:	Joe Lancelle
Attn:		Email:	joe.lancelle@stryker.com
		Phone Number:	
Quote Date:	04/29/2024		
Expiration Date:	08/21/2024		

Terms and Conditions:
Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule. Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker’s prior written approval, except as may be requested by law or by lawful order of any applicable government agency. A copy of Stryker Medical's terms and conditions can be found at https://techweb.stryker.com/Terms_Conditions/index.html.



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # Q.2

To approve the budget amendment resolution for \$40,000 to move from DPW salaries to DPW consulting to cover surveying consulting expenses due to the vacant ROW Specialist.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. sharpscans@greenbaywi.gov_20240613_092247
2. Resolution-Budget amendment - DPW \$40,000 ROW specialist contracting



Inter-Office Memo

Date: June 13, 2024

To: Finance Committee

From: Steve Grenier, Director of Public Works 

Re: Budget Amendment – 2024 Budget

On April 2, 2024, Tom Giese, Right-of-Way Specialist, retired after 38 years of service to the City of Green Bay. Amongst the many job responsibilities the Right-of-Way Specialist has are drafting of legal descriptions, verification and recording of easements, disposition of property and rights-of-way, and other complex surveying functions for City-owned property. The Department of Public Works has been actively recruiting to fill the Right-of-Way Specialist position, but have not yet been successful.

Although the position remains open, the job responsibilities of the position still need to be completed. To accomplish these tasks, the Department of Public Works proposes to have 2 to 3 surveying consulting firms under contract in an as-needed capacity. Having several firms under contract ensures that staff will have the flexibility to work with firms that have capacity at the time needed and not be subject to varying workload that the consultants have.

The Department of Public Works proposes a budget amendment to transfer unutilized general salaries for the Right-of-Way Specialist into Contractual Services to fund the necessary work. This will retain budget neutrality for the Engineering Division.

Decrease 101500-50001 by \$40,000
Increase 101500-53001 by \$40,000

**RESOLUTION AUTHORIZING
BUDGET TRANSFER OF FUNDS**

June 25, 2024

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

Pursuant to the recommendation of the Finance Committee at its meeting of June 18, 2024, the following 2024 budget transfer of funds is hereby authorized:

	<u>ACCOUNT</u>	<u>AMOUNT</u>
From:	101500 50001 DPW Salaries & benefits	\$40,000.00
To:	101500 53001 DPW Consulting	\$40,000.00

This budget amendment request to cover surveying consulting firms to complete the job responsibilities of vacant right-of-way specialist.

Adopted _____

Approved _____

Mayor

Clerk



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # Q.3

To approve adding “all languages for translation” versus Spanish only for the American Rescue Plan Act (ARPA) 9-2-015 Translator request.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. 9-2-015 ARPA Translator Request

Does this project address majority disproportionately impacted communities (drop down menu)

Yes

Project Name Spanish/English Bilingual Specialist

Requester Celestine Jeffreys, Clerk

Senior Leadership Strategy (Pick at least one from drop down menu)	Equitable Community Development	Employee Recruitment and Engagement	Commitment to Service excellence (city services)		
Federal Categories (Pick at least one from the drop down menu)	Respond to Health Emergency	Revenue Replacement			
Request amount	\$79,411 annually (\$100,000 for Spanish translation services granted by Council)				
Project summary	In order to meet the demand for Spanish language interpretation, I'd like to hire a Spanish/English bilingual specialist, for the length of the grant, to translate the City's existing documents, add vital information to our website, and provide live Spanish interpretation to residents. The clerk's office, as the first stop for many residents, has experienced increasing demand for interpretation, especially around licenses. We also need to have our licensing documents in Spanish, online. Other departments such as DPW and Parks could use the services of an interpreter and a translator.				
Project Outcomes	The outcomes are to: have core documents, instructions and web pages in Spanish; provide live interpretation for residents.				
Possible other funding sources	None that I know of.				
Additional Notes	This person would need to demonstrate near-native abilities with the Spanish and English languages and be familiar with with the vocabulary and syntax of the most common variations of Spanish spoken by Green Bay's Spanish-speaking residents (Mexican Spanish, Puerto Rican Spanish and Central-American Spanish). This person would need to work highly collaboratively with departments to understand processes, procedures and policies, so that translation and interpretation are accurate.				



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # Q.4

To approve the staff recommended reallocation of the American Rescue Plan Act (ARPA), grant Capital Improvement and Organizational Priorities for a total allocation of \$10,000,000 and entering Memorandum of Understanding (MOU) for corresponding reallocations as needed.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. ARPA reallocations 6-14-24 Capital

	Current Allocations	Funds by Category		
Capital Improvement and Organizational Priorities	\$ 10,000,000.00	\$ 10,000,000.00	\$	-
Economic Impact	\$ 13,695,516.23	\$ 13,695,516.23	\$	-
Grant award	\$ 23,695,516.23	\$ 23,695,516.23	\$	-

Capital Improvement and Organizational Priorities

Department	ID	Description	2022 Approved Allocation	Recommended Reallocation	2024 Revised Allocation
Administration	9-2-015	Translator	\$100,000		\$100,000
Administration	10-6-001	FY22 One Time Expense	\$655,000	(\$47,037)	\$607,963
Administration	1-6-303	FY23 CIP	\$538,480	(\$41,557)	\$496,923
Administration	6-6-201	4th floor Scanning	\$80,000	(\$19,657)	\$60,343
Administration	11-6-206	FY23 Replace Equip	\$24,000	\$487	\$24,487
Administration	3-7-001	Administrative overhead	\$500,000		\$500,000
Administration	10-7-003	Annual ARPA Audits	\$18,000		\$18,000
CED	7-2-211	Urban Planning Position	\$300,000		\$300,000
CED	9-3-202	Comp Plan Update	\$300,000		\$300,000
DPW	5-6-302	W. Side Sand Bunker		\$126,422	\$126,422
DPW	5-6-301	E. Side Salt Shed		\$300,000	\$300,000
DPW	5-3-209	RRFB Streets	\$300,000	\$85,889	\$385,889
DPW	2-6-001	Roads	\$1,500,000		\$1,500,000
Fire	6-1-204	Fire Station Site	\$25,000		\$25,000
Fire	6-1-205	Fire Station Land	\$1,000,000		\$1,000,000
Fire	11-6-204	Fire Mattresses	\$20,000	(\$1)	\$19,999
Fire	11-6-203	Fire Clothing	\$43,400		\$43,400
HR	1-4-004	FY22 COLA	\$84,408		\$84,408
HR	11-6-205	FY23 COLA	\$390,000		\$390,000
IT	5-6-310	Technology Lifecycle		\$65,000	\$65,000
IT	2-7-008	City Hall Cnf Rm Upgrades	\$29,570	(\$5,830)	\$23,740
IT	6-6-202	Cybersecurity	\$210,000	(\$3,659)	\$206,341
IT	1-6-301	Email Security	\$40,000	\$3,659	\$43,659
IT	10-6-205	Upgrade Council Chambers	\$125,000	\$8,995	\$133,995
IT	10-6-006	Replace Datacenter	\$500,000		\$500,000
Parks	5-3-305	Park Solar Project		\$48,000	\$48,000
Parks	11-6-207	FY23 Parks New Equip	\$36,000	(\$36,000)	\$0
Parks	11-6-208	FY23 Parks Repair	\$13,900	(\$13,900)	\$0
Parks	5-2-211	Historic Pavilion Reno	\$1,298,061	\$0	\$1,298,061
Parks	5-2-210	Bay Beach Ride	\$800,000		\$800,000
PD	4-1-303	Background software		\$8,000	\$8,000
PD	4-6-309	Police station roof		\$20,000	\$20,000
PD	2-3-002	FY21 Body Cam	\$307,316		\$307,316
PD	11-6-202	FY23 Body Cam	\$263,055		\$263,055
Unallocated Reserve - Administration			\$222,335	(\$222,335)	\$0
			\$9,501,189	\$276,476	\$10,000,000



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # Q.5

To approve the staff recommended reallocation of the American Rescue Plan Act (ARPA) grant Economic Impact for a total allocation of \$13,695,519.23 and entering a Memorandum of Understanding (MOU) for corresponding reallocations as needed.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. ARPA reallocations 6-14-24 Economic

Economic Impact

Department	ID	Description	2022 Approved Allocation	Recommended Reallocation	2024 Revised Allocation
CED	7-2-209	Flooded Home Grants	\$250,000	(\$234,996)	\$15,004
CED	6-2-212	Rotating Arts Grant	\$50,000	\$0	\$50,000
CED	5-2-203	Great Being Home	\$250,000	(\$120,000)	\$130,000
CED	5-2-201	Home improvement loans	\$500,000	(\$110,333)	\$389,667
CED	5-2-202	Curb Appeal	\$500,000	\$250,000	\$750,000
CED	2-2-006	Tourism Grants	\$450,000	\$416,631	\$866,631
CED	7-5-218	Stormwater Grant	\$920,000	(\$382,145)	\$537,856
CED	2-2-003	City Façade	\$1,300,000	\$377,999	\$1,677,999
CED	2-3-207	Gap Financing	\$1,500,000		\$1,500,000
CED	7-6-212	RDA Vacant Parcels	\$1,000,000	\$2,843	\$1,002,843
CED	2-2-004	Microbusiness	\$40,000		\$40,000
CED	2-2-005	Farmers Market	\$75,000		\$75,000
CED	5-2-213	GBF Homeless Staff	\$90,000		\$90,000
CED	6-2-211	Art Grants	\$150,000		\$150,000
CED	7-2-215	Shipyards District	\$25,000		\$25,000
CED	7-2-219	Neighborhood Dev Staff	\$60,000		\$60,000
CED	9-2-214	GBCC Sm Bus Staff	\$180,000		\$180,000
CED	9-3-004	Nghbrhd Home Assoc.	\$150,000		\$150,000
CED	1-1-302	United Way Childcare	\$100,000		\$100,000
DPW	5-1-303	Security Barricades		\$400,000	\$400,000
DPW	7-5-204	Baird Cr-Burgundy Ct	\$720,000		\$720,000
DPW	5-5-001	E Seymour Park SW	\$1,000,000		\$1,000,000
DPW	7-2-202	Sidewalks	\$550,000		\$550,000
DPW	7-5-001	Rain Barrels	\$60,000		\$60,000
DPW	7-5-201	Nicolet Stormwater	\$250,000		\$250,000
Parks	12-6-201	Parks Projects	\$1,000,000	(\$60,000)	\$940,000
Parks	5-2-211	Historic Pavilion Reno	\$151,939	\$62,475	\$214,414
Parks	6-2-203	Snow Guns	\$500,000		\$500,000
PD	4-2-307	Recruit/ Retain		\$150,000	\$150,000
PD	4-1-301	Public Safety Initiatives		\$436,848	\$436,848
PD	11-6-201	PD Overhire/recruit	\$303,400	(\$303,400)	\$0
PD	5-1-205	Police Fence	\$148,100	(\$148,100)	\$0
PD	9-1-001	Violence Reduction	\$126,500	(\$126,500)	\$0
PD	9-2-007	Nat Ballistic Database	\$314,000	(\$125,642)	\$188,358
PD	5-1-206	Police Community roof	\$25,000	(\$7,500)	\$17,500
PD	5-1-208	Speed Boards	\$22,000	(\$1,013)	\$20,987
PD	9-2-009	Lot Cop	\$35,000	(\$699)	\$34,301
PD	10-1-301	Mobile Response Team	\$175,642	\$0	\$175,642
PD	9-1-008	Recruit/ Retain	\$88,000	\$53	\$88,053
PD	9-2-006	Licence plate reader	\$151,000	\$8,413	\$159,413
Unallocated Reserve - Administration			\$761,411	(\$761,411)	\$0
<i>*new requests</i> TOTAL			\$13,971,992	(\$276,476)	\$13,695,516



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # Q.6

To approve the request from the Purchasing Department to contract natural gas before the current contract expires and report out after contract activation.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Finance Request Natural Gas Contract Preapproval 6-2024



Purchasing Department
100 North Jefferson Street - Room 101
Green Bay, Wisconsin 54301-5026
www.greenbaywi.gov

Phone 920.448.3047
Fax 920.448.3050

TO: Finance Committee

Subject: Procurement of Natural Gas Contract

Date: 6-13-2024

Background: The City of Green Bay's Purchasing Department has been diligently monitoring the natural gas market in order to secure the most favorable pricing and terms for the city's energy needs. As part of our strategic procurement efforts, we have identified an opportunity to lock in a new natural gas contract starting in October 2024.

Proposal: We propose allowing the Procurement Manager to contract with our Contract Administrator, Tradition Energy, to secure a new Natural Gas Contract. This contract would commence in October 2024. Given that Natural Gas Futures pricing is subject to daily fluctuations, granting the Procurement Manager the authority to contract with Tradition Energy provides us with the flexibility to lock in pricing at the most advantageous rates between now and October 2024.

Previous Success: In 2022, the City of Green Bay successfully executed a similar strategy, enabling us to lock in the lowest available price for natural gas during that time period. This proactive approach to procurement has proven to be effective in mitigating costs and optimizing savings for the city.

Requested Motion: We request approval from the City Council to empower the Purchasing Department to contract natural gas before the current contract expires. The specifics of the contract, including price and term, will be reported at the subsequent Council Meeting following contract activation.

Conclusion: Securing a new natural gas contract through Tradition Energy will allow the City of Green Bay to continue benefiting from competitive pricing and favorable terms. By granting the Purchasing Department the authority to act proactively in the market, we aim to optimize cost savings and ensure efficient energy procurement for the city.

Please find attached the price report detailing competitive vendor pricing and contract durations for your reference.

Respectfully submitted,

Thomas J. Walenski

Thomas J. Walenski

Procurement Manager City of Green Bay

Customer Information			
Customer Name:	City of Green Bay	Phone:	920-448-3048
Contact:	Thomas Walenski	Email:	Thomas.Walenski@greenbaywi.gov
Address:	100 North Jefferson Street Green Bay, WI 54301		
Account Information			
Utility:	WPS	Estimated Volume:	46,581
Pricing Zone:	WI	Current Rate:	6.95000
Acct #'s/ESI #'s	28	Current Est Budget:	\$ 323,737.95
Pricing Type:	New Request - Fixed Price		
Current Provider:	TERM	Creation Date:	June 13, 2024



Energy Advisor:
Direct Line:
Email:

Michael English
312-281-7483
Michael.English@TraditionEnergy.com

Supplier Fixed Price Comparison / Savings and Budget Analysis

Terms	12 months	24 months	36 months	48 months		
Start Date	Nov-24	Nov-24	Nov-24	Nov-24		
End Date	Nov-25	Nov-26	Nov-27	Nov-28		
DTH Usage	46,581	93,162	139,743	186,324		

TERM	5.1000	5.2500	5.3500	5.3800		
Proj. Annual Budget	\$ 237,563.10	\$ 244,550.25	\$ 249,208.35	\$ 250,605.78		
Est. Annual Savings	\$ 86,174.85	\$ 79,187.70	\$ 74,529.60	\$ 73,132.17		
Est. Term Savings	\$ 86,174.85	\$ 79,187.70	\$ 74,529.60	\$ 73,132.17		
Est. % Savings	26.6%	24.5%	23.0%	22.6%		

CREDIT: Pending

SWING %: 0%

PAY TERM: 25 Days

TERM	5.1500	5.3000	5.4000	5.4300		
Proj. Annual Budget	\$ 239,892.15	\$ 246,879.30	\$ 251,537.40	\$ 252,934.83		
Est. Annual Savings	\$ 83,845.80	\$ 76,858.65	\$ 72,200.55	\$ 70,803.12		
Est. Term Savings	\$ 83,845.80	\$ 153,717.30	\$ 216,601.65	\$ 212,409.36		
Est. % Savings	25.9%	23.7%	22.3%	21.9%		

CREDIT: Pending

SWING %: 10%

PAY TERM: 25 Days

*Does Not Include Taxes

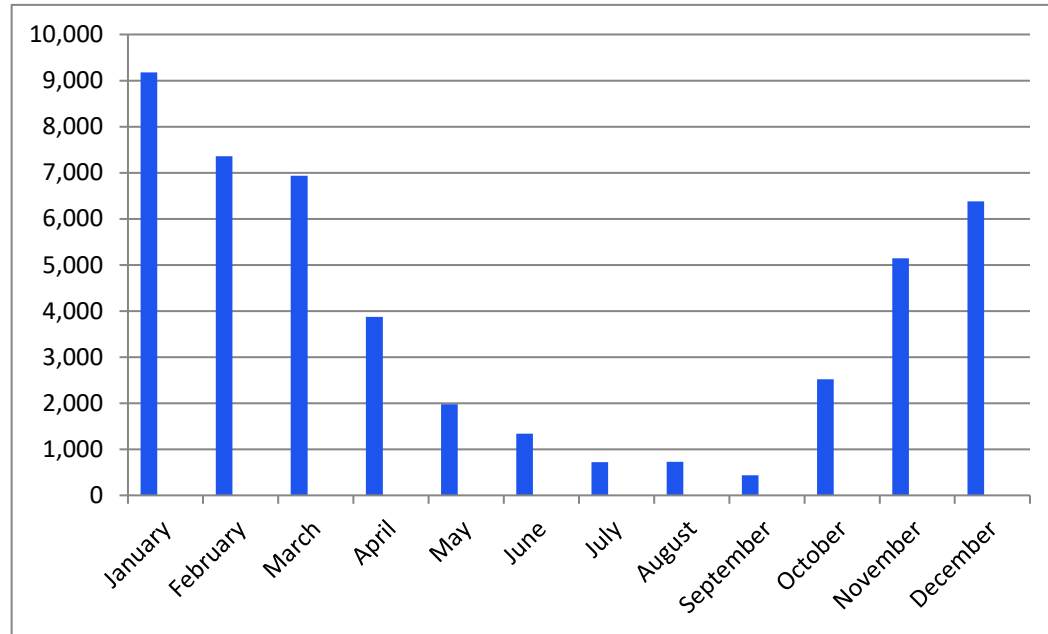
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Annual DTH 46,581

No. of Accounts 28



MONTH	TOTAL (DTH)
January	9,179
February	7,358
March	6,933
April	3,875
May	1,977
June	1,339
July	723
August	725
September	432
October	2,517
November	5,143
December	6,380
Total	46,581



Account Number	Service Address	City	State	Zip	Utility / TDSP	Annual DTH
0401430435-00024	3489 Humboldt Ave	Green Bay	WI	54311	Wisconsin Public Service (WPS)	373
0406166366-00002	330 S Jefferson S	Green Bay	WI	54301	Wisconsin Public Service (WPS)	766
0401430435-00020	2650 West Point	Green Bay	WI	54304	Wisconsin Public Service (WPS)	851
0405302051-00017	1880 East Shore D	Green Bay	WI	54301	Wisconsin Public Service (WPS)	892
0405302051-00018	1660A East Shore	Green Bay	WI	54302	Wisconsin Public Service (WPS)	742
0405190199-00003	1430A E Walnut St	Green Bay	WI	54301	Wisconsin Public Service (WPS)	203
0405373963-00016	1313 Bay Beach Rd	Green Bay	WI	54302	Wisconsin Public Service (WPS)	1,125
0401430435-00021	501 S Washington	Green Bay	WI	54301	Wisconsin Public Service (WPS)	818
0401430435-00018	929 University	Green Bay	WI	54302	Wisconsin Public Service (WPS)	778
0401277306-00151	919 Crocker St	Green Bay	WI	54301	Wisconsin Public Service (WPS)	988
0405421592-00012	901 University	Green Bay	WI	54302	Wisconsin Public Service (WPS)	9,758
0401430435-00017	885 Shawano Ave	Green Bay	WI	54303	Wisconsin Public Service (WPS)	966
0401277306-00148	830 Augusta St	Green Bay	WI	54303	Wisconsin Public Service (WPS)	770

0404469322-00029	519 Oneida St	Green Bay	WI	54303	Wisconsin Public Service (WPS)	5,555
0401277306-00150	481 Skyline Blv	Green Bay	WI	54302	Wisconsin Public Service (WPS)	119
0405254109-00004	333 Main St	Green Bay	WI	54301	Wisconsin Public Service (WPS)	0
0401303144-00013	315 S Baird St	Green Bay	WI	54301	Wisconsin Public Service (WPS)	257
0401303144-00012	307 S Adams St	Green Bay	WI	54301	Wisconsin Public Service (WPS)	2,002
0401430435-00019	2310 Finger Rd	Green Bay	WI	54302	Wisconsin Public Service (WPS)	805
0404469322-00030	1820 Mills St	Green Bay	WI	54302	Wisconsin Public Service (WPS)	2,813
0401430435-00022	1701 W Mason St	Green Bay	WI	54303	Wisconsin Public Service (WPS)	641
0401277306-00149	1474 Bond St	Green Bay	WI	54303	Wisconsin Public Service (WPS)	171
0405702671-00197	1424 Admiral Ct	Green Bay	WI	54303	Wisconsin Public Service (WPS)	6,338
0401430435-00023	130 N Henry St	Green Bay	WI	54302	Wisconsin Public Service (WPS)	426
0404469322-00031	1190 Lore Ln	Green Bay	WI	54303	Wisconsin Public Service (WPS)	2,835
0405190199-00013	1058 Reed St	Green Bay	WI	54303	Wisconsin Public Service (WPS)	958
0405190199-00014	1025 S Fisk St	Green Bay	WI	54304	Wisconsin Public Service (WPS)	1,565
0405357426-00059	100 N Jefferson	Green Bay	WI	54301	Wisconsin Public Service (WPS)	3,066

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Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # Q.7

To update the City of Green Bay's Procurement Manual to raise the Common Council approval level from \$25,000 to \$50,000 and corresponding changes.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. City of Green Bay Procurement Manual with highlighted edits 6-14-25



City of Green Bay

Purchasing Department

Procurement Manual

Revised: June 1, 2020

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1. Purchasing Department Mission

The mission of the Purchasing Department is to assist all City Departments in the effective and efficient procurement of goods and services that are consistent with quality and delivery needs at the lowest possible cost and overall best value for the City. The Purchasing Department provides leadership in procurement to ensure the City's process is fair, competitive, efficient, and conducted under strict ethical guidelines.

2. General Information

Fair and open competition is a core principle of public procurement and inspires public confidence that goods and services are procured equitably and economically. Documentation of the acts taken and effective monitoring mechanisms are important means of avoiding improprieties and establishing public confidence in the procurement process. It is the duty of all City staff to maintain the public trust by adhering to City standards of professional conduct and ethical behavior. All City personnel are responsible for maintaining the integrity of the procurement process and will be held accountable for actions taken that do not conform to the established procurement process.

3. Applicable Laws, Codes, and Ordinances

All City purchases shall be made in accordance with all Federal, State, and Local Laws, Codes and Ordinances. Purchasing authority is granted by section 66.0131 of the Wisconsin Statutes and by Section 1.76 of The City of Green Bay Code of Ordinances. Except where more restrictive by City Ordinance or defined in this manual, all procurement functions will follow the laws and guidelines set forth by the State of Wisconsin State Procurement Manual. The Procurement Manager along with designated senior staff have the authority to require more restrictive requirements over the State Procurement Manual should it be determined it is in the best interest of the City.

4. Roles and Responsibilities

The general roles and responsibilities regarding procurement are as follows:

- Procurement Manager
 - Provide oversight and leadership for procurement related policies and procedures.
 - Conduct formal competitive solicitations such as bids, proposals, quotes, etc.
 - Conduct negotiations for professional services.
 - Provide procurement information to City leadership when necessary.
 - Attend Committee or City Council meetings when necessary to discuss and advise on purchasing issues and the results of bids and proposals.
 - Delegate procurement authority to Departments when appropriate.
 - Approve sole source and single source purchases.
 - Approve requests to waive the competitive solicitation process when appropriate with written justification from Departments.
- Purchasing Staff
 - Provide procurement support to City staff.
 - Conduct formal competitive solicitations such as bids, proposals, quotes, etc.
 - Process requisitions, purchase orders, and P-Card statements via ERP system.
- Department Heads/Managers
 - Identify the needs of the Department, develop specifications, scope of work, etc.
 - Communicate Department needs to the Purchasing Department and plan appropriate procurement methods.

- Approve Department purchases for goods within budget authority.
- Approve Department purchases for goods and services for \$25,000 or less within budget authority.
- Seek approval from and report purchases to the City Council when appropriate.
- Create written justifications for sole source/single source purchases or written requests to waive the competitive solicitation process for approval by the Procurement Manager.
- Department Staff
 - Identify the needs of the Department, develop specifications, scope of work, etc. Communicate those needs to the Purchasing Department.
 - Seek approval from Department Head/Manager when appropriate.
 - Review bids for compliance with specifications as needed.
 - Verify delivery of goods and services and if they meet the specifications and/or scope of work.

5. Purchasing Process Basics

The goal of all successful procurements is to get it right:

Right Goods or Services
Right Quantity
Right Time
Right Place
Right Price

The Process can be broken down into a few basic steps:

Step One - Identify the Need (Requesting Department):

This is the most critical step to a successful procurement. All needs must be identified including:

- Determine exact specifications and quantity for products.
- Right sizing for vehicles and equipment
- Does it need to be compatible with current equipment or software?
- Detailed scope of work for services.
- When the product or service is needed.
- Description of how products or services will be delivered and to where.
- Are installation, training, or future maintenance services required?
- Estimated cost and budget availability.
- Secure approvals to proceed with the purchase.

Step Two – Procurement (Requesting Department and Purchasing Department)

- Check surplus – does another Department have what is needed in surplus or the ability to provide the services?
- Work with the Purchasing Department to identify the correct procurement method – open market, cooperative purchases, quotes, bids, proposals, sole source, etc.
- Conduct the procurement, and if necessary use a competitive process.
- If necessary, work with the Purchasing Department and Law Department to negotiate and execute a contract agreement with the selected vendor.
- Place the order.

Summary of Comments on City of Green Bay Procurement Manual Updated 3-2024 New Spend Thresholds.pdf

Page: 4

Number: 1	Author: thomaswa	Subject: Inserted Text	Date: 3/20/2024 9:31:28 AM
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\$50,000 Reflect new Council Approval Limit

Step Three –Receiving goods or services (Requesting Department)

- Verify delivery/service dates and follow up if necessary.
- Inspect deliveries thoroughly and report any deficiencies in quality or quantity immediately.
- Receive on the purchase order (if applicable) in the ERP system.

Step Four – Payment Processing (Requesting Department/Purchasing Department/Finance Department)

- Verify that product or services have been received and are in good order.
- Match invoices with the original order and packing slips.
- Submit invoice for payment

6. Developing Specifications

Specifications establish the design, type of construction, quality, functional capability and performance level desired. Identify the need and the key factors to fulfill the need completely. Be specific, identify grade, type, or other industry standards that must be met. It is very difficult to disqualify a poor quality product if the specifications are vague or limited.

Specifications may include:

- Type of construction or materials.
“Product shall be stainless steel” is typically not specific enough in most cases.
“Product shall be 20 gauge 304 stainless steel” is a much better specification.
- Minimum level of performance required.
“High capacity fan” is typically not specific enough in most cases.
“Fan shall be 50 CFM (cubic feet per minute) minimum” is a much better specification.
- Physical characteristics, size, weight, color, shape, etc.
“Lightweight design” is typically not specific enough in most cases.
“ Product weight shall not exceed 20 lbs.” is a much better specification.
- Delivery and installation requirements. Is the City responsible for unloading the product from the vendor’s truck? Does the product need to be unloaded by the vendor and set in a specific location? Is the vendor required to install the product?
- Quantity and packaging requirements. 1000 items loose in a box or 10 bundles of 100?
- Warranty requirements.
- Training requirements.
- This or equal quality. Identify a specific product (by manufacturer and part number) that meets all our needs and allow bidders to bid that product or an alternate product of equal quality.
- Scope of services. Include method of service delivery, onsite, online, phone, etc. Identify timeliness of service delivery, response time, lead time, time to complete project. Describe in detail what is required including outcomes desired.

7. Procurement Thresholds and Approval Levels**Procurement process thresholds:**

- Purchases less than \$5,000 may be purchased on the open market by Departments directly if the pricing is generally known to be fair. Quotes should be used when an appropriate price is unknown.
- Purchases of \$5,000-\$24,999 may be made only after using a competitive process determined by the Purchasing Department. Competitive processes include, but are not limited to, Simplified Bidding (See 8.1), Request for Bid (RFB), Request for Proposal (RFP), Request for Quote (RFQ), and Cooperative Purchase Contracts.

Number: 1	Author: thomaswa	Subject: Inserted Text	Date: 3/20/2024 8:43:44 AM
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\$10,000 This change was made in 2022. Document to reflect current threshold

Number: 2	Author: thomaswa	Subject: Inserted Text	Date: 3/20/2024 8:45:15 AM
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\$10,000 - 24,999 Change reflects 10k threshold.

- Purchases of \$25,000 or greater may only be made after using a Sealed Competitive process as determined by the Purchasing Department. Sealed processes include Request for Bid (RFB) and Request for Proposal (RFP) (see sections 8.3 and 8.4).
- If a dollar value is unknown or additional information about a product or service is needed to form a bid or proposal packet, a Request for Information (RFI) will be issued to determine scope and estimated cost.

Approval Levels:

- All purchases of \$25,000 and greater must be brought to the Common Council for approval.

8. Procurement with Special Funds

In the event that a procurement is needed when the purchase will be made utilizing specified funds such as, but not limited to, grants, loans, Federal or State funds, those procurements shall be done in accordance to the rules and regulations associated with those funds. At no time shall the procurement violate any rules or stipulations attached to the funds.

9. Procurement Methods

The following methods are approved competitive processes to be used in the procurement process. The Purchasing Department should be contacted to determine the best method for a particular procurement. The Procurement Manager shall have the final authority on the method of procurement to be used. Consultation with the law department will be done when necessary (as determined by the Procurement Manager) on final contract documents.

9.1 Simplified Bidding (State Procurement Manual PRO-C-8)

Simplified Bidding is a method of procurement used when the estimated cost of a transaction is \$5,000-\$9,999. Simplified bidding takes place when three or more qualified suppliers are solicited to submit quotes on a procurement. However, "three or more" is a minimum. The definition of "three or more" bidders is not to be used to restrict competition or to prevent qualified bidders from quoting on procurements.

Procedure:

- A. The Department first determines the estimated cost of the procurement. To establish whether the simplified bidding process is appropriate or if the Purchasing Department must facilitate the solicitation. The Department will use the estimated dollar amount applicable to the entire contract duration in determining if Simplified Bidding is appropriate.
- B. When the estimated cost is less than \$5,000, the Department may award to the vendor judged best able to supply ("best judgment"). In choosing a vendor, the following should be considered: location of delivery point, quality of articles to be supplied, price of articles, conformity with specifications, purpose for which articles are required, and date of delivery.
- C. When the estimated cost is \$5,000 through \$9,999, the requesting Department solicits and compares, whenever possible, a minimum of three bids from qualified bidders from any of the current sources below:
 1. Price lists,
 2. Quotes on file, or
 3. Written quotes.

E-mail quotes from vendors are considered written documentation of a bid. Phone and verbal quotes should be confirmed in writing by the vendor. The Department must have a procedure to check the

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	Number: 1	Author: thomaswa	Subject: Inserted Text	Date: 3/20/2024 8:46:46 AM
	\$50,000 Proposed new Council Approval amount - Reflects State of Wisconsin Procurement Approval Level.			
	Number: 2	Author: thomaswa	Subject: Inserted Text	Date: 3/20/2024 8:48:41 AM
	\$10,000 -24,999 Proposed new level of Simplified Bidding			
	Number: 3	Author: thomaswa	Subject: Inserted Text	Date: 3/20/2024 8:49:22 AM
	\$10,000 reflects new threshold			
	Number: 4	Author: thomaswa	Subject: Inserted Text	Date: 3/20/2024 8:50:10 AM
	\$10,000-24,999 Reflects new threshold			

invoice against the purchase order/charged to assure proper pricing. The Department is responsible for ensuring that purchases do not exceed \$9,999. If a Department feels it is in the best interest to use simplified bidding on purchases greater than \$10,000 they should contact the Procurement Manager to discuss and justify this request.

- D. Once all bids are obtained the Department shall review and select the lowest, qualified, responsible bidder to provide the goods and/or services. If a Purchase Order is to be issued all applicable quotes must be attached to the requisition submitted in the Enterprise Resource Planning (ERP) system by the requesting Department. If a P-card is used for the purchase, all quotes should be attached to the P-Card statement in which the purchase was made on. The Purchasing Department will conduct random audits of Simplified Bidding processes conducted by Departments. If it is found that a Department violates purchasing policies on a recurring basis, reeducation on the process may be required. In extreme circumstances purchasing authority delegation may be taken away from that Department.
- E. If at any time you would like assistance from the Purchasing Department with this process and/or obtaining quotes please reach out to via email at purchasingag@greenbaywi.gov or by calling x3047.

Recordkeeping:

- A. Documentation of all simplified bidding transactions is required.
1. When the cost is less than \$5,000, the Department shall keep documentation related to the purchase on file in the Department office.
 2. When the estimated cost is over \$5,000, quotes obtained should be attached to the P-Card transaction or the requisition submitted via the ERP system by the requesting Department. The Department must have a procedure in place to check the accuracy of the invoice.

9.2 Request for Quote (RFQ)

A Request for Quote is a competitive solicitation process in which Purchasing Department staff utilizes procurement resources to reach a broad pool of potential suppliers. Purchases of \$10,000 up to \$25,000 will generally, but not always, utilize this process. Purchases of \$10,000 and greater require communication with the Purchasing Department. The RFQ process is meant to be an agile tool for competitive solicitation of quotes and depending upon complexity, will generally take about 1-3 weeks to complete.

Process:

- The Department shall identify the need, notify the Purchasing Department (via phone, email, or requisition), and develop detailed specifications. Purchasing can assist with the specification development if necessary.
- The Purchasing Department shall incorporate the specifications into a standard RFQ template and work with the Department to determine a schedule.
- The Purchasing Department shall conduct the RFQ process, advertise the solicitation, and open the quotes received.
- The Purchasing Department will assist Departments in reviewing quote responses and making recommendations for award. RFQs shall be awarded to the lowest responsive, responsible bidder that meets all the needs, terms, conditions and specifications.
- The Purchasing Department shall work with the Department in creating the final contract document (if necessary).

9.3 Request for Bid (RFB)

A Request for Bid is a formal solicitation that is conducted by the Purchasing Department for goods and services for \$25,000 or more and that can be defined with clear specifications. The RFB process is a formal solicitation and depending upon complexity can take 3-4 weeks to complete.

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\$10,000 Reflects new threshold

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\$10,000 Reflects new threshold

Process:

- The Department shall identify the need, notify the Purchasing Department, and develop detailed specifications. Purchasing can assist with the specification development if necessary.
- The Purchasing Department shall incorporate the specifications into a standard bid template and work with the Department to schedule the bid.
- The Purchasing Department shall conduct the bid process, advertise, collect questions, work with the Department on answers/addenda, and open the bids.
- The Purchasing Department will assist Departments in reviewing bid responses and making recommendations for award. Bids shall be awarded to the lowest responsive, responsible bidder that meets all the needs, terms, conditions and specifications.
- The Purchasing Department shall assist the Department in creating the final contract document or purchase order.

9.4 Request for Proposal (RFP)

A Request for Proposal is a formal solicitation conducted by the Purchasing Department that is used for goods and/or services that are not able to be clearly defined, outcome requirements that have multiple methods to accomplish, or for projects for which the skill or quality of the Contractor needs to be weighed with the cost. RFP solicitations are weighted and scored by an evaluation team and awarded to the highest scoring proposer. RFP's are complex formal solicitations and the entire process including advertising, evaluation, and scoring can take 4-6 weeks.

Process:

- The Department shall identify the needs and notify Purchasing Department.
- Purchasing Department will work with the Department to develop proposal requirements and response requirements, a scoring matrix for each requirement and a format for submitting costs.
- Purchasing Department shall incorporate the requirements into a RFP template and work with the Department to schedule the RFP.
- Purchasing Department shall facilitate the RFP process, advertise, collect questions, work with the Department on answers/addenda, and collect the submittals.
- Purchasing Department will assist in negotiating contract price and terms with the awarded proposer.
- Purchasing Department will work with Corporation Counsel and the Department in creating the final contract document.
- Purchasing Department will report the results of the RFP process to the Department for the Department's discussion and action, if any.

9.5 Request for Information (RFI)

A Request for Information is a type of request used when information and pricing is not readily available for goods, professional services, specialized services or specific construction projects that require a higher degree of skill than usual. The Request for Information may be used to create a short list of vendors for either direct negotiation or bid requests.

9.6 Professional Services

Professional Services do not require a competitive process. Examples of professional services include but are not limited to Banking, Financial, Consulting, Legal Counsel, Medical, Architecture and Engineering, and Real Estate services. Just because a service can be labeled as a professional service does not mean bypassing the competitive process is the best approach. Please consult with the Purchasing Department if you have questions regarding obtaining professional services.

9.7 Cooperative Purchasing

The City may participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of goods and services. Cooperative purchases shall be made in accordance with public procurement principles of open and equitable competition. The City may also purchase from any other government entity without the intervention of bids, Section 66.0131 (2) Wisconsin Statute.

Common cooperative purchasing contracts include:

- State of Wisconsin Cooperative Contracts
- University of Wisconsin Cooperative Contracts^[1]
- General Services Administration (GSA) Schedule 70 & 84

State of Wisconsin and UW contracts may be searched on VendorNet:

<http://vendornet.state.wi.us/>

GSA contracts may be searched at:

<https://www.gsaaadvantage.gov>

9.8 Used Equipment Purchases

The purchase of used equipment from vendors when, in the discretion of that Department's respective head, the purchase of said used equipment will result in considerable savings to the City, shall be submitted to the Procurement Manager or Procurement Manager's designee for review and approval for waiving requirements of the competitive process. Respective Department head must provide written justification to Procurement Manager or Procurement Manager's designee for review and approval.

9.9 Sole Source/Single Source Purchasing

"Sole Source Purchasing" is a procurement process initiated with a specific vendor without competition who has a unique product or service. The product or service has to be truly unique in design or service method, not just a preferred brand or service provider. Purchases that are considered "sole source" must be approved by the Procurement Manager prior to purchase.

"Single Source Purchasing" is a procurement process initiated with a specific vendor without completion who has a product or service that is offered by other vendors, but the specific product/service offered by the vendor is desired (ex. purchasing a specific product that matches other already purchased products for parts and maintenance compatibility.) Purchases that are considered "single source" must be approved by the Procurement Manager prior to purchase.

The "No Substitute" form must be completed and submitted to the Procurement Manager for approval of these purchases.

10. Public and Legal Notices (State Procurement Manual PRO-C-6)

The following defines notice types and when they are required to be used:

1. "Legal Notice" means an advertisement of procurement in the Green Bay Press Gazette
2. "Public Notice" means a posting of a procurement to the official designated website. Posts to Wisconsin VendorNet will automatically create a public notice. Posting to the DemandStar website shall also be part of public notice.

Any Request for Bid or Request for Proposal where the estimated cost is to be more than \$50,000 (greater than \$5,000 for public construction projects) shall be advertised with both Legal and Public notices. Two (2) legal

notice insertion into the ~~Green Bay Press-Gazette~~ shall occur. All RFB's and RFP's, regardless of estimated value, shall be advertised publically on the DemandStar platform and the State of Wisconsin VendorNet site.

11. Information Technology (IT) Purchases

All requisitions and purchases for information technology (IT) equipment or software must have prior approval from the Director of IT. If a RFB or RFP is issued, the Director of IT shall provide input about the compatibility and other issues related to the software or equipment prior to an award being made. This is to ensure the compatibility of the requested equipment and software with existing systems and also ensure the new technology does not pose risks to cybersecurity of City systems. The Director of IT may waive the compatibility requirement.

12. Emergency Purchases

An "emergency situation" is a situation which:

1. Threatens the public health, safety, or welfare; and all of the following conditions exist: was unforeseen; calls for immediate action; and cannot be responded to using established procurement methods; or
2. Exists as the result of activation of the Emergency Operations Center or a State of Emergency being declared by the Mayor of the City of Green Bay or the Governor of the State of Wisconsin.

The existence of an emergency situation does not preclude the use of the competitive bidding process in its entirety. Department Heads and purchasing staff will obtain such competition as is practical under the emergency requirements of the situation.

If an emergency occurs, all purchases shall be made in accordance with section ESF 7 of the City of Green Bay Emergency Operations Plan.

13. Tied Bids

Tied bids exist when the total costs of two or more responses to a request for bid are identical. Cost totals can be carried out to two decimal points to break a tie. Tied bids do not apply to requests for proposals. If the final scores of two or more proposals are identical, the best and final offer process shall be used to break the tie.

If a tied bid occurs, award may be made to the bidder offering the best additional economic benefits to the City such as discounts for early payment, volume discounts, more advantageous contract term, etc.

If all economic benefits are equal, the Procurement Manager or designee and one witness may conduct and document one of the following processes to complete the award:

- If only two vendors are tied, flip a coin: Assign "heads" to the vendor whose company name is alphabetically first and "tails" to the other vendor. Flip the coin allowing the coin to come to rest on the floor. If "heads" is up, the vendor whose company name is alphabetically first wins. If "tails" is up, the other vendor wins.
- If more than two vendors are tied, draw lots: Assign similar sized pieces of paper for each tied vendor and conduct a blind draw to select one awarded vendor.

The process used and results shall be documented on the bid tabulation.

14. Surplus

Departments with surplus items of value shall contact Purchasing Department to determine the best method of redistribution, sale or disposal. Purchasing staff will provide the proper paperwork for the Department to complete, if necessary. Methods of sale include, but are not limited to:

- Online Auction
- Direct Sales
- Trade-in (if requiring new equipment)

15. Waiver of Competitive Process

The Procurement Manager may waive the competitive process requirement, if multiple bids, quotations or proposals are not obtainable, for professional services not conducive to competition, or in cases of immediate need for goods and services due to unforeseen circumstances. The Procurement Manager will require written justification from Departments as to the circumstances requiring the waiver.

16. Appeals Process

Notices of intent to protest and protests must be made in writing. Protestors should make their protests as specific as possible and should identify Wisconsin Statutes or City of Green Bay ordinance provisions that are alleged to have been violated.

The written notice of protest must be filed with the Procurement Manager, Green Bay, WI, 100 North Jefferson St. Room 101, Green Bay, WI 54301, and received no later than 72 business hours after the intent to award notice is issued.

The Procurement Manager shall inform the Finance Director and conduct an investigation regarding each protest and may request information from Departments or the Law Department when necessary. The Procurement Manager may also create an evaluation team to review the merits of the protest, depending on the complexity of the project.



Report to the
Finance Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # Q.8

To approve the security contract and direct staff to bring the facility improvements to the Ad Hoc Facilities Committee for consideration in the annual capital improvement plan update.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. City Hall Security Plan Dec 2023
2. Finance Request Security Gaurd City Hall 6-4-2024

Contract security services

- Concierge-type service to greet people when they arrive and direct them to where they are going.
- Armed vs. unarmed.
- Sign in people visiting upper floors and call ahead.

Facility changes – will require one-time and some ongoing funds.

- Front desk modifications – access from hall rather than Clerk's Office.
- South doors locked for exit only. All building entry will be from north doors, either Jefferson Street or parking lot.
- Security cameras on all floors monitored from front desk; also in Shift Commander's office.
- Elevators and stairwell doors locked to allow exit only; key card access to upper floors.
- Service center on first floor for most common public functions (pet licenses, tax payments, parking citations, etc.)
- Consider prohibiting firearms in the building. Screening will require added security resources.

Safety planning for public meetings

- Emergency evacuation plan for Mayor/Council/City Staff, including training on this plan.
- Emergency evacuation plan for the public.
- Police presence for Council meetings.
- Guidance for Alders regarding concealed weapons.

Code of conduct

- Prohibited items.
- Conduct in City offices.
- Conduct in public meetings.
 - Script for presiding officer to warn of conduct violations, and to stop the meeting to resolve disruptions.
 - Policy for removal from the meeting.



Purchasing Department
100 North Jefferson Street - Room 101
Green Bay, Wisconsin 54301-5026
www.greenbaywi.gov

Phone 920.448.3047
Fax 920.448.3050

5/23/2024

Finance Committee 6/4/2024.

Consideration and possible action to approve a Contract with Security Pro Intel. Inc. for Security Guard Services at the City of Green Bay City Hall.

This was an RFP Solicitation 2024-06 and Evaluators scored proposals and Security Pro Intel Inc. has the highest score (see bid summary). This was competitively bid (see bid summary). Estimated annual cost for this service is approximately \$94,000.00.

Funding Source: Annual Operating Budget

Respectfully Submitted,

Thomas J. Walenski

Thomas J. Walenski
Procurement Manager
City of Green Bay

CITY OF GREEN BAY BID SUMMARY
RFB# 2024-06 Security City Hall-On Site Personnel
ISSUED: 02/27/2024 DUE: 03/26/2024
CC: 99046, 90568
Scoring Criteria & Points

		Highest Score (Avg.)			---->			---->			---->		
Evaluation Team Total Possible Points		Security Pro Intel, Inc.			REDI Transport			Star Protection and Patrol			Tri-Bolt, LLC		
	Categories	Option #1			Option #2			Option #3			Option #2		
		EV1	EV2	EV3	EV1	EV2	EV3	EV1	EV2	EV3	EV1	EV2	EV3
25	Organizational Capabilites	20	25	25	22	20	25	20	20	5	15	20	5
20	Staff/Qualifications/Experience	15	17	15	18	20	20	10	15	5	10	15	5
25	Methodology & Implementation Plan	20	22	25	10	20	20	10	18	0	10	18	0
20	Illustrative Examples	19	20	20	15	15	20	10	15	5	5	12	0
10	Pricing & References	8	6	10	4	5	8	6	7	5	8	8	5
100	Vendor Score(s) (Total Possible Points = 100)	82	90	95	69	80	93	56	75	20	48	73	15
		44.50			40.33			25.17			22.67		

Recommendation: Award to Security Pro Intel, Inc. (Option #1) as the highest scoring vendor that provided the best overall solution and value to the City of Green Bay.



Purchasing Department
100 North Jefferson Street - Room 101
Green Bay, Wisconsin 54301-5026
www.greenbaywi.gov

Phone 920.448.3047
Fax 920.448.3050

5/23/2024

RE: Notice of Intent to Award
RFB # 2024-06 Security City Hall – On Site Personnel

Dear Sir/Madam:

The evaluation of proposals received for this RFB has been completed and the following is recommended for award:

The City of Green Bay Police Department is recommending awarding the Security City Hall – On Site Personnel to Security Pro Intel, Inc.

The recommended award will be brought for approval before the next Finance Committee meeting scheduled for June 4, 2024 at 4:30pm.

The meeting is open to the public and attendance is not required. As the room and time may change, please confirm the date, time, and location if you plan to attend.

Please see the summary of bids received for this project.

Thank you for your continued interest in doing business with the city of Green Bay. If you have any questions, or require additional information, please feel free to contact me at 920-448-3049.

Sincerely,

Thomas J. Walenski

Thomas J. Walenski
Procurement Manager
City of Green Bay

Attachment

BID PROPOSAL

FOR CITY OF GREEN BAY

RFB #2024-06 – CITY HALL SECURITY

Due Date: Tuesday, March 26, 2024; 2:00 PM CST

Prepared by Juan Antonio Reyes

For Security Pro Intel, Inc.

7150 Windsor Lake Parkway

Suite 102

Loves Park, IL 61111

Email: jreyes@securityprointel.com and

contracts@securityprointel.com

Website: www.securityprointel.com





SECURITY PRO INTEL, INC.

7120 Windsor Lake Parkway
Suite 102 | Loves Park, IL | 61111
Office: (815) 637-6950 | Fax: (815) 637-6955
Toll Free: (888) 206-3307
www.securityprointel.com

March 25, 2024

ATTN: Thomas J Walenski
City of Green Bay Purchasing Department
100 North Jefferson Street- Room 101
Green Bay, WI 54301

RE: RFB #2024-06 – City Hall Security

Dear Mr. Walenski:

Please consider this our letter of interest in providing security services for the Green Bay City Hall.

We understand that the City of Green Bay is seeking qualified experienced security professionals with a focus on safety, reliability, courtesy, knowledge, and efficiency. Security Pro Intel, Inc. (SPI) specializes in providing armed security officers who will provide the best services and continue to utilize resources to implement efficiencies for a best-in-class security program. We are proud of our longstanding presence and are confident that we can outline our valued approach and capabilities in this proposal.

Over the past several years, we have seen increased spending on security services both in the government and private sectors with the perception of security slowly changing from incident response to a driving force of the operational management plan. To provide our customers with the best service, SPI understands the importance of developing a strong team through continuous training programs, adapting quickly to change, and applying effective methods of security management to provide a quality product.

SPI is a private security company, headquartered in Loves Park, Illinois, that was founded in 2003 by President Juan Reyes. Mr. Reyes is a Desert Storm Marine Corp Veteran, has over 15 years of experience in local law enforcement and holds a bachelor's degree in criminal justice. He took advantage of a wide variety of training opportunities as a police officer including 911 Critical Management Training, Homeland Security Training, Narcotics Detections, and OSHA trained and certified.

As Juan was getting ready to retire from the police force, he had seen the need to have better trained security officers to better serve communities around the area. He took the chance in founding SPI and now it is a million-dollar operation. His role as founder has contributed to his goal of building a quality security team that all could be proud of. Our operations have expanded into Wisconsin over the past five years with an office based out of Beloit, WI. Our company is currently also expanding our operations into the State of Indiana.

Juan turned over the CEO position to his son, J. Antonio Reyes in 2019. J. Antonio Reyes is responsible for the day-to-day operations and scheduling of our officers. Additionally, J. Antonio Reyes is currently serving in the U.S. Navy and has nine (9) years of experience in counterterrorism, counterintelligence, data science, and data analytics. This experience is displayed in our modus operandi and provides a multifaceted approach to our security operations and training.



SECURITY PRO INTEL, INC.

7120 Windsor Lake Parkway
Suite 102 | Loves Park, IL | 61111
Office: (815) 637-6950 | Fax: (815) 637-6955
Toll Free: (888) 206-3307
www.securityprointel.com

In this proposal we will address all the requirements listed in the RFB and we believe we have the experience and resources to provide the City of Green Bay with the security services required. SPI holds a current State of Illinois license, as well as all other appropriate Federal, State and Local licenses, and is properly insured.

We appreciate the opportunity to submit this proposal to the City of Green Bay and look forward to working with you during the evaluation process.

Sincerely,

A handwritten signature in black ink, appearing to read "JR", with a horizontal line extending to the right.

Juan Reyes
President

Email: president@securityprointel.com



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SPI WORK EXPERIENCE & CAPABILITIES

Security Pro Intel, Inc. (SPI) has been serving the Midwest since 2003. As a veteran-owned business, we provide considerable experience in security risk management services and solutions. We pride ourselves on being one of the best in the field with our standards resolutely high and with the belief in providing the best possible service regardless of the situation.

Over the past five years, we have seen increased spending on security services both in the government and private sectors with the perception of security slowly changing from incident response to a driving force of the operational management plan. To provide our customers with the best service, SPI understands the importance of developing a strong team through continuous training programs, adapting quickly to change, and applying effective methods of security management to provide a quality product.

The company prides itself and tries to lead by example as stated in the company's mission statement.

SPI's mission statement:

"Our mission is to provide exemplary service by adhering to the highest level of professionalism, honor, integrity, and protection for our client's properties, patrons, and staff; and to continually strive to enhance their well-being by maintaining a safe and secure environment to our communities in which we proudly serve."

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SPI has a Lieutenant position for each state where security services are provided. William Giamarese is the person responsible for the State of Wisconsin. He has been with the company since 2020. He has over 10 years of experience in the security field. He has supervisors at each of our sites in Wisconsin that report directly to him.

SPI employs 50 - 60 full-time and part-time employees, including former and current police officers, military, and qualified individuals.



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Security Pro Intel, Inc. (SPI) provides a range of services including uniformed armed or unarmed officers, executive protection, event security, mobile patrolling, to background screening services and investigations, consulting as well as training for officers and your staff. It's not just the quality of our service that sets us apart, but it's our style – we ensure all our security officers are well-presented, courteous, articulate, and punctual.

Along with being one of the top security firms, Security Pro Intel, Inc. is also recognized as follows:

- An equal opportunity employer
- A veteran-owned business
- A minority-owned small business in Illinois and currently working to finalize our certifications in Wisconsin and Indiana.

SPI officers hold the proper certification requirements as set forth by the State of Illinois and Wisconsin and attend regular training to stay current with guidelines. Our officers are highly trained professionals and able to meet the requirements of each specific client. The next page provides a breakdown of services offered by our company.



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SPI provides a variety of security services to meet all our customer needs. Our staff is highly experienced and professionally trained with many providing extensive law enforcement and/or military backgrounds. Below you will find the security services provided by our company.

PROTECTION	
Armed Guard Services	Commercial Safety
Unarmed Guard Services	Construction Sites
Executive Protection	Mall/Retail Security
Transport Services	Patient/Prisoner Watch
Extradition Services	School Districts
Airport Security Services	K-9 Dog Services
Armored Car Services	Bike / Mount Patrol
Alarm Response Services	Traffic Control
Bodyguard Services	Event Security
Residential Patrol	Crowd Management
University Campus	Parking Enforcement
24-Hour Dispatch	First Responder Services

RISK ASSESSMENT
Security Site Evaluation & Surveillance Equipment Inspection
Security Policy & Procedures Review
Security Manual Review / Preparation
Management & Employee Safety Training
Security Consulting

TRAINING
Basic Initial Security Officer Training
Arrest Techniques & Restraint Devices
Firearms Training
Conceal & Carry Weapon Training (CCW) for Illinois & Utah
First Aid Training (American Red Cross - ARC/AED/CPR/First Aid Training)

INVESTIGATION & SURVEILLANCE
Surveillance
Loss Prevention
Attorney Services (Process Servers)
Private Detective Services
Employment Background Investigations
Insurance Fraud Investigations
Domestic & Family Investigations





SPI RECRUITMENT PROCESS AND TRAINING OVERVIEW

Security Pro Intel strives to maintain an exceptional workforce and hire individuals who can perform their duties under stressful situations, demonstrate leadership skills, are adaptable to change, and have excellent communication skills. Many of our officers have military training, and/or experience in law enforcement and security. To provide the best security team for our clients, there are standards set by SPI and the States of Wisconsin and Illinois. These include the following:

- All SPI officers are either licensed by the Illinois Department of Financial and Professional Regulation (IDFPR), the Wisconsin Department of Safety and Professional Services (DPS) or hold licenses for both states.
- All armed officers shall have completed a firearm-training course and will undergo annual certification and are required to have a license.
- All employees must be at least 18 years of age, a United States Citizen or must be eligible to work in the United States and must be of good moral character. For armed officers, all employees must be at least 21 years of age.
- Employees must be physically able to perform all duties required as a security officer; must have no disabilities that would prevent performance of duty.
- Employees must have reliable transportation with a valid driver's license and be available to work as needed by SPI.
- Employees must be able to read, write, and speak English fluently, although several of our officers are bilingual. Security officers are expected to be able to fill out a variety of reports while they are on duty.
- Employees must have at least a high school diploma (or equivalent) to be considered for a position, though we do encourage employees to continue their education beyond high school.
- Employees must be able to pass a state and federal background check, as required for licensing and by our clients. Employees must be willing to submit to additional background investigations as needed.
- No security officer or supervisor can be hired if convicted of a felony. A person living with a mental illness would not be eligible to be hired as a security officer or supervisor.

Background Checks. Please note that in addition to filling out an employment application, all security officers must pass an employment background screening process that includes:

- Social security number trace
- State and federal criminal records check
- E-Verify
- Terrorist name check



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- Drug screening checks
- Former employer checks
- Personal reference checks

SPI will also adhere to the requirements for all security personnel at the City Hall of Green Bay as outlined in Sec. 111.31 et seq. Wisconsin Stats where no employee will have the following:

- o no conviction record for a Class A misdemeanor or felony
- o Class B or C misdemeanor if misdemeanor occurred within the last 3 years (excluding traffic crimes except those listed in paragraph d. below)
- o Second-offense or higher violations of the following: Operating under the influence of an intoxicant or other drug, operating with a detectable amount of controlled substance, operating with a prohibited alcohol concentration, or any other violation under Wis. Stat. sec. 346.63 that is charged as a misdemeanor or felony.

Before allowing any employee or agent to perform security services at the City Hall of Green Bay, SPI would furnish our client with copies of all such investigation materials and documents including a copy of employee's resume and driver's license record under this agreement.

Armed Officers. SPI, as contractor if chosen, shall only assign armed security personnel under this Agreement, if:

- the company holds all permits required for the security agency by the Wisconsin Department of Safety and Professional Services (DPS) to employ and utilize armed private security personnel.
- all employees assigned as armed security personnel at City Hall of Green Bay under this agreement have been issued and continue to hold valid, current permits, and certifications required by the Wisconsin DPS to carry a firearm and go armed as a private security person, including but not limited to a certification of proficiency to carry a firearm (a Wisconsin Concealed Carry license alone is not considered adequate under this Agreement); and
- all armed employees must follow all rules established by the Wisconsin DPS for performing armed private security guard work and all other applicable laws and regulations and hold any other permits that may be required by law.

Firearms and Other Weapons. SPI, under this RFB, agrees to operate in compliance with Wisconsin Administrative Code Chapter SPS 34, and all other applicable regulations, at all times while performing work under this Agreement. SPI's officers may carry any other type of lawful weapon only if approved by SPI and the Green Bay Police Department, and in compliance with all laws applicable to such weapons.

Recruitment Process and Standards for Security Supervisory Staff

The recruiting process for our security supervisory staff includes everything outlined in the previous section for our security officers. In addition to the baseline criteria, we consider the following criteria:



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- Security experience with SPI or a previous employer
- Past supervisory experience with SPI or a previous employer
- Military or law enforcement experience
- Completed training certifications with SPI and outside the firm.

As per the RFB regarding officer supervision, SPI shall supervise the security personnel provided under the contract and shall be solely responsible for their performance. SPI security officer(s) conform to the highest standards of protection service. Further, SPI agrees to remove from service any of our officer(s) upon request of the City Hall of Green Bay. Without limiting SPI responsibility, SPI officer(s) shall conform to the rules and regulations at the properties in accordance with written instructions from the officials at the City Hall of Green Bay.

SPI TRAINING PROGRAM FOR SECURITY OFFICERS

Training is a very important part of what makes SPI stand out from other security companies. All officers go through SPI's training program which consists of level training, site-specific training, client-requested additional training, continuing education, and elective training courses. All courses meet or exceed the requirements by the Wisconsin DSPS as well as for the Illinois DFPR.

To provide a specialized training program (or on-site training program), we take extra care to thoroughly document a training plan for our officers plus provide surprise visits on-site to make sure they are providing security services accordingly. Assessment sheets are created by the Director of Operations to measure each security officer and their performance. If an officer still shows areas of improvement, then we use the assessment sheets as a guide to ensure all proper security protocol is followed.

As stated previously, all officers are required to be back in the classroom every 6 months to keep up on their techniques and knowledge (including on-site training materials if it pertains to the security officer) as well as the latest techniques in the security industry.

To ensure compliance with the state and federal mandated requirements, officer training is tracked three ways: SPI's electronic personnel database, SPI's individual employee compliance file and Individual Training Records maintained by the instructor(s). Most of the training is led by Juan Reyes. Depending on the training required, Juan will also bring in other certified instructors to train officers.

SPI's primary training is its Security Level Training. The curriculum is broken down into three levels. Each officer is provided continued training in their current level until each officer shows proficient skills to progress to the next level.

LEVEL I TRAINING

LEVEL I Training consists of a mandated 20-hour training course. This training course includes Introduction to Security, Patrolling 1 & 2, Report Writing, Basic Laws of Arrest, Post Orientation, Uniform & Equipment, and Customer Service. In addition to the state mandates, SPI requires all employees to be trained in Crisis Prevention Intervention (CPI), National Incident Management System (NIMS), CPR, First Aid, and AED Usage.



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LEVEL II TRAINING

LEVEL II Training involves officers receiving the same training as Level I officers and receiving additional tactical training. Level II officers go through the Monadnock Training Program (handcuffing, proper searching, baton, defensive tactics, pressure points, holds & take-downs, etc.).

Officers also go through Advanced Report Writing, Oleoresin Capsicum ("OC" or pepper spray) Techniques, Verbal Judo and X26 TASER Training.

LEVEL III TRAINING

LEVEL III Training includes the completion of Level I and Level II training. The supervisory team collectively decides which officers have proven themselves to be exemplary employees and offer the opportunity to go through Level III training. Level III training involves the IDFPR mandated 40-hour Firearms Training course or the Wisconsin 36-hour firearms training course for new firearms permits as described in Wis. Admin. Code SPS § 34.03(1). The training must be provided by a firearms proficiency certifier approved by the Department.

For Wisconsin, applicants who wish to apply equivalent training under SPS 34.03(2) must submit evidence they were authorized by another licensing jurisdiction or governmental agency to carry a firearm while on duty as a police officer, a security guard, or a private detective in the five years immediately before applying to the department for a firearms permit.

Additional advanced tactical training in such areas as Weapons Retention & Rapid Deployment is also given to all officers in this level.

SITE-SPECIFIC TRAINING

Site-Specific training goes above and beyond the level training. This training involves:

- reviewing of security officer requirements as specified by this proposal and the security plan developed with our clients including training paid for by SPI.
- scheduling, staffing requirements, and education on each employee's responsibilities for specific locations, and static posts for security officers and supervisors.
- site orientation and walk through conducted by Juan and the Director of Operations.

SPI understands the City of Green Bay requirements prior to the assignment to the properties and on a regular basis to train its officers on the following topics:

- Legal restrictions/responsibility/authority
- Communications procedures/radio and telephone
- Patrol procedures
- Report writing



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- Safety vulnerabilities and principles
- Public relations; and
- Tactical awareness and threat assessment.

SPI also understands that officer(s) and employees must demonstrate satisfactory knowledge of Wisconsin law as it pertains to private security, arrest, search, and seizure. SPI must certify this training of Wisconsin law has taken place prior to the assignment of personnel, and re-certify each officer annually, after their initial assignment to City Hall.

USE OF TRAINEES

SPI understands the company may assign a new employee, designated as a "Trainee," if the trainee has been issued a temporary private security permit under Wis. Stat. sec. 440.25(5r). SPI also understands:

- all trainees will go through the training process as set forth by our own company standards and as set forth by our clients.
- and agrees that during such time all trainees shall obtain all required permit(s) and shall not work as the primary guard on any property without prior approval from our clients.
- trainees will not work on site unless they have all the required permits and have been approved to work the site from our clients.
- trainees whose permit has been denied shall not be able to work on site.
- copies of all required private security or private detective permits and certificates of proficiency to carry a firearm (if applicable) shall be provided to the client upon request and shall be posted in the respective office(s) where the employee works if an office is provided under this agreement.

ADDITIONAL TRAINING

Additional training can be requested by the client for our security officers. SPI works closely with each client to ensure all members of the security team are trained. For example, one of our clients requires SPI officers to undergo OSHA and DEA Compliance Training prior to work at their location. We also understand the requirements as set forth in this RFB that all officers will comply with the required training as set forth by the Green Bay Police Department.

CONTINUING EDUCATION

Continuing education is required of SPI officers at least every 6 months. SPI will also adhere to any additional training policies set forth by our clients.

Not only do we provide and educate our officers with new and updated information in the related security field, often as part of the continuing education, "seasoned" level II and level III officers will assist with Level I and Level II Training Classes.



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ELECTIVE TRAINING COURSES

Elective training courses are offered in addition to SPI's basic and continuing training curriculum. SPI officers can participate in a wide variety of elective training courses. This can include everything from Terrorist Patrol to Bomb Threat Training & Management.

SPI TRAINING PROGRAM FOR SECURITY SUPERVISORY STAFF

The supervisory staff participates in the same training as all security officers plus they have additional classroom training specific for supervisors. They are trained on-site by the Director of Operations. The training staff takes time to work with each member of the supervisory staff for each site to ensure they are following proper protocols and post orders.

Supervisory staff members will report directly to the Director of Operations and the President daily. Surprise on-site visits will also be part of the training program to ensure supervisors are taking a leadership role to manage the security staff, communication is being properly managed with our client, and site responsibilities are being accomplished.

Feedback from our clients is always encouraged. This helps us to ensure the supervisory and security staff are providing the best service.

UNIFORMS

Officer(s) shall be completely outfitted with client-approved uniforms, identification, and other equipment as needed and deemed acceptable by the City Hall of Green Bay. SPI officer(s) are always in uniform while on duty.

EQUIPMENT

Phones. SPI will supply a cell phone or similar mobile device if requested by our client and each phone is equipped with the SilverTrac Guard Management app, an application that tracks the officer during their shift and produce daily automated reports showing everything done while on duty. The phones shall also be programmed with the phone numbers to contact any staff members and the Green Bay Police Department and Fire Departments.

Other Equipment. SPI will supply all other necessary equipment. Officer(s) will use equipment and/or supplies owned by our client or its affiliates only with the express permission of the client.

Patrol Vehicles. SPI will provide and maintain all vehicles needed to transport officer(s) between the various properties.

Keys. Our client may provide the SPI officer(s) with access to key(s) to the property, but SPI officer(s) will not be provided a "master" key or any keys to the resident units, or access to such keys. SPI will comply with procedures established by the client for access to keys, including a procedure to return keys to a secure location on site at the end of each shift using a method to be agreed upon with each Site Manager and shall also comply with any requirements for keys in this RFB.



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SPI officer(s) will immediately report to the supervisor and the client if any keys are lost, stolen, or missing. SPI officer(s) will ensure all keys are properly stored at the end of each shift and/or expiration of this contract. SPI understands that we would be responsible for all costs associated with lost or stolen keys, including the cost of re-keying a building or buildings.

SPI would indemnify, defend, and hold harmless the City of Green Bay and the City Hall of Green Bay and their officers, officials, agents and employees from all claims, expenses, losses, damages, and attorney's fees, including third party claims, resulting from, or arising out of SPI or SPI employees, agents or subcontractor's loss, mishandling, use or access to such keys. The parties intend the preceding sentence to be read together with section 12.a. to provide the maximum protection and benefit to the client. This paragraph shall survive the termination or expiration of this Agreement.

PERMITS AND LICENSING

SPI officer(s) perform all security work in a thorough and professional manner in accordance with the accepted methods and practices and are always in strict compliance with all federal, state, and local ordinances, laws, and regulations. SPI will obtain and pay for all necessary permits, training, approvals, and acceptances required by law.

ALCOHOL AND DRUG CONSUMPTION

SPI officer(s) shall not consume alcoholic beverages eight (8) hours prior to reporting for duty nor on the job at any time. SPI officer(s) shall not consume illegally controlled substances at any time prior to or while on the job. SPI officer(s) must always conduct themselves in a professional manner while on the job.

Rest of page left intentionally blank.



SPI UNIFORM POLICY

Professionalism is something that SPI, as a company, prides itself on. Part of being a professional security officer is to look the part, which is why SPI employees are required to have Class A uniforms. Due to the public nature of a security officer's duties and the business necessity of uniformed personnel presenting an image of professionalism and authority, a code relative to an officer's appearance in uniform is hereby prescribed. All officers are expected to come dressed appropriately for their job. They should arrive on the site in the designated uniform, with their company badge, and be ready to start their shift.

To ensure all officers are properly attired in their uniforms, supervisors will conduct random officer inspections. Inspection will include uniform, appearance, and personal hygiene. These inspections will remain in the employee personnel file, for the duration of their employment.

Each uniform option is discussed with each client and the client makes the final decision on what is worn for duty.

A. Level I, II, & III Uniform Requirements

Level I and II Officers are required to wear duty belts which contain only equipment that the officer has been trained on. For example, an officer that has not been trained and certified on a taser should not be carrying a taser or a stun gun on his or her duty belt. Level III Officers carry a firearm and a holster along with their certified level I and level II equipment plus they are required to wear an outer vest.

B. Class A Uniform

Class A Uniform is the standard uniform for SPI Officers. Class A Uniforms consist of a long- or short-sleeved black shirt with the appropriate SPI patches, matching black uniform pants, company ID, SPI cap, black socks, a black undershirt, and black shoes (no tennis shoes).

C. Professional Business Dress Uniform

We have clients that prefer for our officers to not be wearing our standard company uniform. One popular option with clients is for our officers to wear business slacks, with black shoes, a white button down shirt and a nice sports jacket with our security emblem on the coat and visible.

D. Personal Hygiene

All officers are required to maintain a good level of personal hygiene at all times. Excessive perfume or cologne is not acceptable.

The hair length of male officers is not to extend beyond the top of the collar on a button-front dress shirt. Facial hair is limited to a neat and trimmed mustache or beard.

Female officers who have hair longer than ½ inch over a collar on a button-front dress shirt must have their hair pulled back into a ponytail or a bun.

E. Jewelry

Officers may wear rings and/or non-dangling earrings. If an officer has facial piercings, he or she is expected to wear an invisible spacer while on duty. For the safety of the officer, it is recommended that officers do not wear any kind of jewelry while on duty. All officers wear jewelry at their own risk.



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If worn, eyeglasses and sunglasses must be in keeping with the uniform. Exaggerated size or shapes, mirrored lenses, or neon-colored frames, for example, are not considered acceptable.

Class A uniforms are the standard uniform for SPI officers. Class A uniforms consist of the company ID, SPI cap, a long- or short-sleeved black shirt with the appropriate SPI patches, a black undershirt (if applicable), matching black uniform pants, black socks, and black shoes (no tennis shoes). Please see below for examples of approved uniform components.



These shirts must have the SPI badge emblem (see photo 1 below) sewn on the front left side of the shirt above the pocket and SPI logo emblems (see photo 2 below) – on the shoulder of each shirt sleeve. All shirts are to be free of stains and tears. It also must be pressed and clean without wrinkles.



Photo 1



Photo 2



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Acceptable black uniform pants include BDUs or cargo pants. See below. The bottom of each pantleg should just touch the top of the shoe causing a slight break in the leg crease.



The SPI cap, black socks, a black undershirt (if applicable), and black shoes (no tennis shoes) complete the look of the Class A uniform. See below. The ball cap (if worn) is to be worn squarely and firmly on the head.



If SPI stock is not available at the time of hire, the employee will be given instructions for appropriate uniform ordering. All orders for uniforms will have to be approved by the President of SPI.



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The President of SPI has approved alternatives for the summer uniform. Officers may wear shorts that are one (1) inch above the knee, SPI Cap, short-sleeve button down shirt, a black polo shirt (only if approved by the site being worked), short black socks, and black shoes (no tennis shoes). See below.



SPI has a business formal uniform that is requested by our clients. It includes a black blazer, black pants, white button-down shirt, black socks, black shoes, and black tie (black tie may or may not be worn). It is the discretion of the client. This uniform must be cleaned and pressed at all times.





UNIFORM LEVEL REQUIREMENTS

As stated, Class A Uniforms are the standard uniform for SPI Officers. Class A Uniforms consist of company ID, SPI cap, a long- or short-sleeved black shirt with the appropriate SPI patches, black undershirt (if wearing one), matching black uniform pants, , black socks, and black shoes (no tennis shoes).

Level I, II, & III Uniform Requirements

Level I, II, and III officers are required to wear equipment that the officer has been trained on along with the standard Class A Uniform. Listed below is the equipment required for each level of officer.

Level 1	Level 2	Level 3
SPI company ID	SPI Company ID	SPI Company ID
Duty Belt	Duty Belt	Bullet Proof Vest
Inner Belt	Inner Belt	Outer/Inner Carrier
Belt Keepers	Belt Keepers	Duty Belt
Handcuffs and case	OC Spray and Holder	Inner Belt/Belt Keepers
OC Spray and Holder	21" or 26" ASP Baton and Holder	Firearm (Certified by SPI) and Holster
Med Pack	Handcuffs and Case	OC Spray and Holder
Vest	Med Pack	21" or 26" ASP Baton and Holder
	Vest	Handcuffs and Case
	If certified: Taser and Holder	Med Pack
		If certified: Taser and Holder

Photo below – uniformed officer with Gig Line (see red arrow in photo).

Gig line is a military term that refers to **the alignment of the seam of the uniform shirt, belt buckle, and uniform trouser fly-seam**. To be properly dressed, these three should align to form a straight line down the front of a person's body.





SCOPE OF WORK FOR SECURITY OFFICER SERVICES

Security Pro Intel (SPI) understands the security service requirements as set forth in the RFB. SPI understands the company will provide the personnel and equipment needed for the City Hall in Green Bay.

The specific duties of the SPI security officer(s) assigned to this contract will include but are not limited to:

SCHEDULE | OFFICER SELECTION

- Provide one officer on shift from Monday through Friday during City Hall hours. The officer is active and certified and in good standing with the State of Wisconsin as either a law enforcement officer (retired or active) or an experienced security officer.
- SPI will submit each candidate's drug screening results and background checks to be reviewed by the City of Green Bay for satisfactory completion. The approval of a candidate is required by the City of Green Bay or else the candidate will not be allowed to provide security services. SPI also understands the costs for the drug screening and background checks will be covered by the company and all information must be sent over to the City of Green Bay Human Resources Department no later than 14 calendar days prior to contract commencement date and prior to new officers starting once the contract has been awarded.
- SPI will provide a letter to the City of Green Bay Human Resources detailing each of the licensed officers that will be working for review and approval. The City of Green Bay reserves the right to remove a candidate employee immediately for any conduct determined to be detrimental to the City of Green Bay.
- SPI will provide each officer with uniforms, flashlights, batteries, chargers, smart phones, a firearm with holster, spare magazine, and magazine pouch. The preferred uniform will be a "soft" uniform consisting of a sport coat with the company logo, and dress/casual pants. (See our uniform section for complete uniform styles offered.)

OPERATIONS

- SPI will ensure that all uniformed personnel are on time, alert, and capable of performing their assigned duties in a professional manner. All security officers are dressed in security uniforms provided by the company. The one officer or the supervisor will work Monday – Friday from 7am – 5pm (time may vary per season and may change based on the direction of the City of Green Bay).
- SPI also acknowledges any officer that does not report on time, a replacement officer will be sent within one hour of receiving the notice unless another arrangement is made with the City of Green Bay.
- SPI understands and acknowledges the ability to return a phone call from a responsible contact person within twenty minutes of receiving a call from the City of Green Bay.
- SPI recognizes and respects the confidential nature of doing business with the City of Green Bay and acknowledges not to disclose any confidential information to any uninvolved persons or agencies.



SECURITY PRO INTEL, INC.

7120 Windsor Lake Parkway
Suite 102 | Loves Park, IL | 61111
Office: (815) 637-6950 | Fax: (815) 637-6955
Toll Free: (888) 206-3307
www.securityprointel.com

- There will be monthly quality meetings between SPI and the representatives of the City of Green Bay.
- SPI will provide post orders for the post and update the materials annually or whenever required.
- An account manager from SPI is assigned to the City Hall of Green Bay for quarterly site visits and provides detailed reports on inspection to the appropriate contact within 48 hours of the visit. The account manager provides a proactive role in making necessary recommendations, reviews and maintains all records, provide special training (if required), participate in security related exercises and skill evaluations, and serve as primary contact on all matters with the City of Green Bay.
- SPI will assign a supervisor assigned to this contract and must work at least one full shift per week. The supervisor will be fully trained and be able to perform all required duties.
- Security officer duties include:
 - o Reporting to duty on time and in proper uniform.
 - o Conduct a sweep of the entire City Hall before the doors open to the public.
 - o Greet and visually inspect all employees and clients entering city hall.
 - o Check visitors in who have appointments with City Hall personnel.
 - o Assist anyone who becomes ill or has a medical emergency.
 - o Assist as a crowd monitor for special functions during their shift as directed.
 - o Notify the Green Bay Police Department of any violations of city ordinances, state, and federal laws.
 - o Record and report all property damage discovered while on shift as well as report anything out of the ordinary or unusual.

TRAINING

- SPI will provide a detailed pre-site training plan for all officers assigned to the city hall which includes a minimum of 16 hours of pre-site training on topics provided by GBPD and GBMFD Training Staff that must be completed prior to starting the work assignment. The topics include Professional Communication Skills (4 hours), First Aid-including CPR/AED and Stop the Bleed (4 hours), Firearms (4 hours), and Defensive Tactics (4 hours).
- All security officers must be required to receive at least 8 hours of refresher and/or new training as determined by the contractor and/or the City of Green Bay on an annual basis.
- SPI acknowledges proof of pre-site officer training must be provided to the City of Green Bay or else the candidate will not be allowed to provide security services.



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RESPONSIVE PROPOSER WORKSHEET

RFB#: 2024-06

- b. Security officer total – 50 hours weekly – Work Hours will mirror City Halls Work Hour Schedule. Hours may adjust seasonally. Please indicate below estimated lead officer hours up and above the 50 hour Security Officer Schedule.
- c. The City of Green Bay reserves the right to reduce, increase or modify the hours as deemed appropriate to meet the needs without penalty.

RESPONSIVE PROPOSER WORKSHEET

This worksheet is to be completed by the Proposer.

A responsive proposal will provide information supporting all the items on this worksheet as part of the bid package.

A responsive bid will include information on all the following elements:

A Security Firm

- Are you a security firm? YES ☒ NO ☐
 - A security firm is defined by the city of Green Bay as a firm that derives 51% or greater of its annual revenue from security guard services, private investigations, and security consulting.
- Percent of annual revenue derived from security services: 100 %

Experience Type

Years Experience

Total number of years in business	<u>22</u>	(5 years minimum)
Public Service Agencies	<u>22</u>	(5 years minimum)

Employee Information

Number of employees on payroll 30-40

COST TABULATION PAGE

Position	Bill Rates	Associated Pay Rates
Security Officer	\$ <u>55.00</u> / hr.	\$ <u>82.50</u> / hr
Lead Officer / Supervisor	\$ <u>65.00</u> / hr.	\$ <u>97.50</u> / hr

Questions:

1. What is the lead time after notice to proceed?

30 Days

If yes, please explain:



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FORM A: SIGNATURE AFFIDAVIT

RFB#: 2024-06

**Form A: Signature Affidavit****RFB #: 2024-06***This form must be returned with your response.*

In signing Bids/Proposals, we certify that we have not, either directly or indirectly, entered into any agreement or participated in any collusion or otherwise take any action in restraint of free competition; that no attempt has been made to induce any other person or firm to submit or not to submit Bids/Proposals, that Bids/Proposals have been independently arrived at, without collusion with any other Proposers, competitor or potential competitor; that Bids/Proposals have not been knowingly disclosed prior to the opening of Bids/Proposals to any other Bidders/Proposers or competitor; that the above statement is accurate under penalty of perjury.

The undersigned, submitting this Bid/Proposal, hereby agrees with all the terms, conditions, and specifications required by the City in this Request for Bids/Proposals, declares that the attached Bids/Proposals and pricing are in conformity therewith, and attests to the truthfulness of all submissions in response to this solicitation.

Bidders/Proposers shall provide the information requested below. Include the legal name of the Bidders/Proposers and signature of the person(s) legally authorized to bind the Bidders/Proposers to a contract.

Has your Company ever been debarred ☐ Yes ☒ No If, So Please Explain

Security Pro Intel, Inc.

COMPANY NAME

SIGNATURE

3/22/2024

DATE

Juan Reyes

PRINT NAME OF PERSON SIGNING



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**FORM B: RECEIPT OF FORMS
AND SUBMITTAL CHECKLIST**
RFB#: 2024-06



Form B: Receipt of Forms and Submittal Checklist

RFB #: 2024-06

This form must be returned with your response.

Proposers hereby acknowledge the receipt and/or submittal of the following forms:

Forms	Initial to Acknowledge SUBMITTAL	Initial to Acknowledge RECEIPT
Description of Services/Commodities	N/A	JR
Form A: Signature Affidavit	JR	N/A
Form B: Receipt of Forms and Submittal Checklist	JR	N/A
Form C: Vendor Profile	JR	N/A
Form D: Bid Offer Form	JR	N/A
Form E: References	JR	N/A
Statement of Qualifications (SOQ) if necessary	JR	N/A
Appendix A: Standard Terms & Conditions	N/A	JR
Appendix B: Contract for Purchase of Services	N/A	JR
Addendum #		

Security Pro Intel, Inc.

COMPANY NAME



SECURITY PRO INTEL, INC.

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FORM C: VENDOR PROFILE

RFB#: 2024-06

**Form C: Vendor Profile****RFB #: 2024-06***This form must be returned with your response.***COMPANY INFORMATION**

COMPANY NAME (Make sure to use your complete, legal company name.) Security Pro Intel, Inc.			
FEIN 83-3892908		(If FEIN is not applicable, SSN collected upon award)	
CONTACT NAME (Able to answer questions about proposal.) Juan Reyes		TITLE CEO, Owner	
TELEPHONE NUMBER (815) 637-6950		FAX NUMBER (815) 637-6955	
EMAIL jreyes@securityprointel.com OR office@securityprointel.com			
ADDRESS 7120 Windsor Lake Parkway, Suite 102		CITY Loves Park	STATE IL
		ZIP 61111	

ORDERS/BILLING CONTACT

Address where City purchase orders/contracts are to be mailed and person the department contacts concerning orders and billing.

CONTACT NAME Effie Reyes		TITLE Office Manager	
TELEPHONE NUMBER (815) 637-6950		FAX NUMBER (815) 637-6955	
EMAIL accounting@securityprointel.com			
ADDRESS 7120 Windsor Lake Parkway, Suite 102		CITY Loves Park	STATE IL
		ZIP 61111	

CREDIT CARD

STATE IF COMPANY ACCEPTS PAYMENT BY CREDIT CARD: The City does not pay service charges.	YES ☒ or NO ☐ (check one)
---	---



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FORM D: BID OFFER FORM
RFB#: 2024-06

**Form D: Bid Offer Form****RFB #: 2024-06***This form must be returned with your response.*

Prepare the bid offer form as all inclusive, not-to-exceed, fixed fees:

- Fixed Fee – All prices, rates, fees and conditions outlined in the proposal shall remain fixed and valid for the entire length of the contract and any/all renewals.
- Please consider a price proposal as supplemental info to this bid form (Please note the bid form should be filled out also if that is the case)

SECURITY OFFICER SERVICES – SCOPE OF WORK

- I. GENERAL: It is the intent of this Scope of Work to describe the minimum requirements for *SECURITY OFFICER SERVICES* for the City of Green Bay City Hall Complex. The terms of the contract shall be for a period of one (1) year from the date of award with the option to extend for four (4) additional one-year periods upon mutual consent. Bill rates may be negotiated for the coming year extension.
- II. CONTRACTOR EXPERIENCE AND OTHER REQUIREMENTS:
 - a. The Proposer must be an ongoing security firm where security guard services, private investigations, and security consulting account for at least 51% of the annual revenue.
 - b. The Proposer must have a minimum of five (5) years' experience in providing security officers in the following types of environments:
 - i. Metropolitan office buildings
 - ii. Public service agencies
 - c. The Proposer must include the following information in their bid:
 - i. Number of years in business
 - ii. Number of employees on payroll
 - iii. Employee turnover rate for the past 3 years
 - d. The Proposer must also be able to furnish trained, licensed, uniformed, and bonded officers.
 - e. The successful proposer will be required to provide a certificate from a bonding company or a certificate of insurance and affidavit of no interest. The standard insurance requirements will be:
 - i. Coverage Amounts: Worker's Compensation Statutory Limit
 - ii. Comprehensive Liability
 1. Bodily injury \$500,000 per occurrence - \$1,000,000 aggregate
 - iii. Property Damage
 1. \$500,000 per occurrence
 - iv. Employee Dishonesty Coverage at a minimum of \$30,000 per security officer
 - v. Umbrella
 1. \$2,000,000

- f. Proposer must be licensed by the State of Wisconsin as a security contractor or private detective agency (in accordance with SS. 440.26). A copy of the Proposer's agency license must be included with the Proposer's proposal.
- g. Officers supplied by the Proposer must have a current State of Wisconsin Private Security Permit.
- h. The City of Green Bay reserves the right to have the final determination in the officers selected and scheduled for this position.**
- i. Officers supplied by the Proposer **MUST** have the following qualifications:
 - i. Active and certified, in good standing, as an active-duty law enforcement officer in the state of Wisconsin and be fully employed (minimum of 35 hours per week) as a law enforcement officer with a recognized local or state law enforcement agency; or
 - ii. Be a credentialed retired Wisconsin law enforcement officer in good standing with their former agency; and
 - iii. Have a minimum of (3) consecutive years' full-time active law enforcement experience with a recognized local, state, or federal law enforcement agency; and
 - iv. Be off duty from law enforcement agency while providing armed security services for Proposer; and
 - v. Demonstrate and maintain firearms proficiency with their duty handgun in accordance with relevant state Law Enforcement Training and Standards. Documentation of proficiency shall be provided to the Green Bay Police Department Training Division at the time of hiring and annually. Failure to maintain proficiency in any area may lead to a discontinuation of service.
- j. The Proposer must be able to provide a return phone call from a responsible contact person within twenty minutes of receiving a call from the City of Green Bay.
- k. The Proposer must include details of the type of pre-site training that is given to their security officers in the proposal. Security officers that are assigned to this contract must have a minimum of 16 hours of pre-site training on the following topics provided by GBPD and GBMFD Training Staff prior to starting their work assignment:
 - i. Professional Communication Skills (4 hours)
 - ii. First Aid (including CPR / AED and Stop the Bleed) (4 hours)
 - iii. Firearms (4 hours)
 - iv. Defensive Tactics (4 hours)
- l. Officers shall also be required to receive at least 8 hours of refresher and / or new training as determined by the contractor and / or the City of Green Bay on an annual basis.

- m. Proof of pre-site officer training must be provided to the City of Green Bay. Additionally, a candidate's drug screening and background check must be submitted to the City of Green Bay. Pre-site training, drug screen and background check will be reviewed by the City of Green Bay for satisfactory completion. Security officers who have not received the required pre-site training or have not passed a certifiable drug screening test and background check detailed herein will not be allowed to provide the services requested herein.
- n. The successful Proposer must supply a letter detailing each of the licensed officers that will be working. This letter shall be provided to the City of Green Bay Human Resources Manager for review and approval prior to starting any work. The letter for each officer will confirm they have completed a background check, list all training completed, outline candidates educational background and passed a certifiable drug screening test and are participating in a drug re-screening program that is acceptable to the standards of the City of Green Bay. All costs related to the drug screening tests shall be the responsibility of the Proposer.
- o. All costs associated with the background investigations shall be the responsibility of the Proposer.
- p. The City of Green Bay reserves the right to remove a contract employee immediately for any conduct determined to be detrimental to the City of Green Bay. The City of Green Bay Human Resources Department will notify the Proposer of a determination to remove a contract employee giving cause.
- q. The successful Proposer is required to provide documentation for proof of pre-site training and on the job training, along with the drug testing, and the background checks to the City of Green Bay Human Resources Department no later than fourteen (14) calendar days prior to the contract commencement date and prior to new officers starting once the contract has been awarded.
- r. Recognizing the confidential nature of the information associated with this work, neither the Proposer nor any of the contractor's employees shall discuss nor disclose any information regarding any of the internal security operations of the City of Green Bay and this Scope of Work with any uninvolved persons or agencies. The security contractor shall not release any information either verbally or in writing to any uninvolved persons and agencies without prior written approval from the City of Green Bay. Also, no photographs of the city hall complex or its operations covered by this Scope of Work are permitted without the written consent of the City of Green Bay.
- s. Proposer shall ensure that all uniformed personnel provided under this Scope of Work are on time, alert, and capable of performing their assigned duties. If the assigned officer does not report on time, the Proposer is required to send a replacement officer within one hour of receiving the notice unless another arrangement has been made with the City of Green Bay.
- t. All services shall be performed in a professional manner. All security officers shall be dressed in security uniforms provided by the successful proposer. They shall be neat and clean; and their appearance shall set a good example.
- u. The successful Proposer shall be responsible for furnishing their security officers with uniforms, flashlights, batteries, chargers, smart phones. Additionally, the Proposer shall

be responsible for furnishing their security officers with a duty firearm, holster, spare magazine(s), and magazine pouch(s).

- i. Duty Firearms will be chambered in 9mm, .40, or .45 with a minimum 10 round magazine capacity. Spare magazines will also have a minimum 10 round capacity.
- ii. Uniforms for this Scope of Work will be “soft” in appearance (plain clothes) and will consist of sport coat (with company logo) and dress / business casual pants. Acceptable uniforms may also include a pullover (with company logo) and dress / business casual pants. Sport coat and / or pullover will allow for the duty firearm and spare magazine(s) to be concealed.
- iii. Proposer must provide colored pictures of the different types of uniforms that are available with their proposal submittal.
- v. Officers must have a valid security company ID containing a picture of the officer. This picture ID card must be displayed at all times while in the facility as part of their uniform requirements.
- w. Security Officer coverage can be modified by the City of Green Bay upon request without affecting the proposed billing rates (i.e. increase or decrease the number of required hours, increases or decreases in the number of officers required, or changes in required duties.
 - i. The City of Green Bay will provide the Contractor with a minimum of twenty-four (24) hours for any changes.
- x. Monthly quality meetings shall be conducted between representatives of the City of Green Bay and the Proposer in order to discuss methods of maintaining and improving the overall quality of service provided by the Proposer.
- y. Security level improvements shall not be implemented without the prior approval of the City of Green Bay.
- z. Proposer is required to provide annually updated written post orders documenting operational instructions the officers are to follow. These procedures are to be created with input from the City of Green Bay and must be approved by the city before they are implemented. All officers shall read and be signed off on these post orders as part of their ongoing training.
- aa. Proposer shall be required to perform all necessary security services and duties as outlined in the Scope of Work. The requirements of this Scope of Work shall continue uninterrupted despite strikes, threats of strikes or walkouts, terrorist activities, emergencies and adverse weather conditions or disasters (natural, deliberate or accidental). Should the Proposer at any time be unable to provide the required personnel or equipment, the City of Green Bay reserves the right to obtain resources on the open market from other security contractors as need arises. Should the cost for obtaining resources from other security contractors exceed those proposed by the successful Proposer, the City of Green Bay shall make deductions from current invoices for the difference between the proposed price and the open market price.

III. Account Manager Duties

- a. Provide administration and operational direction of the security team in carrying out the provisions of the security program. Provide quarterly site visits and provide a detailed report on the inspection to the appropriate contact within 48 hours of the visit.

- b. In a proactive role, recommend to the City of Green Bay new or revised security procedures as deemed necessary for consideration at monthly quality meetings.
 - c. Review and maintain all security records / reports to assure accuracy and completeness.
 - d. Provide special training at the request of the City of Green Bay's designated contact person in order to address specific client concerns regarding deficiencies in guard training or performance.
 - e. Participate in security related training exercises and skill evaluations.
 - f. Serve as the primary contact for the City of Green Bay on any matters regarding the contract and service provided.
- IV. Supervisor or Lead Officer
- a. Operate as the primary supervisor and document all instances of performance deficiencies and communicate them to the appropriate contact at the City of Green Bay.
 - b. Serve as a coach and mentor to security officers assigned to the city hall complex.
 - c. Provide site specific training for new security officers according to the provisions explained within this Scope of Work.
 - d. Be fully trained and able to perform the duties described in Section V in any conditions.
 - e. Supervisors / Lead Officers must work at least one full shift per week.
- V. Security Officers Duties
- a. Report for work on time and in uniform according to the standards established therein.
 - b. Conduct a security sweep of City Hall (interior) prior to doors being opened to the public.
 - c. Greet and visually inspect all employees and clients entering city hall.
 - d. Direct clients to their required destination in city hall and answer any questions they may have.
 - e. Check in visitors who have appointments with city hall personnel on floors 2-6
 - i. Log in their visit with the current data collection system
 - ii. Notify the appropriate city hall personnel of their client's arrival.
 - iii. Issue a visitor's pass.
 - iv. Provide access to the secure elevator / stairwell.
 - v. Collect visitors' passes when they leave.
 - f. Assist persons who become ill and call for emergency help. Otherwise assist with the City's first response to medical emergencies.
 - g. Assist in serving as crowd monitor for special functions during their shift as directed by the City of Green Bay representative.
 - h. Notify the Police for violations of city ordinances, and state and federal laws.
 - i. Record and report all property damage discovered.
 - j. Report any out of the ordinary or unusual situations.
 - k. Perform other related duties as may be assigned by the by the designated City of Green Bay representative.
 - l. Respond to any disturbances or threats to life and bodily security inside city hall or in the parking lot of city hall and notify police immediately. Attempt to de-escalate verbal disturbances. Take appropriate and necessary lawful actions to stop any threat to life or bodily security.
 - m. Activate appropriate alarm systems (fire / active threat)

- n. Monitor security cameras as needed.

VI. References

- a. Proposer must include with their proposal the names of at least five (5) firms (current and past) for whom they have provided security officer services similar to those described in this specification. References shall include the name of the firm and the name and phone number of the contact person.

VII. Work Locations

- a. Green Bay City Hall – 100 N. Jefferson St.

VIII. Equipment and Keys Supplied by the City of Green Bay

- a. All property furnished by the City of Green Bay as part of this contract shall remain the property of the City of Green Bay and shall be used only in the performance of the duties outlined in this Scope of Work.
- b. During the contract term, the contractor shall be responsible for the loss or damage of any equipment supplied by the City of Green Bay that is the result of negligence or unauthorized use by the contractor's employees.
- c. Upon termination, for whatever reason, the Contractor is responsible for the return of all equipment and keys assigned to them.
- d. Failure to return all equipment and keys shall result in a penalty whereby the Contractor will be held liable for all costs associated with changing of all locks resulting from non-returned or lost keys and/or the replacement cost of said equipment. Said penalty shall be deducted from the City's outstanding balance due the contractor at the time of the termination or will be invoiced to the vendor if there are no outstanding invoices.

IX. Equipment Supplied by the Contractor

- a. The Proposer must supply all the uniforms for their personnel. Uniforms shall be of the same color and style, and well suited for the conditions at the work location. Footwear shall be appropriate for the conditions at the assignments.
- b. The Proposer will be responsible for mobile communications. The Proposer shall provide smart phones for all security officers.

X. Salary Requirement and Bill Rates

- a. The only acceptable bill rates are as follows:
 - i. Security officer rate
 - ii. Supervisor / Lead Officer Rate
 - iii. Security officer overtime rate
 - iv. Supervisor / Lead Officer overtime rate
- b. The City of Green Bay assumes the responsibility for a per-request Emergency Call Out fee. This fee may be billed to the City of Green Bay when staffing is requested with less than 24 hours' notice. New staffing requests with less than 24 hours' notice may also be billed at the overtime rate from the start of the request to the end of the request or through the end of the successful Proposer's pay week, whichever occurs first. Requests continuing into a new pay week will be billed at the regular time rate.
- c. Overtime will be 1.5 times the respective hourly rate for security officers, lead officers / supervisors. Overtime rates may be billed for holidays established by the contractor.

XI. Coverage

- a. One officer or lead officer / supervisor will be assigned to this post Monday – Friday from 7am – 5pm.

- b. Security officer total – 50 hours weekly – Work Hours will mirror City Halls Work Hour Schedule. Hours may adjust seasonally. Please indicate below estimated lead officer hours up and above the 50 hour Security Officer Schedule.
- c. The City of Green Bay reserves the right to reduce, increase or modify the hours as deemed appropriate to meet the needs without penalty.

RESPONSIVE PROPOSER WORKSHEET

This worksheet is to be completed by the Proposer.

A responsive proposal will provide information supporting all the items on this worksheet as part of the bid package.

A responsive bid will include information on all the following elements:

A Security Firm

- Are you a security firm? YES ✓ NO
 - A security firm is defined by the city of Green Bay as a firm that derives 51% or greater of its annual revenue from security guard services, private investigations, and security consulting.
- Percent of annual revenue derived from security services: 100 %

Experience Type

Years Experience

Total number of years in business 22 (5 years minimum)

Public Service Agencies 22 (5 years minimum)

Employee Information

Number of employees on payroll 30-40

COST TABULATION PAGE

Position	Bill Rates	Associated Pay Rates
Security Officer	\$ <u>55.00</u> / hr.	\$ <u>82.50</u> / hr
Lead Officer / Supervisor	\$ <u>65.00</u> / hr.	\$ <u>97.50</u> / hr

Questions:

1. What is the lead time after notice to proceed?

30 Days

If yes, please explain:



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FORM E: REFERENCES

RFB#: 2024-06

COMPANY NAME

**Form E: References****RFB #: 2024-06***This form must be returned with your response.***REFERENCE #1 – CLIENT INFORMATION**

COMPANY NAME City of Janesville		CONTACT NAME Shelley Slapak, Recreation Director	
ADDRESS 18 North Jackson St.	CITY Janesville	STATE WI	ZIP 53547
TELEPHONE NUMBER (608) 755-3032	FAX NUMBER		
EMAIL slapaks@ci.janesville.wi.us			
CONTRACT PERIOD 07/05/2020 - present	YEAR COMPLETED ongoing	TOTAL COST \$49,500.00	
DESCRIPTION OF THE PERFORMED WORK Provided security for Rockport Pool, Janesville Ice Arena, and Rec Nights at several elementary schools. Monitor and secure entry to the various sites, monitor activity, and ensure rules for each site were maintained.			

REFERENCE #2 – CLIENT INFORMATION

COMPANY NAME Whiteside County Housing Authority		CONTACT NAME Jennifer Rylander, Exective Director	
ADDRESS 401 W. 18th St.	CITY Rock Falls	STATE IL	ZIP 61071
TELEPHONE NUMBER (815) 625-0581	FAX NUMBER		
EMAIL wcha@wcopha.org			
CONTRACT PERIOD January 2015 to present	YEAR COMPLETED ongoing	TOTAL COST approx. \$34,000/yr	
DESCRIPTION OF THE PERFORMED WORK unarmed mobile patrol, monitor/secure residents/buildings/visitors/staff, decrease/eliminate drug activity and ensure property rules are enforced			

REFERENCE #3 – CLIENT INFORMATION			
COMPANY NAME Community Development Authority - Madison, WI		CONTACT NAME Larry Kilmer, Director, Housing Operations	
ADDRESS Madison Municipal Building, Room 161 215 Martin Luther King, Jr. Blvd		CITY Madison	STATE WI
TELEPHONE NUMBER (608) 264-2305		ZIP 53703-3348	
FAX NUMBER			
EMAIL lkilmer@cityofmadison.com			
CONTRACT PERIOD May 2022 to present		YEAR COMPLETED ongoing	TOTAL COST \$1,154,400 (over a 5-year contract)
DESCRIPTION OF THE PERFORMED WORK Patrol in and around all buildings in housing authority, enforcing all local ordinances and policies for CDA-City of Madison federal properties. Decrease/eliminate drug activity around buildings.			



Appendix A

City of Green Bay Solicitations Standard Terms and Conditions

General. Throughout this document, "City of Green Bay," "City" and "Purchasing" shall be synonymous and mean the City of Green Bay. The words "bid" and "proposal" are synonymous, as are the words "bidder," "proposer," "vendor," and "contractor." The phrases "request for proposal," "request for bids," "request for quotes," "quote," "request," "invitation," and "solicitation" shall also be synonymous. As applied to the winning or selected bidder, the words "bid," "proposal," and "contract" are synonymous.

Purchase Order. A City Purchase Order or other Contract may be issued to the awarded Vendor and shall constitute the entire agreement of the City and Vendor and no other terms and conditions, whether oral or written, shall be effective or binding unless expressly agreed to in writing by the City following issuance of the Purchase Order.

If a Purchase Order is not executed, this Request for Bids Standard Terms and Conditions, the City's published Request for Bids, and the version of the Vendor's bid that was accepted by the City, shall constitute a contract and will be the entire agreement.

Bid Selection. This Request for Bids does not commit the City to award a contract, pay any costs incurred in preparation of bids, or to procure or contract for services or equipment. The City reserves the right to postpone due dates and openings for its own convenience and to withdraw this Request for Bids at any time without prior notice. The City reserves the right to accept or reject any or all bids submitted, without indicating any reasons for such rejections(s), in whole or in part, and to waive any informalities or technicalities which at the City's discretion are determined to be in the best interests of the City. The City may require the Vendor to participate in negotiation and to submit such additional price or technical or other revisions to its bids as may result from negotiation. The Vendor shall be responsible for all costs incurred as part of its participation in the pre-award process.

Addenda. Changes affecting the specifications will be made by addenda. Changes may include, or result in, a postponement in the bid due date. Vendors are required to complete the Vendor Response Sheet, acknowledging receipt of all parts of the bid, including all addenda.

Price Proposal. All Vendors are required to identify the proposed manufacturer and model, and to indicate the proposed delivery time on the attached Proposal Form. Failure to do so may cause the bid to be considered not responsive. If desired, the Vendor may include product literature and specifications. The price quoted will remain firm throughout each contract period. If price escalation/de-escalation clause is required that will be negotiated into Contract Terms.



Report to the
Parks Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # R.I

To approve the installation of a large flood mitigation wetland at East River Emilie Park.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Flood Mitigation Project Handout_English (1)
2. East River Emilie Flood Control Solution 2

East River Flood Mitigation Solutions Project



Project Purpose

Frequent flooding on the East River has affected City of Green Bay residents, businesses, critical infrastructure, economics, and public safety for many years. Neighborhoods along the East River are particularly susceptible to flood events such as that which occurred in March 2019. The intensity of storms and flooding along the East River have increased over the last century and are expected to continue to rise into the future. The City of Green Bay is developing plans to reduce flood hazards along the East River through a range of flood mitigation solutions.



Flooding in eastern Green Bay on September 11, 2019 (WBAY)

Strategy

The City's goal for this project is to develop feasible flood mitigation strategies that can be implemented on City-owned or managed properties along the East River and Baird Creek. The project aims to enhance the local community by reducing flood risk while benefiting water quality, wildlife, and recreational access. The City is taking a "green infrastructure" approach that uses natural areas and processes to store and filter floodwaters, enhancing water quality and habitat while reducing the risks for residents. These processes mimic those found in natural systems, minimizing construction and maintenance costs and maximizing environmental benefits.

East River Flood Mitigation Solutions Project

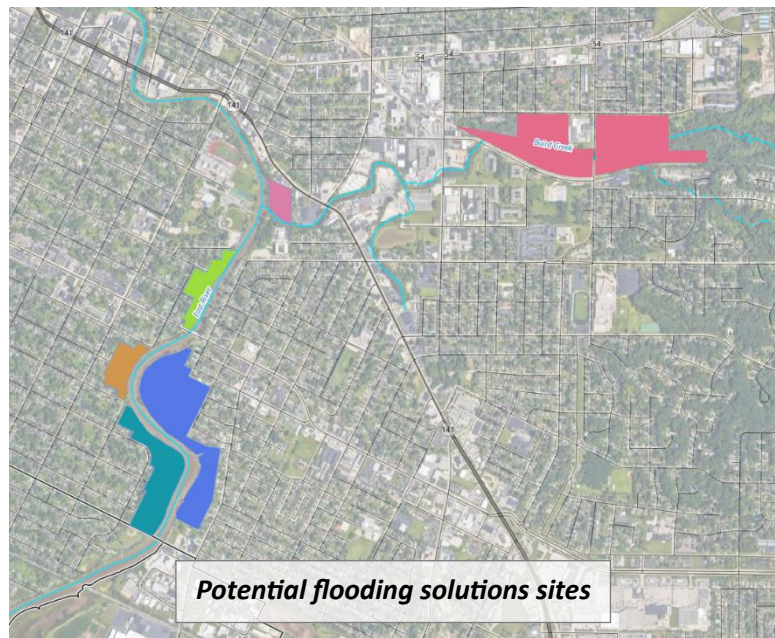


Wetland storing floodwater

Natural floodplains allow floodwaters to spread out and slow down, temporarily storing excess water until it can safely drain downstream. This can reduce the depths of flood waters and the amount of water flowing downstream, making flood events less likely to damage nearby properties. Vegetation also helps to filter pollutants and sediment from the water and reduce erosion. Floodplains commonly host wetlands that provide habitat for fish, birds, and other wildlife.

Potential Sites for Solutions

The project team is identifying properties that are primarily open space that are potentially compatible with creating additional flood storage. The project is reviewing many properties within the City of Green Bay to identify the 3 with the greatest potential to provide flood storage and related benefits, based on the volume of water they can safely store and the feasibility of implementing the solutions.



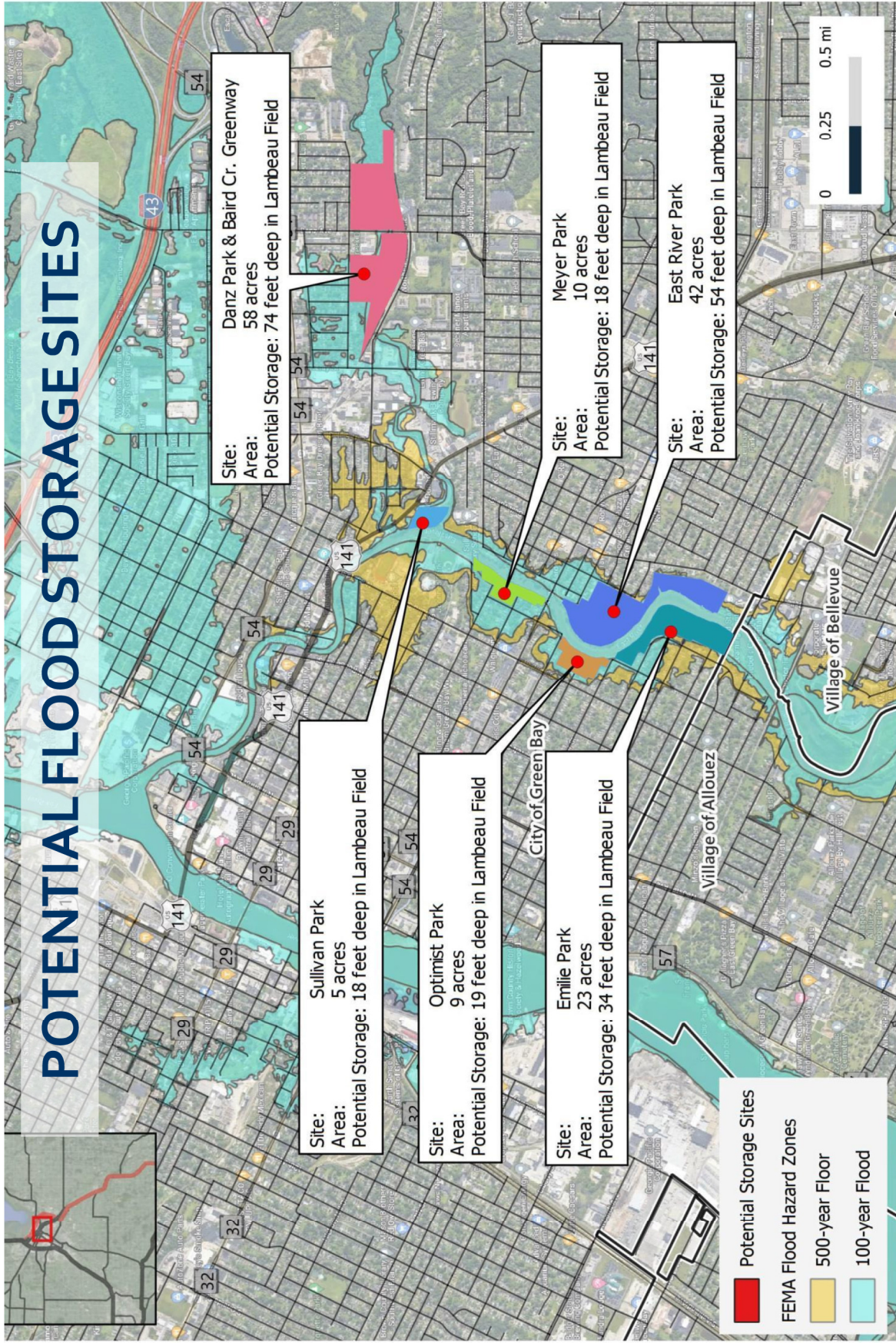
Potential flooding solutions sites

Conceptual designs are being developed for the top three sites to illustrate their location, function, design components, and aesthetics. Priorities include flood storage, environmental enhancement, and enhanced public access to the river and adjacent natural areas. The City wishes to gather public input on these potential solutions to ensure development of a design that provides the most benefits to City residents and the environment.

For more information on this project, please contact Melissa Schmitz, City of Green Bay Resiliency Coordinator, at Melissa.Schmitz@greenbaywi.gov.

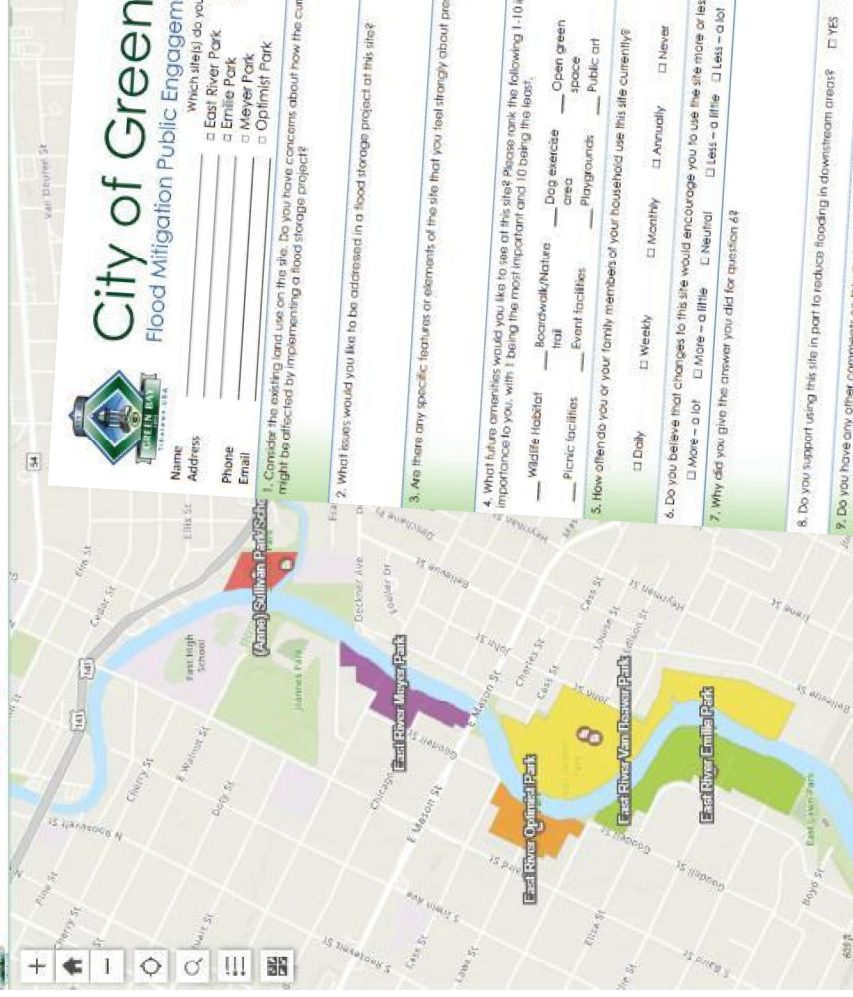
PROJECT PROCESS & MILESTONES

Month	Project Task
Dec. 2023 - Jan. 2024	Review available data & past studied
Dec. 2023 - Mar. 2024	Input from East River Collaborative, Baird Creek Preservation Foundation, public meeting #1, survey
Jan. - Apr. 2024	Modeling potential flood reduction Concept designs Cost estimates
Apr. 2024	City staff review & preferred site recommendation
May 2024	Public meeting #2
June 2024	Parks Committee approval
July – August 2024	90% design



PRIORITIES IDENTIFIED IN PUBLIC SURVEY

East River Flood Mitigation Solutions



- Wildlife habitat
- Boardwalks & trails
- Green space
- Mature trees
- Playgrounds
- Sports fields

City of Green Bay
Flood Mitigation Public Engagement Survey

Name _____
Address _____
Phone _____
Email _____

Which site(s) do your responses relate to?
☐ East River Park
☐ Emilia Park
☐ Sullivan Park
☐ Meyer Park
☐ Optimist Park
☐ soccer field

1. Consider the existing land use on this site. Do you have concerns about how the current use of this site might be affected by implementing a flood storage project?

2. What issues would you like to be addressed in a flood storage project at this site?

3. Are there any specific features or elements of the site that you feel strongly about preserving?

4. What future amenities would you like to see at this site? Please rank the following 1-10 in order of importance to you, with 1 being the most important and 10 being the least.

Wildlife Habitat	Boardwalk/Nature trail	Dog exercise area	Open green space	Sports fields
Picnic facilities	Event facilities	Playgrounds	Public art	River Access
Fishing pier				

5. How often do you or your family members or your household use this site currently?

☐ Daily	☐ Weekly	☐ Monthly	☐ Annually	☐ Never
--------------------------------	---------------------------------	----------------------------------	-----------------------------------	--------------------------------

6. Do you believe that changes to this site would encourage you to use the site more or less?

☐ More – a lot	☐ More – a little	☐ Neutral	☐ Less – a little	☐ Less – a lot
---------------------------------------	--	----------------------------------	--	---------------------------------------

7. Why did you give the answer you did for question 6?

8. Do you support using this site in part to reduce flooding in downstream areas? ☐ YES ☐ NO

9. Do you have any other comments on this site or on flooding issues in general?



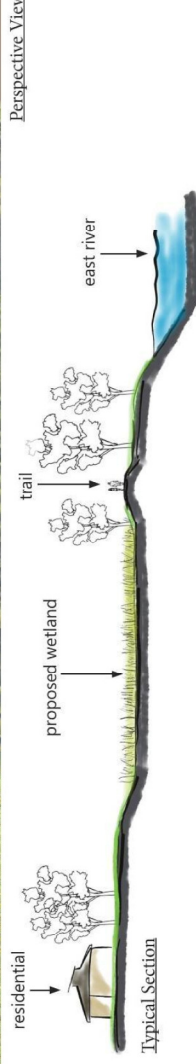
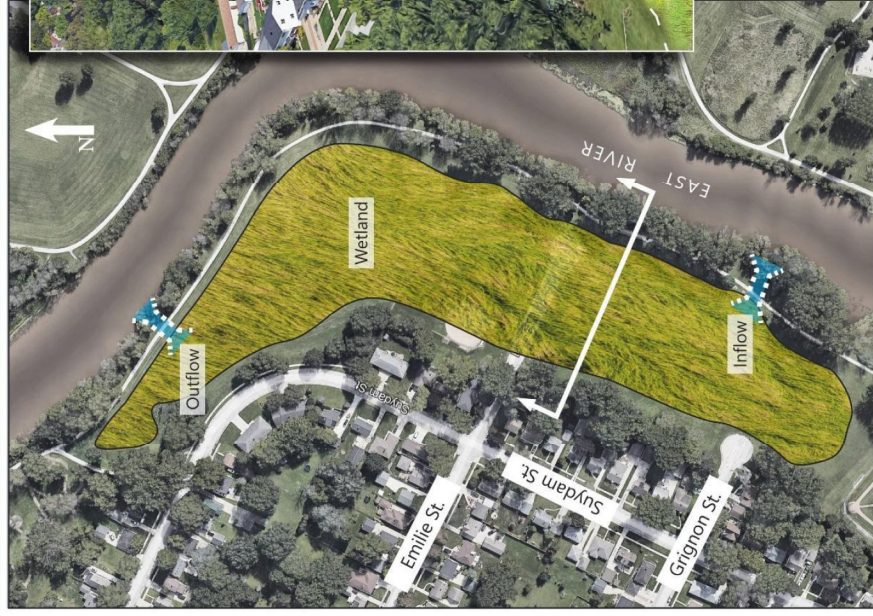
POTENTIAL FUNDING SOURCES

Source	Funding	Focus
DNR Municipal Flood Control	50% of cost. Maximum amount varies.	Flood hazard reduction
DNR Targeted Runoff Management	70% of cost, up to \$225,000.	Water quality
DNR Urban Nonpoint Source & Storm Water Management	50% of cost, up to \$150,00.	Water quality
DNR Surface Water Grant	75% of cost, up to \$50,000.	Implement management plan recommendations
DNR Wetland General Permit Surcharge Project Funding	Match preferred, not required. Up to \$100,000.	Wetland & hydrologic restoration
Daybreak Fund	Match preferred, not required. Approx. \$100,000 typical.	Nature-based projects.
Fund for Lake Michigan	Match preferred, not required. Funding variable.	Water quality & habitat.

EAST RIVER EMILIE PARK



GREENBAY East River Flood Mitigation Emilie Park



EAST RIVER EMILIE PARK

- 11 ac wetland area.
- 35 ac-ft of new flood storage.
- Former wetland soils indicate restoration potential.
- Reduction in East River 100-yr flood stage of 0.1 ft.
- Feasibility level cost ~\$2.7M.





Report to the
Parks Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # R.2

To receive and place on file the request by Ald. Wery on behalf of Jamie Peotter, to utilize Colburn Park for a fall plant festival and/or spring Green Bay Botanical Garden Show.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Colburn-Online Form Submittal_ Alders' Petitions and Co...

From: noreply@civicplus.com
To: [Celestine Jeffreys](#); [Eric Genrich](#); [Amaad Rivera](#)
Subject: Online Form Submittal: Alders' Petitions and Communications
Date: Wednesday, June 12, 2024 4:31:56 PM

Alders' Petitions and Communications

Name	Chris Wery
Committee Name	Parks Committee
Text of Communication	Request on behalf of Jamie Peotter, to utilize Colburn Park for a fall plant festival and/or spring Green Bay Botanical Garden Show.

Email not displaying correctly? [View it in your browser.](#)



Report to the
Parks Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # R.3

To approve accepting a donation from West Bend Mutual valued at \$15,000 to host a tree planting Arbor Day event at Murphy Park.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

None



Report to the
Parks Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # R.4

To approve the purchase of a portion of Parcel 21-420 (2208 Manitowoc Road) for the expansion of VT Pride Park for \$30,000.

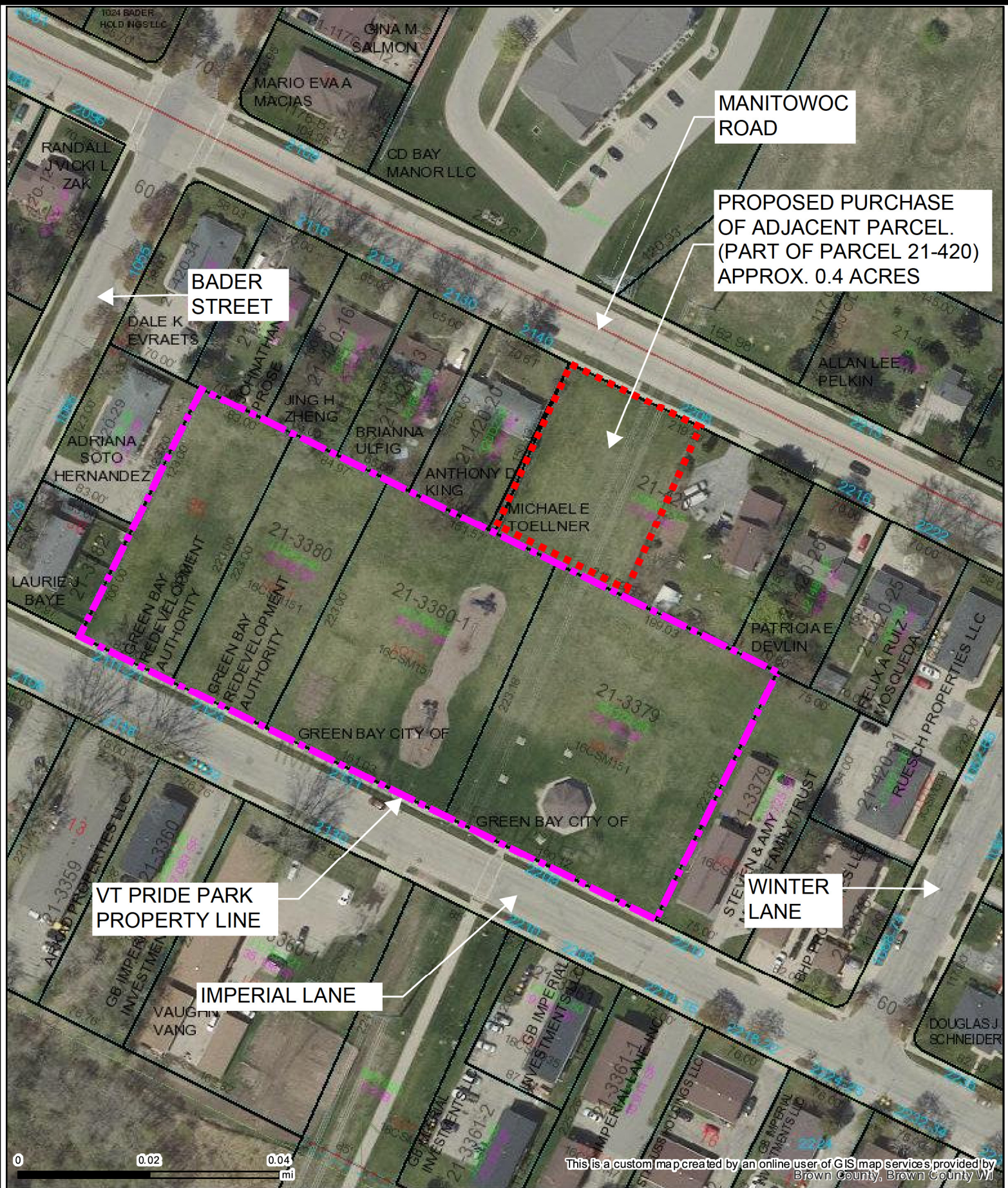
BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. VT Pride Park Map IC



VT PRIDE PARK

PROPOSED ACQUISITION MAP



Report to the
Parks Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # R.5

To approve a utility easement from Wisconsin Public Service to bury overhead power lines at the Wildlife Sanctuary.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. Easement_City of GB_LI 3318936_3407939

3318936

Easement

THIS INDENTURE is made this _____ day of _____, _____, by and between **City of Green Bay, a municipal corporation**, ("Grantor") and **WISCONSIN PUBLIC SERVICE CORPORATION**, a Wisconsin Corporation, along with its successors and assigns (collectively, "Grantee") for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor, owner of land, hereby grants and warrants to, Grantee, a permanent easement upon, within, beneath, over and across a part of Grantor's land hereinafter referred to as "easement area" more particularly described as follows:

Part of the Parcel Described on the Attached Exhibit "B," being part of Private Claim **45 East side of the Fox River, City of Green Bay, County of Brown, State of Wisconsin, as shown on the attached Exhibit "A"**.

Return to:
Wisconsin Public Service Corp.
Real Estate Dept.
P.O. Box 19001
Green Bay, WI 54307-9001

Tax Parcel Identification Number
(PIN)

21-429-16

- 1. Purpose: ELECTRIC UNDERGROUND and GAS** - The purpose of this easement is to construct, install, operate, maintain repair, replace and extend underground utility facilities, conduit and cables, electric pad-mounted transformers, manhole, electric pad-mounted vacuum fault interrupter, concrete slabs, power pedestals, riser equipment, terminals and markers, together with all necessary and appurtenant equipment under and above ground, as well as pipeline or pipelines with valves, tieovers, main laterals and service laterals, together with all necessary and appurtenant equipment under and above ground, including cathodic protection apparatus used for corrosion control, as deemed necessary by Grantee, for the transmission and distribution of electric energy, signals, television and telecommunications services; natural gas and all by-products thereof, or any liquids, gases, or substances which can or may be transported or distributed through a pipeline, including the customary growth and replacement thereof. Trees, bushes, branches and roots may be trimmed or removed so as not to interfere with Grantee's use of the easement area.
- 2. Access:** Grantee shall have the right to enter on and across any of the Grantor's property outside of the easement area as may be reasonably necessary to gain access to the easement area and as may be reasonably necessary for the construction, installation, operation, maintenance, inspection, removal or replacement of the Grantee's facilities.
- 3. Buildings or Other Structures:** Grantor agrees that no structures will be erected in the easement area or in such close proximity to Grantee's facilities as to create a violation of all applicable State of Wisconsin electric and gas codes or any amendments thereto.

4. **Elevation:** Grantor agrees that the elevation of the ground surface existing as of the date of the initial installation of Grantee's facilities within the easement area will not be altered by more than 4 inches without the written consent of Grantee.
5. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the easement area.
6. **Exercise of Rights:** It is agreed that the complete exercise of the rights herein conveyed may be gradual and not fully exercised until sometime in the future, and that none of the rights herein granted shall be lost by non-use.
7. **Binding on Future Parties:** This grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.
8. **Easement Review:** Grantor acknowledges receipt of materials which describe Grantor's rights and options in the easement negotiation process and furthermore acknowledges that Grantor has had at least 5 days to review this easement document *or* voluntarily waives the five day review period.
9. **Indemnification.** Grantee hereby agrees to indemnify, defend and hold harmless the Grantor, its elected and appointed officials, officers, employees, agents, representatives and volunteers, and each of them, from and against any and all suits, actions, legal or administrative proceedings, claims, demands, damages, liabilities, interest, attorneys' fees, costs and expenses of whatsoever kind or nature in any manner directly or indirectly caused, occasioned, or contributed to in whole or in part or claimed to be caused, occasioned, or contributed to in whole or in part, by reason of any act, omission, fault, or negligence, whether active or passive, of Grantee, any contractor or subcontractor performing work on behalf of Grantee in the Easement Area, or of anyone acting under its direction or control or on its behalf, even if liability is also sought to be imposed on Grantor, its elected and appointed officials, officers, employees, agents, representatives and volunteers. The obligation to indemnify, defend and hold harmless the Grantor, its elected and appointed officials, officers, employees, agents, representatives and volunteers, and each of them, shall be applicable unless liability results from the sole negligence of the Grantor, its elected and appointed officials, officers, employees, agents, representatives and volunteers.

Grantee shall reimburse the Grantor, its elected and appointed officials, officers, employees, agent or authorized representatives or volunteers for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided.

This indemnity provision shall survive the termination or expiration of this Easement agreement.

[REMAINDER OF PAGE LEFT BLANK]

WITNESS the hand and seal of the Grantor the day and year first above written

City of Green Bay, a municipal corporation

Organization name

Sign Name

Print name & title

Sign Name

Print name & title

STATE)

OF)SS

COUNTY)

OF

This instrument was acknowledged before me this _____ day of _____, _____, by the above-named _____ City of Green Bay, a municipal corporation, to me known to be the Grantor(s) who executed the foregoing instrument on behalf of said Grantor(s) and acknowledged the same

Sign Name

Print Name

Notary Public, State of

My Commission expires:

This instrument drafted by: Michelle Somers
Wisconsin Public Service Corporation

REMS Entity ID	WR Number	Document ID	REMS Formatted Number
1476097	WMIS-3407939	3318936	INT11-476-097

EXHIBIT "A"

NOT TO SCALE
FOR REFERENCE ONLY

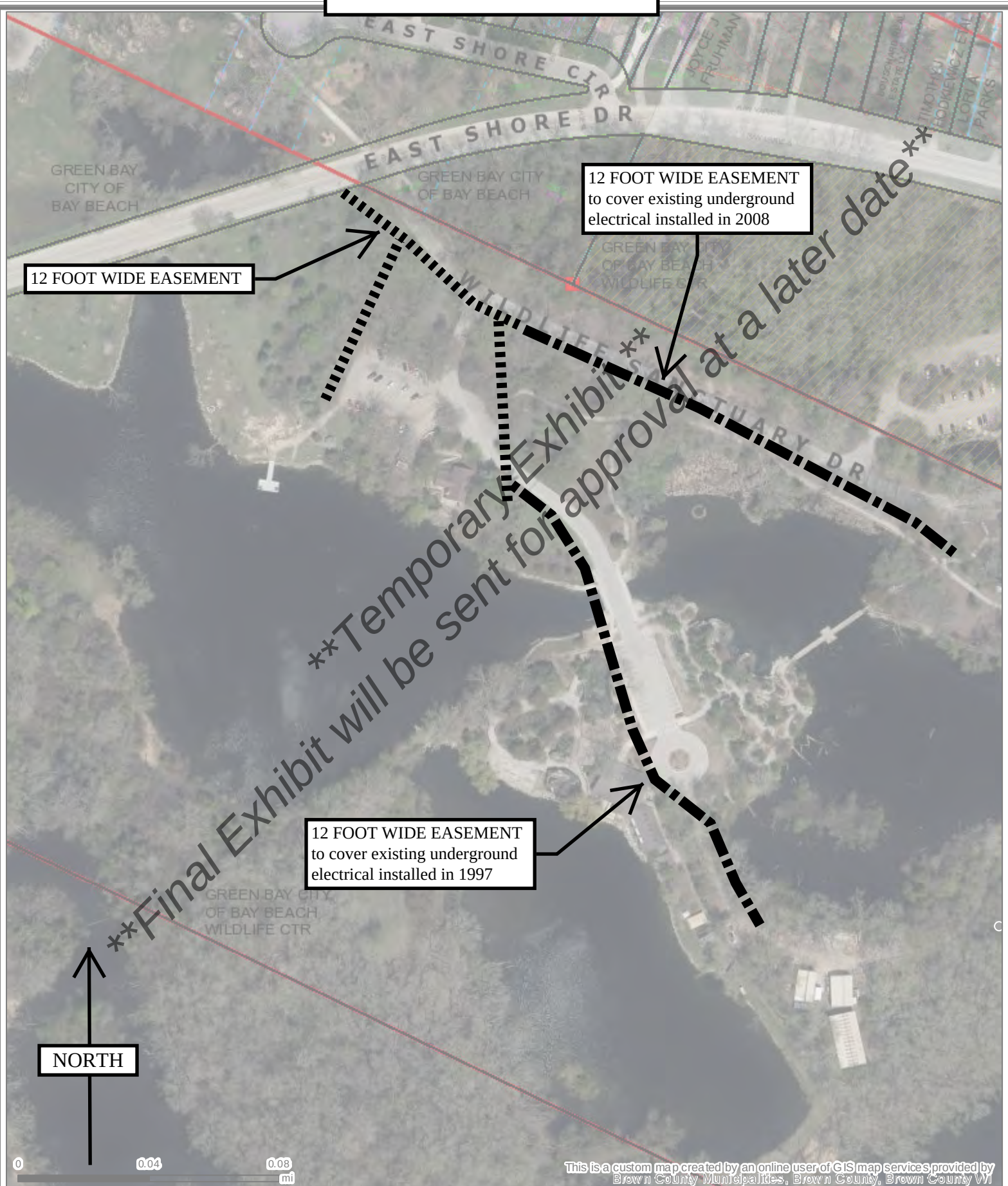


EXHIBIT "B"

Property Description from **Brown** County Register of Deeds Document number **106197**.

Parcel Identification Number: **21-429-16**

Beginning at a point on the easterly line of the Boulevard known as 12th Street Seventy six (76) feet northerly from the southerly line of Private Claim number forty four (44) thence Easterly along a line Seventy six (76) feet distant from and parallel to the southerly line of Private Claim Number Forty four (44), to the Westerly line of land owned by Frank Rothe which line is the property line between land owned by John Marsch and land owned by said Frank Rothe, thence Northerly at right angles to northerly line of said seventy six (76) foot strip along said property line northerly along said property line produced, to the northerly line of Private claim number forty five (45) thence westerly along said northerly line of Private claim number forty five (45) to the easterly line of said Boulevard known as 12th Street, thence southerly along said easterly line of the Boulevard known as 12th Street to the point of beginning.



Report to the
Parks Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # R.6

To approve contracting with Lee Recreation LLC to install playground equipment and playground rubberized surfacing at Danz Park/School for a total cost of \$132,200 conditional on the Green Bay Public School District funding \$113,793 of the total cost.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 6-6-24 Danz Sourcewell quotation Installation and Surfacing
2. Danz Park Lee Rec (1)



Office (800) 775-8937
Fax (608) 423-7655

260 W. Main Street
Cambridge, WI 53523

info@leerecreation.com
www.leerecreation.com

PROVIDING FUN ACROSS WISCONSIN SINCE 1995

Quotation #6-06-2024

DATE: June 6, 2024

TO: Troy Van Handel
City of Green Bay
Purchasing Dept.
100 North Jefferson St. - Room 101
Green Bay, WI 54301

SOURCEWELL ID #: 25917

PROJECT NAME: City of Green Bay - Danz Park

FROM: Megan Lee Cunningham

RE: Playground Proposal #142-172990-2

BURKE "Play That Moves You" - Sourcewell Contract #010521-BUR

ITEM	DESCRIPTION	UNIT PRICE	TOTAL
Assemble OPEN MARKET	Assemble/Installation of Equipment - Order 237079		\$ 41,000.00
Surfacing	Playbound Surfacing - 3800 sq. ft.	\$24/sq. ft.	\$ 91,200.00
TOTAL			\$132,200.00

Quote accepted by: _____ Date: _____

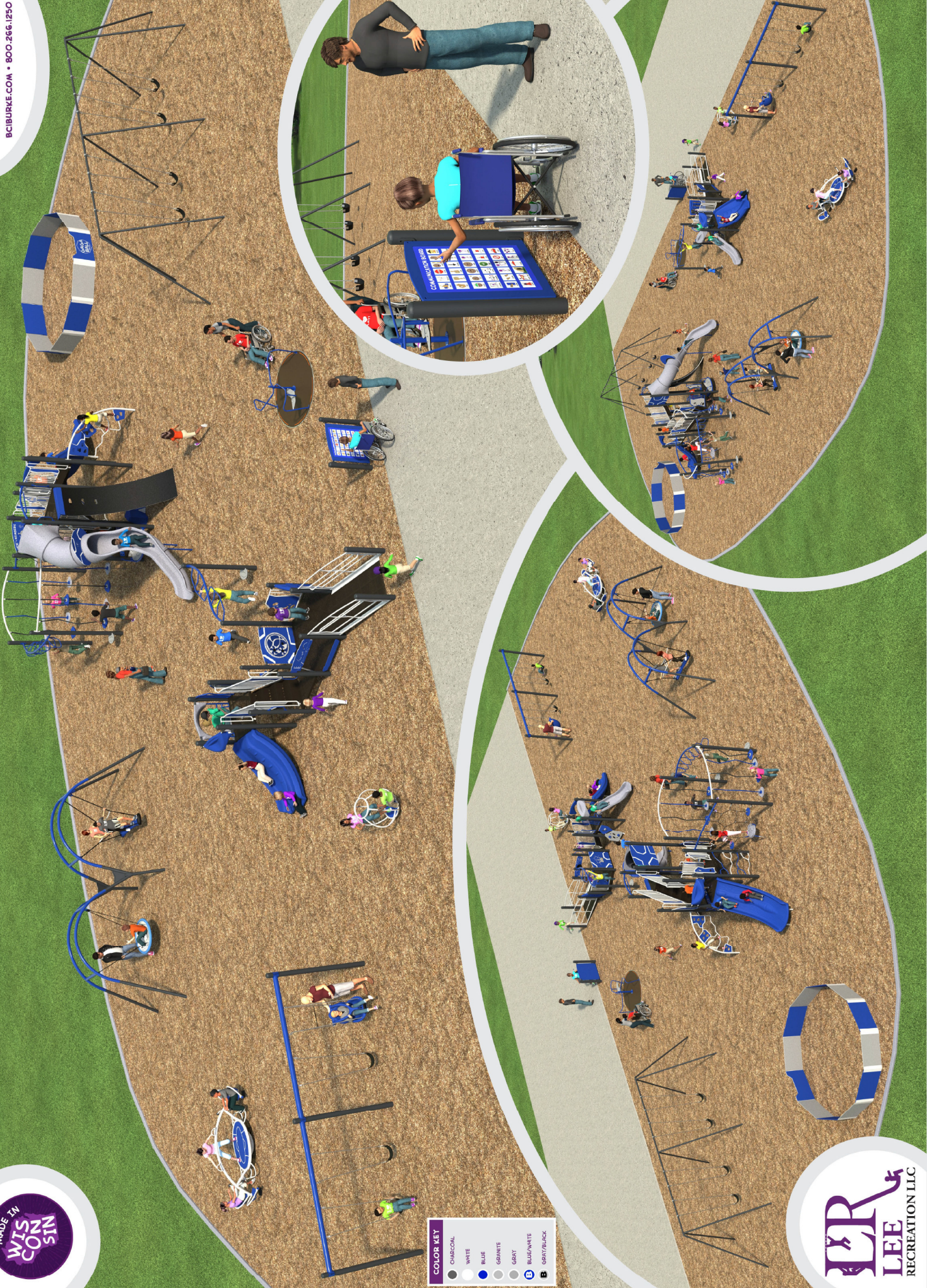
- TERMS: Net 30
- Site Preparation, Marking of all Private Lines, Security of Site until the product sets, Site Restoration is the responsibility of the Customer
- Lead-Time: 6-8 weeks upon receipt of order
- Quote effective: **Until 7-01-2024**

DANZ PARK

Burke
PLAY THAT MOVES YOU.
BCIBURKE.COM • 800.266.1250



COLOR KEY	
CHABCOAL	WHITE
BLUE	GRANITE
GRAY	BLUE/WHITE
GRAY/BLACK	



LEE
RECREATION LLC



Report to the
Parks Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # R.7

To approve contracting with Lee Recreation LLC to install playground equipment and playground rubber surfacing at Sullivan Park/School for a total cost of \$132,200 conditional on the Green Bay Public School District funding \$117,200 of the total cost.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. 6-6-24 Sourcewell quote install and PIP
2. Sullivan PG 142-172943-1



Office (800) 775-8937
Fax (608) 423-7655

260 W. Main Street
Cambridge, WI 53523

info@leerecreation.com
www.leerecreation.com

PROVIDING FUN ACROSS WISCONSIN SINCE 1995

Quotation #6-06-2024

DATE: June 6, 2024

TO: Troy Van Handel
City of Green Bay
Purchasing Dept.
100 North Jefferson St. - Room 101
Green Bay, WI 54301

SOURCEWELL ID #: 25917

PROJECT NAME: City of Green Bay - Sullivan Park

FROM: Megan Lee Cunningham

RE: Playground Proposal #142-172943-1

BURKE "Play That Moves You" - Sourcewell Contract #010521-BUR

ITEM	DESCRIPTION	UNIT PRICE	TOTAL
Assemble OPEN MARKET	Assemble/Installation of Equipment - Order 237075		\$ 41,000.00
Surfacing	Playbound Surfacing -3800 sq. ft.	\$24/sq. ft.	\$ 91,200.00
TOTAL			\$132,200.00

Quote accepted by:_____Date:_____

- TERMS: Net 30
- Site Preparation, Marking of all Private Lines, Security of Site until the product sets, Site Restoration is the responsibility of the Customer
- Lead-Time: 6-8 weeks upon receipt of order
- Quote effective: **Until 7-01-2024**





Report to the
Parks Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # R.8

To approve purchasing (2) Gasboy Atlas-X Series Gas Dispensers for the Park Shop from EnergiTech Services for a total cost of \$28,915.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. GB Parks New Dispensers_TBI0395IAB-RI
2. Gasboy Atlas X Prime Dispenser Brochure 2024 (1)



Office: (800) 490-4915 Fax: (920) 739-0741

558 Carter Ct 7120 Highland Dr 11225 W Mitchell St 2525 Brennan Ave
Kimberly, WI 54136 Wausau, WI 54401 West Allis, WI 53214 Fort Worth, TX 76106

ETS Customer #

261816

Proposal for:

Greg Barta

City of Green Bay Parks, Rec & Forestry

919 Crocker St

Green Bay, WI 54303

Site address:

City of Green Bay Parks, Rec & Forestry

919 Crocker St

Green Bay, WI 54303

Phone: (920) 639-3390

Email: gregba@greenbaywi.gov

PROPOSAL

Proposal Date: June 5, 2024

Proposal Number: TB103951AB-R1

Proposal Expiration: 15 Days from proposal date

Business Consultant: Todd Broeckel
(920) 858-4269

EnergiTech Services is pleased to provide a proposal to complete the following scope of work:

Replace (2) existing Bennet fuel dispensers with new 2024 AtlasX series Gasboy dispensers. We will leave in place the (1) out of service diesel dispenser.

NEW 2024 GASBOY ATLAS-X SERIES DISPENSERS

\$ 22,772.00

- (1) **Gasboy 9153GX TW1**-Mechanical dispenser, single product, two-hose, 1" outlets, internal 30 micron filter, diesel product id, commercial gallons only computers with lighted bezel, and 10:1 pulsers to work with FuelMaster. Painted **Gray** side panels with **Green** lower doors and **White** upper bezels.
- (1) **Gasboy 9153GX TW1**-Mechanical dispenser, single product, two-hose, 1" outlets, internal 10 micron filter, gasoline product id, commercial gallons only computers with lighted bezel, and 10:1 pulsers to work with FuelMaster. Painted **Gray** side panels with **Red** lower doors and **White** upper bezels.

PLEASE NOTE:

- ♦ 1 year Gasboy factory warranty.

NEW DISPENSER HOSES, NOZZLES, & SWIVELS

\$ 2,788.00

- (2) Automatic Pressure Activated Nozzles -(Gasoline).
- (2) 3/4" x 12' Hoses.
- (2) 3/4" Reconnectable Breakaways.
- (2) 3/4" Swivels.
- (2) 3/4" Whip Hoses.
- (2) 1" Automatic Nozzles (Hi-Flow Diesel) .
- (2) 1" x 12' Hoses.
- (2) 1" Reconnectable Breakaways.
- (2) 1" Swivels.
- (2) 1" Whip Hoses.
- (4) FACTORY NEW Dispenser mounted high-hose retractors with hose-hanger.

SHEAR VALVES & DISPENSER PIPING**\$ 65.00**

- ◇ Miscellaneous piping, fittings, and hardware (from shear valve top to the dispenser inlet).

PLEASE NOTE:

- ◇ *There are risks with reusing the existing below-grade fuel piping. If an issue comes up, corrective actions may include replacing the fuel piping or sump(s). Additional charges may apply. The use of existing fuel pipe components is not warrantied.*
- ◇ *We will reuse the recently replaced shear valves and dispenser piping.*

ELECTRICAL**\$ 1,295.00**

- ◇ Disconnect existing dispensers.
- ◇ Connect new dispensers.

PLEASE NOTE:

- ◇ *There are risks with reusing the existing underground wiring and/or conduits. If an issue comes up, corrective actions may include replacing the conduits and/or wires to the building. Additional charges may apply. The use of existing electrical components is not warrantied.*

INSTALLATION**\$ 1,995.00**

- ◇ Remove (2) existing dispensers and install new dispensers.
- ◇ Replace the piping between shear valve and the dispenser inlets.
- ◇ Caulk the dispenser base at the joint with the concrete island to reduce water intrusion into the below-grade containment sump.
- ◇ Program the new dispensers to the existing FuelMaster controller.

SUBTOTAL FOR THE ABOVE PROPOSAL \$ 28,915.00**SALES TAX (T & WT)** Please add if applicable.**TOTAL FOR PROPOSAL \$ 28,915.00***Attached terms and conditions apply.***PROPOSAL NOTES:**

- ◇ Proposal based on working from 7:30am - 4:00pm, Monday through Friday.

ITEMS NOT INCLUDED WITH THIS PROPOSAL:

- ◇ Removal and disposal of any liquids in the below-grade dispenser containment sumps.
- ◇ Island vehicle collision protection or dispenser containment sump repairs/replacement.
- ◇ Any equipment, material, or services not specifically listed in the above scope of work.

Thank you for considering EnergiTech Services for your service and equipment needs.

TOTAL FOR THE ABOVE PROJECT \$ 28,915.00

Proposed Payment Terms:

100% Invoiced upon completion. Payment due **Net 10 days** from invoice.
Terms are subject to Credit and Legal Staff approval.

***This proposal may be withdrawn by
EnergiTech Services if not accepted in: 15 Days from proposal date***

This Proposal is subject to the terms and conditions set forth herein, as well as the attached Standard Terms and Conditions (collectively, this Proposal and the Standard Terms and Conditions shall hereafter be referred to as the "Agreement").

If EnergiTech Services is required to perform under different terms and conditions, a change order may be required.

CUSTOMER ACCEPTANCE OF PROPOSAL

The prices, specifications, terms and conditions as set forth above and attached are satisfactory and hereby accepted as the Agreement. EnergiTech Services is authorized to do the work as specified. Payment will be made as outlined above and in the attached Standard Terms and Conditions.

The undersigned individual, who is either a principal of the Customer or a sole proprietor, recognizing that his or her individual credit history may be a factor in the evaluation of the credit history of the applicant, hereby consents to and authorizes the use of a consumer credit report on the undersigned by EnergiTech Services from time to time as may be needed, in the credit evaluation process.

Customer

EnergiTech Services

Signature

Signature

Printed Name

Printed Name

Title

Title

Date

Date

TERMS & CONDITIONS OF EnergiTech Services LLC

Acceptance of Proposal. The accompanying Proposal, when accepted by Customer, will constitute a contract between EnergiTech Services LLC ("ETS") and Customer, subject to all terms and conditions that follow herein and the approval of ETS's credit manager. Delivery of the materials/equipment herewith, installation of the specified equipment, Customer's acceptance in writing, and/or the issuance of an invoice, constitutes a binding acceptance by the Customer of the proposal herein. It is expressly agreed that there are no promises, agreements, or understandings, oral or written, not specified in the Proposal and these Terms and Conditions.

Scope of Work and Payment. All equipment and services shall be provided as set forth in the Proposal. ETS shall be paid for work performed as follows:

1. Terms for services, unless otherwise specified in the Proposal, are 1/3 with signed Proposal, 1/3 at commencement of work, and 1/3 upon receipt of final invoice, with payment terms of net ten (10) days from Customer's receipt of invoice.
2. Terms on the invoice unless otherwise specified in the Proposal, are net ten (10) days from Customer's receipt of invoice.
3. In the event ETS has not received payment for all fees and cost according to the terms of the invoice, Customer agrees to pay a late payment fee on the unpaid invoice balance at the rate of 2% per month commencing upon the expiration of the invoice terms and continuing until paid.
4. Customer also agrees that if payments are not received according to the terms of the invoice, a stoppage in completing a project may occur without ETS incurring any nonperformance or other legal liability.
5. Customer agrees to pay all costs incurred by ETS in enforcing the terms of this Agreement, including but not limited to, costs of its collection agency and reasonable attorney's fees.
6. Credit card payments are subject to 3% card processing fees.

Prices. Prices quoted are expressly contingent upon all conditions being observed, represented, and warranted at the time of bid. Prices quoted cover only those items which are specifically set forth in the Proposal. All other items will be billed to Customer on a time and materials basis. The prices quoted are for acceptance within fifteen (15) days of the date of Proposal, unless otherwise specified, and are subject to change without notice after that date. Prices quoted do not include soil analysis or clean-up of contamination, unless specifically stated. Labor, materials, and outside services for electrical, concrete, blacktop, excavating or sewer work, and such work not included in the Proposal unless specified. Additionally, required local permits are not included in the Proposal unless specified. Prices quoted on equipment and repair parts are subject to federal, state, and municipal taxes and licenses, which may be in effect, or which may be imposed prior to the actual shipment of materials and equipment. All such taxes and license costs are the responsibility of Customer.

Delivery. ETS will endeavor to maintain delivery dates and schedules but cannot guarantee them. ETS shall not be liable for any costs or damages of Customer under this provision, including, but not limited to, loss of profits or business.

Limited Warranty. All materials and equipment, whether new or used, are purchased "AS IS" from ETS. Products sold may be warranted by the manufacturer of the product but only to the extent of warranty offered by the manufacturer. Unless specifically stated in the Proposal, Customer shall register the equipment with the manufacturer. Any manufacturer warranties existing on new equipment furnished as part of the Proposal are passed through from ETS to Customer according to each manufacturer's policy, and in such cases, Customer's warranty shall be limited to that provided by the manufacturer(s). Ordinary use; wear and tear; or damage from abuse, neglect, accident, misadjustment, or failure by Customer to maintain equipment properly is excluded from coverage.

For a period of one (1) year from the date of completion of the project, ETS will at its sole discretion, install any equipment or materials covered by a manufacturer's warranty. If an item(s) is not covered by manufacturer's warranty, Customer may at its sole cost, pay for the equipment and materials and ETS (at its sole discretion) will install at no charge to the Customer. This labor warranty from ETS is null and void in the event the Customer or third party performs subsequent work on the equipment installed or repaired by ETS.

CUSTOMER AGREES TO RELEASE, INDEMNIFY, HOLD HARMLESS, AND DEFEND ETS FROM AND AGAINST ANY AND ALL CLAIMS, LIABILITY, AND CAUSES OF ACTION AT LAW OR EQUITY FOR LOSS, DAMAGE, INJURY OR DEATH TO PERSONS AND PROPERTY, INCLUDING BUT NOT LIMITED TO ENVIRONMENTAL CONTAMINATION, LEAKS, SPILLS, RELEASES, OR DISCHARGES BY WHATSOEVER OR HOWSOEVER CAUSE OR SOURCE, ARISING OR OCCURRING FROM ANY NEW OR USED EQUIPMENT RECEIVED FROM BY CUSTOMER FROM ETS.

THERE ARE NO WARRANTIES, EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, ANY WARRANTIES OR MERCHANTABILITY OR OF FITNESS FOR A PARTICULAR PURPOSE, WITH RESPECT TO THE EQUIPMENT AND SERVICES DESCRIBED IN THE PROPOSAL.

Limitation of Liability. ETS shall be liable only for damages that are the sole negligence of ETS and that ETS's total liability (if caused by ETS's sole negligence) shall not exceed \$50,000.00, or the total fees payable to ETS for the particular project, whichever is less. ETS shall not be liable for any special, punitive, incidental, or consequential damages (including without limitation, loss of profits or income, loss of use of property, business interruption, cost of replacing goods or services, or third party claims).

Any claims, demands, or cause of action against ETS arising from or related to in any way to the Proposal, or to work, services, or goods or products provided by ETS pursuant to the Proposal, must be brought within one (1) year from the date the work, service or provision of goods or products has been completed.

Compliance with Laws. Environmental compliance is Customer's responsibility. Its failure to comply strictly with applicable federal, state or local requirements, rules and/or regulations (including but not limited to those applicable to notice) shall completely void all warranties of ETS. Customer agrees to hold ETS harmless from and indemnify and defend against any claims or liability relating to Customer's failure to comply strictly with any federal, state or local requirements, rules and/or regulations (including but not limited to those applicable to notice). All TSSA (Tank-System Site Assessment) documentation is to be reported on part A & B of the Department's Tank System Service and Closure Assessment. All original TSSA report documents (scaled drawing of the site, layout showing sample locations and excavations, lab reports, photos and parts A & B of form TR-WM-140) will be sent to the Environmental Program Associate in the corresponding DNR regional office upon completion of the report.

Insurance/ownership/registration. Customer is responsible for maintaining (or ensuring that the owner of the property maintains if Customer is not the owner), evidence of ownership of the property on which the Project is taking place, insurance on the property and equipment purchased from ETS, and registration of any such equipment as may be required to comply with any local, state and federal laws, regulations or industry standards.

Termination. ETS may, without prejudice to any right or remedy, terminate its relationship with Customer and suspend all work or delivery of goods upon notice to Customer.

Unforeseen Conditions. If unforeseen conditions arise that affect the scope of services, time for performance, or the risk involved, ETS shall notify Customer. ETS may then, at its sole discretion, modify the scope of work,

modify the price, stop work until arrangements satisfactory to ETS have been made, or terminate the services by notifying Customer in writing. ETS shall be entitled to compensation for its services performed through the time of termination. If abnormal soil conditions or weather conditions or other unforeseen conditions result in additional cost, those additional costs will be billed on a time and materials basis.

Jurisdiction and Venue. Customer agrees that this Proposal shall be governed by Wisconsin law and jurisdiction and venue will be the Outagamie County District Court of Wisconsin, or the Federal District Court Eastern District of Wisconsin (Green Bay Division).

Waiver of Right to Jury Trial. ETS AND CUSTOMER WAIVE THEIR RESPECTIVE RIGHTS TO A JURY TRIAL OF ANY CLAIM OR CAUSE OF ACTION BASED UPON OR ARISING OUT OF THE PROPOSAL OR ANY DEALINGS BETWEEN THEM RELATING TO THE SUBJECT MATTER OF THIS PROPOSAL. ETS AND CUSTOMER ACKNOWLEDGE THAT THIS WAIVER IS A MATERIAL INDUCEMENT TO ENTER INTO THIS AGREEMENT. THIS WAIVER IS IRREVOCABLE, MEANING THAT IT SHALL APPLY TO ANY SUBSEQUENT AMENDMENTS, RENEWALS, SUPPLEMENTS OR MODIFICATIONS TO THIS AGREEMENT OR TO ANY OTHER DOCUMENTS OR AGREEMENTS RELATING TO THE TRANSACTION CONTEMPLATED HEREBY. IN THE EVENT OF LITIGATION, THIS AGREEMENT MAY BE FILED AS A WRITTEN CONSENT TO A TRIAL BY THE COURT.

Utilities and Underground Structures. ETS will take reasonable precautions to avoid damage to utilities or other underground structures. Customer shall indemnify, defend, and hold ETS harmless for any damage to utilities or underground structures, and from any claims, liability, or damages resulting from utilities or underground structures that were not properly called to ETS's attention. Such indemnity shall include payment of litigation costs, expert's fees, and attorney's fees incurred by ETS.

Duties of the Customer. Customer warrants that it has disclosed all adverse or unfavorable site conditions which may affect this Proposal. Customer represents and warrants that all information provided to ETS is complete and accurate. Customer represents and warrants it has and will comply with all applicable local, state, and federal laws. Customer shall protect the site against damage, injury, or loss and shall carry insurance in an amount sufficient to cover replacement values, naming ETS as loss payee and additional insured. Customer is responsible for providing Builder's Risk insurance coverage. Customer is responsible for providing liquid ballast for filling underground storage tanks immediately upon setting the tanks during excavation. ETS shall not be liable for damage to the ballast, including without limitation, damage due to contamination or loss of product. Customer shall keep accurate, daily inventory records on products stored in tanks, lines, and dispensing equipment and shall promptly notify ETS of all shortages or losses. Precision testing procedures performed on any portion of the underground storage tank systems are designed to detect leaks and ETS shall not be responsible for any contamination resulting from spills or releases which may occur before, during or after such tests.

PCI/EMV /Security Standard Requirements. This Proposal may include components to assist with implementing a program to maintain compliance with PCI security standard requirements, but may not provide the entire solution. Additional items such as software, network gateways, and secure routers may be needed to provide full compliance. Periodic inspection of devices and components, along with tracking these assets, and ensuring a secure network with limited access is also an important part of maintaining compliance with the standards. If additional components, software or equipment are required, those additions will be billed on a time and materials basis along with the labor necessary to install, program and setup. Components supplied by the Customer must be approved prior to scheduling upgrades. ETS does not guarantee compliance as compliance with the PCI security standard is the sole responsibility of the owner/operator of the facility. **CUSTOMER AGREES TO RELEASE, INDEMNIFY, HOLD HARMLESS, AND DEFEND ETS FROM AND AGAINST ANY AND ALL CLAIMS, LIABILITY, AND CAUSES OF ACTION AT LAW OR EQUITY ARISING OR OCCURRING FROM THE REMOVAL AND DISPOSAL OF CUSTOMER'S EQUIPMENT.**

Hardware/software compatibility. In connection with this Proposal, the parties assume that any fueling system hardware and software supplied by Customer is inherently compatible and required only routine start-up programming. If on start-up, it is discovered that the hardware and/or software is not compatible or has innate deficiencies that require additional configuration or upgrading, ETS shall be entitled to full payment of the Contract Price under the Proposal including any extra charges to complete changes to customer equipment.

Digging/excavating clause. Digging and excavating quotations are based on normal soil conditions. Should any digging or excavating be included in the ETS Proposal, and any heavy rock, shale, water frost or unusual doffing be encountered, the Proposal price shall be increased at ETS's normal labor hourly rate except that any outside contract work required shall be charged at ETS's cost plus its customary administrative charge. In the event of cave-ins, and the necessity to shore or slope hole, all associated cost with the removal of the excess soil and replacement with either sand or gravel will be considered an extra and all such cost shall be borne by Customer. In the event underground structures, cables, conduit, debris, rick, water, utilities, or running sane are encountered, destroyed or damaged during the performance of the work, ETS shall not be held responsible, and Customer shall indemnify and save harmless ETS and its contractors, agents and employees from all suits, actions, or claims brought about by such encounter, destruction or damage. Should dewatering be required, the ETS shall not be responsible for disruption of adjacent backfill materials whether known or unknown at the time of excavation, repairs to paving, concrete, structures shall be borne by Customer. ETS is not responsible for removal/disposal of waste water if de-watering of the sump is necessary. Finished grades are to be established and verified by Customer.

Tank Floating Clause. Customer shall fill all underground storage tanks installed by ETS with liquid for ballast immediately upon notification from ETS that a tank(s) has been set into an excavation ("filling notification"). ETS shall not be responsible for any contamination or loss of product used for ballast. If any tank floats after Customer receives filling notification, ETS shall not be liable for any damages to equipment, and labor and materials cost to reinstall tanks, if floating occurs, costs shall be borne by Customer.

Cold weather Concrete. In the event that concrete is poured during cold weather, ETS is not responsible for chipping, cracking, or Spaulding of concrete, due to cold weather pours. Furthermore, ETS is not responsible for additional cost of heated concrete, unless otherwise specified in the contract. It is highly recommended that salt or any chemical based deicer is NOT used for a period of at least 24 months after installation to prevent concrete related problems.

Notice of Lien Rights. As required by the Wisconsin construction lien law, ETS hereby notifies owner/customer that persons or companies performing, furnishing, or procuring labor, services, materials, plans or specifications for the construction on owner's/customer's land may have lien rights on owner/customer's land and buildings if not paid. Those entitled to lien rights, in addition to ETS are those who give the owner/customer notice within sixty (60) days after they first perform, furnish, or procure labor, services, materials, plans or specifications for the construction. Accordingly, owner/customer probably will receive notices from those who perform, furnish, or procure labor, services, materials, plans, or specifications for the construction, and should give a copy of each notice received to the mortgage lender, if any. ETS agrees to cooperate with owner/customer and owner's/customer's lender, if any, to see that all potential lien claimants are duly paid. This notice is given for purpose of identification, and is not a claim to you or your lender for payment.

ATLASX

Next-Gen Commercial Refueling



Introducing AtlasX. The modern platform leveraging the strength of our legacy Atlas and Encore brands, to offer centralized, optimized and efficient commercial refueling. AtlasX features a comprehensive range of models/configurations and customized options designed to withstand challenging fuel environments in any application, whilst helping customers to maximize efficiency and lower their carbon footprint.



BEST-IN-CLASS ENGINEERING

Multiple new and enhanced standard features expertly designed by the experts in commercial refueling. Get ready for industry-leading durability, reliability, serviceability and connectivity.



MODERN DESIGN

Taller, sleeker design for improved ergonomics and experience for site operators and drivers alike. Bring your site into the future with a dispensing platform that not only performs but looks ready to serve future refueling needs too.



FUTURE-PROOF

Long-lasting, durable design with modern components and web connectivity for remote management and easy software updates. Ready to support you on your fleet decarbonization journey with biofuels and new fuels blends.

16 New & Enhanced Features For 2024

Atlas Platform Modernization

Improved Encore Electronics

2-Wire Communication Protocol

Advanced Web Connectivity
to Fleet Management
(EKOS) Platform

Extruded Aluminium Frame

Hinged CDM Model

Atlas Hydraulics

Up to E25 meter Compatibility

Improved Spares Availability

Taller Design for Ease of
Maintenance

Flow rates up to 50 gpm

And much more.

**Contact us to discover the
full capabilities of the AtlasX
platform.**

**For more information please contact your
Gasboy Account Manager or visit [gasboy.com](https://www.gasboy.com)**

ATLASX MODELS

Model Number	Description	Type	Hoses	Products	Register	Flow Rating
9153G						
9153G	Hi-flow Single Pump	Pump	1	1	Mech	22 gpm
9153GTW1M	Hi-flow Twin 1 Pump	Pump	2	1	Mech	22 gpm
9153GTW2	Hi-flow Twin 2 Pump	Pump	2	2	Mech	22 gpm
9153GX	Hi-flow Twin Single Dispenser	Dispenser	1	1	Mech	22 gpm
9153GTW1	Hi-flow Twin 1 Dispenser	Dispenser	2	1	Mech	22 gpm
9153GXTW2	Hi-flow Twin 2 Dispenser	Dispenser	2	2	Mech	22 gpm
9853G						
9853G	Hi-flow Single Pump	Pump	1	1	Elec	22 gpm
9853GW1M	Hi-flow Twin 1 Pump	Pump	2	1	Elec	22 gpm
9853GTW2	Hi-flow Twin 2 Pump	Pump	2	2	Elec	22 gpm
9853GX	Hi-flow Single Dispenser	Dispenser	1	1	Elec	22 gpm
9853GXTW1	Hi-flow Twin 1 Dispenser	Dispenser	2	1	Elec	22 gpm
9853GXTW2	Hi-flow Twin 2 Dispenser	Dispenser	2	2	Elec	22 gpm
9850G						
9850GX	Ultra-hi Flow Single Dispenser	Dispenser	1	1	Elec	50 gpm
9850GXTW1	Ultra-hi Flow Twin 1 Dispenser	Dispenser	2	1	Elec	50 gpm
9850GXTW2	Ultra-hi Flow Twin 2 Dispenser	Dispenser	2	2	Elec	50 gpm
9850GXTW3	Ultra-hi Flow Combo Dispenser	Disp. Combo	2	1	Elec	50 gpm
9862G						
9862GX-Z	Hi-flow Single Dispenser	Dispenser	1	1	Elec	
9862GX-WW	Hi-flow Twin 1 Dispenser	Dispenser	1	1	Elec	
9862GX-ZWW	Hi-flow Twin 2 Dispenser	Dispenser	1	1	Elec	
9216G						
9216G	Satellite	Satellite	1	1	None	



Report to the
Personnel Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # S.1

To approve staff to proceed as directed in closed session regarding the negotiations on the 2024 City of Green Bay and City of Green Bay Fire Fighters Local 141, International Association of Fire Fighters AFL-CIO 158 labor agreement

The Common Council may convene in closed session pursuant to § 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating public employee contracts for competitive or bargaining reasons. The Common Council may thereafter reconvene in open session pursuant to § 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Fifth Exchange of Offers L141 to City 5-1-24
2. Local 141 and City Side Letter 2024
3. Fire Agreement - City Proposal 6-12-24



Report to the
Personnel Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # S.2

To approve the request to fill the following positions and all subsequent vacancies resulting from internal transfers.

a. Arborist II

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Personnel Committee Request to Fill Memo
2. Arborist II - D. Krueger

MEMORANDUM



Human Resources Department

To: Personnel Committee

From: Emma Baierl
Human Resources Generalist

Re: Request to Fill Vacant Positions

Date: June 18, 2024

The Human Resources Department is requesting authorization to fill the following replacement positions approved as part of the 2024 budget and all subsequent vacancies resulting from internal transfers. The justification reports are attached.

- Arborist II – Replacement position due to the resignation of Daniel Krueger effective June 20, 2024. This position is budgeted at \$27.36 - \$32.18 per hour. (Pay Grade G)

**Position Fill Request
Justification Report
6.10.2024**

Position Title: Arborist II

- 1. If this position is a replacement position, please indicate the reasons for the vacancy. If this is not a replacement position, please indicate the reasons for requesting the position.**

 X **Replacement Position** **Not a Replacement Position**

This position will be vacant as a result of the resignation of Daniel Krueger effective at the end of the work day on June 20, 2024.

- 2. Is this position included in the current budget? If not, please list how this position will be funded (grant, internship, etc.). Please list the salary range of the position.**

Yes, the position is currently funded in the Forestry budget. The current wage range is \$27.36 - \$32.18 per hour (Pay Grade G).

- 3. Please list the functions and any special information regarding this position.**

Arborist II positions are responsible for tree pruning, tree removal and tree planting of 38,000 street trees and 10,000's park and conservancy trees in Green Bay. These are highly trained positions that use aerial bucket trucks and utilize technical rigging to perform tree work safely and efficiently.

- 4. Does the position generate revenue or reduce expenses? If so, provide an estimated amount.**

In house staffing instead of contracting these positions reduces expenses. The tree work done by these positions also reduces liability claims and exposure by properly maintaining city owned trees.

- 5. Please explain why current staff is unable to absorb duties of this position.**

There are 9 Arborist II positions. A vacant position makes it even harder for staff to keep up with work load.

- 6. If duties of position are presently being done, how are they done?**

Work is being done by existing staff as able based on priority of need. The overall needs outweigh current available staff.

7. What service would be reduced or eliminated if this position is not filled?

Tree pruning, stump grinding and tree planting will not be able to completed at current rate. This in turn will cause a greater back log than already present.

8. What are the alternative methods and costs of accomplishing the work?

There are none at this time. Forestry is not funded to contract work. Contract work is more costly than City staff.

9. Are there union issues?

There are no union issues.

10. Other supporting comments.

Without this position filled, we will not be able to get done the things we have planned at this time of the season, which will include storm response, planting, and trimming of trees.



MUNICIPAL COURT MONTHLY FINANCIAL REPORT

County Name Brown		County Code Number 05		Report for Month/Year May, 2024	
Municipal Name Green Bay Municipal Court		Municipal Code Number 231		Telephone Number 920-448-3131	
I. MUNICIPAL COURT OFFICIAL	Total Amount Collected	Share to be retained by Municipality	Share to be sent to County	Share to be sent to State	
1. Forfeitures for Municipal Ordinance Violations (Except for Municipal Ordinances in Conformity with Ch 348, Stats.)	\$ 61,428.12	\$ 61,428.12			
Adjustment (if applicable)	\$.00	\$.00			
2. Municipal Court Costs (Chapter 814, Subchapter II, s. 814.65, Stats.)	\$ 26,550.40	\$ 23,034.94		\$ 3,515.46	
Adjustment (if applicable)	\$.00	\$.00		\$.00	
3. Penalty Surcharges (s. 757.05, Stats.)	\$ 16,313.44			\$ 16,313.44	
Adjustment (if applicable)	\$.00			\$.00	
4. County Jail Surcharges (s. 302.46(1)(a), Stats.)	\$ 6,965.81		\$ 6,965.81		
Adjustment (if applicable)	\$.00		\$.00		
5. Driver Improvement Surcharges (s. 346.655, Stats.)	\$ 6,593.55		\$ 3,096.70	\$ 3,496.85	
Adjustment (if applicable)	\$.00		\$.00	\$.00	
6. Crime Lab and Drug Enforcement Surcharges (s. 165.755(4), Stats.)	\$ 9,072.95			\$ 9,072.95	
Adjustment (if applicable)	\$.00			\$.00	
7. Domestic Abuse Surcharges (s. 973.055(2)(b), Stats.)	\$.00			\$.00	
Adjustment (if applicable)	\$.00			\$.00	
8. Truck Weight Restrictions (Municipal Ordinances in Conformity with Ch. 348, Stats., s. 66.12(3)(c))	\$.00	\$.00		\$.00	
Adjustment (if applicable)	\$.00	\$.00		\$.00	
9. Ignition Interlock Device Surcharge (s. 343.301(5), Stats.)	\$ 350.00		\$ 350.00		
Adjustment (if applicable)	\$.00		\$.00		
10. GPS Tracking Surcharge (for violations of ordinances conforming to s. 813.12 or s.813.125, Stats.)	\$.00			\$.00	
Adjustment (if applicable)	\$.00			\$.00	
11. Safe Ride Program (s. 85.55, Stats.)	\$ 700.00			\$ 700.00	
Adjustment (if applicable)	\$.00			\$.00	
12. Totals	\$ 127,974.27	\$ 84,463.06	\$ 10,412.51	Pay This Amount \$ 33,098.70	

Continue onto the next page.

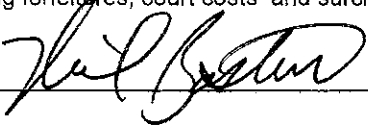


MUNICIPAL COURT MONTHLY FINANCIAL REPORT

STATE CONTROLLER'S OFFICE-CMO
101 E. WILSON STREET, 5th FL
PO BOX 7932
MADISON, WI 53707-7932
DOAMunicipals@wisconsin.gov

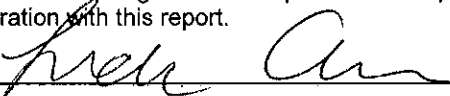
II. CERTIFICATION OF MUNICIPAL COURT OFFICIAL

I hereby certify that this report reflects all actions requiring forfeitures, court costs and surcharges collected during the month designated.

Name: NEIL BASTEN Signature:  Date: 6-3-24

III. TREASURER'S CERTIFICATION

I hereby certify that the above amount due the state has been received. After so certifying, a copy of this report will be returned to the signer of this report as a receipt, and the stated amount will be remitted to the Department of Administration with this report.

Treasurer:  Date: 6-6-24

In the event the Department of Administration has questions about this report and payment, who should we contact?

Name:	Telephone Number	Email Address
<u>Neil Basten</u>	<u>920-448-3131</u>	<u>neilba@greenbaywi.gov</u>

Detail Summary of Projects Issued

5/1/2024 to 5/31/2024

Proj #	Address	Owner	Applicant	Fees Paid	Estimated \$	Status
116175	929 N BROADWAY..18-502	NEIGHBORWORKS GREEN BAY		\$1,058.26	\$230,000.00	Pending
[1-101 - Residential - New - Single Family House] NEW SINGLE FAMILY HOME W/ ATTACHED GARAGE						
116327	1727 14th AV..1-1310	JILLIAN JAEGER		\$993.03	\$430,000.00	Pending
[1-101 - Residential - New - Single Family House] NEW SINGLE FAMILY HOME WITH DETACHED GARAGE						
116352	1104 BAY MIST DR..21-8418	LARGO RIDGE DEVELOPMENT LLC		\$1,257.34	\$350,000.00	Pending
[1-101 - Residential - New - Single Family House]						
116488	3410 SITKA ST..21-8469	GREEN VIPER INC		\$1,507.34	\$500,000.00	Pending
[1-101 - Residential - New - Single Family House]						
115415	2920 PAINTED TRAIL CT..6H-3911	RONALD L & CAROL J LEMIRAND		\$180.00	\$58,000.00	Pending
[2-434 - Residential - Addition - Single Family House] 3 SEASONS ROOM						
115866	2061 OAKDALE AV..21-2344	GERALDINE R LEWISNYTES		\$230.00	\$30,000.00	Pending
[2-434 - Residential - Addition - Single Family House]						
115921	1125 FROST CT..21-6410-93	LAUREN ROSE & LEO ROBERT GALLAGHER		\$125.00	\$11,800.00	Closed
[2-434 - Residential - Alteration - 1 -2 Family House]						
116081	159 N MAPLE AV..4-111	CHRISTOPHER W & JACLYN E STEINBARGER		\$150.00	\$10,000.00	Closed
[2-434 - Residential - Alteration - 1 -2 Family House] REPACE RUBBER ROOF MEMBRANE AND HANDRAILS						
116159	3584 BLACK SHEEP WAY..21-8374	DAVID & JULIE SCONZERT		\$150.00	\$12,000.00	Closed
[2-434 - Residential - Alteration - 1 -2 Family House]						
116160	1948 HAROLD ST..21-1514-E-9	JANELLE A RAVET		\$100.00	\$2,500.00	Pending
[2-434 - Residential - Addition - Single Family House]						
116179	139 GARDEN GATE CT..6H-1069-9	JENNIFER R & CHRISTOPHER A GIZZI		\$175.00	\$40.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] REMODEL BATHROOM						
116200	1135 REDWOOD DR..1-1871	JUDEEN & MICHAEL SITES		\$75.00	\$5,100.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] EGRESS WINDOW						
116203	3034 GILBERT DR..21-6668-42	CHRISTOPHER W STRAINERILEY		\$125.00	\$15,000.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House]						
116205	2084 SANDALWOOD CT..6H-2514	DAVID W & RENEE M PEOT		\$205.00	\$73,000.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] MASTER BATH & BEDROOM REMODEL						
116221	704 ROYAL BLVD..18-1333	KENDALL B BRENWALL		\$50.00	\$13,457.00	Closed
[2-434 - Residential - Alteration - 1 -2 Family House] FOUNDATION STABILIZATION AND BASEMENT PERIMETER DRAINTILE						

116262	1691 DEBRA LN..21-1111-P-31	BETTY J & JEFFREY J HEIM	\$50.00	\$1.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] AND SOME TUCK POINTING WORK					
116282	634 LAVERNE DR..21-2957	ELIZABETH & SHANE T & ANN M WRIGHT	\$671.84	\$40,000.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] KITCHEN & BATH REMODEL, BEARING WALL ALTERATION					
116286	1231 S GREENWOOD AV..1-606	ROBERT J & WENDY LATURNER	\$255.00	\$25,000.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] BASEMENT FINISH					
116312	614 PHOEBE ST..18-484	JORGE ENRIQUE HERNANDEZ	\$125.00	\$12,099.50	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] ROOF MOUNTED SOLAR SYSTEM					
116323	806 10th AV..2-467	BLUEFOYER LLC	\$350.00	\$15,000.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] REMODEL					
116331	1332 DOTY ST..14-1416	BONNIE D MCGEE	\$150.00	\$12,673.31	Closed
[2-434 - Residential - Alteration - 1 -2 Family House]					
116345	1561 MORROW ST..19-170	STEPHANIE A MOORE	\$125.00	\$44,838.80	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] 9.02 KW Roof Mounted PV Solar System. 22 Rec Solar Modules with 11 NEP BDM-600 Micro Inverters. 1 NEP Gateway BDG-256, 1 AC Combiner Panel UI 1741 Compliant, 1 60 amp PV AC Dissconnect (D222NRB-60A)					
116373	1280 EMILIE ST..17-231	CARRIE ERICKSON	\$100.00	\$12,071.91	Pending
[2-434 - Residential - Alteration - 1 -2 Family House]					
116378	1018 HEYRMAN ST..21-1514-K-21	MARY M HENRY	\$125.00	\$40,000.00	Pending
[2-434 - Residential - Addition - Single Family House] ALSO 2 TESLA POWERWALL ENERGY STORAGE BATTERIES					
116400	217 S FISK ST..6-320	RICHARD L & RENEE M WETMILLER	\$350.00	\$18,827.12	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] REMODEL FIRST FLOOR BATHROOM AND KITCHEN, NEW FLOORING AND CABINETS					
116426	338 PARKLAND RIDGE LN..21-7134	MARK A WACHAL TRUST	\$275.00	\$260,000.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House]					
116440	1302 REED ST..5-666-D	DEBRA A & THOMAS M GREIVELL	\$150.00	\$50,000.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] KITCHEN REMODEL & NEW WOOD FLOORS					
116498	1117 DOWNER ST..6-2316	BURNIKEL RICHARD D & BARBARA M REVOCABLE TRUST	\$50.00	\$6,500.00	Closed
[2-434 - Residential - Alteration - 1 -2 Family House] INSTALLING EGRESS WINDOW					
116513	1592 WESTFIELD AV..6-1259	SEE & SNOW	\$125.00	\$4,310.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] INSTALLING BASEMENT PERIMETER DRAINTILE AND SUMP PUMP					
116519	147 REGAN ST..6-1910	ROBERT & JULIA HARGREAVES REVOCABLE TRUST	\$205.00	\$46,684.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] REMODEL BASEMENT BATHROOM AND BEDROOM, ADD EGRESS WINDOW AND SHOWER					
116520	1143 S NORWOOD AV..1-540	THOMAS J MEVES	\$270.46	\$115,000.00	Pending
[2-434 - Residential - Alteration - 1 -2 Family House] REPAIR FIRE DAMAGE TO HOME					
116277	215 PERKINS AV..6-319-G	JENNIFER L COLLAR	\$150.00	\$69,000.00	Pending
[4-438 - Residential - Alteration - Garage or carport or Shed] RAZE ATTACHED GARAGE & BUILD 30X30 DETACHED GARAGE WITH NEW CONCRETE DRIVEWAY					
116347	2617 ZAK LN..6H-1236-2	GARY & TRACI CHAMBERLAIN	\$150.00	\$50,000.00	Pending
[4-438 - Residential - Addition - Garage, Carport] REBUILD WORKSHOP					

115775	1221 WESTERN AV..3-802	1221 WESTER AVENUE LLC	\$100.00	\$10,035.00	Pending
[7-1 - Deck, Porch, Patio, Ramp (Residential)] REPLACE FRONT AND SIDE PORCHES					
116043	904 NEUFELD ST..6-160-2	JANICE C BASTEN	\$50.00	\$4,866.00	Pending
[7-1 - Deck, Porch, Patio, Ramp (Residential)] PATIO AND SHED ENCROACMENT					
116054	1865 DECKNER AV..21-2597	JOAQUIN TABARES MORA	\$50.00	\$3,800.00	Pending
[7-1 - Deck, Porch, Patio, Ramp (Residential)]					
116122	1816 BEETHOVEN ST..21-262-64	PATRICIA & NEIL DESTREE	\$50.00	\$4,500.00	Pending
[7-1 - Deck, Porch, Patio, Ramp (Residential)]					
116124	737 JOHN ST..8-634-A	JOAQUIN TABARES MORA	\$50.00	\$3,695.00	Closed
[7-1 - Deck, Porch, Patio, Ramp (Residential)]					
116126	444 HARVEST RD..21-7964	D SCOTT & PAULA J KALOUS REVOCABLE TRUST	\$100.00	\$9,000.00	Pending
[7-1 - Deck, Porch, Patio, Ramp (Residential)]					
116212	621 SCHOOL PL..3-612	TODD M & JESSICA BECKER	\$75.00	\$3,775.00	Closed
[7-1 - Deck, Porch, Patio, Ramp (Residential)] DEMO AND REBUILD FRONT PORCH STEPS					
116213	1611 SPENCE ST..1-2619	TIM A BAUMGARTNER	\$100.00	\$6,600.00	Closed
[7-1 - Deck, Porch, Patio, Ramp (Residential)] DECK					
116239	1721 W CRUSADE LN..6H-3964	ALIDA L & RONDA L WAITS	\$50.00	\$52,399.71	Pending
[7-1 - Deck, Porch, Patio, Ramp (Residential)] REMOVE DECK, INSTALL NEW 20 X 32 PATIO. RE-ROUTE DOWNSPOUTS.					
116293	3317 IRIS CT..21-44-4	SUSAN M & ROYAL J BRUHN	\$50.00	\$3,000.00	Pending
[7-1 - Deck, Porch, Patio, Ramp (Residential)]					
116353	2565 DUNBAR LN..6H-2203	JENNIFER J KLUG	\$100.00	\$35,000.00	Closed
[7-1 - Deck, Porch, Patio, Ramp (Residential)] DECK WITH PRIVACY SCREENS					
116359	1011 LAVERNE DR..21-1111-D-146	CLAUDETT Y DELEON	\$100.00	\$7,750.00	Pending
[7-1 - Deck, Porch, Patio, Ramp (Residential)] CONSTRUCT A DECK ON THE BACKSIDE OF HOUSE 14" HIGH 14'x25'					
116360	1803 EAST SHORE DR..21-1109	JOYCE J FRUHMANN	\$100.00	\$30,000.00	Pending
[7-1 - Deck, Porch, Patio, Ramp (Residential)]					
116414	1496 RUSSELL ST..6-207-D	TEAGAN DALLMAN	\$100.00	\$19,500.00	Pending
[7-1 - Deck, Porch, Patio, Ramp (Residential)] DECK IN BACKYARD					
116419	3102 WEST POINT RD..6H-4406	THOMAS M HOWLETT REVOCABLE TRUST	\$100.00	\$20,000.00	Pending
[7-1 - Deck, Porch, Patio, Ramp (Residential)] DECK					
116511	1526 ROCKDALE ST..6-1081	COLLEEN K ROE	\$50.00	\$4,500.00	Pending
[7-1 - Deck, Porch, Patio, Ramp (Residential)] REPLACING FRONT PORCH/WALKWAY & REPARING DRIVEWAY					
116517	1708 GROSS AV..1-2358	BRYAN & SANDRA MONZON	\$50.00	\$2,073.00	Pending
[7-1 - Deck, Porch, Patio, Ramp (Residential)] FRONT STEPS					
116527	1110 LANGLADE AV..1-385-C	ASHLEY A DESTICHE	\$75.00	\$31,550.00	Pending
[7-1 - Deck, Porch, Patio, Ramp (Residential)] RESURFACE DECK, REDO STAIRS, INSTALL NEW GUARDS/RAILINGS					
116568	836 MEACHAM ST..2-1307	PATRICK E & KRISTIN MOLSKI	\$50.00	\$800.00	Pending

[7-1 - Deck, Porch, Patio, Ramp (Residential)]

116416	1213 EMILIE ST..17-295	DELONNA KAUFMAN	\$50.00	\$6,000.00	Pending
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[9-645 - Raze - Building or Structure (Residential)]

116600	1255 THORNDALE ST..1-2185	TRIPLE S REAL ESTATE PROPERTIES LLC	\$50.00	\$7,000.00	Pending
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[9-645 - Raze - Building or Structure (Residential)]

115909	1736 DOUSMAN ST..6-1874	AIMEE ELIZABETH & NICHOLAS DORSEY	\$150.00	\$35,000.00	Pending
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[11-1 - Garage/Carport/Shed (residential)] REPLACE DETACHED GARAGE

116024	1825 LILAC LN..21-2852	MARLYNN OHLFS	\$50.00	\$24,000.00	Closed
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[11-1 - Fence (Residential)]

116027	3318 WHITTIER CT..21-7563	JENNIFER E FOSTER REVOCABLE TRUST	\$250.00	\$130,000.00	Pending
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[11-1 - Garage/Carport/Shed (residential)]

116070	2815 DURHAM RD..22-1828	BENJAMIN M & KIMBERLY V MAROHL	\$50.00	\$4,000.00	Pending
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[11-1 - Garage/Carport/Shed (residential)]

116083	671 SUNNYCREST ST..21-820-R-2	VEASNA & MAI ONG HAY	\$50.00	\$6,400.00	Closed
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[11-1 - Fence (Residential)]

116115	641 ALPINE DR..21-3407	KONNIE M & GREGORY A SEVERSON	\$50.00	\$7,000.00	Pending
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[11-1 - Fence (Residential)]

116116	1751 EAST SHORE CIR..21-434	JOHN R & LOUANN KRAFT	\$50.00	\$15,000.00	Pending
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[11-1 - Fence (Residential)]

116120	2234 MICHIGAN AV..21-828-1	SMITH 2005 REVOCABLE TRUST	\$50.00	\$8,000.00	Pending
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[11-1 - Garage/Carport/Shed (residential)]

116123	3356 PAULA ST..22-2161	PEDRO & ESTELA CASTRO	\$50.00	\$5,500.00	Pending
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[11-1 - Garage/Carport/Shed (residential)]

116141	705 MT MARY DR..21-1111-D-96	JANE M JUZA	\$50.00	\$5,590.00	Pending
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[11-1 - Driveway Replacement and/or Expansion (Residential)]

116148	429 S CLAY ST..14-1059	KIMBERLY L GILLIS	\$50.00	\$3,000.00	Pending
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[11-1 - Fence (Residential)]

116151	505 LARRY LN..21-3172	JOHN C CRABBE	\$50.00	\$3,168.00	Pending
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[11-1 - Fence (Residential)]

116156	853 SPENCE ST..2-1357	CARRIE BARDWELL	\$50.00	\$1,200.00	Pending
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[11-1 - Fence (Residential)] 6 FOOT WOOD FENCE ALONG SOUTH PROPERTY LINE

116176	410 15th AV..3-698	ROSA MARIA & ESTEBAN RUBIO MORALES	\$50.00	\$1,700.00	Pending
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[11-1 - Fence (Residential)] 6 FOOT PRIVACY FENCE

116178	1271 9th ST..1-431	BONZAI LLC	\$150.00	\$25,000.00	Pending
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[11-1 - Garage/Carport/Shed (residential)] DETACHED GARAGE

116181	1115 S VAN BUREN ST..16-323	KEVIN J & LYNN A HESLIN	\$50.00	\$15,000.00	Pending
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[11-1 - Fence (Residential)]

116240	1176 EMILIE ST..17-165	JENNIFER ROUSE	\$100.00	\$21,347.00	Closed
[11-1 - Foundation Repair (Residential)]					
116249	1801 KALAHARI DR..6H-3198	NICHOLAS E & SHANNON L DUFEEK	\$50.00	\$13,435.00	Pending
[11-1 - Fence (Residential)] 6' VINYL PRIVACY FENCE					
116251	2070-2072 JAMESFORD AV..21-2827-H-48	JESSICA J ZUELKE	\$50.00	\$4,470.74	Pending
[11-1 - Fence (Residential)]					
116252	1631 PANTHER CT..21-7510	BRENDA L & BRETT C KNOESPEL	\$50.00	\$6,981.74	Pending
[11-1 - Fence (Residential)]					
116274	1723 CANARY LN..6H-1430-K-26	STEVEN R & DONNA M ROSENTHAL	\$50.00	\$2,400.00	Pending
[11-1 - Fence (Residential)] 4' CHAINLINK FENCE IN BACK YARD					
116281	2825 CASTLE HILL LN..21-5034	SHAFER LIVING TRUST	\$50.00	\$10,500.00	Pending
[11-1 - Driveway Replacement and/or Expansion (Residential)] DRIVEWAY (28'x21') SIDEWALK AND APRON (17'x22') REPLACE FRONT SIDEWALK (4'x26') AND GARAGE SERVICE DOOR WALK (4'x12')					
116291	2560 OAKWOOD DR..6H-1224-7	NICOLE T & ERIC I LARSON	\$50.00	\$6,187.50	Closed
[11-1 - Fence (Residential)] WOOD PRIVACY FENCE					
116292	1610 WALLS ST..1-2703	MICHELLE M PRUST	\$50.00	\$10,000.00	Pending
[11-1 - Driveway Replacement and/or Expansion (Residential)] CASE #136107					
116298	1022 HOWARD ST..3-278	RICHARD L RYMAN	\$50.00	\$11,609.12	Pending
[11-1 - Fence (Residential)] FENCE & PATIO					
116305	1343 CHICAGO ST..17-395	IAN G & MARLENA R TYREE	\$50.00	\$3,200.00	Pending
[11-1 - Fence (Residential)]					
116306	3093 FERNDAL DR..6H-2792	CRISTINA WALDNER	\$50.00	\$10,000.00	Pending
[11-1 - Driveway Replacement and/or Expansion (Residential)] DRIVEWAY EXPANSION AND WALKWAY					
116324	1024 12th AV..2-851	LAURA L VANDEHEUVEL	\$50.00	\$3,000.00	Pending
[11-1 - Driveway Replacement and/or Expansion (Residential)] RESURFACE DRIVEWAY					
116328	1336 REED ST..5-662-C-1	GRANT J & LINDA S LAGERS	\$50.00	\$11,320.00	Closed
[11-1 - Fence (Residential)] 6' VINYL PRIVACY FENCE					
116329	1234 ELMORE ST..5-1315-A	KENNETH G SIGL	\$50.00	\$5,700.00	Pending
[11-1 - Garage/Carport/Shed (residential)] 12' X 12' SHED					
116339	1716 CARROLL AV..1-2409	JOHN R & VIRGINIA M MAMROSH	\$80.00	\$3,849.33	Closed
[11-1 - Foundation Repair (Residential)] BASEMENT PERIMETER DRAINTILE, CONNECT SUMP DISCHARGE TO STORM LATERAL					
116340	401 MANCHESTER DR..6-2848	MICHAEL J VERHEYEN, ETAL	\$50.00	\$15,000.00	Pending
[11-1 - Driveway Replacement and/or Expansion (Residential)] REPLACE/EXPAND PATIO, ADD WALKWAY AROUND SIDE OF HOUSE, REPLACE WALKWAY FROM DRIVEWAY TO FRONT ENTRANCE **DRIVEWAY REPLACEMENT ADDED 5/22**					
116341	1624 PREBLE AV..19-360	J APOLINAR NUNEZ	\$50.00	\$550.00	Pending
[11-1 - Driveway Replacement and/or Expansion (Residential)]					
116344	1860 SMITH ST..21-2167-5-2	BREANNA ROSE LINNA	\$50.00	\$2,700.00	Pending

[11-1 - Fence (Residential)]

116356	233 QUINTON ST..21-1433	DYLLAN B CORK	\$50.00	\$500.00	Pending
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[11-1 - Swimming Pool (Residential)]

116357	1028 MARSHALL AV..18-304	ELIZABETH MARTINEZ SANTIAGO	\$50.00	\$14,500.00	Pending
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[11-1 - Fence (Residential)] FENCE

116358	1643 AMY ST..21-1338-4	ADRIANA COVARRUBIA	\$50.00	\$3,000.00	Pending
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[11-1 - Fence (Residential)]

116361	1221 GRIGNON ST..17-257	DEANNE M KEYSER	\$50.00	\$2,000.00	Pending
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[11-1 - Fence (Residential)]

116365	1433 SHIRLEY ST..6-328-A	BENEDICT C & ELAINE A KONTNY	\$50.00	\$7,000.00	Pending
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[11-1 - Garage/Carport/Shed (residential)] 10' x 12' SHED

116367	1103 S FISK ST..6-290-B	BETH A ALBRECHT	\$50.00	\$6,880.00	Closed
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[11-1 - Fence (Residential)] FENCE

116372	1125 N LOCUST ST..6-1119	TODD A DOBESH	\$50.00	\$5,000.00	Pending
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[11-1 - Fence (Residential)] WOOD PRIVACY FENCE

116375	818 OREGON ST..4-5	ROBERT & ALEXIS MULLER	\$50.00	\$8,750.00	Pending
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[11-1 - Fence (Residential)] PRIVACY FENCE

116381	463 LORRAINE LN..21-6670-3	PATRICIA D & KENNETH R SABATKA	\$50.00	\$6,070.00	Pending
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[11-1 - Garage/Carport/Shed (residential)]

116382	481 ALPINE DR..21-3460	MANUELA L & PORFIRIO F LEON MORALES	\$50.00	\$2,000.00	Pending
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[11-1 - Fence (Residential)] 86 FT LONG x 6 FT TALL

116383	1324 MIRAGE DR..6H-2741	ADAM D & KELSEY R RADER	\$50.00	\$6,253.78	Pending
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[11-1 - Fence (Residential)]

116392	1230 OREGON ST..5-675-2	BRITTNEY SAMUELS	\$50.00	\$5,000.00	Pending
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[11-1 - Driveway Replacement and/or Expansion (Residential)]

116393	3054 BAY VIEW DR..21-1111-D-281	BERANCIE ACUNACARBALLO, ETAL	\$50.00	\$6,000.00	Pending
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[11-1 - Driveway Replacement and/or Expansion (Residential)]

116399	1031 AMBERLY ..21-4933	AMY M ZELTEN	\$50.00	\$12,000.00	Pending
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[11-1 - Fence (Residential)]

116401	2704 NEWBERRY AV..21-4393	JOSHUA J ZOOK	\$150.00	\$22,000.00	Pending
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[11-1 - Swimming Pool (Residential)]

116407	1148 DAY ST..7-60	AMY L WALLENFANG	\$50.00	\$7,000.00	Pending
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[11-1 - Driveway Replacement and/or Expansion (Residential)]

116413	1601 GROSS AV..1-2128	GREG R ELLISON, ETAL	\$50.00	\$5,800.00	Pending
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[11-1 - Fence (Residential)] FENCE

116415	517 NEWHALL ST..19-82	MAKAYLA MARIE STAUBER	\$50.00	\$2,000.00	Pending
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[11-1 - Fence (Residential)]					
116418	1414 WIESNER ST..6-293-B-1	CAROL VALLIER	\$50.00	\$11,768.17	Pending
[11-1 - Fence (Residential)] FENCE					
116438	3030 LOWELL DR..21-146-6	4 FORTE LLC	\$70.00	\$65,850.00	Pending
[11-1 - Driveway Replacement and/or Expansion (Residential)]					
116439	801 N ASHLAND AV..18-570	BARBARA J & ROGER D LAPLANTE	\$50.00	\$5,195.00	Pending
[11-1 - Fence (Residential)] PRIVACY FENCE					
116463	346 S JACKSON ST..14-481	MICHAEL A SHIRER	\$50.00	\$8,000.00	Pending
[11-1 - Fence (Residential)]					
116466	1457 DIVISION ST..6-89-A	COLLIN MARTIN	\$50.00	\$3,000.00	Pending
[11-1 - Fence (Residential)] WOOD PRIVACY FENCE					
116470	1095 LANGLADE AV..1-1393-A	AMY HOFFMAN	\$50.00	\$2,500.00	Pending
[11-1 - Fence (Residential)] 6 FOOT VINYL PRIVACY FENCE					
116489	156 N OAKLAND AV..4-138	CHERYL K STEINBRINCK	\$50.00	\$3,000.00	Pending
[11-1 - Driveway Replacement and/or Expansion (Residential)] REDOING WALKWAY ON PROPERTY					
116506	817 12th AV..2-493	GLENNA R & BRUCE J BOUCHER	\$50.00	\$9,000.00	Pending
[11-1 - Driveway Replacement and/or Expansion (Residential)]					
116510	1237 BOND ST..5-1315-H	ERIC E HELGERSON, ETAL	\$50.00	\$10,264.31	Pending
[11-1 - Fence (Residential)] 4 FOOT FENCE					
116522	710 N BUCHANAN ST..18-874	BARBARA A WELLER	\$50.00	\$4,100.00	Pending
[11-1 - Fence (Residential)] REPLACING WOOD FENCE WITH CHAIN LINK					
116534	1119 S TAYLOR ST..6-273-A	DANA L RAU	\$50.00	\$17,500.00	Pending
[11-1 - Driveway Replacement and/or Expansion (Residential)]					
116536	906 PARK ST..18-1231	MATTHEW D GROSAM	\$50.00	\$10,000.00	Pending
[11-1 - Driveway Replacement and/or Expansion (Residential)]					
116538	1221-1223 S FISK ST..6-621	ECUMENICAL PARTNERSHIP FOR HOUSING INC	\$50.00	\$3,500.00	Pending
[11-1 - Fence (Residential)]					
116556	1759 SHAWANO AV..6-259	ALLAN W LAES	\$50.00	\$1.00	Pending
[11-1 - Fence (Residential)] *Got free fence parts from someone					
116557	1200 DAY ST..7-81	JOSE A & ALEJO R MONTEJANO	\$50.00	\$473.38	Pending
[11-1 - Z - Misc Project Not Listed (Residential)]					
116560	726 MARSHALL AV..18-406	GREGORY A LAHAYE	\$50.00	\$1,500.00	Pending
[11-1 - Fence (Residential)] WOOD PRIVACY FENCE					
116574	1161 ELMORE ST..5-1345-F	TIMOTHY & NICOLE SCHULTZ	\$225.00	\$115,618.92	Pending
[11-1 - Garage/Carport/Shed (residential)] REMOVE OLD GARAGE, BUILD NEW GARAGE IN NEW LOCATION. REDO DRIVEWAY					
Homeowner taking over electrical work after service upgrade and underground feeder					
116646	605 ST. GEORGE ST..7-710-A	AGUSTIN S & MARIA A LARA	\$50.00	\$800.00	Pending
[11-1 - Fence (Residential)]					

116104	2540 UNIVERSITY AV , Unit: 1001-1017..21-301 [30-105 - Commercial - New - 5 or More Family Building]	UHAGB LLC	\$10,403.04	\$2,200,000.00	Pending
116106	2540 UNIVERSITY AV , Unit: 1201-1217..21-301 [30-105 - Commercial - New - 5 or More Family Building]	UHAGB LLC	\$10,403.04	\$2,200,000.00	Pending
116107	2540 UNIVERSITY AV , Unit: 1601-1617..21-301 [30-105 - Commercial - New - 5 or More Family Building]	UHAGB LLC	\$10,403.04	\$2,200,000.00	Pending
116279	2084 IMPERIAL LN..21-3355 [30-434 - Commercial - Alteration - Multi-Family of 3 or more units]	ARKAD PROPERTIES LLC	\$190.00	\$3,500.00	Pending
115029	210 MUSEUM PL..4-56 [31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping]	BROWN COUNTY MUSEUM	\$294.00	\$120,689.00	Pending
115406	2222 DECKNER AV..21-1178 [31-437 - Commercial - Addition - Non-Residence, Non-housekeeping] EC APPROVED 3/22/24 swb \$5000	GREEN BAY AREA PUBLIC SCHOOL DISTRICT PREBLE	\$6,068.23	\$10,000,000.00	Pending
115615	1124 N BROADWAY..18-747 [31-324 - Commercial - New - Office, Bank, Professional (offices, professional buildings, administration buildings, financial institutions, medical office buildings)] EC APPROVED 4/23/24	US OIL CO INC	\$2,240.02	\$610,000.00	Pending
115811	966 SHAWANO AV..3-1092 [31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping] \$25,000 SWB SECURED EC approved 4/25/24	GREEN BAY AREA PUBLIC SCHOOL DISTRICT WEST HIGH	\$3,992.00	\$2,656,779.38	Pending
115970	1415 E WALNUT ST..17-1061 [31-329 - Commercial - New - Structures Other Than Buildings (parks, outdoor stadiums, marinas, outdoor swimming pools, outdoor theaters, boardwalks, wharves, docks).] EC APPROVED 5/14/24	GREEN BAY AREA PUBLIC SCHOOL DISTRICT EAST HIGH	\$483.00	\$400,000.00	Pending
116061	622 ELIZA ST..16-110 [31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping] \$5000 SWB No longer needed per Eng 5/21/24 EC APPROVED 5/8/24	GREEN BAY AREA PUBLIC SCHOOL DISTRICT	\$1,072.00	\$282,000.00	Pending
116258	1265 LOMBARDI AV..1-1841-A [31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping]	GREEN BAY CITY OF LAMBEAU FIELD	\$4,760.03	\$5,900,000.00	Pending
116299	2740 W MASON ST..6H-1752 [31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping]	NORTHEAST WISCONSIN TECHNICAL COLLEGE	\$2,073.50	\$355,000.00	Pending
116336	935 LOMBARDI AV..1-1841-1 [31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping]	KT REAL ESTATE HOLDINGS LLC	\$410.00	\$100,000.00	Pending
116398	1117 W MASON ST..2-1102-2 [31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping]	& RADIANT ESTATE LLC	\$594.00	\$25,000.00	Pending
116402	440 S WASHINGTON ST..13-183 [31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping]	GREATER GREEN BAY COMMUNITY FOUNDATION INC	\$2,523.68	\$784,201.00	Pending
116408	1919 S BROADWAY..1-1407 [31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping]	GEORGIA PACIFIC CONSUMER PRODUCTS LP	\$400.00	\$80,000.00	Pending
116429	1263 MAIN ST..8-309 [31-434 - Commercial - Alteration - Non-Residence, Non-Housekeeping]	WEST AVE LLC	\$210.00	\$125,000.00	Pending
116434	966 SHAWANO AV..3-1092 [31-329 - Commercial - New - Structures Other Than Buildings (parks, outdoor stadiums, marinas, outdoor swimming pools, outdoor theaters, boardwalks, wharves, docks).]	GREEN BAY AREA PUBLIC SCHOOL DISTRICT WEST HIGH	\$1,421.50	\$1,116,000.00	Pending

116265	1100 PORLIER ST..17-1052	GREEN BAY CITY OF PARK ASTOR	\$140.00	\$13,100.00	Pending
[34-1 - Temporary Office/Trailer/Event (Commercial)] JUNE 3ED-8TH					
116266	709 S WEBSTER AV..14-856	BELLIN MEMORIAL HOSPITAL	\$140.00	\$1,100.00	Pending
[34-1 - Temporary Office/Trailer/Event (Commercial)] JUNE 6TH -8TH					
116267	601 S WEBSTER AV..14-860	GREEN BAY CITY OF PARK BAIRD	\$70.00	\$550.00	Pending
[34-1 - Temporary Office/Trailer/Event (Commercial)] JUNE 3ED-8TH					
116287	744 S WEBSTER AV..14-825	BELLIN MEMORIAL HOSPITAL	\$70.00	\$50,255.00	Pending
[34-1 - Roofing (Commercial)]					
116288	501 EASTMAN AV..20-123	PROCTER & GAMBLE PAPER PRODUCTS CO	\$70.00	\$901,387.00	Pending
[34-1 - Parking Lot - New & Reconstruction (Commerical)]					
116302	501 EASTMAN AV..20-123	PROCTER & GAMBLE PAPER PRODUCTS CO	\$328.37	\$608,385.00	Pending
[34-1 - Roofing (Commercial)]					
116309	1035 KEPLER DR..21-145-5	BAYCARE HEALTH SYSTEMS LLC	\$70.00	\$1,000.00	Pending
[34-1 - Temporary Office/Trailer/Event (Commercial)]					
116310	1871 COFRIN DR..21-1185-3	TIP TOWN ENTERPRISES LLC	\$70.00	\$23,960.00	Pending
[34-1 - Fence (Commercial)]					
116311	1145 S HURON RD..21-170	PROCTER & GAMBLE DISTRIBUTING LLC THE	\$70.00	\$600,000.00	Pending
[34-1 - Parking Lot - New & Reconstruction (Commerical)]					
116337	205 HUDSON ST..3-1172	REDEEMER EVANGELICAL LUTHERAN CHURCH	\$120.00	\$50,000.00	Pending
[34-328 - Shed, Yard Building (Commercial)]					
116380	1215 ONTARIO RD..21-180-5	DEAN BOYS THE LLC	\$130.00	\$115,000.00	Pending
[34-1 - Roofing (Commercial)]					
116423	2690-2700 HUMBOLDT RD..21-1244-1	GB GREEN BAY LLC	\$70.00	\$13,247.89	Pending
[34-1 - Fence (Commercial)]					
116532	442 ALPINE DR..21-107-3	GREEN BAY AREA PUBLIC SCHOOL DISTRICT EDISON	\$324.28	\$668,802.00	Pending
[34-1 - Roofing (Commercial)]					
116533	725 VICTORIA ST..21-1342-4	KEMK PROPERTIES LLC	\$70.00	\$8,500.00	Pending
[34-1 - Siding (Commercial)]					
116540	1369 9th ST..6-203	PEOTTER PROPERTIES LLC	\$70.00	\$18,000.00	Pending
[34-1 - Parking Lot - New & Reconstruction (Commerical)]					
116569	801 LIME KILN RD..21-1355-5	BERGSTROM IMPORTS OF GREEN BAY INC	\$70.00	\$225,000.00	Pending
[34-649 - Demolition - Interior (Commercial)]					
116631	2257 IMPERIAL LN..21-3373	ARKAD PROPERTIES LLC	\$70.00	\$8,000.00	Pending
[34-1 - Siding (Commercial)]					
116161	341 N HENRY ST..21-1203	AMERICOLD REAL ESTATE LP	\$140.00	\$13,000.00	Pending
[40-56 - Electrical Wiring (Misc., Alteration, Repair) (Commercial)]					

116223	415 MC AULIFFE HEIGHTS TR..21-8182	LORI A & CRAIG A ERSKINE	\$100.00	\$8,700.00	Closed
	[40-57 - Electrical Wiring (Misc., Alteration, Repair) (Residential)]				
116245	1030 S MONROE AV..16-70	MARK K VILLWOCK, ETAL	\$50.00	\$1,000.00	Pending
	[40-55 - Electrical Service - Repair (Residential)]				
116248	430 MAIN ST..11-1	MANOS HOLDINGS GREEN BAY LLC	\$140.00	\$15,545.00	Closed
	[40-56 - Electrical Wiring (Misc., Alteration, Repair) (Commercial)]				
116254	1227 S FISK ST..6-622	GLEN E & KENNETH R ZEINERT	\$50.00	\$2,585.00	Pending
	[40-57 - Electrical Wiring (Misc., Alteration, Repair) (Residential)] from 100 Amp OH to 200 Amp OH				
116290	810 S ASHLAND AV..2-348	DYLAN P & ALEXA L DOWRICK	\$50.00	\$2,500.00	Closed
	[40-60 - New Electrical System (Residential)] FROM HOME TO DETACHED GARAGE, REWIRE GARAGE TO NEW 20A CIRCUIT				
116317	1651 AMY ST..21-1337-4	CHAO X VANG	\$50.00	\$2,000.00	Closed
	[40-57 - Electrical Wiring (Misc., Alteration, Repair) (Residential)]				
116346	1512 GATEWOOD ST..1-2336	1512 GATEWOOD LLC	\$50.00	\$2,500.00	Pending
	[40-57 - Electrical Wiring (Misc., Alteration, Repair) (Residential)] ADD OUTLETS, REPLACE DEVICES, LIGHT FIXTURES, AND BREAKERS				
116376	1175 9th ST..1-415	TYLER J TOBIA	\$50.00	\$1,800.00	Closed
	[40-53 - Electrical Service - Change (Residential)]				
116396	524 S ASHLAND AV..2-282	PURPLE LION INVESTMENTS LLC	\$50.00	\$500.00	Pending
	[40-55 - Electrical Service - Repair (Residential)] DAMAGED MAST FROM FALLEN TREE				
116404	511 NEWTOLS ST..21-2678-M-15-A	ZACHARY BORNEMANN	\$50.00	\$2,000.00	Pending
	[40-55 - Electrical Service - Repair (Residential)] NEW 100A PANEL				
116405	1810 ASPEN LN..6-2017	AMANDA J BOSDECK	\$50.00	\$1,600.00	Pending
	[40-55 - Electrical Service - Repair (Residential)] 20 CIRCUIT 100A PANEL WITH NEW 32 CIRCUIT 100A PANEL				
116410	1316 WIRTZ AV..1-292	JOSE F & SANDRA R COLON	\$50.00	\$775.00	Closed
	[40-57 - Electrical Wiring (Misc., Alteration, Repair) (Residential)]				
116411	625 S QUINCY ST..14-555	JENNY L JEFFERS	\$50.00	\$1,500.00	Closed
	[40-57 - Electrical Wiring (Misc., Alteration, Repair) (Residential)]				
116445	1229 MARQUETTE AV..1-1528	KELLY S & TAMMY L GEURTS	\$50.00	\$1,000.00	Closed
	[40-55 - Electrical Service - Repair (Residential)]				
116491	1161 ELMORE ST..5-1345-F	TIMOTHY SCHULTZ	\$50.00	\$7,302.00	Pending
	[40-55 - Electrical Service - Repair (Residential)] 200A OH TO 200A UG, UG FEEDER TO OUT BUILDING, INSTALL RETAINED PANEL AND CIRCUIT BREAKERS, IN OUT BUILDING FOR FUTURE, PANEL SURGE SUPPRESSOR				
116501	1496 RUSSELL ST..6-207-D	TEAGAN DALLMAN	\$50.00	\$2,484.00	Pending
	[40-57 - Electrical Wiring (Misc., Alteration, Repair) (Residential)]				
116537	2035 MANITOWOC RD..21-1358	NCS HOLDINGS LLC	\$70.00	\$1,000.00	Closed
	[40-54 - Electrical Service - Repair (Commercial)] Small fire at building started below electrical source for building. Repairs have been made and confirmation that safe for WPS to restore power. Affidavit left onsite.				
116567	1638 WESTFIELD AV..6-1251	DAVID M & MARGARET E SUMNIGHT	\$50.00	\$2,000.00	Closed
	[40-55 - Electrical Service - Repair (Residential)]				
116581	1611 BOND ST..6-1351	EARL P & CHERYL L MCGREGOR	\$50.00	\$2,000.00	Closed

[40-55 - Electrical Service - Repair (Residential)]

116582	1616 BOND CT..6-1355	SCOTT A & JENNIFER L ROSNER	\$50.00	\$2,000.00	Closed
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[40-55 - Electrical Service - Repair (Residential)]

116586	1262 VELP AV..18-733	LOT 3 VELP LLC	\$70.00	\$200.00	Closed
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[40-56 - Electrical Wiring (Misc., Alteration, Repair) (Commercial)]

116589	1659 BOLAND RD..6-1394	TIMOTHY W & ANN M MCCARRELL	\$50.00	\$2,000.00	Pending
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[40-55 - Electrical Service - Repair (Residential)]

116592	1513 7th ST..6-520	RONALD J & KATHLEEN H FADALE	\$50.00	\$500.00	Closed
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[40-55 - Electrical Service - Repair (Residential)]

116595	1412 SHANNON ST..6-2192	JOHN M BLACKBURN	\$50.00	\$900.00	Pending
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[40-57 - Electrical Wiring (Misc., Alteration, Repair) (Residential)]

116596	1442 SHANNON ST..6-1157	JUDITH M BREITENFELDT	\$50.00	\$1,100.00	Pending
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[40-57 - Electrical Wiring (Misc., Alteration, Repair) (Residential)]

116597	1423 NELSON ST..6-2190	THOMAS A & KATHLEEN M WORACHEK	\$50.00	\$800.00	Pending
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[40-57 - Electrical Wiring (Misc., Alteration, Repair) (Residential)]

116598	1321 NELSON ST..6-2629	GERALD & PAMELA LEMEROND	\$50.00	\$900.00	Pending
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[40-57 - Electrical Wiring (Misc., Alteration, Repair) (Residential)]

116602	1749 CARRIAGE CT..6-2206	KOKOSZKA JOSEPHINE F 2009 REVOCABLE TRUST	\$50.00	\$2,000.00	Pending
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[40-55 - Electrical Service - Repair (Residential)] OH service repair. WPS has disconnected and we will be onsite today to repair.

116603	2745 HAZELWOOD LN..6H-1251-1	VONNA SUE & JAMES A DOWNS	\$50.00	\$2,000.00	Pending
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[40-55 - Electrical Service - Repair (Residential)] OH service repair. WPS has disconnected and we will be onsite today to repair.

116608	147 BLITHE ST..6-1901	LINDA S & CARL D TILTON	\$50.00	\$4,000.00	Closed
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[40-55 - Electrical Service - Repair (Residential)]

116613	1306 GRIGNON ST..17-614	REBECCA A SCHNEIDER	\$50.00	\$750.00	Pending
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[40-55 - Electrical Service - Repair (Residential)]

116614	3388 FINGER RD ..21-168	M & K DEVELOPMENT LLC	\$50.00	\$2,000.00	Closed
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[40-57 - Electrical Wiring (Misc., Alteration, Repair) (Residential)] INSTALL OVERHEAD POWER SUPPLY SERVICE 30 AMP 120/240 NVOLT SINGLE PHASE 3 DRIVE FOR CHARTER COMMUNICATIONS ON UTILITY POLE# 139AA3 LOCATED BETWEEN DIRVEWAYS

116615	1636 DOUSMAN ST..6-233-C	TIMOTHY P & SANDRA M MERTENS	\$50.00	\$1,500.00	Pending
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[40-55 - Electrical Service - Repair (Residential)]

116623	507 CARRIE LN..6-2517	DANIEL A HELMS	\$50.00	\$2,000.00	Pending
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[40-55 - Electrical Service - Repair (Residential)] Downed OH Service Repair- WPS has disconnected. Will be onsite today to repair.

116634	875 HUBBARD ST..5-533	ERIC P GABRIELSON	\$50.00	\$2,000.00	Pending
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[40-55 - Electrical Service - Repair (Residential)] Emergency Call from 5/27/24- OH Service Repair due to branch knocking down service mast. WPS was onsite and did a disconnect/reconnect. Affidavit was left onsite for reconnect.

116635	901 S OAKLAND AV..2-913	DOYLE PROPERTIES LLC	\$50.00	\$2,000.00	Pending
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[40-55 - Electrical Service - Repair (Residential)] Emergency Call from 5/27/24- OH Service was knocked down by tree. WPS was onsite for disconnect/reconnect. Affidavit was left onsite.

116637	1605-1607 ARNOLD DR..6-303-13	MARIA & SATURNINO JAUREGUI	\$50.00	\$3,000.00	Closed
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[40-55 - Electrical Service - Repair (Residential)] TREE PULLED SERVICE DOWN

116276	1319 S CHESTNUT AV..1-928	ARTHUR L & BRITTANEY M LEATHERWOOD	\$50.00	\$3,900.00	Pending
[50-45 - Heating Unit Only (Residential)]					
116278	1230 SANDIA CT..6H-1156-5	ROBERTA L MIKETINAC	\$50.00	\$8,351.00	Closed
[50-41 - AC Unit Only (Residential)]					
116280	1641 NANCY AV..6-1272	DANIEL R & DEBORAH L WEAVER	\$50.00	\$12,294.00	Closed
[50-43 - Heating and Air Conditioning Units (Residential)]					
116300	342 LAVERNE DR..21-3690	MICHAEL R KLATT, ETAL	\$50.00	\$5,405.00	Pending
[50-41 - AC Unit Only (Residential)]					
116303	2798 NEWBERRY AV..21-4837	COSBY JOINT REVOCABLE TRUST	\$50.00	\$11,776.00	Pending
[50-43 - Heating and Air Conditioning Units (Residential)]					
116304	2626 KATHY DR..22-157	JOHN W & KAREN KAY HUNK	\$50.00	\$12,697.00	Pending
[50-41 - AC Unit Only (Residential)]					
116308	1355 SUBURBAN AV..6-1502	MARLENE J LONDO	\$50.00	\$4,535.00	Pending
[50-41 - AC Unit Only (Residential)]					
116315	2636 GOOD SHEPHERD LN..6H-3822	TIFFANI M & GRANT W WABNITZ	\$50.00	\$5,135.00	Pending
[50-41 - AC Unit Only (Residential)]					
116318	1650 DOUSMAN ST..6-227-A	JOHN H & SUSAN F VANDENAVOND	\$50.00	\$12,100.00	Pending
[50-43 - Heating and Air Conditioning Units (Residential)]					
116319	3483 SPYGLASS HILL DR..22-1898	DAVID W & LAURA A NOLAN	\$50.00	\$4,400.00	Pending
[50-41 - AC Unit Only (Residential)]					
116333	221 OXFORD AV..5-500	ANDREA L CZARNESKI	\$50.00	\$8,000.00	Closed
[50-43 - Heating and Air Conditioning Units (Residential)]					
116342	2566 OAKWOOD DR..6H-1224-5	DENISE M LEMEROND	\$50.00	\$15,085.00	Pending
[50-43 - Heating and Air Conditioning Units (Residential)]					
116343	1013 THRUSH ST..18-1132	NICHOLAS & APRIL KALLIES	\$50.00	\$5,200.00	Pending
[50-41 - AC Unit Only (Residential)]					
116348	1531 N MENNEN CT..6-497-B	HEATH R & TRACY J KRENZ	\$50.00	\$10,250.00	Closed
[50-41 - AC Unit Only (Residential)]					
116349	1561 MORROW ST..19-170	STEPHANIE A MOORE	\$50.00	\$7,000.00	Pending
[50-43 - Heating and Air Conditioning Units (Residential)]					
116350	2588 VICKI LN..21-3948	STEVEN M & VIRGINIA L REINKE	\$50.00	\$5,000.00	Pending
[50-45 - Heating Unit Only (Residential)]					
116362	1040 DIVISION ST..5-746	HELEN POIRIER	\$50.00	\$4,500.00	Pending
[50-41 - AC Unit Only (Residential)]					
116368	1964 KNOTTY PINE DR..6H-3058	JAMES COOLEY	\$50.00	\$11,050.00	Pending
[50-43 - Heating and Air Conditioning Units (Residential)]					

116369	3181 RENAISSANCE LN..6H-3984 [50-41 - AC Unit Only (Residential)]	KAITLAN E & ANDREW N TERRY	\$50.00	\$6,050.00	Pending
116370	1088 SHAWANO AV..3-1122 [50-45 - Heating Unit Only (Residential)]	KIM J & VERDA L HOUSE	\$50.00	\$7,665.00	Pending
116371	1675 BEAVER DAM DR..6-2309 [50-41 - AC Unit Only (Residential)]	SARA L & JERALD & LYNN SEPPI	\$50.00	\$9,287.00	Pending
116377	1735 9th ST..6-2176 [50-45 - Heating Unit Only (Residential)]	JONET GARY L & DEANNA M REVOCABLE TRUST	\$50.00	\$3,500.00	Pending
116395	110 SWISS HILL DR..21-82-34 [50-41 - AC Unit Only (Residential)]	MICHAEL & CAROLYN PIETREK	\$50.00	\$5,200.00	Pending
116397	915 S JEFFERSON ST..16-33 [50-49 - Repair/Alter Existing HVAC System (Residential)] & DUCTWORK REPAIRS	GARY F GREIF, ETAL	\$50.00	\$10,500.00	Pending
116425	1320 STUART ST..14-1449 [50-43 - Heating and Air Conditioning Units (Residential)]	HEATHER L BOEX	\$50.00	\$13.00	Pending
116435	1905 DECKNER AV..21-2558 [50-45 - Heating Unit Only (Residential)]	JESSE J ROBINHORST	\$50.00	\$4,000.00	Pending
116437	1026 S ROOSEVELT ST..17-145 [50-43 - Heating and Air Conditioning Units (Residential)]	KELSEY B GIBEAULT	\$50.00	\$12,950.00	Pending
116446	805 ROLLING GREEN DR..6H-2626 [50-43 - Heating and Air Conditioning Units (Residential)]	WALDINGER JOHN C & CHRISTINE M LIVING TRUST	\$50.00	\$13,120.00	Pending
116447	2514 PECAN ST..21-5229 [50-41 - AC Unit Only (Residential)]	KRISTI L BENTIVEGNA	\$50.00	\$5,574.00	Pending
116451	1630 SMITH ST..19-537 [50-41 - AC Unit Only (Residential)]	BEBE J BUYARSKI	\$50.00	\$6,400.00	Pending
116453	976 ST. CHARLES DR..21-1111-D-20 [50-41 - AC Unit Only (Residential)]	JAMES J & KAREN K FLOOD	\$50.00	\$5,700.00	Closed
116454	1164 LANGLADE AV..1-402-A [50-41 - AC Unit Only (Residential)]	JO A SCOTT	\$50.00	\$4,900.00	Closed
116456	2326 SANDY LN..21-1111-S-2 [50-41 - AC Unit Only (Residential)]	MICHAEL L BASSETT, ETAL	\$50.00	\$7,300.00	Closed
116457	483 TYROLIAN DR..21-3494 [50-45 - Heating Unit Only (Residential)]	THOMAS M WHITE	\$50.00	\$50.00	Closed
116458	1582 E MASON ST..8-399 [50-45 - Heating Unit Only (Residential)]	JEAN ANN DREWESKE	\$50.00	\$7,829.00	Closed
116459	1247 LAWE ST..14-1192 [50-41 - AC Unit Only (Residential)]	CODY D & EMILY A STONELAKE	\$50.00	\$4,520.00	Pending
116460	1624 S LOCUST ST..6-1339	1966 HOUSE LLC	\$50.00	\$12,902.00	Pending

[50-49 - Repair/Alter Existing HVAC System (Residential)]

116464	211 N PLATTEN ST..6-108-B	WALTER D & MICHELLE M MANES	\$50.00	\$4,250.00	Closed
[50-41 - AC Unit Only (Residential)]					
116467	415 WILSON AV..5-1559	JEFFREY R BORREMANS	\$50.00	\$4,850.00	Closed
[50-41 - AC Unit Only (Residential)]					
116468	1008 KENWOOD CT..1-2567	WRIGHT CONNIE A LIVING TRUST	\$50.00	\$4,200.00	Closed
[50-41 - AC Unit Only (Residential)]					
116471	1321 ARGONNE DR..6-1852	TIM & LYNN REED	\$50.00	\$5,000.00	Pending
[50-41 - AC Unit Only (Residential)]					
116476	1131 KLAUS ST..20-248	KEVIN HOLCOMBE	\$50.00	\$4,400.00	Pending
[50-41 - AC Unit Only (Residential)]					
116480	114 S OAKLAND AV..3-139	ZACHARY D JONES	\$50.00	\$13,100.00	Closed
[50-41 - AC Unit Only (Residential)]					
116486	2589 DECKNER AV..21-314-4	BETHANY & JEFFREY STEARNS	\$50.00	\$3,000.00	Closed
[50-41 - AC Unit Only (Residential)]					
116487	1414 WIESNER ST..6-293-B-1	CAROL VALLIER	\$50.00	\$12,700.00	Pending
[50-43 - Heating and Air Conditioning Units (Residential)]					
116495	1621 ST. CHRISTOPHER CT..6H-2134	RICHARD KNUTH	\$50.00	\$9,435.00	Pending
[50-41 - AC Unit Only (Residential)]					
116512	553 ZELAS DR..21-3142	STEVEN V SCHENDT	\$50.00	\$7,400.00	Closed
[50-41 - AC Unit Only (Residential)]					
116535	1012 KENWOOD CT..1-2566	JEANINE N & NEIL M HETTIGER	\$50.00	\$10,700.00	Closed
[50-43 - Heating and Air Conditioning Units (Residential)]					
116541	2012-2014 BEECH TREE CT..6H-1705	KRISTOPHER D KERSCHER	\$50.00	\$8,300.00	Pending
[50-43 - Heating and Air Conditioning Units (Residential)]					
116542	1340 SAND HILL DR..6H-2828	RYAN R & MARY P FALCK	\$50.00	\$9,800.00	Pending
[50-43 - Heating and Air Conditioning Units (Residential)]					
116543	2637 GREENBRIER RD..21-7096	JOHANNA M SCHNEIDER	\$50.00	\$10,750.00	Pending
[50-43 - Heating and Air Conditioning Units (Residential)]					
116544	2565 N TRILLIUM CIR..6H-2538	ANDREW COLE & AMANDA JEAN VINCENT	\$50.00	\$4,900.00	Pending
[50-41 - AC Unit Only (Residential)]					
116546	3558 BLACKWOLF RN..22-1850	DOUGLAS A & RENEE R SMITH	\$50.00	\$8,113.00	Closed
[50-45 - Heating Unit Only (Residential)]					
116548	917 NEVILLE AV..18-347	PATRICIA L WELCH	\$50.00	\$6,749.00	Closed
[50-45 - Heating Unit Only (Residential)]					
116550	2805 VELVET LEAF DR..6H-4055	DAVID J & BRITTANY A HUPKE	\$50.00	\$12,649.00	Pending
[50-43 - Heating and Air Conditioning Units (Residential)]					

116551	929 S ROOSEVELT ST..17-329 [50-43 - Heating and Air Conditioning Units (Residential)]	ERIN & RACHEL HAHL	\$50.00	\$17,845.00	Pending
116565	2161 PACKERLAND DR..6H-3410 [50-41 - AC Unit Only (Residential)]	ALAN & ANA OSTROWSKI	\$50.00	\$4,291.00	Closed
116576	1132 LA COUNT RD..6H-3679 [50-41 - AC Unit Only (Residential)]	MICHAEL W & AMY B VANRITE	\$50.00	\$4,864.50	Pending
116577	1515 KALAHARI DR ..6H-3255 [50-45 - Heating Unit Only (Residential)]	AMY B & MICHAEL W VANRITE	\$50.00	\$4,586.40	Pending
116578	3019 FERNDAL DR..6H-2779 [50-41 - AC Unit Only (Residential)]	JUNE CORNELIUS	\$50.00	\$7,431.00	Pending
116583	1137 ROCKDALE ST..1-1391-F [50-43 - Heating and Air Conditioning Units (Residential)]	NATHAN GIANNUNZIO	\$50.00	\$8,775.00	Pending
116585	1723 CANARY LN..6H-1430-K-26 [50-41 - AC Unit Only (Residential)]	STEVEN R & DONNA M ROSENTHAL	\$50.00	\$5,450.00	Pending
116593	1339 KELLOGG ST..5-1328-B-A [50-41 - AC Unit Only (Residential)]	RONALD A & BARBARA T CECCHI	\$50.00	\$5,300.00	Pending
116604	2607 PECAN ST..21-5170 [50-43 - Heating and Air Conditioning Units (Residential)]	DENNIS J & LINDA A CHARLIER	\$50.00	\$9,390.75	Pending
116606	2406 WILDWOOD DR..21-5140 [50-43 - Heating and Air Conditioning Units (Residential)]	SARAH MARGARET & AMY LYNN TITTMAN	\$50.00	\$21,120.00	Closed
116609	900 ROSCOE ST..1-1557 [50-41 - AC Unit Only (Residential)]	WAYNE PATNODE	\$50.00	\$7,861.00	Pending
115837	824 MT MARY DR..21-1111-D-108 [60-33 - Storm Sewers - Connection/Repair (Residential)]	ARTHUR C & SARA F PIPER	\$30.00	\$500.00	Closed
116153	913 HOWARD ST..3-467 [60-31 - Sanitary Sewers - Connection/Repair (Residential)]	JEAN M KUSSOW	\$30.00	\$6,500.00	Closed
116164	1604 11th AV..1-1353 [60-25 - Repair/Alter Existing Plumbing System (Residential)]	MATTHEW G & KELLIE A MAXWELL	\$50.00	\$600.00	Pending
116204	1941 TREELAND DR..6H-4335 [60-37 - Lawn Sprinklers (Residential)]	KENNETH L & PATRICIA M HAGER	\$100.00	\$3,800.00	Closed
116231	2540 UNIVERSITY AV..21-301 [60-36 - Lawn Sprinklers (Commercial)]	UHAGB LLC	\$70.00	\$115,000.00	Pending
116241	1761 MAIN ST..21-1300 [60-28 - Water Service - Connection/Repair (Commercial)]	AUTOZONE INC	\$30.00	\$21,000.00	Pending
116242	821 CHERRY ST..10-70 [60-29 - Water Service - Connection/Repair (Residential)]	GERALDINE PAKANICH	\$30.00	\$4,950.00	Closed
116243	1010 DOUSMAN ST..5-1173	TAYLOR GILLIS	\$30.00	\$3,650.00	Closed

[60-29 - Water Service - Connection/Repair (Residential)]

116244	1253 ELM ST..8-244	CHRISTINE RENARD	\$30.00	\$3,650.00	Closed
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[60-29 - Water Service - Connection/Repair (Residential)]

116283	2003 LAKESIDE PL..21-951	CARLA K FELTON	\$50.00	\$21,088.00	Closed
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[60-25 - Repair/Alter Existing Plumbing System (Residential)]

116284	3518 HIGHLAND CENTER DR A..21-5550-5	DAVID G & CORISSA G BECK	\$50.00	\$19,654.00	Closed
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[60-25 - Repair/Alter Existing Plumbing System (Residential)]

116289	728 LOMBARDI AV..1-1412-B-1	728 LOMBARDI AVENUE LLC	\$30.00	\$18,950.00	Closed
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[60-28 - Water Service - Connection/Repair (Commercial)]

116307	639 SUPERIOR RD..21-3179-5	CHARLES WELCH	\$50.00	\$700.00	Closed
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[60-25 - Repair/Alter Existing Plumbing System (Residential)]

116314	1114 RALEIGH ST..1-2245	MARGARET A COHEA	\$30.00	\$1,850.00	Closed
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[60-33 - Storm Sewers - Connection/Repair (Residential)]

116325	1322 E MASON ST..17-442	KENNETH J & SUSAN A FALISH	\$30.00	\$5,000.00	Closed
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[60-29 - Water Service - Connection/Repair (Residential)] LEAD REPLACEMENT PROGRAM

116326	1108 PINE ST..14-85	PATRICIA A KUROWSKI	\$30.00	\$4,000.00	Pending
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[60-29 - Water Service - Connection/Repair (Residential)] LEAD REPLACEMENT PROGRAM

116334	1056 SHAWANO AV..3-1119	DALTON & DEISI SIEKERT	\$30.00	\$2,000.00	Pending
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[60-27 - Water Heater (Residential)]

116355	1442 SHANNON ST..6-1157	JUDITH M BREITENFELDT	\$30.00	\$2,500.00	Closed
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[60-31 - Sanitary Sewers - Connection/Repair (Residential)]

116374	328 N ASHLAND AV..5-1052	LINDA W SKOUG	\$30.00	\$9,750.00	Closed
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[60-31 - Sanitary Sewers - Connection/Repair (Residential)]

116379	101 CHERRY ST..12-217	JEREMY WINIECKI	\$50.00	\$1,439.92	Closed
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[60-25 - Repair/Alter Existing Plumbing System (Residential)]

116390	614 S QUINCY ST..14-355	WILLIAM J DOYLE & RITA M LOGGHE LIVING TRUST	\$30.00	\$5,950.00	Pending
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[60-29 - Water Service - Connection/Repair (Residential)]

116394	2913 BUTTERCUP CT..6H-3740	ROBERT S & MARY E CARLSON	\$50.00	\$3,467.37	Pending
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[60-23 - New Plumbing System (Residential)]

116420	870 HOWARD ST..3-942	AMY JO & JARED S TETZNER	\$30.00	\$8,000.00	Closed
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[60-31 - Sanitary Sewers - Connection/Repair (Residential)]

116421	348 N OAKLAND AV..5-1499	TODD A JAEGER	\$30.00	\$3,700.00	Closed
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[60-29 - Water Service - Connection/Repair (Residential)]

116422	205 S OAKLAND AV..3-361	NEIGHBORHOOD HOUSING SERVICES OF GREEN BAY INC	\$30.00	\$3,950.00	Closed
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[60-28 - Water Service - Connection/Repair (Commercial)]

116424	504 PHOEBE ST..18-492	SYREUANG & PHOUVIENG CHITTAVONG	\$30.00	\$8,250.00	Closed
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[60-31 - Sanitary Sewers - Connection/Repair (Residential)]

116428	2475 UNIVERSITY AV..21-1251-1 [60-36 - Lawn Sprinklers (Commercial)]	CLUB CAR WASH GREEN BAY UNIVERSITY AVE LLC	\$70.00	\$22,293.00	Pending
116430	2604 PECAN ST..21-5166 [60-25 - Repair/Alter Existing Plumbing System (Residential)]	DANIEL D & NATALIE L BRUSKY	\$50.00	\$800.00	Pending
116431	2950 EMMALANE DR..21-817-20 [60-27 - Water Heater (Residential)]	YEE VANG, ETAL	\$30.00	\$2,500.00	Pending
116432	2454 HEMLOCK DR..21-3565 [60-27 - Water Heater (Residential)]	CJG PROPERTIES LLC	\$30.00	\$3,000.00	Pending
116448	1066 ELMORE ST..5-781 [60-29 - Water Service - Connection/Repair (Residential)]	NATHANIEL E & HOLLY R KINNARD	\$30.00	\$4,081.75	Closed
116450	251 HIGHLAND PARK AV..21-297-2 [60-24 - Repair/Alter Existing Plumbing System (Commercial)]	PARKWAY LANDINGS ESSENTIAL HOUSING LLC	\$70.00	\$11,397.00	Closed
116452	2107 HILLSIDE LN..21-1128 [60-25 - Repair/Alter Existing Plumbing System (Residential)]	CARLOS A & ANA C MONTES	\$50.00	\$798.00	Closed
116461	331 15th AV..3-776 [60-29 - Water Service - Connection/Repair (Residential)]	JERRY R HARVEY	\$30.00	\$3,800.00	Closed
116462	909 S OAKLAND AV..2-915 [60-29 - Water Service - Connection/Repair (Residential)]	ALEAH J & JAMES D DUPRAS	\$30.00	\$3,800.00	Closed
116465	931 MT MARY DR..21-1111-D-79 [60-29 - Water Service - Connection/Repair (Residential)] USING PIPE BURSTIN METHOD	JESSICA A KOCKEN	\$30.00	\$1,000.00	Pending
116472	1126 E WALNUT ST..14-278 [60-29 - Water Service - Connection/Repair (Residential)]	KATHERINE A BENOIT	\$30.00	\$5,950.00	Pending
116473	315 15th AV..3-779 [60-29 - Water Service - Connection/Repair (Residential)]	JAMES M & JANIS M ROBERTSON	\$30.00	\$4,500.00	Closed
116474	310 14th AV..3-770 [60-29 - Water Service - Connection/Repair (Residential)]	FIRST CORNERSTONE LLC	\$30.00	\$3,850.00	Closed
116475	974 DOUSMAN ST..5-720 [60-29 - Water Service - Connection/Repair (Residential)]	DAWN M BROWN	\$30.00	\$5,500.00	Closed
116477	915 KELLOGG ST..5-433 [60-29 - Water Service - Connection/Repair (Residential)]	TAMARA PEDERSON	\$30.00	\$3,850.00	Closed
116478	1547 E MASON ST..8-495 [60-29 - Water Service - Connection/Repair (Residential)]	GERALD J VANDEURZEN	\$30.00	\$6,250.00	Pending
116479	1263 DAY ST..7-186 [60-29 - Water Service - Connection/Repair (Residential)]	BRANDY L HERNANDEZ	\$30.00	\$4,150.00	Closed
116481	1175 HARVEY ST..7-68 [60-29 - Water Service - Connection/Repair (Residential)]	NICOLAS ANGUIANO GUERRERO	\$30.00	\$3,850.00	Pending
116482	1235 PORLIER ST..17-361	SUMEDHA GHATE	\$30.00	\$3,700.00	Closed

[60-29 - Water Service - Connection/Repair (Residential)]

116483	1028 DOUSMAN ST..5-1179	ADAM E BEHNKE, ETAL	\$30.00	\$4,300.00	Closed
[60-29 - Water Service - Connection/Repair (Residential)]					
116484	315 14th AV..3-757	CODY C & KAITLYN A OPELT	\$30.00	\$4,250.00	Closed
[60-29 - Water Service - Connection/Repair (Residential)]					
116485	805 LINCOLN ST..18-138	KEITH & MONIKA HALVERSON	\$30.00	\$3,800.00	Closed
[60-29 - Water Service - Connection/Repair (Residential)]					
116494	434 E WALNUT ST..11-259	SAS REAL ESTATE LLC	\$70.00	\$2,500.00	Pending
[60-24 - Repair/Alter Existing Plumbing System (Commercial)]					
116502	1110 SHAWANO AV..3-1129	ELYJAH & RAVIN ENGELBRECHT	\$50.00	\$17,210.00	Pending
[60-25 - Repair/Alter Existing Plumbing System (Residential)] Bathtub and surround being replaced with a walkin shower and surround, including the mixing valve and trap					
116515	403 WESLEY AV..21-1176-D-113	JENNIFER L & BENJAMIN M ADAMS	\$30.00	\$10,000.00	Closed
[60-31 - Sanitary Sewers - Connection/Repair (Residential)]					
116528	1721 CRUSADE LN..6H-3964	ALIDA L & RONDA L WAITS	\$100.00	\$5,500.00	Pending
[60-37 - Lawn Sprinklers (Residential)]					
116529	321 BLUE SKY CI..21-7941	ABE & DR SEBEEHA BEDI	\$100.00	\$6,500.00	Closed
[60-37 - Lawn Sprinklers (Residential)]					
116530	356 HEIDELBERG CT..21-5958	CHERYL L & DAVID A WEGTER	\$100.00	\$6,000.00	Pending
[60-37 - Lawn Sprinklers (Residential)]					
116561	1967 UNIVERSITY AV..21-2196-1	JJP ACQUISITIONS LLC	\$30.00	\$500.00	Pending
[60-25 - Repair/Alter Existing Plumbing System (Residential)]					
116563	1015 RED FOX DR..6H-4370	NANCY L STEFFES	\$30.00	\$3,500.00	Closed
[60-31 - Sanitary Sewers - Connection/Repair (Residential)]					
116571	2024 PREBLE AV..21-2200-1	DOLORES CAYEMBERG	\$30.00	\$14,900.00	Pending
[60-31 - Sanitary Sewers - Connection/Repair (Residential)]					
116627	1344 E WALNUT ST..14-238	HJG GROUP LLC	\$30.00	\$1,500.00	Pending
[60-31 - Sanitary Sewers - Connection/Repair (Residential)]					
116636	1011 PARK ST..18-1168	CHRISTOPHER J & TERESA D BAUER	\$30.00	\$1,200.00	Closed
[60-31 - Sanitary Sewers - Connection/Repair (Residential)]					
116676	2469 PARKWOOD DR..6H-2393	CHRISTOPHERSEN TRUST	\$30.00	\$1,500.00	Pending
[60-33 - Storm Sewers - Connection/Repair (Residential)]					
116523	3164 FINGER RD..21-173	FA REAL ESTATE LLC	\$227.94	\$21,725.00	Pending
[70-1 - Signs - Permanent] Wall Sign: 4.625'x5.5'=25.44 sq ft wall sign; Wall Sign: 1.5'x29.625'=44.44 sq ft; Monument Sign 5.75'x8'=46 sq ft; 2 Directional Signs: 5.85 sq ft					
Totals:	324 projects		\$83,844.94	\$37,211,479.30	

Summary of Projects Issued

5/1/2024 to 5/31/2024

Class of Work	Proj	Site	Plan	Bldg	Elec	HVAC	Plbg	EC	Fees Paid	Estimated Cost
1 Residential - New - Single Family House	4	4	8	4	4	4	4	4	\$4,815.97	\$1,510,000.00
2 Residential - Addition - Single Family House	4	3	4	4	4	1	1	0	\$635.00	\$130,500.00
2 Residential - Alteration - 1 -2 Family House	23	3	19	23	15	4	12	0	\$4,307.30	\$803,402.64
4 Residential - Addition - Garage, Carport	1	1	1	1	1	0	0	0	\$150.00	\$50,000.00
4 Residential - Alteration - Garage or carport or Shed	1	1	1	1	1	0	0	0	\$150.00	\$69,000.00
7 Deck, Porch, Patio, Ramp (Residential)	19	6	9	19	0	0	0	0	\$1,400.00	\$252,843.71
9 Raze - Building or Structure (Residential)	2	0	0	2	1	0	1	1	\$100.00	\$13,000.00
11 Driveway Replacement and/or Expansion (Residential)	15	0	0	15	0	0	0	0	\$770.00	\$177,990.00
11 Fence (Residential)	40	0	0	40	0	0	0	0	\$2,000.00	\$257,584.36
11 Foundation Repair (Residential)	2	0	0	2	0	0	1	0	\$180.00	\$25,196.33
11 Garage/Carport/Shed (residential)	10	4	4	10	4	1	1	0	\$1,075.00	\$341,888.92
11 Swimming Pool (Residential)	2	1	1	2	1	0	0	0	\$200.00	\$22,500.00
11 Z - Misc Project Not Listed (Residential)	1	0	0	1	0	0	0	0	\$50.00	\$473.38
30 Commercial - Alteration - Multi-Family of 3 or more units	1	0	0	1	1	0	0	0	\$190.00	\$3,500.00
30 Commercial - New - 5 or More Family Building	3	0	6	3	3	3	3	0	\$31,209.12	\$6,600,000.00
31 Commercial - Addition - Non-Residence, Non-housekeeping	1	1	4	1	1	1	1	1	\$6,068.23	\$10,000,000.00
31 Commercial - Alteration - Non-Residence, Non-Housekeeping	10	3	10	10	8	5	9	2	\$16,329.21	\$10,428,669.38
31 Commercial - New - Office, Bank, Professional (offices, professional buildings, administration buildings, financial institutions, medical office buildings)	1	1	4	1	1	1	1	1	\$2,240.02	\$610,000.00
31 Commercial - New - Structures Other Than Buildings (parks, outdoor stadiums, marinas, outdoor swimming pools, outdoor theaters, boardwalks, wharves, docks).	2	1	1	2	1	0	0	1	\$1,904.50	\$1,516,000.00
34 Demolition - Interior (Commercial)	1	0	0	1	1	0	1	0	\$70.00	\$225,000.00
34 Fence (Commercial)	2	0	0	2	0	0	0	0	\$140.00	\$37,207.89
34 Parking Lot - New & Reconstruction (Commercial)	3	0	0	3	0	0	0	0	\$210.00	\$1,519,387.00
34 Roofing (Commercial)	4	0	0	4	0	0	0	0	\$852.65	\$1,442,442.00
34 Shed, Yard Building (Commercial)	1	0	0	1	0	0	0	0	\$120.00	\$50,000.00
34 Siding (Commercial)	2	0	0	2	0	0	0	0	\$140.00	\$16,500.00
34 Temporary Office/Trailer/Event (Commercial)	4	0	0	4	3	2	2	0	\$420.00	\$15,750.00
40 Electrical Service - Repair (Commercial)	1	0	0	0	1	0	0	0	\$70.00	\$1,000.00
40 Electrical Service - Change (Residential)	1	0	0	0	1	0	0	0	\$50.00	\$1,800.00
40 Electrical Service - Repair (Residential)	20	0	0	0	20	0	0	0	\$1,000.00	\$41,152.00
40 Electrical Wiring (Misc., Alteration, Repair) (Commercial)	3	0	0	0	3	0	0	0	\$350.00	\$28,745.00
40 Electrical Wiring (Misc., Alteration, Repair) (Residential)	12	0	0	0	12	1	0	0	\$650.00	\$26,244.00
40 New Electrical System (Residential)	1	0	0	0	1	0	0	0	\$50.00	\$2,500.00
50 AC Unit Only (Residential)	34	0	0	0	0	34	0	0	\$1,700.00	\$211,136.50
50 Heating and Air Conditioning Units (Residential)	20	0	0	0	0	20	0	0	\$1,000.00	\$225,417.75

50 Heating Unit Only (Residential)	10	0	0	0	0	10	0	0	\$500.00	\$51,392.40
50 Repair/Alter Existing HVAC System (Residential)	2	0	0	0	0	2	0	0	\$100.00	\$23,402.00
60 Lawn Sprinklers (Commercial)	2	0	0	0	0	0	2	0	\$140.00	\$137,293.00
60 Lawn Sprinklers (Residential)	4	0	0	0	0	0	4	0	\$400.00	\$21,800.00
60 New Plumbing System (Residential)	1	0	0	0	0	0	1	0	\$50.00	\$3,467.37
60 Repair/Alter Existing Plumbing System (Commercial)	2	0	0	0	0	0	2	0	\$140.00	\$13,897.00
60 Repair/Alter Existing Plumbing System (Residential)	9	0	0	0	0	0	9	0	\$430.00	\$62,789.92
60 Sanitary Sewers - Connection/Repair (Residential)	10	0	0	0	0	0	10	0	\$300.00	\$66,100.00
60 Storm Sewers - Connection/Repair (Residential)	3	0	0	0	0	0	3	0	\$90.00	\$3,850.00
60 Water Heater (Residential)	3	0	0	0	0	0	3	0	\$90.00	\$7,500.00
60 Water Service - Connection/Repair (Commercial)	3	0	0	0	0	0	3	0	\$90.00	\$43,900.00
60 Water Service - Connection/Repair (Residential)	23	0	0	0	0	0	23	0	\$690.00	\$97,531.75
70 Signs - Permanent	1	1	0	1	0	0	0	0	\$227.94	\$21,725.00
Totals:	324	30	72	160	88	89	97	10	\$83,844.94	\$37,211,479.30



1st REVISION
STATE/MUNICIPAL FINANCIAL
AGREEMENT FOR A STATE- LET
HIGHWAY PROJECT

This agreement supersedes the agreement signed by the Municipality on 2/2/2023 and signed by the State on 2/2/2023.

Date: May 17, 2024
I.D.: 4190-20-00/70
Road Name: STH 32, Ashland Avenue
Title: STH 32, Ashland Ave Bridge
Limits: 9th Street – STH 54
County: Brown
Roadway Length: TBD

The signatory **city of Green Bay**, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and affect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility - Describe and give reason for request: Ashland Avenue is a 4-lane, divided connecting highway. Bridge structure B-05-0018 was originally constructed in 1955. The proposed replacement improvement was identified within the Wisconsin Structures Asset Management System (WiSAMS).

Proposed Improvement - Nature of work: This project will include a planning study and the design (and ultimately the construction) of a bridge replacement improvement project. The project details will be further defined as this project continues through the planning, scoping and design process.

Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality: Non-participating construction costs and cost share will be further defined as this project continues through the planning, scoping and design process.

TABLE 1: SUMMARY OF ESTIMATED COSTS

Phase	Total Estimated Cost	Federal/State Funds	%	Municipal Funds	%
¹ Preliminary Engineering: 4190-20-00 Planning Investigation/Plan Development	\$ 2,054,400	\$ 1,540,800	75%	\$ 513,600	25%
Real Estate Acquisition: Acquisition: TBD	\$ -	\$ -		\$ -	
² Construction: 4190-20-70 Participating:	\$ 9,000,000	\$ 9,000,000	100%	\$ -	
Non-Participating: TBD	\$ -	\$ -	0%	\$ -	100%
Total Cost Distribution	\$ 11,054,400	\$ 10,540,800		\$ 513,600	

1. Costs shown are estimates only and will be updated throughout planning, scope and design
2. Estimate includes construction engineering

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages 3 – 4); is made by the undersigned under proper authority to make such request for the designated Municipality, upon signature by the State and delivery to the Municipality. The initiation and accomplishment of the improvement will be subject to the applicable federal and state regulations. No term or provision of neither the State/Municipal Financial Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Financial Agreement.

Signed for and in behalf of the city of Green Bay (please sign in blue ink)	
Name (print)	Title
Signature	Date
Signed for and in behalf of the State (please sign in blue ink)	
Name	Title
Signature	Date

TERMS AND CONDITIONS:

1. The Municipality shall pay to the State all costs incurred by the State in connection with the improvement which exceeds federal/state financing commitments or are ineligible for federal/state financing. Local participation shall be limited to the items and percentages set forth in the Summary of Costs table, which shows Municipal funding participation. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from General Transportation Aids or any moneys otherwise due and payable by the State to the Municipality.
2. Funding of each project phase is subject to inclusion in an approved program and per the State's Facility Development Manual (FDM) standards. Federal aid and/or state transportation fund financing will be limited to participation in the costs of the following items as specified in the Summary of Costs:
 - (a) Design engineering and state review services.
 - (b) Real Estate necessitated for the improvement.
 - (c) Compensable utility adjustment and railroad force work necessitated for the project.
 - (d) The grading, base, pavement, curb and gutter, and structure costs to State standards, excluding the cost of parking areas.
 - (e) Storm sewer mains, culverts, laterals, manholes, inlets, catch basins, and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers and inlet grates as needed.
 - (f) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking, and testing of sanitary sewer and water main.
 - (g) Signing and pavement marking necessitated for the safe and efficient flow of traffic, including detour routes.
 - (h) Replacement of existing sidewalks necessitated by construction and construction of new sidewalk at the time of construction. Sidewalk is considered to be new if it's constructed in a location where it has not existed before.
 - (i) Replacement of existing driveways, in kind, necessitated by the project.
 - (j) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices. Alteration may include salvaging and replacement of existing components.
3. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items:
 - (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
 - (b) New installation or alteration of signs not necessary for the safe and efficient flow of traffic.
 - (c) Roadway and bridge width in excess of standards.
 - (d) Construction inspection, staking, and material testing and acceptance for construction of sanitary sewer and water main.
 - (e) Provide complete plans, specifications, and estimates for sanitary sewer and water main work. The Municipality assumes full responsibility for the design, installation, inspection, testing, and operation of the sanitary sewer and water system. This relieves the State and all of its employees from the liability for all suits, actions, or claims resulting from the sanitary sewer and water system construction.
 - (f) Parking lane costs.

- (g) Coordinate, clean up, and fund any hazardous materials encountered during construction. All hazardous material cleanup work shall be performed in accordance to state and federal regulations.
 - (h) Damages to abutting property due to change in street or sidewalk widths, grades, or drainage.
 - (i) Conditioning, if required, and maintenance of detour routes.
 - (j) Repair of damages to roads or streets caused by reason of their use in hauling materials incidental to the improvement.
- 4. As the work progresses, the Municipality will be billed for work completed which is not chargeable to federal/state funds. Upon completion of the project, a final audit will be made to determine the final division of costs.
 - 5. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State on behalf of the project.
 - 6. The work will be administered by the State and may include items not eligible for federal/state participation.
 - 7. The Municipality shall assume general responsibility for all public information and public relations for the project and to make a fitting announcement to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the projects.
 - 8. Basis for local participation:
 - (a) The Municipality will be responsible for 25% of the planning and design for the anticipated bridge replacement improvement project. It is anticipated the planning and design contract will be completed in stages. The amount shown on the table above will be further defined as this project continues through the planning, scoping and design process.
 - (b) Non-participating construction costs and cost share will be further defined as this project continues through the planning, scoping and design process. Any additional work per the request of the Municipality will be funded by the Municipality. Estimate includes construction engineering costs.

Comments and Clarification: This agreement is an active agreement that may need to be amended as the project is designed. It is understood that these amendments may be needed as some issues have not been fully evaluated or resolved. The purpose of this agreement is to specify the local and state involvement in funding the project. A signed agreement is required before the State will prepare or participate in the preparation of detailed designs, acquire right-of-way, or participate in construction of a project that merits local involvement.



**Original
STATE/MUNICIPAL FINANCIAL
AGREEMENT FOR A STATE- LET
HIGHWAY PROJECT**

Date: 4/18/2024
I.D.: 4180-06-00/71
Road Name: STH 29
Title: Shawano Ave, C Green Bay
Limits: Hudson St – N Oakland Ave
County: Brown
Roadway Length: 0.89 Miles

The signatory **city of Green Bay**, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and affect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility:

This facility is a connecting highway. The proposed improvement is located on STH 29 (Shawano Avenue) from Hudson Street to 0.05 miles west of Oakland Avenue within the city of Green Bay. Within the proposed limits STH 29 consists of a 4-lane urban cross section with curb, gutter, and sidewalk.

The last improvement project was completed in 2005 which consisted of overlaying the existing concrete pavement with asphalt pavement. The pavement structure is showing signs of distress and needs to be addressed.

Proposed Improvement:

The project is a perpetuation improvement strategy, anticipating a pavement replacement level treatment which consists of removing existing pavement layers and providing a new paved surface.

Project details will be further defined as this project continues through the scoping and design process.

Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality:

Any items added to the construction projects per the request of the municipality will be the financial responsibility of the municipality including any utility adjustment/work (sanitary or water). Non-Participating work will be determined as the project continues through the scoping and design process.

TABLE 1: SUMMARY OF COSTS

Phase	Total Est. Cost	Federal/State Funds	%	Municipal Funds	%
Preliminary Engineering: 4180-06-00 Plan Development	\$1,400,000	\$1,050,000	75%	\$350,000	25%
¹Construction: 4180-06-71 Roadway (cat 0010)	\$5,536,250	\$5,536,250	100%	\$0	0%
Non-Participating	\$0	\$0	0%	\$0	100%
<i>subtotal 4180-06-71</i>	\$0	\$0		\$0	
Total Cost Distribution	\$6,936,250	\$6,586,250		\$350,000	

1. Estimates include construction engineering.

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages 2 – 4); is made by the undersigned under proper authority to make such request for the designated Municipality, upon signature by the State, and delivery to the Municipality. The initiation and accomplishment of the improvement will be subject to the applicable federal and state regulations. No term or provision of neither the State/Municipal Financial Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Financial Agreement.

Signed for and on behalf of the **city of Green Bay**

Name (print)

Title

Signature

Date

Signed for and on behalf of the **State**

Name

Title

Signature

Date

TERMS AND CONDITIONS:

1. The Municipality shall pay to the State all costs incurred by the State in connection with the improvement which exceeds federal/state financing commitments or are ineligible for federal/state financing. Local participation shall be limited to the items and percentages set forth in the Summary of Costs table, which shows Municipal funding participation. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from General Transportation Aids or any moneys otherwise due and payable by the State to the Municipality.
2. Funding of each project phase is subject to inclusion in an approved program and per the State's Facility Development Manual (FDM) standards. Federal aid and/or state transportation fund financing will be limited to participation in the costs of the following items as specified in the Summary of Costs:
 - (a) Design engineering and state review services.
 - (b) Real Estate necessitated for the improvement.
 - (c) Compensable utility adjustment and railroad force work necessitated for the project.
 - (d) The grading, base, pavement, curb and gutter, and structure costs to State standards, excluding the cost of parking areas.
 - (e) Storm sewer mains, culverts, laterals, manholes, inlets, catch basins, and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers and inlet grates as needed.
 - (f) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking, and testing of sanitary sewer and water main.
 - (g) Signing and pavement marking necessitated for the safe and efficient flow of traffic, including detour routes.
 - (h) Replacement of existing sidewalks necessitated by construction and construction of new sidewalk at the time of construction. Sidewalk is considered to be new if it's constructed in a location where it has not existed before.
 - (i) Replacement of existing driveways, in kind, necessitated by the project.
 - (j) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices. Alteration may include salvaging and replacement of existing components.
3. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items:
 - (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
 - (b) New installation or alteration of signs not necessary for the safe and efficient flow of traffic.
 - (c) Roadway and bridge width in excess of standards.
 - (d) Construction inspection, staking, and material testing and acceptance for construction of sanitary sewer and water main.
 - (e) Provide complete plans, specifications, and estimates for sanitary sewer and water main work. The Municipality assumes full responsibility for the design, installation, inspection, testing, and operation of the sanitary sewer and water system. This relieves the State and all of its employees from the liability for all suits, actions, or claims resulting from the sanitary sewer and water system construction.
 - (f) Parking lane costs.

- (g) Coordinate, clean up, and fund any hazardous materials encountered during construction. All hazardous material cleanup work shall be performed in accordance to state and federal regulations.
 - (h) Damages to abutting property due to change in street or sidewalk widths, grades, or drainage.
 - (i) Conditioning, if required, and maintenance of detour routes.
 - (j) Repair of damages to roads or streets caused by reason of their use in hauling materials incidental to the improvement.
- 4. As the work progresses, the Municipality will be billed for work completed which is not chargeable to federal/state funds. Upon completion of the project, a final audit will be made to determine the final division of costs.
 - 5. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State in behalf of the project.
 - 6. The work will be administered by the State and may include items not eligible for federal/state participation.
 - 7. The Municipality shall, in cooperation with the State, assist with public relations for the project and announcements to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.
 - 8. Basis for local participation:
 - (a) Design Engineering (ID 4180-06-00): The municipality will be responsible for 25% of the design for the anticipated pavement replacement project. The design amount shown on the table above will be further defined as the project continues through the scoping and design process.
 - (b) Construction (ID 4180-06-71): Non-participating construction costs and cost share will be further defined as this project continues through the scoping and design process. Any additional work per the request of the Municipality will be funded by the Municipality or as agreed to by the department. Estimate includes construction engineering.

Comments and Clarification: This agreement is an active agreement that may need to be amended as the project is designed. It is understood that these amendments may be needed as some issues have not been fully evaluated or resolved. The purpose of this agreement is to specify the local and state involvement in funding the project. A signed agreement is required before the State will prepare or participate in the preparation of detailed designs, acquire right-of-way, or participate in construction of a project that merits local involvement.



**ORIGINAL
STATE/MUNICIPAL FINANCIAL
AGREEMENT FOR A STATE- LET
HIGHWAY PROJECT**

Date: 5/17/2024
I.D.: 4190-18-00/70
Road Name: STH 32
Title: Ashland Ave, C Green Bay
Limits: CTH VK – 9th ST
County: Brown
Roadway Length: 0.85 Miles

The signatory **city of Green Bay**, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and affect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

NEEDS AND ESTIMATE SUMMARY:

Existing Facility:

This facility is a connecting highway. The proposed improvement is located on STH 32 (Ashland Ave) from Lombardi Ave (CTH VK) to bridge structure B-05-18 (Overpass of 6th St and CN Railroad) within the city of Green Bay. STH 32, within the proposed limits, consist of a 4-lane divided roadway with gravel shoulders with curb & gutter at intersection radii.

The State does not have official records for the last improvement project, but unofficial records show that an asphalt overlay was implemented around 2001, which consisted of overlaying the existing concrete pavement with asphalt. The pavement structure is showing signs of distress and needs to be addressed.

Proposed Improvement:

The project is a perpetuation improvement strategy, anticipating a resurfacing level improvement which includes overlaying the existing roadway with asphalt pavement.

Project details will be further defined as this project continues through the scoping and design process.

This project will be tied to the STH 32, Ashland Ave Bridge project (4190-20-70) and is anticipated to be constructed simultaneously.

Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality:

Any items added to the construction project per the request of the municipality will be the financial responsibility of the municipality including any utility adjustment/work (sanitary or water). Non-Participating work will be the determined as the project continues through the scoping and design process.

TABLE 1: SUMMARY OF COSTS

Phase	Total Est. Cost	Federal/State Funds	%	Municipal Funds	%
Preliminary Engineering (4190-18-00): Design Engineering	\$195,000	\$146,250	75%	\$48,750	25%
¹ Construction (4190-18-70): Roadway (cat 0010)	\$1,430,000	\$1,430,000	100%	\$0	0%
Non-Participating (TBD)	\$0	\$0	0%	\$0	100%
subtotal 4190-18-70:	\$1,430,000	\$1,430,000		\$0	
Total Cost Distribution	\$1,625,000	\$1,576,250		\$48,750	

1. Estimates include construction engineering.

This request shall constitute agreement between the Municipality and the State; is subject to the terms and conditions that follow (pages 3 – 4); is made by the undersigned under proper authority to make such request for the designated Municipality, upon signature by the State and delivery to the Municipality. The initiation and accomplishment of the improvement will be subject to the applicable federal and state regulations. No term or provision of neither the State/Municipal Financial Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Financial Agreement.

Signed for and on behalf of the **city of Green Bay** (please sign in blue ink)

Name (print)

Title

Signature

Date

Signed for and on behalf of the **State** (please sign in blue ink)

Name

Title

Signature

Date

TERMS AND CONDITIONS:

1. The Municipality shall pay to the State all costs incurred by the State in connection with the improvement which exceeds federal/state financing commitments or are ineligible for federal/state financing. Local participation shall be limited to the items and percentages set forth in the Summary of Costs table, which shows Municipal funding participation. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from General Transportation Aids or any moneys otherwise due and payable by the State to the Municipality.
2. Funding of each project phase is subject to inclusion in an approved program and per the State's Facility Development Manual (FDM) standards. Federal aid and/or state transportation fund financing will be limited to participation in the costs of the following items as specified in the Summary of Costs:
 - (a) Design engineering and state review services.
 - (b) Real Estate necessitated for the improvement.
 - (c) Compensable utility adjustment and railroad force work necessitated for the project.
 - (d) The grading, base, pavement, curb and gutter, and structure costs to State standards, excluding the cost of parking areas.
 - (e) Storm sewer mains, culverts, laterals, manholes, inlets, catch basins, and connections for surface water drainage of the improvement; including replacement and/or adjustments of existing storm sewer manhole covers and inlet grates as needed.
 - (f) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking, and testing of sanitary sewer and water main.
 - (g) Signing and pavement marking necessitated for the safe and efficient flow of traffic, including detour routes.
 - (h) Replacement of existing sidewalks necessitated by construction and construction of new sidewalk at the time of construction. Sidewalk is considered to be new if it's constructed in a location where it has not existed before.
 - (i) Replacement of existing driveways, in kind, necessitated by the project.
 - (j) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices. Alteration may include salvaging and replacement of existing components.
3. Work necessary to complete the improvement to be financed entirely by the Municipality or other utility or facility owner includes the following items:
 - (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
 - (b) New installation or alteration of signs not necessary for the safe and efficient flow of traffic.
 - (c) Roadway and bridge width in excess of standards.
 - (d) Construction inspection, staking, and material testing and acceptance for construction of sanitary sewer and water main.
 - (e) Provide complete plans, specifications, and estimates for sanitary sewer and water main work. The Municipality assumes full responsibility for the design, installation, inspection, testing, and operation of the sanitary sewer and water system. This relieves the State and all of its employees from the liability for all suits, actions, or claims resulting from the sanitary sewer and water system construction.
 - (f) Parking lane costs.

- (g) Coordinate, clean up, and fund any hazardous materials encountered during construction. All hazardous material cleanup work shall be performed in accordance to state and federal regulations.
 - (h) Damages to abutting property due to change in street or sidewalk widths, grades, or drainage.
 - (i) Conditioning, if required, and maintenance of detour routes.
 - (j) Repair of damages to roads or streets caused by reason of their use in hauling materials incidental to the improvement.
- 4. As the work progresses, the Municipality will be billed for work completed which is not chargeable to federal/state funds. Upon completion of the project, a final audit will be made to determine the final division of costs.
 - 5. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State in behalf of the project.
 - 6. The work will be administered by the State and may include items not eligible for federal/state participation.
 - 7. The Municipality shall, in cooperation with the State, assist with public relations for the project and announcements to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project.
 - 8. Basis for local participation:
 - (a) Design Engineering (ID 4190-18-00): The municipality will be responsible for 25% of the design for the anticipated resurfacing project. The design amount shown in the table above will be further defined as the project continues through the scoping and design process.
 - (b) Construction (ID 4190-18-70): Non-participating construction costs and cost share will be further defined as the project continues through the scoping and design process. Any additional work per the request of the Municipality will be funded by the Municipality or as agreed to by the department. Estimate includes construction engineering.

Comments and Clarification: This agreement is an active agreement that may need to be amended as the project is designed. It is understood that these amendments may be needed as some issues have not been fully evaluated or resolved. The purpose of this agreement is to specify the local and state involvement in funding the project. A signed agreement is required before the State will prepare or participate in the preparation of detailed designs, acquire right-of-way, or participate in construction of a project that merits local involvement.

June 20, 2024

Mr. James Brunette

City of Green Bay
100 N. Jefferson Street, Room 200
Green Bay, WI 54301-5026

RE: Triangle Hill Improvements – REVISED
City of Green Bay
Green Bay, WI
Commission No. 23CGB09.00

Dear Mr. Brunette:

Attached is a REVISED Service Authorization Agreement for the Triangle Hill Improvements project at the City of Green Bay, Green Bay, Wisconsin.

We ask that you review this agreement. If it meets with your approval, please provide the appropriate approvals.

If you have any questions, please feel free to contact me.

Sincerely,



Ian W. Griffiths RIBA, AIA, LEED AP BD+C
PRESIDENT / ARCHITECT

D 920.569.8660
igriffiths@bsagb.com

ATTACHMENT “A”

Berners-Schober Associates, Inc. SERVICE AUTHORIZATION AGREEMENT

Owner: City of Green Bay
Facility Name: Triangle Sledding Hill
Project Name: Triangle Sledding Hill Improvements
Project Number: 23CGB09.00
Location: Green Bay, Wisconsin
Services Initiated By: Emma Browne

This service authorization is according to paragraph 12.1 of the AIA B104-2017 Prime Owner-Architect Agreement dated 01/01/2023

DESCRIPTION OF SERVICE:

Project Narrative:

Design of a complete shop building and garage space – including architectural, structural, mechanical, electrical and plumbing services.

Building to be 40' x 40' structure, at the top of the hill. Existing structure in approximately same location will be demolished. Project includes power and water connections for two separate-contract procured snow canons, power distribution for owner equipment within new shed, floor drains within new shed, gas-fired heater within new shed, coordination with owner-provided civil design documents.

Services Include:

Pre-design site visit
Opinion of Probable Cost of Construction
Facilitating “Page-Turn” Review meeting of final drawings / specs – virtual or in-person
Attending Pre-Bid Tour
Attending Pre-Construction meeting
Final Inspection at completion of construction work

Bid documents include a Project Manual utilizing typical City of Green Bay front end documents and necessary technical sections and bid drawings.

The Department of Public Works (DPW) will facilitate public bidding. Berners Schober will execute the Owner-Contractor agreement and turn it over to DPW for obtaining signatures.

Construction Administration Services will include shop drawing review and conflict resolution as needed. City Services typically do not include during construction site visits; this is available upon request.

Professional Services:

All basic services will be provided by Berners-Schober Associates, Inc. employees.

Civil services, provided by Robert E Lee Associates, include the following:

Field Survey (limited to concept building location and 50' radius around the building), Easement Review/mapping, Engineering Design (site/utility/grading/erosion control), Permitting/Coordination (City Site Plan/small site erosion control)

Civil Engineering Assumptions:

City provided easement document (additional charges will apply if design team needs to research)

Price includes up to two virtual meetings maximum. (additional charges will apply)

Permitting/Coordination assumed to be reimbursable, likely waived by City.

No storm water management included. If required, fee modification would be necessary.

No structural design or construction services included in civil scope.

Assume Private Utility marking by others.

Compensation: (Basic Services)

Previous iterations, including three possible building locations have incurred approximately \$35,000 fee. The revised project will be billed hourly, with an estimated cost of an additional \$35,000. The above listed civil services will be \$6,450.00.

Schedule:

The revised project schedule is anticipated as follows:

Schematic Design: June 2024

Design Development: June 2024

Construction Documents: July 2024

Owner Review: August 2024

Bid Documents: August 2024

Construction: September – December 2024

Reimbursable Expenses:

Reimbursable Expenses will be invoiced in addition to professional fees. We recommend an allowance of \$2,000.00 to be budgeted for such expenses. These expenses include, but are not limited to instruments of service, printing/handling/postage, approval fees, travel, and subsistence.

This service authorization is provided electronically. Please sign in the space provided below, retain one copy for your files, and return one copy to the Architect.

OWNER: City of Green Bay

Signature

James Brunette, City Engineer

Printed Name and Title

Date

ARCHITECT: Berners-Schober Associates, Inc.

Signature

Ian W. Griffiths, President

Printed Name and Title

6/20/2024

Date

**RESOLUTION AUTHORIZING CONDITIONAL USE
PERMIT AT 3855 FINGER ROAD
(ZP 24-17)**

June 25, 2024

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That, pursuant to Zoning Petition 24-17 and the recommendation of the Plan Commission on June 17, 2024, the City of Green Bay does authorize a Conditional Use Permit (CUP) to allow for the establishment of a general industrial use within the Grandview Industrial Park, established by ZO 19-23, on the following described property located at 3855 Finger Road:

Legal Description:

All of Lot 2, Brown County Certified Survey Map Number 9499, as recorded in Document Number 3012277, (being part of Lot 2, Brown County Certified Survey Map Number 7761, as recorded in Volume 53 of Certified Survey Maps, Page 232, as Document Number 2351420), located in part of the Southeast ¼ of the Southeast ¼, Section 1, Township 23 North, Range 21 East, in the City of Green Bay, Brown County Wisconsin.

Tax Parcel No. 21-24

Said CUP shall be granted subject to compliance with Zoning Ordinance 19-23 and all other regulations of the Green Bay Municipal Code.

Adopted _____

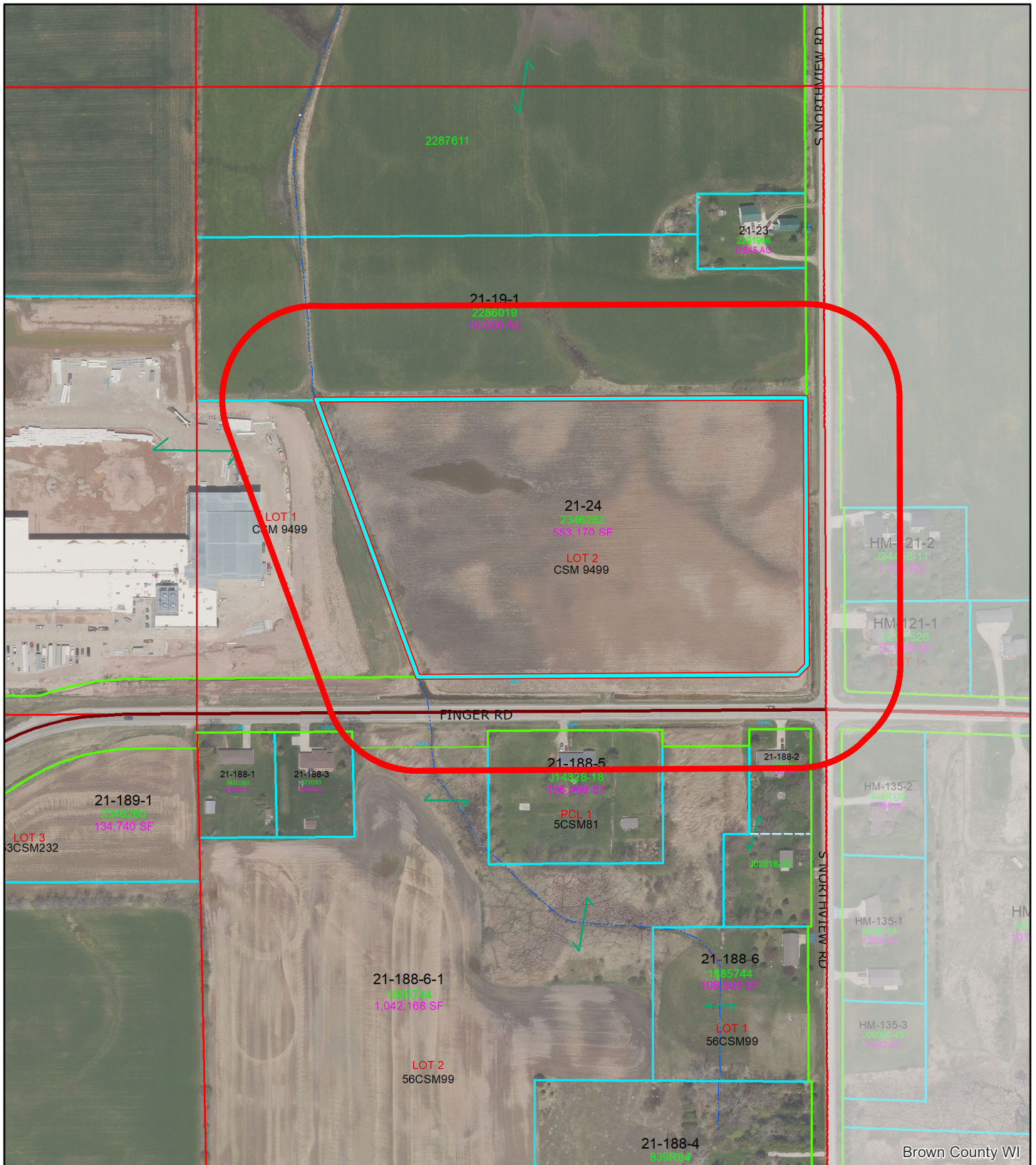
Approved _____

Eric Genrich, Mayor

Celestine Jeffreys, Clerk

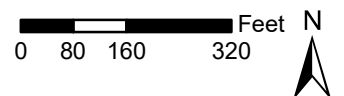
sjh

Attachment – Map



(ZP 24-17) Conditional Use Permit for General Industrial Use in Grandview Industrial Park

This is a compilation of records and data located in various City of Green Bay offices and is to be used for reference purposes only. The City of Green Bay is not responsible for any inaccuracies or unauthorized use of the information contained within. No warranties are implied. Map prepared by City of Green Bay Department of Community and Economic Development. E.R. 04 Jun 2024 X:\Planning\Basemaps\template_8.5x11.mxd



- 3855 Finger Road
- 200-ft. Notification Area

**RESOLUTION AUTHORIZING
BUDGET TRANSFER OF FUNDS**

June 25, 2024

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

Pursuant to the recommendation of the Finance Committee at its meeting of June 18, 2024, the following 2024 budget transfer of funds is hereby authorized:

	<u>ACCOUNT</u>	<u>AMOUNT</u>
From:	101500 50001 DPW Salaries & benefits	\$40,000.00
To:	101500 53001 DPW Consulting	\$40,000.00

This budget amendment request to cover surveying consulting firms to complete the job responsibilities of vacant right-of-way specialist.

Adopted _____

Approved _____

Mayor

Clerk



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # X.I

General Ordinance No. 13-24, Repealing and Recreating Chapter 8, Green Bay Municipal Code, relating to Buildings and Construction.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Chapter 8 Updates Memo
2. DRAFT GO 13-24 - Repeal and Recreate Ch 8 - Buildings and Construction

CITY OF GREEN BAY

TO: Mayor Eric Genrich; Common Council

FROM: Assistant City Attorney Lindsay Mather

DATE: June 13, 2024

RE: Updates and Revisions to Building and Trades Codes in Chapter 8, GBMC

Chapter 8 of the Green Bay Municipal Code is being repealed and recreated in its entirety in order to incorporate necessary revisions and updates to the entire code at once. The primary purpose of the updates is to bring the Green Bay Municipal Code into compliance with Wisconsin's Administrative Code. Many changes were grammatical or otherwise non-substantive; however, this memo serves to provide an overview of the large-scale substantive changes.

- Municipalities no longer have the authority to regulate certain areas previously included in Chapter 8; those parts of the code have been removed.
- Provisions that were inconsistent with the state administrative code were removed or amended to resolve the inconsistencies.
- Certain provisions appeared in and/or applied to several of the Articles within Chapter 8. To streamline the chapter and prevent repetition, as well as make those provisions easier to find, they have been incorporated into Article I, "In General."
- Included in the "In General" article is a provision concerning appeals of permit denials and orders issued under Chapter 8. As presently written, the code gives jurisdiction over these appeals to different bodies. These revisions give that jurisdiction to the Board of Appeals.
 - In order to give the Board of Appeals jurisdiction over these hearings, Section 2-187 is being created to add appeals under Chapter 8 to the Board's jurisdiction (in addition to hearings under Chapter 44).
 - Appeals of reinspection fees, which affect the City's budget, will be heard by the Finance Committee, subject to approval by Council.
- The permitting provisions of each Article have been updated to make them more consistent with one another and contain all necessary provisions, including those related to permit revocation.

GENERAL ORDINANCE NO. 13-24

AN ORDINANCE REPEALING AND RECREATING
CHAPTER 8, GREEN BAY MUNICIPAL CODE,
RELATING TO BUILDINGS AND CONSTRUCTION

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 8, Green Bay Municipal Code, is hereby repealed in its entirety and recreated as shown in the attached Exhibit A, incorporated herein and made part hereof in its entirety by reference.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2024.

APPROVED:

Eric Genrich, Mayor

ATTEST:

Celestine Jeffreys, Clerk

ljm

6/25/2024

Exhibit A

Chapter 8 BUILDINGS AND CONSTRUCTION

ARTICLE I. IN GENERAL

Sec. 8-1. Director of Community and Economic Development to enforce.

The Director of Community and Economic Development is responsible for the enforcement of this chapter and may issue citations hereunder and may delegate such citation authority to their employees. It is declared that the intent of this chapter can be most effectively carried out by the cooperation of all City departments concerned, and all such departments shall cooperate with the Director in the enforcement of this chapter.

Sec. 8-2. Wisconsin Administrative Code to be on file.

Copies of the chapters of the Wisconsin Administrative Code incorporated into this chapter by reference shall be kept on file in the offices of the Department of Community and Economic Development and the City Clerk.

Sec. 8-3. Violations of this chapter.

Whenever the Director determines that there has been a violation or that there are reasonable grounds to believe that there has been a violation of any provision of this chapter or of any rule or regulation adopted pursuant hereto, the Director shall give notice of such violation to the person legally responsible therefor. Such notice shall provide sufficient information to the person responsible as to inform them of the actions necessary to correct the violation and specify a deadline by which such corrections must be made.

Sec. 8-4. Appeals; Zoning Board of Appeals.

- (a) *Jurisdiction.* The Zoning Board of Appeals, organized under Section 44-138, shall have the authority to hear the following matters.
 - (1) Any decision of the Director of the Department of Community and Economic Development (Director) to deny an application for any permit issued under this chapter, or any decision to revoke such a permit.
 - (2) Any error in any order made by the Director in the enforcement of this chapter.
- (b) *Appeal process.* Any person aggrieved by a decision, determination, or order of the Director as described in subsection (a) may appeal the decision, determination, or order to the Zoning Board of Appeals. Unless otherwise provided in this chapter, such appeals shall be governed by the following provisions.
 - (1) The aggrieved person must file a written petition with the City Clerk within 20 days of the decision, determination, or order being appealed or the petition shall be untimely. The petition must identify the permit denial, permit revocation, or enforcement order being appealed, the official who made the decision, determination, or order, and all other relevant facts related to the appeal.
 - (2) The official whose decision, determination, or order is appealed shall submit a written report to the Board describing the reasons for the decision, determination, or order and shall attend the appeal hearing to comment.
 - (3) The Board shall establish a reasonable time for the hearing of the appeal and give public notice thereof. The Board shall render a decision on the appeal within a reasonable time.
 - (4) The Board may reverse or affirm the decision, determination, or order, wholly or partially, as appropriate.
 - (5) A party aggrieved by a decision of the Zoning Board of Appeals under this section may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.

Sec. 8-5. Re-inspection fees.

- (a) *Definition.* The term "re-inspection fee" means a special charge that may be assessed against a property owner by the City in order to defray the administrative cost of exercising jurisdiction over this chapter and conducting related inspections within the City.
- (b) *When assessed.* An inspector may assess a re-inspection fee if a property is not available to be inspected at the time of a scheduled inspection or if all of the following conditions are met:
 - (1) The inspector has found that the owner's parcel is not in compliance with a provision of this chapter;
 - (2) The inspector has informed the property owner of the changes necessary to gain compliance; and
 - (3) Upon subsequent investigation or inspection, the inspector finds that the same violation persists.
- (c) *Fees charged.* Each re-inspection fee shall be as provided in the City Fee Schedule. A separate re-inspection fee may be assessed each time the conditions under subsection (b) of this section exist.
- (d) *Appeals.* Within 30 days of assessment, a property owner against whom re-inspection fees have been assessed may appeal said fees to the Finance Committee.

Sec. 8-6. General penalty.

Unless a more specific penalty is specified, any person who shall violate any provision of this chapter or any rule, regulation, or order made hereunder shall be subject to a penalty as provided in Section 1-6, except that the minimum penalty for each offense shall be \$25.00. Unless otherwise provided, each 24-hour period any such violation is allowed to exist shall constitute a separate violation.

Secs. 8-7—8-18. Reserved.

ARTICLE II. BUILDING CODE

DIVISION 1. GENERALLY

Sec. 8-19. Purpose.

The purpose of this article is to provide minimum City regulations, provisions, and requirements for buildings and structures within the City, thereby increasing safety to persons and property, stable design, and good methods of construction and uses of materials in any building or structure constructed, enlarged, altered, repaired, moved, converted to other use, or demolished; to regulate the equipment, maintenance, condition, use, occupancy, and safety of buildings in the City; and to promote the public health, safety, and general welfare. This article shall apply to new buildings and structures and to alterations and additions to existing buildings and structures within the City.

Sec. 8-20. Applicability.

- (a) *Persons affected.* This article shall be binding upon every owner of a building and every person in charge of or responsible for the condition of any building or structure in the City, or who causes repair or alteration thereof.
- (b) *Buildings affected.* This article shall apply to all buildings and structures, except buildings which were erected in compliance with the City Building Code and/or the State of Wisconsin building code in force at the time of their construction or last change in use and which:
 - (1) Have been repaired and maintained so that the structures are weathertight and the structural members are not hazardous to life or property;

- (2) Are kept free from accumulations of dirt, filth, rubbish, garbage, or other matter in or on the same or in the yards, courts, passageways, or other areas connected or belonging to the same; and
- (3) Do not have cross-connections in plumbing systems that are hazardous to the occupants or violate any provision of the Plumbing Code regarding cross-connections.

Sec. 8-21. Definitions.

The definitions in Wis. Admin. Code SPS § 320.07 shall apply to this article. Additionally, the following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section. Where a conflict exists between a definition in this section and in Wis. Admin. Code SPS § 320.07, the definition in the administrative code shall control.

Accessory building means a detached building, not used as a dwelling unit but incidental to that of the main building and which is located on the same lot. Accessory building does not mean farm building.

Accessory use means a use incidental to the use of the main building or to the principal use of the premises.

Air temperature means a measurement of the temperature of the air and not of radiant heat.

Alley means a public thoroughfare which affords a secondary means of access to abutting property and which is generally fewer than 20 feet wide.

Alteration means an enhancement, upgrading, or substantial change or modification other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning, and other systems within a dwelling.

Apartment means a part of a building occupied or designed or intended to be occupied by one or more persons as a single-living unit or as a single-family housekeeping unit and which includes the use of kitchen facilities, either in private or in common with others.

Approved as to materials and types of construction means approved by the Director as the result of investigation and tests conducted by the Director or an authorized agent or by reason of accepted principles or tests by national authorities or by technical or scientific organizations accepted by the Director. Approvals given shall be in writing, and a copy thereof kept on file in the Building Inspection Division.

Balcony means a landing or porch projecting from the wall of a building.

Basement means that portion of a dwelling below the first floor or groundfloor with its entire floor below grade.

Base flood has the meaning ascribed in Section 44-1045.

Boarding house or lodging house means a building or structure, other than a hotel licensed by the State, where lodging and meals for three or more persons are served for compensation.

Building means:

- (1) *Noun.* Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property. When a structure is divided into separate parts by unpierced walls extending from the ground up, each part is deemed a separate building.
- (2) *Verb.* Any enlargement, alteration, movement, or demolishing of any building or structure, and also any new heating plant or any material alteration in any existing heating plant, toilet room, or elevator.

Court means an open, unoccupied space other than a yard on the same lot with a building.

Inner court means any court other than an outer court.

Outer court means a court which extends directly to and opens on a street or other permanent open space or on a required yard.

Department means the Department of Community and Economic Development.

Director means the Director of the Department of Community and Economic Development or their designee.

Dwelling means any building, or portion thereof, which is designed or used exclusively for residential purposes.

One-family dwelling means a building designed and occupied exclusively by one family.

Two-family dwelling means a building or portion thereof designed for or occupied by not more than two families.

Extermination means the control or elimination of infestation by eliminating harboring places and removing or make inaccessible materials that may serve as food or by poisoning, spraying, trapping, fumigating by a licensed fumigator or any other effective elimination procedure.

Family means one or more individuals living on a premises as a single housekeeping unit.

Filling station means a place where gasoline, kerosene, or any other fuel, lubricating oil, or grease for operating motor vehicles is offered for sale at retail to the public and where deliveries are made at the time of sale and directly into the motor vehicles, including greasing and oiling on the premises.

Full story. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it; or if there is no floor above it, then the space between the floor and the ceiling next above it, not including in either case mezzanine floors or balconies.

Garage means a space or structure used for storing motorized vehicles that has any more than two sides completely enclosed.

Community garage means a garage, or a series of garages, for use only for the storage of noncommercial vehicles of residents of the neighborhood.

Privage garage means a garage, for private use only, for the storage of not more than four motorized vehicles, including not more than one commercial vehicle, which shall be of less than two-ton capacity.

Public garage means a garage other than a private or community garage used for the storage, sale, hire, or repair of motor vehicles or of vehicles used in connection therewith.

Habitable room means any room in a dwelling unit used for sleeping, living, or dining purposes.

Half story. That part of a building between the eaves and the ridge line of pitched roofs used for storage or occupancy. When designed and constructed for limited storage, such portion is an attic.

Homeless family means a group of one or more related individuals who are homeless individuals.

Homeless individual means an individual who lacks a fixed and regular nighttime residence or an individual whose primary nighttime residence is a supervised public or privately-operated shelter designed to provide temporary living accommodations. Temporary living accommodations include welfare hotels, congregate shelters, and transitional housing.

Hotel means a building in which lodging and board is provided to the public for compensation and which caters to daily transient guests.

Impervious to water means constructed of concrete, cement block, terrazzo, brick, tile, or other similar material approved by the Director and having tight-fitting joints and more than four and one-half percent absorption by test.

Infestation means the sustained presence of household pests, vermin, or rodents.

Living room means a room used for sitting, dining, or cooking purposes, but does not include a room designed for laundry, workshop, furnace, play, or storage purposes.

Mezzanine floor means a balcony-like floor located between a main or full floor and the main ceiling next above and not exceeding in area more than one-third of such main or full floor.

Occupant means any individual residing in a dwelling.

Owner means the State, the City, the University of Wisconsin-Green Bay, any sewer or drainage district, any person, firm, partnership, corporation, or organization of any kind having a legal or equitable interest in a property.

Plumbing means all gas pipes and gas burning equipment, waste pipes, water pipes, water closets, sinks, lavatories, bath tubs, catch basins, drains, vents, and any other fixtures, together with connections to the water, sewer, or gas lines.

Provided means furnished, supplied, or paid for by, or under control of, the owner.

Rooming house means a building or structure, other than a hotel licensed by the State, where three or more persons are lodged for compensation.

Service station means a garage, other than a public garage, used in connection with liquid fuel dispensing stations and in which one or more vehicles can be accommodated for washing, greasing, oil changing, tire and battery replacement, or similar minor operations or adjustments.

Shelter facility means a temporary place of lodging for homeless individuals or homeless families.

Sleeping room means a room used for sleeping purposes.

Street means a public or private right-of-way, lane, or way set aside permanently for common travel and being 21 feet or more in width if it existed on November 3, 1959.

Structural alteration means any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

Structure means anything constructed, the use of which requires location on the ground or attachment to something having a permanent location on the ground.

Yard means an open, unoccupied space on the same lot with a dwelling and lying between the front, rear, or sides of the dwelling and the respective lot lines.

Sec. 8-22. Incorporation by reference.

The Wisconsin Uniform Dwelling Code, Wis. Admin. Code SPS chs. 320 to 325, and Commercial Building Code, Wis. Admin. Code SPS chs. 361 to 366, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein. Any conflict between this article and the Wisconsin Administrative Code shall be resolved in favor of the Wisconsin Administrative Code.

Secs. 8-23—8-45. Reserved.

DIVISION 2. ADMINISTRATION

Sec. 8-46. Division of Building Inspection.

- (a) *Duties.* The Director shall enforce all state laws, City ordinances, and lawful orders relating to the construction, alteration, repair, removal, location, occupancy, safety, and use of buildings and permanent building equipment.
- (b) *Records.* The Director shall keep records of and make monthly and annual reports to the Council on all of the following.
 - (1) All applications for building permits, which shall be numbered in the order of issuance.
 - (2) The number, description, and size of every building erected, which shall indicate the materials used and the cost of each building, as well as the aggregate cost of all buildings of the various classes.

- (3) All inspections made and all removals and condemnations of buildings.
- (4) All related fees collected, including the dates of their receipt and delivery to the City Treasurer.
- (d) *Powers.*
 - (1) *Inspection.* The Director may at all reasonable times for any proper purpose enter upon any public or private premises and make inspections thereof and may require the permit for any building, electrical, heating, or plumbing work, or the required license therefor, to be produced for inspection.
 - (2) *Emergency powers.* The Director shall have such emergency powers as are necessary to fulfill the purpose and intent of this article; that is, to promote the public health, safety, and welfare.

Sec. 8-47. Building permits.

- (a) *Building permit required.* No person shall erect or construct any building or structure, or shall add to, enlarge, move, improve, alter, convert, extend, or demolish any building or structure or cause the same to be done, or shall commence any work covered by this article on any structure without first obtaining a building permit therefor from the Director, provided the Director may authorize minor repairs not involving structural alterations without requiring a building permit to be issued.
 - (1) *Residential properties.* The Director may issue a permit under this section to an owner currently living and residing at the property. For residential properties not occupied by the owner, the Director shall only issue a permit under this section to a contractor who holds a dwelling contractor certification or dwelling contractor qualifier certification issued by the State of Wisconsin.
- (b) *Application.* An application for a building permit shall be filed with the Director on a blank form to be furnished for that purpose. Such application shall describe the land upon which the proposed building or work is to be done, either by lot, block, tract, or similar general description which will readily identify and definitively locate the proposed building or work, shall show the use or occupancy of all parts of the building, and shall include such other pertinent information as may be required by the Director.
- (c) *Information to accompany application.*
 - (1) *Site plan.* Each application for a building permit shall be accompanied by two copies of a site plan, drawn to scale, where not less than one inch equals 20 feet nor more than 1/16-inch equals one foot, which shows the actual dimensions of the lot to be built upon, the size and location of the buildings to be erected, the proper relationship of the buildings to the exterior lines of existing or proposed streets shown on the Official Map, and such other information as may be necessary to provide for the enforcement of this article. Such site plan shall indicate the detailed legal description of the property as it appears of record. In the case of unplatted land or parcels conveyed by metes and bounds, the site plan, together with sufficient measurements to permit property determination, shall be submitted to the Director, who shall certify as to whether the proposal is in conflict with the Official Map.
 - (2) *Other data required.* The following data shall be a part of, or shall accompany, all site plans submitted for approval:
 - a. The location of streets, alleys, lot lines, and any other buildings on the same lot or property.
 - b. The name of the owner.
 - c. The intended use of all rooms.
 - d. When required by the Director, computations, stress diagrams, and other data necessary to show the correctness of the plans.
 - (3) *Foundation specifications.* When necessary, information concerning the size and material of the foundations and, if required, the loads to be placed thereon, where piles are to be driven, and the spacing, size, and materials of the piles and the load to be placed on each shall accompany the application for a building permit.

(e) *Conditions of approval of application.*

- (1) *Sanitary sewers.* Where sanitary sewers are not installed or immediately available, no building permit shall be issued by the Director until a plumbing permit for an individual sewage disposal system has been issued in accordance with Section 8-370.
- (2) *Right to inspect.* The Director may, as a condition of the granting of a building permit, enter any premises for which such permit was issued at any reasonable time during the course of the work and until final inspection and approval thereof has been given to inspect such premises for compliance with all statutory and ordinance regulations concerning the construction, repair, use, and location of such building.
- (3) *Buildings covered by State Building Code.*
 - a. *Approval of plans.* Before a permit is issued for any building listed in subsection (e)(3)b or for the equipment for remodeling any such building, complete plans and specifications, including a site plan showing the position of the building with respect to lot lines, shall be submitted to the State Department of Safety and Professional Services for approval in accordance with the Wisconsin Administrative Code. Such plans shall be submitted to the State in such number as will permit a complete set of approved plans and specifications, together with any correspondence concerning such approval by the State, to be filed with the Department of Community and Economic Development.
 - b. The Department of Safety and Professional Services must approve permit applications for the following types of buildings:
 1. Hospitals.
 2. Buildings containing elevators.
 3. Buildings containing fire sprinkler systems or fire alarm systems.
 4. All other buildings required by state law or administrative regulation to be submitted.
 - c. *Changes in approved plans.* After plans have been approved for buildings and equipment thereof, no changes shall be permitted unless such changes are approved by the Department of Safety and Professional Services.
 - d. *Inspection of buildings covered by State Building Code.* The Director shall make inspections and require such changes as will be necessary for buildings and their equipment to conform with the approved plans, or the approved changes in such approved plans, which have been filed in their office.

(f) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Building Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.

(g) *Permit fees.*

- (1) Fees for building permits issued under this section shall be provided in the City Fee Schedule.
- (2) If an application for a building permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.

(h) *Issuance of building permit.*

- (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a building permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp both sets of plans and specifications as "approved."

- (2) *Who shall have plans and specifications.* One such approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
- (3) *Evidence of permit.* With every permit, Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
- (4) *Lapse.* A building permit shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further construction is necessary after one year, the permit holder shall make written application in duplicate to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the building permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
- (5) *Revocation.*
- a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the building permit shall be revoked by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work upon the subject building until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (7) *Preliminary foundation permit may be issued.* Whenever any person has applied for a building permit and all of the provisions of this section have been complied with, particularly with respect to review and approval of the site plan and other necessary conditions of approval as set forth in subsection (e) of this section, the Director may issue a preliminary foundation permit allowing the permittee to construct the foundation of any building for which a permit is sought. Thereafter, the Director may issue the final permit upon approval of plans and specifications for the remaining portion of the building to be constructed above the foundation. Nothing contained herein shall require the Building Inspector to issue the final permit unless the plans and specifications for the remainder of the building to be constructed above the foundation are in proper order and approved. The Director shall not issue such preliminary foundation permit unless all necessary information provided hereunder has been

reviewed and approved by the appropriate City departments and the only information remaining to be approved is the computation, stress diagrams, and other data necessary to show the correctness of the plans for that portion of the building to be constructed above the foundation.

- (i) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Secs. 8-48—8-67. Reserved.

DIVISION 3. ENFORCEMENT

Sec. 8-71. Unsafe buildings; razing or repair.

- (a) *Order to raze.* If any building located within the City is old, dilapidated, or out of repair and consequently dangerous, unsafe, unsanitary, or otherwise unfit for human habitation and unreasonable to repair, the Director may order the owner of the building to raze and remove such building; or, if the building can be made safe by reasonable repairs, order the owner to either make the building safe and sanitary or raze and remove it, at the owner's option; or, where there has been a cessation of normal construction of a building for more than two years, order the owner of the building to raze and remove such building. Any order issued under this section shall specify the repairs necessary to make the building safe and sanitary and shall specify a time within which the owner shall comply therewith. Such order shall be served as provided by Wis. Stats. § 66.0413.
- (b) *Failure to comply with order.*
 - (1) If the owner fails or refuses to comply with an order issued under this section within the time prescribed, the Director shall cause such building either to be razed and removed as provided by Wis. Stats. § 66.0413, through any available public agency or by contract or arrangement with private persons, or to be closed if unfit for human habitation, occupancy, or use.
 - (2) The cost of such razing and removal or closing shall be charged against the real estate and shall be assessed and collected as a special charge. When any building has been ordered razed and removed, the Director may sell the salvage and valuable material at the highest price obtainable. The proceeds of such sale, after deducting the expense of razing and removal of the building, shall be promptly remitted to the Circuit Court with a report of such sale or transaction, including the items of expense and the amounts deducted, for the use of the person entitled to the net proceeds, subject to the order of the Court. If there remains no surplus to be turned over to the Court, the report shall so state.
 - (3) If a building subject to a raze order under this section is unsanitary and unfit for human habitation, occupancy, or use and is not in danger of structural collapse, the Director shall post a placard on the premises containing the following notice: "This Building May Not Be Used For Human Habitation, Occupancy, or Use." The Director shall prohibit use of the building for human habitation, occupancy, or use until the necessary repairs have been made. Any person who rents, leases, or occupies a building which has been condemned for human habitation, occupancy, or use shall be fined not less than \$5.00 nor more than \$50.00 for each week of the violation.

Secs. 8-72—8-98. Reserved.

DIVISION 4. INSPECTION

Sec. 8-99. Structural portions to be inspected.

No structural portion of any part of any building or structure not supervised by an architect or professional engineer or their authorized representative, and no reinforced steel, structural framework of iron or steel, brick, concrete block, frame, or any other materials used in the structural part of any building shall be covered or concealed in any manner without first securing the approval of the Building Inspection Division. The Building Inspection Division shall be notified at least one working day prior to such time as the work is to be inspected.

Sec. 8-100. Successive inspections to be made.

No work shall be done on any part of a building or structure beyond the point indicated in each successive inspection without first obtaining the approval of the Building Inspection Division. Upon notification by the permit holder or an agent of the completion of each of the respective steps in construction, the Director shall make the following successive inspections in accordance with the Department of Safety and Professional Services Administrative Code and shall either approve that portion of the construction as completed or shall notify the permit holder or an agent where the same fails to comply with the law:

- (1) Residential and/or commercial building inspections are required following specific phases of the construction process. The list in this section is not exhaustive, and additional inspections may be required as appropriate. The Director shall perform an inspection following each of the following steps in construction:
 - a. *Footings.* When forms for footings are in and ready to be poured. Forms for footings shall be framed with a minimum depth of six inch framing members.
 - b. *Foundation.* When footings are fully installed and the permit holder is ready to install concrete for the walls.
 - c. *Tar, stone, and tile.* When the walls are up and stone, tile, and damproofing have been installed.
 - d. *Rough-in.* When the roof and all framing, fire blocking, and bracing are in place, and all pipes, chimneys, and vents are completed.
 - e. *Insulation.* When the insulation has been installed.
- (2) *Certificate of occupancy.* The Chief Building Official, Plumbing Supervisor, Heating Inspector, Electrical Inspector, Engineering Department agents, and Fire Department Prevention Bureau, or their designees, shall each make a final inspection of all new buildings, additions, and alterations. If no violation of this article or any other ordinance, law, or order is found and if there is a sewer connected to the public system or a system approved by ordinance, a connection with adequate water supply and access to the premises by a graded and graveled public road, and the buildings, additions, and alterations are in compliance with the City's building, electrical, heating and air conditioning, plumbing, rat prevention, and fire prevention and control ordinances, the Director shall issue a certificate of occupancy stating the purpose for which the building is to be used and the maximum load and maximum number of persons that may be accommodated on each floor thereof. No building or part thereof shall be occupied until such certificate has been issued, except with the written consent of the Director, nor shall any building be occupied in any manner which conflicts with the conditions set forth in the certificate of occupancy. In no case shall a certificate of occupancy be issued until complete compliance with the conditions stipulated on the site plan have been met, except such certificate may be issued prior to complete compliance provided that a cash bond in an amount equal to the cost of site plan compliance, as stipulated by the Director of Public Works and indicated on the site plan, has been deposited with the City Treasurer. If all conditions have not been met within 60 days after notice by the Director of Community and Economic Development, the Director of Public Works may make the

necessary installations as provided in the site plan and charge the same to the cash bond account for that particular building.

- (3) *Commercial partial and/or temporary occupancy.* Partial and/or temporary occupancy of a building may be granted subsequent to the original site plan approvals if the following conditions are met:
- a. The applicant has submitted a Life Safety Plan containing the stamped seal of the supervising professional. Said Life Safety Plan shall demonstrate to the satisfaction of the Director that all life safety components for the entire building have been completed or that an equivalent or better level of protection is in place.
 - b. The Director and the Fire Chief have reviewed and approved the revised Life Safety Plan described in this subsection.
 - c. The applicant has paid an additional permit fee in an amount determined by the Director, which amount shall reflect the actual administrative costs of issuing the partial or temporary certificate of occupancy. In determining the fee amount, the Director may consider all relevant factors, including, but not limited to, the timing or urgency of the request for the partial or temporary occupancy permit, the number of inspections required to grant the partial or temporary occupancy permit, and the percentage of the building included in the partial or temporary occupancy permit. The fee for the partial or temporary occupancy permit shall not exceed fifty percent of the total permit fee.

Secs. 8-101—8-128. Reserved.

DIVISION 5. BUILDING SITE REGULATIONS

Sec. 8-129. Excavations.

- (a) *Excavation plans to be submitted in advance.* A building permit shall be obtained before commencing with excavation or driving piles for any foundation of any building or structure. The application for a building permit shall be filed with the plans and specifications of the building showing the location of the building or structure, the size and material of the foundation, and, if required, the loads to be placed thereon, where piles are to be driven, the spacing, size, and materials of the piles and the load to be placed on each.
- (b) *Guard rails.* Any person making excavations or causing the same to be made shall properly guard them and shall so protect them that the adjoining soil shall not cave in. No one shall excavate so as to injure any adjoining soil, ground, or building. Wherever such excavations are made within ten feet of any sidewalk, street, or alley, guard rails and warning lights and signs determined to be proper by the Director shall be installed and maintained. The Director may require guard rails around such other excavations as such they believe the protection of the public requires.

Sec. 8-130. Abandoned or water-filled excavations.

- (a) *Open basements.* Any open basement or basement excavation on which no work has been performed for a period of 60 days after the commencement of building or razing shall constitute a nuisance and the owner or contractor shall, within five business days of receipt of written notice from the Director, cause such basement or basement excavation to be properly filled and leveled off to the original grade. All concrete, including footings and foundations, must be removed in its entirety prior to such filling and shall not be buried.
- (b) *Fill and debris.* Any fill or debris on land or lots that has not been leveled off or removed within 30 days after its deposit and which is harboring rodents, preventing noxious weeds from being cut, or otherwise creating a nuisance shall be subject to the issuance of written orders by the Director requiring the leveling or removal of such fill or debris within 48 hours of receipt of such orders.
- (c) *Water-filled excavations.* Any open

basement or basement excavation in which one foot or more of water is permitted to stand shall constitute a nuisance and the owner shall, within 48 hours of receipt of written orders from the Director, cause the excavation or basement to be pumped dry.

- (d) *Publication of notice.* If the address of the owner or contractor cannot be ascertained with reasonable diligence, then the 48-hour period provided in subsections (a) through (c) of this section shall commence to run at the beginning of the day following two successive publications of the notice in the official newspaper.
- (e) *Failure to comply.* Failure to comply with a written order from the Director shall be cause to have the work done to abate the nuisance in accordance with Chapter 24, and the cost thereof charged back to the property or property owner.

Sec. 8-131. Littering and damage to property.

- (a) *General provisions.* No person engaged in work for which a building permit has been issued shall cause, maintain, or permit the littering of any public or private property with mud, dust, brush, stumps, tree limbs, construction, or other types of debris; nor shall such person cause damage to any public street, sidewalk, alley, curb, gutter, sewerage system, or property.
- (b) *Littering at razing or removal site.* No person shall leave litter, building debris, excavations, or ground piles on property on which a building is being razed or from which a building has been moved. If work is not being done in a satisfactory manner or is not progressing, thus causing a public safety hazard and nuisance, the Director shall issue a written order to the property owner specifying a definite period within which persons concerned shall clean up the property and level off the ground to the adjoining level, the City shall cause such work to be done to abate the nuisance in accordance with Chapter 24, and the cost thereof charged back to the property or the property owner.

Sec. 8-132. Lot corners.

- (a) *To be monumented.* Prior to issuance of a building permit, all lot corners of the property upon which any building or structure is to be located shall be monumented by a registered land surveyor. These monuments shall be marked by wooden guard stakes.
- (b) *Monuments to be maintained.* The lot corner monuments and guard stakes shall be maintained and kept readily visible until the footings have been inspected and approved by the Director.

Secs. 8-133—8-165. Reserved.

DIVISION 6. BUILDING CONSTRUCTION REGULATIONS

Sec. 8-166. Minimum building elevations.

- (a) The first habitable floor of any building or structure shall not be constructed below the current city elevation.
- (c) Uses requiring floodproofing measures shall be designed consistent with the current flood protection elevation. The Director shall require that the applicant submit a plan or document certified by a registered professional engineer or architect that the floodproofing measures are consistent with the flood protection elevation. Floodproofing measures shall include, but are not limited to, the following:
 - (1) Installation of water-tight doors, bulkheads, and shutters.
 - (2) Reinforcement of walls to resist water pressure.
 - (3) Use of paint, membrane, or mortar to reduce seepage of water through walls.
 - (4) Construction of water supply and waste treatment systems to prevent the entrance of floodwaters.

- (5) Pumping facilities for subsurface drainage systems for buildings, to receive external foundation wall and basement floor pressures.
- (6) Construction to resist rupture or collapse caused by water pressure or floating debris.
- (7) Installation of cutoff (backwater) valves on sewer lines or elimination of gravity flow basement drains.
- (8) Anchorage to resist flotation and lateral movement.
- (9) Addition of mass or weights to structures to resist flotation.
- (10) Installation of pumps to lower water levels in structures.
- (d) Accessory uses such as parking lots, yards, and other similar land or open land uses may be permitted at the current base flood elevation.
- (e) Fill shall be placed around buildings and structures to a minimum of one foot above base flood elevation and shall extend at such elevation at least 15 feet in each direction from the structure thereon. Fill material shall be stabilized in a manner recommended by the U.S. Soil Conservation Service and protected against erosion.

Secs. 8-167—8-202. Reserved.

DIVISION 7. OTHER CONSTRUCTION REQUIREMENTS

Sec. 8-203. Materials approved by Department of Safety and Professional Services.

Materials not listed in this article but approved by the State Department of Safety and Professional Services may be used in any building in the City, provided the necessary test sheets verifying such approval are on file in the office of the Department.

Sec. 8-204. Prefabricated and other similar buildings.

Nothing in this article shall prevent the erection of prefabricated, component, pre-cut, stressed-skin, or unit-constructed buildings, provided such buildings meet or are modified to comply with all requirements of this article.

Sec. 8-205. Items not covered by this article.

Any item, phase, or area of construction not specifically covered by this article shall meet with the approval of the Director. This article shall not be interpreted to limit the scope or use of other construction practices not specifically covered herein, provided the standards of construction and safety intended by this article are maintained. Detailed material, information, and structural design data on other construction practices shall be submitted to the Director for approval prior to starting construction.

Secs. 8-206—8-234. Reserved.

DIVISION 8. HOUSING REQUIREMENTS

Sec. 8-235. Buildings affected.

This division shall apply to buildings hereafter constructed which are not covered by the State Building Code. Sections 8-238 through 8-240 shall also apply to buildings heretofore constructed which are not covered by the State Building Code.

Sec. 8-236. Light and air regulations.

Every room used for human habitation, including bath and toilet rooms, shall be lighted directly upon a street or alley, upon a court on the same lot with the building, or upon the sky. Every court which is bound on one side by a lot line and which opens at one or both ends to the street, alley, or yard shall be an outer line court and shall be at least three feet wide. Every court which is between two buildings or parts of buildings on the same lot and which opens at one or both ends to the street, alley, or yard shall be an outer court and shall be at least six feet wide. Every court which is bounded on one side and both ends by walls and on the remaining side by a lot line shall be an inner lot line court and shall be at least six feet wide and at least 60 square feet in area. Every court which is bounded on all sides by walls shall be an inner court and shall be at least ten feet wide and at least 150 square feet in area. No building shall be built, altered, or enlarged so as to encroach upon the space reserved under this section for light and air.

Sec. 8-247. Ceilings.

All habitable rooms in each dwelling unit shall maintain a minimum ceiling height of seven feet. If beams or girders are exposed below the normal ceiling, a height of seven feet shall be maintained between the floor and the beams or girders. Rooms with sloping ceilings shall maintain a seven-foot average. In one-half story residences, areas with less than five feet of head room at the sides shall not be included in the above requirements, but the center ceiling height shall be at least seven feet.

Secs. 8-248—8-273. Reserved.

DIVISION 9. OTHER BUILDING REGULATIONS

Sec. 8-274. Razing of buildings.

- (a) *Permit required.* No person shall raze any building in the City without first securing a permit therefor from the Department and a permit for the sealing of the sewer from the Director. No permit shall be granted unless the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. The applicant shall agree to indemnify and hold the City harmless from all liability arising out of the job. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the permit, and no work shall be done under such permit until a new certificate of insurance certificate complying with this subsection has been filed with Risk Management. No certificate of insurance is required if either of the following conditions exists:
- (1) The building is located in a residential zoning district and is set back at least ten feet from all property lines.
 - (2) The building is located in any zoning district, is an accessory building as defined in Section 44-249, is no greater than one story, and is set back at least ten feet from all property lines, or is constructed and situated upon the property so that the same may be razed with no damage resulting to the person or property of others as determined by the Director and Risk Manager. Anyone aggrieved by such determination may appeal that decision to the Protection and Policy Committee in accordance with Wis. Stats. Ch. 68.
- (b) *Requirements.* The holder of a permit to raze a building shall comply with the following requirements:
- (1) *Property to be protected.* Streets, alleys, and private property shall be properly protected by erecting proper fences and scaffolds. If scaffolds are to be built on streets or alleys, they shall be properly protected with a top cover of planks, guard rails, and toe-boards to prevent the falling of debris on sidewalks or streets. The top of the scaffold shall be at least eight feet above the sidewalk or alley.

- (2) *Walls to be supported.* No person shall remove all horizontal support from exterior walls or partitions thereby permitting them to stand unsupported.
- (3) *Buildings to be razed floor-by-floor.* In buildings of more than one story, the exterior walls, interior partitions, and other supports shall be removed floor-by-floor, using the floor below as protection from falling debris and to prevent exterior and interior walls from collapsing.
- (4) *Razing to be gradual.* No walls, chimneys, or other construction shall be allowed to fall en masse on a floor and bulky material such as beams and columns shall be lowered and not thrown.
- (5) *Cranes.* Cranes may be used in wrecking or demolishing buildings provided the other requirements of this subsection are met.
- (6) *Sewers.* When a building is moved or demolished, its sewer shall be located at a point outside the foundation lines and sealed off. The plug or seal shall not be covered until the Director or a plumbing inspector under Section 8-356 gives approval.
- (7) *Obstruction of streets.* When razing requires the obstruction of a public street, alley, or sidewalk, a permit must be obtained from the Director of Public Works as provided in Section 34-11 before work on razing the structure can begin.
- (8) *Filling basement and excavated areas.* All loose material and debris shall be removed from the basement, crawlspaces, and other excavated areas. Upon ascertaining that all openings, pipelines, drains, and similar components have been properly capped, all basements, crawlspaces, excavated areas, and other below-grade voids resulting from the removal of pavements, slabs, foundations, and the like shall be filled to within four inches of finished grade with granular fill material. The material shall be well graded, free from debris and organic material. All granular fill shall be placed in layers of 12 inches or less and shall be compacted to not less than 95 percent of Modified Proctor (ASTM D-1557).
- (9) *Completion of project.* When razing activities are completed, the disturbed area shall be graded so that no gradients in disturbed earth shall be steeper than a slope of three to one (horizontal to vertical). A layer of arable topsoil capable of supporting perennial grasses shall be spread over the disturbed area to a minimum depth of four inches. The area shall be seeded with a perennial grass capable of survival in this climate and maintained until the area is stabilized and developed with zoning and other applicable provisions of this Code.

Sec. 8-275. Moving of dilapidated or detrimental building prohibited.

- (a) *Dilapidated buildings.* No permit shall be granted for the moving of any building from one location to another which, in the judgment of the Director, is so dilapidated and so out of repair as to be unsanitary or unfit for human habitation, occupancy, or use or is so out of repair that it would be unreasonable to repair the same.
- (b) *Detrimental buildings.*
 - (1) To protect and conserve the value of neighboring property, no permit shall be granted for the moving to a location within the City of any building which, in the judgment of the Director, would be detrimental to the character of the intended neighboring property. Such consideration shall be made on the basis of compatibility of external appearance, size, and architectural quality in relation to existing structures.
 - (2) The application for a moving permit shall be accompanied by three copies of a site plan of the proposed site, with such additional material as would permit the application of the foregoing standards.
- (c) *Denial; appeal.* The refusal to grant a moving permit shall be in writing and shall contain a detailed statement as to why the relocation would be detrimental to the value of the neighboring property, if such is the case. The applicant or any aggrieved party may, within ten days of the granting or refusal of a moving permit,

appeal to the Board of Appeals. The Board of Appeals shall hear such appeal in accordance with procedures which it shall provide.

Sec. 8-276. Building maintenance.

- (a) *Hazardous conditions.* A person who owns, leases, or occupies a building shall keep the building from structural or other conditions that constitute a substantial hazard to the health or safety of its occupants or create an unreasonable risk of personal injury as a result of any reasonably foreseeable use of the building other than negligence by an occupant.
- (b) *Common areas.* A person who owns a commercial building and leases the building to multiple tenants shall keep all common areas of the building maintained in a manner that is safe, functioning, sanitary, and undamaged.
- (c) *Building exterior.* A person who owns a building shall keep all exterior and weatherproofing components maintained in a manner that is safe, functioning, cleanable, and undamaged.
- (d) *Other structures.* Accessory structures, temporary structures, fences, and other structures shall be kept in a manner that is safe, functioning, cleanable, and undamaged.
- (e) *Insufficient repairs.* A person who owns a building shall ensure all repairs to the building are performed in a workmanlike manner. The term "workmanlike manner" includes, but is not limited to:
 - (1) The use of materials that have a consistent texture, color, quality, or appearance with adjacent materials.
 - (2) The complete performance of a job which does not leave unfinished edges, exposed nails or screws, loosely attached materials, or similar conditions.

Secs. 8-277—8-324. Reserved.

DIVISION 10. OTHER STRUCTURES

Sec. 8-325. Billboards and signs.

- (a) *General.* Billboards and signs are subject to all applicable regulations in Chapter 30.
- (b) *Materials to be used within Commercial Construction District.* When erected or maintained within the Commercial Construction District, billboards and signs shall be constructed and maintained entirely of incombustible materials, including the structural parts of the frames of such structures; except that braces, uprights, and the skeleton frames of billboards and signboards to which the metal facing is fastened may be wood.
- (c) *Not to be an obstruction.* No billboard or sign or any part of such structure, or any anchor, brace, guide wire, or guide rod shall be attached, fastened, or anchored to any fire escape, fire ladder, or stand pipe; and no such structure or any part of such structure, or any anchor, brace, guide wire, or guide rod shall be erected or maintained so as to cover or obstruct any doors, doorways, or windows or so as to prevent or hinder the raising or placing of ladders against any such building by the City Fire Department if necessary.
- (d) *Signs in public places.* No person shall erect, fasten, post, paint, or maintain any sign, picture, poster, or advertisement of any description upon any curb, sidewalk, fence, board, barrel, box, case, railing, pole, post, barricade, material, bridge, bridge fender, dock, pile, structure, or building of any kind placed upon any street, alley, public way, public ground, or public waterway.
- (e) *Temporary banner.* No person shall erect or maintain any temporary banner or sign extending beyond the curblineline of the street.

Sec. 8-326. Awnings over streets or sidewalks.

No person shall erect, repair, or maintain any awning over any sidewalk or street within the City except in accordance with this section.

- (1) *Permit required.* No person shall erect any awning over any sidewalk or street without first obtaining a permit therefor from the Director. No permit shall be granted unless the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager.
- (2) *Specifications.* Any awning erected over any sidewalk or street within the City shall be constructed of an adjustable iron frame firmly secured in place and covered with canvas or other suitable material. Such frame shall be at least 7½ feet in height above the highest point of the walk, and the lowest point of the flap or fringe of such awning shall not be less than 6½ feet above the sidewalk immediately beneath it.
- (3) *Permanent metal awnings.* Permanent metal-type awnings may be erected provided that a minimum clearance of ten feet is allowed from the sidewalk to the lowest part of the awning.

Sec. 8-327. Canopies, hoods, and projecting signs.

No permanent hood, canopy, or projecting sign shall be constructed unless in the manner herein provided.

- (1) *Permit and inspections required.* No canopy, hood, or projecting sign shall hereafter be erected without a permit therefor being first secured from the Director. All such canopies, hoods, or projecting signs shall be inspected yearly by the Director.
- (2) *Certificate of insurance for canopies, hoods, or projecting signs over the public right-of-way.* No permit shall be granted until the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the permit until a new certificate complying with this subsection has been filed with Risk Management.
- (3) *Clearance.* There shall be not less than ten feet between the grade of the sidewalk at any point and the lowest point of any appendage or projection of any canopy, hood, or projecting sign extending over a public street right-of-way.
- (4) *Project toward streets.* The projections of permanent hoods, canopies, or projecting signs shall not extend over the street nearer than two feet from a vertical projection of the outside face of the curb.
- (5) *Height.* The overall height of canopies or hoods, including all projections, ornamentations, accessories, or appurtenances, shall not exceed six feet. After the original erection, no sign, poster, or other thing extending beyond six feet above the ten-foot clearance required of such canopy shall be added to such canopy or hood. The maximum distance to the top of any canopy, including all projections, ornamentations, or appurtenances, signs, or other part of the canopy, shall not exceed 16 feet from any point of the sidewalk.
- (6) *Accessories to installations.* Any necessary appurtenances or signs of a temporary or permanent installation shall be rigidly attached to the hood or canopy in a manner satisfactory to the Director. No swinging signs or accessories shall be permitted.
- (7) *Signs erected above canopies or hoods.* Where projecting signs are erected above canopies or hoods, they shall in no manner be attached to any accessory, ornament, or other thing of a temporary or permanent nature. Such signs shall be hung independently of the canopy.
- (8) *Drainage to be provided.* All hoods, canopies, and projecting signs shall have gutters and conductors connected with the sewer at the building and shall be so drained as not to discharge any water onto the sidewalk or public highway, except as provided in the City Plumbing Code.

- (9) *Other design and material requirements.* Canopies, hoods, and projecting signs shall be built of incombustible material throughout, shall be capable of resisting a superimposed load of 30 pounds per square foot, shall extend from the lot line toward the curb at a height in the clear of not less than ten feet, and shall slope and drain toward the building in accordance with the City Plumbing Code.
- (10) *Suspension from building.* Canopies, hoods, and projecting signs shall be suspended from the building, with no supports resting upon the sidewalk or public highway.
- (11) *Approval required.* The Director shall approve the design and materials of construction of all canopies, hoods, and projecting signs.

Sec. 8-328. Fire escapes outside.

No outside fire escape or other structural addition projecting from a building over a public alley or thoroughfare shall be erected without first securing a permit from the Director. The Director shall not issue a permit for the building of such outside fire escape or other structural addition unless the plans provide for a minimum of 13 feet, six inches vertical clearance from the permanent established grade of the alley or thoroughfare below, provided where such grade has not been established, the clearance shall be on the basis of the proposed grade for such alley or thoroughfare as set by the Director of Public Works.

Sec. 8-329. Gas or oil distributing stations.

- (a) *Plans and specifications.* Plans and specifications for any gas or oil distributing station shall conform in all respects to the laws of the State and to existing laws for buildings and construction in the City.
- (b) *Design standards.*
 - (1) *Sidewalk, street, and curb grades.* Sidewalk, street, and curb grades shall be established by the Council and shall be obtained from the Engineering Division of the Department of Public Works. All construction shall conform to the grades so established.
 - (2) *Driveways and stationaries.*
 - a. *Surfacing.* All stationaries and driveways which receive moving traffic shall be surfaced with bituminous or Portland cement concrete. If Portland cement concrete is used, it shall be a minimum thickness of six inches or of a designed mix containing not less than 5½ bags of cement per cubic yard of concrete. If bituminous concrete is used, it shall be laid with a minimum thickness of two inches of a plant hot mix material upon either a four-inch Portland cement concrete base or a six-inch crushed stone base, such base to be properly compacted and rolled.
 - b. *Corner lots.* Driveway approaches measured along the curblines shall not be less than 25 feet from the intersection of the street right-of-way line on a corner lot or 35 feet from the point of intersection of the curb faces, whichever is greater.
 - c. *Curb cuts.* Two driveways shall be permitted on both the long and short side of any lot; but in no case shall two driveways be permitted on any side less than 100 feet long. Openings shall not exceed the distances set in this subsection. The opening at the curb to any proposed gas or oil distributing station shall not be greater than 30 feet and at the property line shall not be greater than 20 feet.
 - d. *Curbing required.* Except at driveway locations, curbing not less than eight inches in height and eight inches in width shall be constructed adjacent to all property lines and/or street setback lines abutting the street rights-of-way. At all driveway locations, the end 24 inches by eight inches curbing may be evenly tapered to allow the top of such curbing to intersect at the grade with the driveway.
 - e. *Driveways.* The curbing of all driveways on both sides shall commence at the outside sidewalk line at the grade established by the Engineering Division of the Department of Public Works. Such

curb shall continue and become attached to the curb at the street at the same grade as such street curbing, the outer edge of such curbing conforming with the entrance measurements as set forth in this section.

- f. *Distance between driveways.* The minimum distance between driveways at the property line shall be 30 feet.
 - g. *Lighting.* The type and location of all lighting shall be shown on the site plan. All outdoor light sources shall be controlled, directed, and/or otherwise screened from illuminating directly upon adjoining or opposite properties. This control can be by landscaping, buildings, louvers, and/or shields on the lights, or with similar devices.
 - h. *Fencing required.*
 - 1. When abutting a residential zone, decorative fencing that is impervious to sight and not less than four feet nor more than eight feet in height shall be installed along the interior boundaries of the proposed station property to a point 15 feet from the street right-of-way. Curbing eight inches by eight inches shall be placed along the property line within this 15 feet. When abutting a zone other than residential, curbing or bumper guards may replace the fencing equipment.
 - 2. All exterior waste or storage areas shall be properly fenced to screen them from public view.
 - i. *Setback area.*
 - 1. Where street setback areas are required, the setback area shall not be considered part of the station proper but shall be properly seeded and landscaped.
 - 2. With the permission of the Plan Commission, the station area may extend into the street setback area to within 15 feet of the street right-of-way line if proper curbing is installed as required by the Commission for the purpose of safety and protection of property.
 - 3. Interior and corner side yard setback areas bordering on residential zoning districts shall be landscaped and buffered as required in Chapter 44, regardless of size of parking area.
 - j. *Underground storage tanks.* The location and size of all underground fuel tanks shall be approved in writing by the Fire Prevention Division of the City Fire Department by submitting a site plan and application to such Division. Installations shall comply with the provisions of Chapter 18.
 - k. *Elevated pump islands.* All site plans shall show the following information:
 - 1. The location of the elevated pump islands.
 - 2. The location of a rectangular area that shall surround the pump islands. Such area shall be surfaced with Portland cement concrete or bituminous concrete in accordance with subsection (b)(2)a of this section, and covered and maintained with a solvent resistant material and shall project at least three feet to the front and rear of the pump island and eight feet to each side.
 - 3. The distance from the property line to the nearest point on the face of such pump island. Such distance shall be at least 15 feet.
- (c) *Permit.* No gas or oil distributing station shall be erected in the City without first securing a permit from the Director. No permit shall be issued by the Director until detailed plans and specifications have been submitted to the Plan Commission and subsequently approved by the Council.
- (d) *Approval of plans.* No permit shall be issued until a site plan fulfilling the following requirements has been approved by the Plan Commission pursuant to Chapter 44. Such site plan shall be drawn to an engineer's scale and shall show the location and dimension of all property lines, property description, sidewalks, curbs, trees, lighting standards, utility poles, fire hydrants, mail boxes, traffic signs, water mains, sanitary sewers,

storm sewers, storm sewer inlets, storm, sanitary, and water connections, and any other structures on or in the street adjacent to the property as well as on the property and shall show the location of all existing and proposed structures and installations on the property. All elevations shown on such site plan shall give the City datum. After a site plan has been approved by the Plan Commission, all construction and operation shall be in accordance with the provisions of the plan, and no certificate of occupancy shall be issued by the Director until all requirements have been fulfilled.

- (e) *Noncompliance and inspection.* If it is thought the terms of this section are being violated, the City Engineer or the Director, or any other parties properly designated by the Common Council may enter upon the premises at any reasonable time for inspection. If noncompliance is found, all business activities upon such premises shall be suspended until the terms of this section are complied with.

Sec. 8-330. Erection and operation of service stations dispensing liquefied petroleum gas.

- (a) *Permit.* No service station distributing liquefied petroleum gas shall be erected in the City without first securing a permit from the Director. No permit shall be issued by the Director until detailed plans and specifications have been submitted to the Plan Commission and subsequently approved by the Council.
- (b) No service station dispensing liquefied petroleum gas shall be permitted within 200 feet of a building used for institutional occupancy or public assemblies.
- (c) A site plan shall be submitted to the Plan Commission, and a copy of such site plan shall also be filed with the Fire Department to be retained in the Fire Department records.
- (d) No building permit for a liquefied petroleum gas service station installation shall be issued until plans are approved by the Fire Chief.
- (e) No permit for the installation of a liquefied petroleum gas service station shall be approved within the Commercial Construction District.
- (f) The total quantity of liquefied petroleum gas in one or more containers shall not exceed 12,000 gallons at a single service station.
- (g) Each storage container used exclusively in service station operations shall be a minimum of 50 feet from any building or group of buildings, from the centerline of the adjoining streets at the time of installation, and from the adjoining property lines which may be built upon. No container shall be closer than 20 feet to the adjacent right-of-way line of the street.
- (h) A six-inch diversion curb shall be installed to protect all liquefied petroleum storage containers at any service station where flammable liquids are also dispensed.
- (i) The design and construction of protective guard rails and barriers around containers and metering devices shall be subject to approval by the Fire Chief.
- (j) No gas shall be transferred at a liquefied petroleum gas station to any automotive fuel supply tank if such tank requires removal from its normally-established installed position for weighing or gauging.
- (k) Liquefied petroleum gas service stations shall be equipped with at least 20 pounds dry powder fire extinguisher or the equivalent, as approved by the Fire Chief.

Sec. 8-331. Television and radio receiving and transmitting antennas.

- (a) *Applicability.* This section shall apply to the outdoor portion of all apparatus used for receiving or transmitting television or radio waves of more than 12 inches in height.
- (b) *To be of incombustible materials.* All television and radio antenna systems, including the supporting tower or mast, shall be constructed of galvanized steel or other corrosion-resistant incombustible material. Where approved by the State Department of Safety and Professional Services, towers constructed of wood or wood

poles set in the ground may be used to support antenna systems, provided no wood tower or wood pole shall be mounted on the roof of any building or structure.

- (c) *Load requirements.*
 - (1) *Ice load.* The antenna and tower shall support the dead load of the structure plus an ice load of at least one-half inch in radial thickness. The ice load shall be computed upon the wires, cables, messengers, and antenna only.
 - (2) *To withstand wind.* The tower or mast shall be braced or guyed and anchored to resist a horizontal wind pressure of not less than 30 pounds per square foot of net exposed surface area. Guy wires shall not be anchored to a chimney or to any roof ventilator or vent pipe.
- (d) *To be independently mounted.* Antenna systems installed on the roof of a building shall not be supported by or attached to a chimney. All such installations shall be mounted on an independent platform or base and anchored in place. Such platform or base shall be large enough to distribute the weight of the tower over sufficient roof area so the roof will safely support the weight of the structure in addition to the required live and dead roof loads.
- (e) *Distance from streets and thoroughfares.* All antenna systems shall be so installed that no part of the structure will be nearer to a street or other public thoroughfare than the height of the antenna as measured from its platform or base to the top-most point. Any variance necessary from this requirement shall be reviewed as described in subsection (h). No wires, cables, or guy wires shall extend over any street or other public thoroughfare or over any electric power or communication lines.
- (f) *Not to interfere with utility poles and lines.* Poles used for electric power or for communication lines shall not be used for supporting or guying any antenna system. Where antenna installations are so located that damage will be caused to adjacent power or communication lines by the falling of the antenna structures, a separate safety wire shall be attached to the top of the tower and secured in a direction away from such power or communication lines.
- (g) *Electrical installations.* Electrical installations in connection with antenna systems, including the grounding of the tower or mast, shall comply in all respects with the requirements of the State Electrical Code.
- (h) *Variance.* The Plan Commission is authorized to hear and decide special exceptions to the terms of this section and to authorize such variances from the terms of this section as shall not be contrary to the public interest. Such variances shall be granted only where, owing to special conditions, a literal enforcement of the provisions of this section will result in practical difficulty or unnecessary hardship. It is the intent that the spirit of this section shall be observed, public safety and welfare secured, and substantial justice done. If a variance is granted under this section, the owner shall sign a contract, approved by the City Attorney, agreeing to hold the City harmless from and indemnify the City for any and all liability that may result from the construction and maintenance of any structure permitted pursuant to such variance.
 - (1) In all cases where such a variance is granted, the owner shall file a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the variance until a new certificate complying with this subsection has been filed with Risk Management.

Sec. 8-332. Pools, ponds, and spas.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Pond means any naturally-occurring or manmade body of water that retains or detains the natural flow of water. This definition does not include ponds used for or as part of a stormwater management plan as regulated in Chapter 42.

Pool means any constructed or prefabricated structure, either temporary (installed for a duration of less than seven days) or permanent (installed for a duration of seven days or more), either above ground or in-ground, containing or normally capable of containing water that is primarily used for the purpose of wading, swimming, or other recreational use. This definition excludes hot tubs, spas, and ponds.

Spa or hot tub means any hydro-massage pool or tub designed for immersion of users and primarily intended for recreational or therapeutic use which may or may not be equipped with a filter, heater, and motor-driven blower.

- (b) *Permit required.* No construction of a pool intended as a permanent installation, a humanmade pond, or a spa shall begin unless a permit therefor has been obtained and the fee paid as provided in the City Fee Schedule. The application for such permit shall be accompanied by a site plan showing the size, location, and description of the property.
- (c) *Requirements.*
 - (1) *Setback.* Permanent above- or in-ground pools, humanmade ponds, or spas shall maintain a minimum front yard setback of 25 feet and a rear and side yard setback of ten feet from adjoining property, subject to properly granted variance under Chapter 44. In determining this setback for above-ground pools, ponds, or spas with permanent fencing or decks, any deck or similar structure shall be considered part of the pool, pond, or spa.
 - (2) *Fencing.* All pools, ponds, or spas requiring a permit shall be encompassed by fencing as required under this subsection. A variance to maximum fence height may be granted under the procedures of Chapter 44. However, under no circumstance may the minimum fence height requirements of this subsection be varied.
 - a. *Structural requirements.* All fences under this subsection shall be constructed in such a manner as to comply with the requirements of Chapter 44, Article V, Division 6, and the requirements of this subsection.
 - 1. The fence must be able to withstand 200 pounds of force in any direction.
 - 2. The fence shall be so constructed and designed as to prevent penetration of an object greater than six inches in diameter.
 - 3. All such fences shall be constructed with a locking door or gate which complies with all other height and structural requirements of this section.
 - b. *Permanent in-ground pools, ponds, or spas.* Permanent in-ground pools, ponds, or spas, subject to Chapter 44, Article V, Division 9, shall be encompassed by a freestanding fence not less than 48 inches nor more than 96 inches from the ground level. Such fence shall be no less than three feet from the pool, pond, or spa at its nearest point. The fence shall comply with the requirements of this subsection.
 - c. *Above-ground pools.* Above-ground pools, ponds, and spas shall be encompassed by fencing which complies with one or any combination of options listed below and the requirements of this subsection.
 - 1. A fence in compliance with the requirements under this subsection for in-ground pools, ponds, or spas.
 - 2. A fence within three feet of the pool, pond, or spa, not less than 48 inches nor more than 96 inches from ground level.
 - 3. A fence attached to a deck or walkway, provided such fence is at least 36 inches above the surface of the deck or walkway and complies with subsection (c)(2)c.2 of this section.
 - 4. A pool wall not less than 48 inches from ground level, provided that steps, ladders, or other means of pool access are removed when the pool is not in use.

- (3) *Exceptions.* Fencing shall not be required under the following circumstances:
 - a. Pools, ponds, or spas with locking and solid structural covers. Such covers shall be in place whenever the pool, pond, or spa is not in use and/or is unsupervised by an adult.
 - b. Pools, ponds, or spas completely enclosed within a building.
 - c. Existing pools, ponds, or spas as of April 20, 2004.
 - d. The Director has determined that the pool, pond, or spa does not affect the safety, health, or welfare of the residents of the community and does not annoy, disturb, injure, or endanger the comfort, repose, health, peace, or safety of others.
- (d) *Operation of residential pools, ponds, or spas.*
 - (1) *Public pools, ponds, or spas prohibited in residential areas.* No person shall operate a public pool, pond, or spa on any premises zoned residential. The operation of a public pool, pond, or spa on residential premises is declared to be a public nuisance.
 - (2) *Interference with enjoyment of property rights prohibited.* No pool, pond, or spa shall be so located, designed, operated, or maintained as to unduly interfere with the enjoyment of the property rights of owners of property adjoining the pool, pond, or spa or located in the neighborhood.
 - (3) *Shielding lights.* Lights used to illuminate any pool shall be so arranged and shaded as to reflect light away from adjoining premises as regulated in Chapter 44, Article V, Division 8.
 - (4) *Unnecessary noise.* No person shall make, continue, or cause to be made or continued at any pool, pond, or spa any loud, unnecessary, or unusual noise or any noise which annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others. In the operation of any pool, pond, or spa, the use or permitting the use or operation of any radio, receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet, and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing of the persons who are in the pool, pond, or spa premises, shall be prohibited.
 - (5) *Indecent exposure.* Every person using an outdoor pool, pond or spa shall wear a bathing suit or other suitable garment to protect their person from indecent exposure.

Secs. 8-333—8-354. Reserved.

ARTICLE III. PLUMBING CODE

Sec. 8-355. Wisconsin State Plumbing Code adopted.

- (a) *Adoption by reference.* Wis. Stats. Ch. 145, and the Wisconsin State Plumbing Code, Wis. Admin. Code SPS chs. 325 and 381 through 387, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein. Failure to comply with any of the provisions of such statutes or Codes shall constitute a violation of this article, punishable according to the penalties provided herein.
- (b) *To be on file.* A copy of the Wisconsin State Plumbing Code shall be on file in the offices of the Department of Community and Economic Development and the City Clerk.

Sec. 8-356. Administration.

- (a) *Definitions.* The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Director means the Director of the Department of Community and Economic Development or their designee.

Plumbing inspector shall be interpreted to have the same meaning as “Plumbing Supervisor,” as that term is defined in Wis. Stats. § 145.05, and shall be construed as though followed by the words, “or their designee.”

(b) *Duties and authority.*

- (1) Plumbing inspectors shall supervise and inspect all plumbing and drainage work in or in connection with all buildings within the City and shall faithfully enforce all laws, ordinances, and rules in relation thereto. Plumbing inspectors shall see that the construction, reconstruction, demolition, and alteration of all plumbing and drainage installed in all buildings in the City conforms with state laws and with the rules and regulations of the State Department of Safety and Professional Services and of the City, shall see that the work is done by licensed plumbers as provided by state law and this article, and shall make or cause to be made all inspections required thereby and in the manner therein set forth. In the discharge of their duties, the plumbing inspectors may enter any building during reasonable hours. They shall supervise and inspect plumbing and drainage installations as necessary to adequately enforce and administer the provisions of this article, state law, and the State Plumbing Code, or any amendments thereto, to make plumbing safe and sanitary and to promote the public welfare in all classes of buildings.
- (2) Plumbing inspectors shall take applications and issue permits to qualified applicants and keep suitable records of the permits issued.

Sec. 8-357. Reinspection fees.

- (a) *Definition.* The term "re-inspection fee" means a special charge that may be assessed against a property owner by the City in order to defray the cost of exercising jurisdiction over this article and conducting related inspections within the City.
- (b) *When assessed.* An inspector may assess a re-inspection fee if a property is not available to be inspected at the time of a scheduled inspection and/or if the following conditions are met:
 - (1) The inspector has found that the owner's parcel is not in compliance with a provision of this article;
 - (2) The inspector has informed the property owner of the changes necessary to gain compliance; and
 - (3) Upon subsequent inspection, the inspector finds that the same article violation persists.
- (c) *Fees charged.* Each re-inspection fee shall be as provided in the City Fee Schedule. A separate re-inspection fee may be assessed each time the conditions under subsection (b) of this section exist.
- (d) *Appeals.* Within 30 days of assessment, a property owner against whom re-inspection fees have been assessed may appeal said fees to the Finance Committee.

Sec. 8-358. Testing and inspections.

Plumbing inspectors shall make or cause to be made all required testing and inspections in accordance with Wis. Admin. Code SPS § 382.21.

Sec. 8-359. Supervision of sewers.

- (a) The Director shall have jurisdiction over all building sanitary and storm sewers. No such sewer shall be laid, and no opening into or connection with a sewer service lateral shall be made, except under the direction and supervision of a plumbing inspector.
- (b) The Director of Public Works shall keep a proper sewer connection record in a book, card index, or plat provided for such purpose showing the location of the lot, the name of the owner of the premises desiring to make such connection, the master plumber, master plumber restricted service, or utility contractor proposing to lay the sewer or drain, and the exact location with respect to the public sewer of each sewer or drain so laid. Information concerning the size, location, and depth of public and private sewers or drains and

the position of the branches, junctions, and appurtenances shall be furnished by the Director of Public Works. All reasonable care shall be taken to ensure the correctness of such information, but such correctness shall not be guaranteed. When a junction is not found within three (3) feet of the point designated according to the measurements furnished, an approved Y or T fitting shall be used. Such connection shall be made upon approval of the Director of Public Works and under the direction of the plumbing inspector.

Sec. 8-360. Permits.

- (a) *Permit required.* A permit is required to perform work that constitutes "plumbing" as that term is defined in Wis. Stats. § 145.01(10).
- (b) *Application.*
 - (1) Application for a permit shall be filed with the Director on a blank form furnished for that purpose. No work shall be started before a permit has been issued.
 - (2) Permits may be applied for by licensed master plumbers, persons licensed as master plumbers (restricted), as described in Wis. Stats. § 145.14, utility contractors, and by qualified homeowners.
 - (3) The permit application shall include the name, phone number, and email address of the property owner and plumber and shall state that the property owner and plumber will be bound by and subject to the rules and regulations of this article.
- (c) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Plumbing Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.
- (d) *Insurance and bond for persons making street cuts.* Before a permit shall be issued for work requiring a cut, excavation, or service connection on the traveled portion of any street, a permit therefor shall be obtained, a bond executed and deposited, and a certificate of insurance filed in accordance with the provisions of Section 34-5(b).
- (e) *Fees.*
 - (1) Fees for permits issued under this section shall be as provided in the City Fee Schedule.
 - (2) If an application for a plumbing permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (f) *Restrictions on issuance.*
 - (1) No plumbing or sewer permit shall be granted until a building permit has been issued.
 - (2) No plumbing or sewer permit shall be issued to any person who is in violation of this article until such violation has been corrected.
 - (3) No plumbing or sewer permit shall be issued to any master plumber or person against whom an order issued by a plumbing inspector is pending, including, but not limited to, defective work, bad faith, unreasonable delay in performance of plumbing or drainage work, or failure to respond to official communication.
- (g) *Plan examination.* Plumbing plans and specifications for the types of plumbing installations specified in Wis. Admin. Code SPS § 382.20 shall be submitted to the Director for review. This review requirement applies to all new buildings and all additions and alterations involving six or more indoor and/or outdoor plumbing fixtures.
- (h) *Plan approval.* No permit shall be issued to commence work on any plumbing installation requiring review without plan approval from the City or the State Department of Safety and Professional Services."
- (i) *Issuance of plumbing permit.*

- (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."
- (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
- (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
- (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
- (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (h) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-361. Building sanitary sewers.

- (a) *Required.* Every building shall have a separate and independent connection with a public main sanitary sewer, private onsite water treatment system, or private main sanitary sewer. Each private main sanitary

sewer shall conform to City standards for public sewers and shall be approved by a plumbing inspector. Manholes shall be located not less than 25 feet from any building.

- (1) *Exemption.* Upon proof of the following, the Director may grant an exemption from the requirements of subsection (a) of this section:
 - a. The building is zoned Low Density Residential (R1) and is located within the City's Urban Expansion District.
 - b. The purpose of the exemption is to retrofit existing infrastructure that has been installed but not dedicated to the public and/or accepted as public right-of-way.
 - c. An easement exists on the face of the recorded subdivision plat, certified survey map (CSM) or replat which addresses the location of any shared lateral and identifies the ownership and maintenance responsibilities for the shared lateral from the common point of connection back to the sanitary sewer main.
 - d. An exemption is necessary to achieve compliance with any other requirement that the Director deems necessary.
- (b) *Piping.* All building sanitary sewer piping extending from a public sewer service lateral or other disposal terminal to within three feet to five feet of the outside foundation walls shall be of cast iron or vitrified clay. Such disposal terminal shall be the end of the sewer service lateral or, in the event no lateral has been installed, the City sewer main. Building sanitary sewer connections to a private main sanitary sewer shall be of cast iron pipe or vitrified clay pipe to within three feet to five feet outside of the foundation wall.
- (d) *Unconnected pipes to be closed off.* The ends of all sanitary sewer pipes not immediately connected shall be securely closed with a cap or plug to prevent the introduction of sand, earth, or drainage from an excavation.
- (e) *Replacement.* When it becomes necessary to replace any building sewer because of stoppages, such sewer shall be replaced in its full length with approved materials.
- (f) *Sewers carrying harmful discharges.* No person shall connect to a public sewer any sewer through which is discharged any substance likely to cause undue corrosion, obstruction, nuisance, explosion, or interference with sewage treatment processes.
- (g) *When buildings are razed or moved.* When a building is moved or demolished, the building sewer shall be located at a point outside the foundation walls and shall be sealed off. The plug or seal shall not be covered until approval has been given by a plumbing inspector.

Sec. 8-362. Building drains.

- (b) *Floor outlet fixtures below sidewalk grade.*
 - (1) *New construction.* In all new construction, all floor outlet fixtures located below the sidewalk grade shall be provided with an approved Palmer-type backwater valve.
 - (2) *Existing buildings where drainage systems subject to backflow.* Where a building drainage system is subject to backflow of sewage and where the building was erected prior to August 19, 1972, the owner of the building shall, when ordered by a plumbing inspector, install approved automatic-type backwater valves in all fixtures located below the sidewalk grade.

Sec. 8-363. Grease and oil treatment.

All required plumbing installations for occupancies other than dwelling units where grease, fats, oils, or similar waste products of cooking or food are introduced into the drain system shall be provided.

Sec. 8-364. Storm drainage.

- (a) *Drains to connect to storm sewers.* All clear water drains shall discharge into a storm sewer wherever possible in accordance with Wis. Admin. Code SPS § 382.38. Where a building was erected prior to August 19, 1972, the owner of the building shall disconnect all clear water drains from the sanitary sewer when ordered to do so by a plumbing inspector.
- (b) *Sump pumps.* Every foundation drain shall be connected to a sump pit containing an approved sump pump as specified Wis. Admin. Code SPS § 382.36.
 - (1) *New installations.* In all new construction, such approved sump pump shall discharge into a storm sewer where such is available or can be made available. In areas where a storm sewer is not available, the sump pump shall discharge into the surface at least ten feet from the building foundation. Discharge from the sump pump shall not be directed as to flow into a street or alley, over a sidewalk, or over adjoining property. Discharge from the sump pump shall not create a nuisance. The sump pump discharge shall be considered a nuisance in situations including, but not limited to, such discharge creating icing problems on a City street or sidewalk, entering a City street or sidewalk, creating ponds of standing water, or flowing over adjoining property. If the sump pump discharge is directed to the street, a permit must be obtained from the Director to direct the discharge from a sump pump to the street.
 - (2) *Existing installations creating a nuisance.* All sump pumps shall discharge into a storm sewer where such is available or can be made available if in the opinion of the Director the sump pump discharge creates a nuisance. Sump pump discharge shall be considered a nuisance in situations including, but not limited to, such discharge flowing into a street or alley, over a sidewalk, or over adjoining property. If such a nuisance exists, the Director shall require the owner of the property to install a storm sewer lateral and connect the sump pump discharge to the lateral.
- (c) *Required drainage of parking lots and surface drains.*
 - (1) All parking lots whose area exceeds 2,000 square feet shall provide for interior drainage and be connected with a storm sewer if one abuts or adjoins the parking lot. Lots of 2,000 square feet or less may drain the surface water runoff to an abutting public street or alley if such public way provides stormwater drainage. Where neither drainage method is available, an interior yard storage area shall be provided. All provisions for drainage require approval by a plumbing inspector and the Director.
 - (2) Where a parking lot is constructed and such construction impedes natural drainage of adjoining property, the parking lot drainage shall be extended as necessary to provide adequate drainage of the adjoining property.
 - (2) *Conduits.* The size of the conduit serving a parking lot shall be determined by the area to be drained. The conduit for areas less than 5,000 square feet shall be cast iron pipe from the yard drain or catch basin to the service lateral or, where no lateral has been installed, to the City sewer main or other designated terminal. Areas over 5,000 square feet may be served by pipes whose standards conform to City specifications for storm drainage.
 - (3) *Catch basin and grates.* Catch basin and grate areas shall conform to City specifications.
- (d) *Granting of funds for private clear water separation work.*
 - (1) *Granting of funds.* The City may grant funds for private clear water separation work subject to this subsection (d). Any repayment of funds granted for private clear water separation work to property owned by indigent persons may be deferred by the Council. Such deferment shall be granted only to owner-occupied, single-family, or duplex residential real estate. Such deferment shall be by resolution directing the Director to pay all or any portion of the costs for private clear water separation work used on such property from the Storm Sewer Construction Account.

- (2) *Copy of resolution to be filed with Register of Deeds for Brown County.* A copy of such resolution, with a statement of the amount and date paid and description of the property, certified by the City Clerk, shall be recorded with the Register of Deeds for Brown County; the amount shall thereby become a lien upon such real property in favor of the City prior to any other lien other than prior outstanding tax certificates or prior liens hereunder, for the amount paid, with legal interest, and shall be enforceable after transfer of title of the property by sale, inheritance, or will in the manner provided by law for the enforcement of mechanics liens.
- (3) *Discharge of lien.* The owner of such property, heirs, personal representatives, or assigns may discharge such lien at any time by paying the amount of such lien with accrued interest to the City Treasurer, who shall execute a satisfaction in such form as may be recorded with the Register of Deeds for Brown County.
- (4) *Purchase of lien.* The holder of any subsequent lien may purchase such lien by payment of the amount thereof with accrued interest to the City Treasurer, who shall execute a proper assignment thereof to such payee; and on recording such assignment, such assignee shall have the same rights the assignor had.
- (5) *When due.* After transfer of title by sale, inheritance, or will, or when the basis for indigency no longer exists, the deferred funds shall be due and owing in full.
- (6) *Limits for the determination of indigency.* The Council shall establish, by resolution, limits for the determination of indigency. Such limits shall include:
 - a. Maximum combined annual income of both spouses and their dependents.
 - b. Maximum combined assets of both spouses and their dependents.
- (7) *Subject to review.* Such income and asset figures shall be subject to periodic review and modification by the Council.
- (8) *Application.* Application for deferment shall be made to the Council upon an affidavit form provided by the City Clerk verified by each applicant.
 - a. The application shall list the relationship, ages, and employment status of the applicant and all dependents; a complete schedule setting forth all assets, liabilities, and income from all sources including the applicant individually and jointly with their spouse, and from their dependents; and any other pertinent information which may assist the City in evaluating such application.
- (9) *Notify Clerk of increases.* The applicant shall notify the City Clerk when there is a material change in the applicant's assets and/or their annual income increases above the limits described in this subsection(d).
- (10) *Providing false or incomplete information.* If the applicant willfully provides false or incomplete information, the basis for indigency shall no longer exist and the special assessment shall become due and owing in full.
- (11) *Application reviewed by Improvement and Services Committee.* The application for deferment shall be reviewed by the Improvement and Services Committee, which shall make a recommendation to the Council.
- (12) *Interest.* Interest may be charged during the deferment period. The interest rate shall not, however, exceed the legal rate prescribed by Wisconsin Statutes.

Sec. 8-365. Water supply systems.

- (a) *Water service.*

- (1) *Size.* The water service or building supply pipe to any building shall be of sufficient size to provide an ample flow of water under maximum use to all fixtures and points of service. Such size shall be determined by standards set forth by the Wisconsin Department of Safety and Professional Services.
 - (2) *Material.* The underground water service pipe from the City main or a private water supply system to any building shall be meet the requirements of Wis. Admin. Code SPS § 384.30 and the Green Bay Water Utility.
 - (3) *Valve controls.* Service laterals shall include a corporation stop at the main, and a curb stop or valve at the curb, or privately-owned pump and a valve or stop within three feet of entering each building and, where a meter is installed, a valve on both sides of the meter as specified in Wis. Admin. Code SPS § 382.40(4)(b). Meters of one and one-half (1½) inches in diameter or larger shall have a bypass around the meter.
- (b) *Separate water service.* Plans and specifications for private water mains are required to be submitted to the State Department of Safety and Professional Services for site plan review in accordance with Wis. Admin. Code SPS § 382.20.
 - (c) *Cross-connections prohibited.* No private water system shall be connected directly or indirectly to any private water main or pipe that is in turn connected to any publicly owned water main or pipe unless approved in writing by the State Department of Natural Resources pursuant to Wis. Admin. Code SPS § 382.40(3)(c).
 - (d) *Plumbing inspector may make orders.* A plumbing inspector may issue orders requiring any changes necessary to bring any water supply work up to prescribed standards.

Sec. 8-366. Authority to control water service.

After the completion and trial of the work, no person shall turn on or leave turned on any water service curb stop which for any reason has been turned off by the Green Bay Water Utility. No unauthorized individual shall turn water on or off after it has been turned on or off from a given service, nor shall anyone make openings in the street or turn off water at the main without a permit therefor and supervision thereof as provided for in this article.

Sec. 8-367. Compulsory connection to sewer service.

When notified, the owner of any building intended for human habitation or occupancy abutting on any street, alley, or other thoroughfare in which public sanitary sewer has been extended and is available for service shall cause to be made a sewer connection thereto.

Sec. 8-368. Compulsory connection to water and well abandonment.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning.

Cross-connection means a connection or potential connection between any part of a water supply system and another environment containing substances that, under any circumstances, would allow the substances to enter the water supply system by means of back siphonage or back pressure.

Licensed pump installer means any individual who has obtained a license under Wis. Stats. § 280.15(2m), and Wis. Admin. Code § NR 146.04, as a pump installer and has paid the annual license fee under Wis. Stats. § 280.15(2m)(c)2.

Licensed well driller means any individual who has obtained a license under Wis. Stats. § 280.15(2m), and Wis. Admin. Code § NR 146.04, as a water well driller and has paid the annual license fee under Wis. Stats. § 280.15(2m)(c)1.

Municipal water system means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county or municipal-owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.

Pump installation means the pump and its associated pressure system including any equipment and material needed to withdraw, obtain, discharge, and store water from a well or a spring. The pump installation includes the spring box, reservoir, pump, pump drop pipe, check valves, well cap or seal, pitless adapter, pitless receiver tank, pitless unit, above-ground discharge unit, associated discharge piping and associated connections, valves, and appurtenances, pressure tank, sampling faucet, water storage or pressure vessel or structure, the electrical wiring and controls needed to operate the pump or pressure system, and any chemical addition, water treatment device, or yard hydrant upstream of the water storage or pressure vessel or building control valve.

Unused well means a well which is not in use or does not have a functional pumping system.

Well means any drillhole or other excavation or opening deeper than it is wide that extends more than ten feet below the ground surface constructed for the purpose of obtaining groundwater.

Well filling and sealing means the filling and sealing of a well, drillhole, pit, or reservoir with materials in accordance with Wis. Admin. Code NR ch. 812 so the well, drillhole, pit, or reservoir will not act as a vertical conduit to contaminate another well, groundwater, or an aquifer.

- (b) *Compulsory connection to municipal water main.* The owner of any building intended for human habitation or occupancy abutting on any street, alley, or other thoroughfare in which a municipal water main has been extended and is available for service, shall cause to be made a water connection thereto within 120 days of notification of said extension and availability. Except as provided in subsection (4), the owner shall abandon any existing source of water currently being used for said building.
- (c) *Well filling and sealing required.* All unused wells and wells located on premises served by the municipal water system shall be filled and sealed in accordance with the terms of Wis. Admin. Code NR ch. 812 not later than one year from the date the municipal water system is available.
- (d) *Well filling and sealing procedures.* All wells required to be filled and sealed under this section shall be filled and sealed according to the procedures and standards established in Wis. Admin. Code NR ch. 812. A copy of the State Department of Natural Resources filling and sealing report shall be submitted by the well owner to the Water Utility within thirty days of the completion the well filling and sealing.
- (e) *Private well operation permit.*
 - (1) The Green Bay Water Utility may grant a permit to a private well owner to operate a private well for a period of five years provided the conditions of this section are met. A private well operation permit may be renewed provided that the conditions of this section are met.
 - (2) Permit applications shall be made on the form provided by the Water Utility.
 - (3) The Water Utility General Manager or their designee may conduct inspections or have water quality tests conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application.
 - (4) The Water Utility may only grant a private well operation permit if all of the following conditions are met.
 - a. The owner pays the private well operation permit fee as provided in the City Fee Schedule.
 - b. The demonstrates a need for use of a private well.
 - c. The owner operates the well in accordance with Wis. Admin. Code NR ch. 812.
 - d. Prior to issuing or renewing the permit, a minimum of one safe sample has been taken from the private well to establish that the water is bacteriologically safe.

- e. The well and pump system are functional and have been evaluated by a licensed well driller or pump installer and certified to comply with Wis. Admin. Code NR ch. 812. The evaluation shall be documented on a form provided by the State of Wisconsin Department of Natural Resources.
- (5) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Water Commission.
- (f) Unapproved cross-connections between any private well and pump installations and the municipal water system are prohibited.
- (g) *Hardship.* When, in the judgment of the Water Commission, after recommendation from the Water Utility, it would be inappropriate to apply literally a provision of this section because hardship would result, the Water Commission may waive or vary such provisions so that substantial justice may be done and the public interest secured.

Sec. 8-369. Individual sewage disposal systems.

Private domestic sewage treatment and disposal systems, where permitted, shall be constructed, maintained, and used in accordance with the provisions of Wis. Admin. Code SPS ch. 383.

Secs. 8-370—8-385. Reserved.

ARTICLE IV. ELECTRICAL CODE

DIVISION 1. GENERALLY

Secs. 8-386—8-402. Reserved.

DIVISION 2. LICENSURE

Sec. 8-403. License or registration required.

No person may install, repair, or maintain electrical wiring or engage in the business of installing, repairing, or maintaining electrical wiring, except as allowed pursuant to Wis. Stats. § 101.862 and this article.

Sec. 8-404. Licensure exemptions for homeowners.

Notwithstanding Wis. Stats. § 101.862(4)(a), a residential property owner may only install, repair, or maintain electrical wiring on premises that they own and occupy as a residence without a license if all of the following apply:

- (1) The premises is a one-family dwelling;
- (2) The homeowner signs the permit and accepts all responsibility for work performed; and
- (3) The homeowner does not perform any work on service entrance equipment.

Sec. 8-405. Proof of credentials.

The City of Green Bay has the right to verify the licensure of all persons performing electrical work.

Secs. 8-406—8-423. Reserved.

DIVISION 3. ELECTRICAL CODE REGULATIONS

Sec. 8-424. Adoption by reference.

Wis. Admin. Code SPS ch. 316, as it may be amended from time to time, is hereby adopted and incorporated by reference as though fully set forth herein.

Sec. 8-425. Existing services.

If any component of the electrical service, from the service point to the load side of the service disconnect, is repaired or replaced grounding and bonding is required by the City to the same extent required by Wis. Admin. Code SPS § 316.250, as amended from time to time.

Secs. 8-426—8-448. Reserved.

DIVISION 4. CODE ENFORCEMENT

Sec. 8-450. Electrical Inspectors.

- (a) *Jurisdiction.* Electrical Inspectors shall exercise jurisdiction over inspection of the installation, alteration, repair, servicing, or maintenance of electrical wiring in all public or private buildings, including places of employment, within the City of Green Bay city limits.
- (b) *Authority.* Electrical Inspectors shall ensure all work performed within their jurisdiction complies with this article.
- (c) *Duties.* Electrical Inspectors may issue permits and shall maintain records of permits issued to contractors and homeowners, along with any fees received for such permits.

Sec. 8-451. Permits.

- (a) *Permit required.* No person may install, repair, alter, service, or maintain electrical wiring without first obtaining a permit under this article.
- (b) *Application.* An application for an electrical permit shall be filed with the Director on a blank form to be furnished for that purpose. The application shall include the name, phone number, and email address of the property owner and contractor and shall state that the property owner and contractor will be bound by and subject to the rules and regulations of this article.
- (c) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Electrical Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.
- (d) *Permit fees.*
 - (1) Fees for building permits issued under this section shall be provided in the City Fee Schedule.
 - (2) If an application for a building permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (e) *Issuance of electrical permit.*
 - (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."

- (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
- (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
- (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
- (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (f) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-452. Inspection stages.

During the process of performing electrical work, the person performing such work shall ensure the following inspections occur when required by the Electrical Inspector:

- (1) *Rough.* An inspection before any electrical wiring is hidden from view.
- (2) *Service.* An inspection of the service equipment and grounding electrode system prior to energizing.
- (3) *Final.* An inspection after all work has been completed and wiring concealed.

Sec. 8-453. Compliance with article.

Electrical Inspectors may utilize any lawful means to gain compliance with this article, including, but not limited to:

- (1) Inspecting electrical wiring.
- (2) Withholding electrical permits.
- (3) Issuing orders to correct violations.
- (4) Assessing re-inspection fees.
- (5) Denying/removing the connection of power to equipment.
- (6) Issuing citations or complaints for violations.
- (7) Condemning a building that is not safe for human habitation.

Secs. 8-455—8-475. Reserved.

ARTICLE V. HEATING AND AIR CONDITIONING CODE

Sec. 8-477. Wisconsin State Heating, Ventilating, and Air Conditioning Code adopted.

Adoption by reference. The Wisconsin State Heating, Ventilating, and Air Conditioning Code, Wis. Admin. Code SPS chs. 323 and 364, and the National Fuel Gas Code, NFPA 54, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein.

Sec. 8-478. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Director means the Director of the Department of Community and Economic Development or their designee.

HVAC means heating, ventilating, and air conditioning.

HVAC equipment means materials, piping, fittings, devices, appliances, apparatus, controls, and control wiring used as part of or in connection with permanent heating, ventilating, air conditioning, or exhausting systems serving buildings.

Licensed heating contractor means a person, entity, or business is a registered HVAC contractor under Wis. Admin. Code SPS § 305.70 or holds an HVAC qualifier certification under Wis. Admin. Code SPS § 305.71.

Sec. 8-479. License Required.

No person, entity, or business may engage or offer to engage in installing or servicing heating, ventilating, or air conditioning (HVAC) equipment unless the person, entity, or business is a registered HVAC contractor under Wis. Admin. Code SPS § 305.70 or holds an HVAC qualifier certification under Wis. Admin. Code SPS § 305.71.

Sec. 8-480. Permits.

- (a) *Permit required.* No person shall install or repair within the City any furnace, boiler, air conditioner, fireplace, or woodburning stove, or commence any other HVAC work in any structure subject to this article and/or any applicable provisions of the Wisconsin Administrative Code incorporated into this article, without first obtaining a permit for said work from the Director. In addition to any plans and specifications otherwise

required under this article, the Director may require additional information consistent with their duty to review such plans prior to issuing permits under this section.

- (b) *To whom issued.* No permit shall be issued except to the owner of a residence to personally perform work on the owner's home or to a licensed heating contractor. Such permits shall be nontransferable.
- (c) *Application.* An application for an HVAC permit shall be filed with the Director on a blank form to be furnished for that purpose. The application shall include the name, phone number, and email address of the property owner and contractor and shall state that the property owner and contractor will be bound by and subject to the rules and regulations of this article.
- (d) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the HVAC Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection. (e) *Fees.*
 - (1) Fees for permits issued under this section shall be as provided in the City Fee Schedule.
 - (2) If an application for a permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (f) *Issuance of HVAC permit.*
 - (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."
 - (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
 - (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
 - (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
 - (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.

- c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (g) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-481. Inspection.

- (a) The Director shall examine and approve or disapprove all plans and specifications for the performance of any work governed by this article. The Inspector shall inspect all work as required by this article and shall order work stopped which is in violation of this article.
- (b) In any new building or addition, immediately upon completion of those portions of the installation which are to be concealed or covered, the licensed heating contractor shall notify the Director, who shall make an inspection within two working days after notice for inspection, excepting weekends and holidays. If no inspection is made within the specified time period, work may proceed. All other inspections shall be scheduled immediately upon notification of the completion of such work.
- (c) Wherever work for which a permit has been issued has been ordered stopped by the Inspector, the Inspector shall post a stop-work notice. After such notice has been posted, no further work shall be done until the violations have been corrected and such corrections approved by the Inspector.

Secs. 8-485—8-516. Reserved.

ARTICLE VI. MINIMUM HOUSING STANDARDS

DIVISION 1. GENERALLY

Sec. 8-517. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Approved means approved by or in accordance with regulations established by the Director of Community and Economic Development or their designee.

Basement means that portion of a building the floor of which is below the outside ground grade level.

Bath means a bathtub or shower stall.

Bedroom means a habitable room within a dwelling unit or part thereof which is used or intended to be used primarily for the purpose of sleeping, but not including any kitchen or dining room.

Boarding house or lodging house means a building or structure other than a hotel licensed by the State where lodging is furnished and meals for three (3) or more persons are served for compensation. A boarding house or lodging house may be considered a dormitory as defined and regulated within this Code.

City Building Code means Article II of this chapter.

City Electrical Code means Article IV of this chapter.

City Heating and Air Conditioning Code means Article V of this chapter.

City Plumbing Code means Article III of this chapter.

Director means the Director of the Department of Community and Economic Development or their designee.

Dormitory means a communal-type living arrangement of four or more persons not related by blood, adoption, or marriage who share common sleeping areas, kitchen, bath, and/or restroom facilities. The term "dormitory" includes, but is not limited to, shelter facilities, educational facility housing, rooming houses, boarding houses or lodging houses, community living arrangements, community based residential facilities, and migrant housing.

Dwelling means any building or structure which is wholly or partly used or intended to be used for living or sleeping by human occupants.

Dwelling unit means any habitable room or group of adjoining habitable rooms located within a dwelling or part thereof and forming a single unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating of meals.

Extermination means the control and elimination of infestation of insects, rodents, or other pests by eliminating their harborage places, removing or making inaccessible materials that may serve as their food, and poisoning, spraying, fumigating, trapping, or utilizing any other approved pest elimination methods.

Family means one or more individuals living on a premises as a single housekeeping unit.

Garbage broadly refers to both "garbage" and "refuse," as defined in Section 32-1 of this Code.

Habitable room means a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, toilet rooms, laundries, pantries, foyers, communicating corridors, closets, storage spaces, stairways, and rooms used for play or recreational purposes.

Homeless family means a group of one or more related individuals who are homeless individuals.

Homeless individual means an individual who lacks a fixed, regular, and adequate nighttime residence (without regard to whether the individual is a member of a family) or an individual whose primary nighttime residence is a supervised public or privately operated shelter designed to provide temporary living accommodations. Temporary living accommodations include welfare hotels, congregate shelters, dormitories, and transitional housing.

Infestation means the presence of any insects, rodents, or other pests within a dwelling or part thereof or on the dwelling premises or part thereof.

Kitchen means a habitable room used or intended to be used for cooking or the preparation of meals.

Living room means a habitable room within a dwelling unit which is used or intended to be used primarily for general living purposes.

Meaning of certain terms. Whenever the terms "dwelling," "dwelling unit," "rooming house," "rooming unit," or "premises" are used in this article, they shall be construed as though they were followed by the words "or any part thereof."

Non-dwelling structure means a garage, shed, or other similar storage or convenience building attached to or detached from a dwelling and used primarily for recreation and the storage of vehicles, lawn and garden appliances, and other household tools or equipment. A non-dwelling structure shall not be used for living or sleeping by human occupants.

Occupant means any person, including an owner or operator, living, sleeping, or cooking in or having actual possession of a dwelling or rooming unit or part thereof.

Operator means any person who has charge, care, or control of a building or part thereof in which dwelling or rooming units or part thereof are let.

Owner means any person who, individually or jointly or as tenant in common with other(s), has legal title or equitable title to any dwelling or dwelling unit or rooming unit or part thereof or who has charge, care, or control of any dwelling or dwelling unit or rooming unit or part thereof as executor, administrator, trustee, or guardian of the estate of the owner.

Plumbing includes, but is not limited to, all of the following facilities and equipment: water pipes, garbage disposal units, waste pipes, vent pipes, toilets, sinks, installed dishwashers, lavatories, baths, installed clothes washing machines, catch basins, drains, vents, domestic hot water heaters, and any other similar fixtures, together with all connections to water, sewer, or gas lines.

Portable heater means a UL-listed portable appliance used for heating a relatively small area, typically electrical in nature.

Premises means a platted lot or part thereof, an unplatted lot, or a parcel or a plot of land, either occupied or unoccupied by any dwelling or structure.

Recyclables means “recyclable waste,” as defined in § 32-1 of this Code.

Roomer means an occupant of a rooming house or part thereof who is not a member of the family of the operator of that rooming house, or an occupant of a dwelling unit or part thereof who is not a member of the family occupying the dwelling unit or part thereof.

Rooming house means a building or structure, other than a hotel licensed by the State of Wisconsin, where three or more persons are lodged for compensation. A rooming house may be considered a dormitory as defined and regulated within this article. The term “rooming house” does not include short term rentals as defined in Wis. Stats. § 66.0615(1)(dk).

Rooming unit means any room or group of rooms forming a single habitable unit in a rooming house or part thereof used or intended to be used for living and sleeping but not for cooking or eating meals.

Shelter facility means a temporary place of lodging for homeless individuals or homeless families. A shelter facility may be considered a dormitory as defined and regulated within this Code.

Sleeping room means a habitable room in a dwelling or dwelling unit of an area and volume as required by this code intended for or used primarily for sleeping purposes.

State Building Code means Wis. Admin. Code SPS chs. 320 through 325 and 361 through 366.

State Heating, Ventilating, and Air Conditioning Code means Wis. Admin. Code SPS chs. 323 and 364.

State Plumbing Code means Wis. Admin. Code SPS chs. 381 through 387.

Supplied means paid for, furnished by, or provided by or under the control of the owner or operator.

Unit heater means a self-contained, automatically controlled, vented, fuel-gas burning, space-heating appliance intended for installation in the space to be heated without the use of ducts, having integral means for circulation of air.

Sec. 8-518. Residential rental practices.

- (a) *State law adopted.* Wis. Admin. Code ATPC ch. 134 and Wis. Stats. § 704.95, as they may be amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein.
- (b) *Enforcement.* The Director may sign and issue citations for violations of this section and may delegate that authority to employees.
- (c) *Penalties.* Any person who violates this section shall forfeit not less than \$25.00 nor more than \$5,000.00 for each offense.

Secs. 8-519—8-542. Reserved.

DIVISION 2. PURPOSE AND SCOPE

Sec. 8-543. Purpose.

Buildings that are or are becoming dilapidated, neglected, overcrowded with occupants, or unsanitary jeopardize and are detrimental to the health, safety, morals, and welfare of the people of the City. Such buildings are rendered detrimental to the public through faulty design or construction, failure to be kept in a proper state of repair, lack of proper sanitary facilities or adequate lighting or ventilation, inability to properly heat, improper management, or any combination of these factors. The City finds that elimination of such buildings or structures and the prevention of the occurrence of such conditions in the future is in the best interest of the citizens of the City, and this article is enacted to foster and encourage such elimination.

Sec. 8-544. Compliance with other codes.

The provisions of this article shall not abrogate the responsibility of every person to comply with the provisions of the State Building Code and the building, zoning, plumbing, heating and air conditioning, and electrical codes of the City.

Secs. 8-545—8-566. Reserved.

DIVISION 3. ADMINISTRATION AND ENFORCEMENT

Sec. 8-568. Inspections.

- (a) *To be made by Director.* The Director of Community and Economic Development shall make inspections to determine the condition of dwelling units, rooming units, premises, and parts thereof located within the City and may enter any building during reasonable hours in the discharge of the duties. Any person who interferes with the Director in the discharge of the duties shall be in violation of this article. The Director shall have proper identification and shall show same when making such inspections.
- (b) *Access of owner or operator.* Every occupant of a dwelling, dwelling unit, rooming unit shall give the owner or operator thereof, or an agent or employee of the owner, access to any part of such dwelling, dwelling unit, rooming unit or its premises or part thereof at all reasonable times for the purpose of maintenance or making such repairs or alterations as are necessary to effect compliance with this article or with any lawful rule or regulation adopted, or any lawful notice or order issued, pursuant to the provisions of this article.

Sec. 8-570. Emergency orders.

Whenever the Director finds that an emergency exists which requires immediate action to protect the public health, the Director may, without notice of hearing and in accordance with the provisions of Wis. Stats. § 66.1337(4)(a), issue an order reciting the existence of such an emergency and requiring that such action be taken as the Director deems necessary to meet the emergency. Such order shall be effective immediately. Notwithstanding any other provision of this article, every notice served by the Director in accordance with the provisions of Sections 8-593(8), 8-596(a)(11), (b)(2) and (b)(3), and 8-632(j) shall be regarded as an order.

Sec. 8-571. Condemnation of dwellings and dwelling units or parts thereof as unfit for human habitation.

- (a) *When condemnation required.* Any dwelling unit or part thereof which the Director finds to have any of the following defects shall be condemned as unfit for human habitation, occupancy, or use:
- (1) One which is so damaged, decayed, dilapidated, unsanitary, difficult to heat, unsafe, or vermin-infested that it creates a hazard to the health or welfare of the occupants or the public.
 - (2) One which lacks illumination, ventilation, or sanitary facilities adequate to protect the health or welfare of the occupants or the general public.
 - (3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or welfare of the occupants or the general public.
- (b) Any dwelling or dwelling unit or part thereof may be condemned by the Director as unfit for human habitation if the owner or occupant fails to comply with any order based on the provisions of this article or any rule or regulation adopted pursuant hereto, provided such dwelling or dwelling unit or part thereof is, in the opinion of the Director, unfit for human habitation by reason of such failure to comply.
- (c) *Procedure for condemnation.* The condemnation of dwellings and dwelling units as unfit for human habitation, occupancy, or use shall be carried out in accordance with Wis. Stats. § 66.0413. Where such condemnation occurs, the Director shall post at the main entrance to such dwelling or dwelling unit a notice stating that the dwelling or dwelling unit is unfit for human habitation, occupancy, or use and has been condemned. It shall be further unlawful for any person to occupy, use, or enter such dwelling or dwelling unit thereafter, except for the purpose of making required repairs or alterations.
- (1) *Removal of notice prohibited.* The notice of condemnation shall remain posted until the required repairs or alterations are made. It shall be unlawful for any person to remove such notice without written permission from the Director.
 - (2) *Condemnation by police and fire departments.* The Director may temporarily grant authority under this section to the Chief of Police, Fire Chief, or their designees when circumstances so require.

Sec. 8-572. General penalty.

Any person who violates any provision of this article or any rule, regulation, or order made hereunder shall be subject to forfeiture of not less than \$25.00 nor more than \$5,000.00 for each offense.

Secs. 8-573—8-592. Reserved.

DIVISION 4. HOUSING STANDARDS

Sec. 8-593. 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 or part thereof for the purpose of living, sleeping, cooking, or eating meals therein which does not comply with the following requirements:

- (1) *Kitchen sink and lavatory.* Every dwelling unit shall contain an approved kitchen sink. Every dwelling unit shall contain a lavatory or wash basin in or adjacent to the toilet room.
- (2) *Toilet.* Every dwelling unit shall contain a toilet which shall be placed in a separate room enclosed with partitions which extend to the ceiling.
- (3) *Bath.* Every dwelling unit shall contain a bath which shall be contained within a toilet room or within a separate room which affords privacy to a person using such facility.

- (4) *Hot and cold water supply to bath and sinks.* Every bath, kitchen sink, and lavatory required under this article shall be properly connected with both hot and cold water lines.
- (5) *Water heating facilities.* Every dwelling shall have supplied water heating facilities which are properly installed and maintained in reasonably good working condition, properly connected with the hot water lines required under subsection (4) of this section, and capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every bath at a temperature of not less than 120 degrees Fahrenheit. Such supplied water heating facilities shall be capable of meeting these requirements when the dwelling or dwelling unit heating facilities are not in operation.
- (6) *Connection to water and sewer system.* Every kitchen sink, toilet, lavatory basin, and bath shall be in good working condition and properly connected to an approved water and sewer system.
- (7) *Plumbing.* All plumbing, plumbing equipment, and plumbing fixtures and the installation thereof shall comply with the Plumbing Codes of the City and of the State.
- (8) *Garbage and recyclables.* Every dwelling and dwelling unit shall be provided with adequate facilities for the storing of recyclables and garbage. Such facilities shall comply with the provisions of Chapter 32.
- (9) *Exits.* Every dwelling unit shall have exits which conform to the exit requirements of the City Building Code or the State Building Code, as applicable. Every exit and passageway shall also comply with the following requirements:
 - a. It shall be kept in good repair.
 - b. It shall be unobstructed at all times.

Sec. 8-594. Minimum standards for light, heating, and ventilation.

- (a) *Window area.* Every habitable room, toilet room, and bathroom shall have at least one window facing directly to the outdoors. The minimum window area shall be at least ten percent of the floor area of the room, but not less than 12 square feet. The top of at least one such window shall be not less than six and one-half (6½) feet above the floor. At least one half of the window shall be made so as to open the full width unless other means of adequately ventilating such rooms are installed and operating. The outside window in every toilet or bathroom shall have a total area of at least ten percent of the floor area, but not less than four square feet, provided no window or sky light shall be required in adequately ventilated bathrooms or toilet rooms equipped with a ventilation system which is kept in continuous operation.
- (b) *Electric equipment.* In accordance with Wis. Admin. Code SPS §§ 316.020 and 316.021, all electrical power and communication equipment shall be properly constructed, installed, operated, and maintained. Any of this equipment known to be defective shall be promptly repaired or isolated until repairs can be made.
- (c) *Heating facilities.*
 - (1) Every dwelling unit shall have supplied heating facilities; and such facilities shall be properly installed, maintained in good working condition, and capable of adequately heating all habitable rooms, bathrooms, and toilet rooms contained therein or intended for use by the occupants thereof to a temperature of at least 68 degrees Fahrenheit, measured three feet above the floor level, when the outside temperature is at or above negative fifteen (-15) degrees Fahrenheit. A dwelling unit shall contain a sufficient number of chimney outlets to permit the occupants, through the use of unit heaters furnished by the owner, to adequately heat all habitable rooms, bathrooms, and toilet rooms contained therein to a temperature of at least 68 degrees Fahrenheit, measured at least three feet above the floor level, when the outdoor temperature is at or above negative fifteen (-15) degrees Fahrenheit. This provision shall not be interpreted to permit the use of portable heaters where such use is prohibited by either the City Building or Heating and Air Conditioning Code or the State Building or Heating, Ventilating and Air Conditioning Codes, as applicable. Every central heating system shall comply with the City Building and Heating and Air Conditioning Codes and the State Building and

Heating, Ventilating and Air Conditioning Codes, as applicable. Such central heating systems shall also comply with the following requirements:

- a. The central heating unit shall be in good operating condition.
 - b. Every heat duct, steam pipe, and hot water pipe shall be free of leaks and shall function so that an adequate amount of heat is delivered where intended.
 - c. Every seal between the sections of a warm air furnace shall be tight, so noxious gases will not escape into heat ducts.
 - d. If the temperature of all dwelling units in a multi-unit dwelling is regulated by a single heating zone controlled by a single device, and the temperature standards articulated in this section cannot be maintained in any of the dwelling units included in that zone, the Director may issue orders to remedy the deficiency, including but not limited to requiring additional heating zones in the dwelling.
- (2) Every unit heater shall comply with the City Building and Heating and Air Conditioning Codes and the State Building and Heating, Ventilating, and Air Conditioning Codes, as applicable, and with all of the following requirements:
- a. No unit heater burning solid, liquid, or gaseous fuels shall be a portable type.
 - b. Every unit heater burning solid, liquid, or gaseous fuels shall be properly vented.
 - c. Every coal-burning or oil-burning unit heater shall have a fire-resistant panel beneath it.
 - d. The location of unit heaters, the insulation of walls and ceilings close to such heaters, and the construction, installation, and guarding of smoke pipes and walls or ceilings through which they go shall be in accordance with the Heating and Air Conditioning Code of the City in Article V of this chapter.
- (d) *Lighting of public halls and stairways.* Every public hall and public stairway in every dwelling containing four or more dwelling units or accommodating more than 20 persons shall be adequately lighted at all times. Such lighting shall include lights at all intersections of stairways. Instead of continuous lighting, every public hall and public stairway in dwellings containing fewer than four dwelling units or rooming houses accommodating more than three roomers but less than 20 persons shall be supplied with convenient light switches controlling an adequate lighting system which may be turned on when needed.
- (e) *Screens.* At least one window in each habitable room, toilet room, and bathroom where windows are required shall be supplied with a screen covering at least one-third of the window area, except where other means of adequately ventilating such rooms are available and operating. Screens shall have a wire mesh of not less than No. 16, and all installed screens must be in a state of good repair.
- (1) *Exception.* During the cold weather period from November 1 to March 31 of each calendar year, having screens installed is optional. Any screens installed must be in a state of good repair.(f) *Basement window screens.* Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with a screen or such other device as will effectively prevent their entrance.

Sec. 8-595. Minimum space, use, and location requirements.

No person shall occupy 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) *Dwelling unit to be occupied by one family.* No dwelling unit or part thereof shall be occupied by more than one family.
- (2) *Minimum floor area for dwelling unit or part thereof.* Every dwelling unit or part thereof shall contain at least 150 square feet of floor space for the first occupant thereof and at least 100 additional square

feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of total habitable room area.

- (3) *Minimum floor area for sleeping purposes.* Every room occupied by one person for sleeping purposes shall contain at least 70 square feet of floor space and 490 cubic feet of air space, and every room occupied by more than one person for sleeping purposes shall contain at least 60 square feet of floor space and 400 cubic feet of air space for each occupant thereof, provided these requirements shall be reduced by one-half for children under 12 years of age.
- (4) *Arrangement of sleeping, bath, and toilet rooms.* No dwelling or dwelling unit containing two or more sleeping rooms shall be so arranged that access to a bathroom or toilet room intended for use by the 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 or a bathroom or toilet room.
- (5) *When basement space may be habitable.* No basement space shall be used as a sleeping room or dwelling unit unless such sleeping room or dwelling unit is in conformity with existing City or State Building Codes and complies with the following requirements:
 - a. The total window area in each room shall be at least equal to the minimum window area required in Section 8-594(a).
 - b. Such required minimum window area shall be located entirely above the grade of the adjoining ground.
 - c. The total openable window area in each room shall be at least equal to the minimum required under Section 8-594(a), unless there is supplied some other approved ventilating device.
 - d. Every habitable room in a basement shall be at least seven feet, six inches high from the floor to the ceiling; and the ceiling shall be at least four feet above the outside ground grade level. The walls and floors shall be damp-proof and waterproof.
- (6) *Occupants to have access to sanitary facilities.* Every occupant of every dwelling or dwelling unit shall have unrestricted access to a toilet and bath and to a kitchen sink or lavatory located within that dwelling or dwelling unit.
- (7) *Ceiling height with respect to floor area.* At least one-half of the floor area of every habitable room shall have a ceiling height of at least seven feet, and the floor area of that part of any room where the ceiling height is less than five feet shall not be considered in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.
 - (a) *Exemption.* Any one- or two-family dwelling unit built prior to the State of Wisconsin's adoption of the Uniform Dwelling Code on June 1, 1980 is exempt from the basement room height requirement in Wis. Admin. Code SPS ch. 321.

Sec. 8-596. Maintenance of dwellings, dwelling units, and rooming units.

- (a) *Owner's responsibility.* No person shall occupy as owner-occupant or let to another for occupancy any dwelling, dwelling unit, or rooming unit for the purpose of living therein which does not comply with the following requirements:
 - (1) *Maintenance of foundations, exterior walls, roofs.* Every foundation, exterior wall, and roof shall be weather-tight, water-tight, and insect-proof, shall be rodent-proof in accordance with the terms of Section 6-7 (Rat Prevention), and shall be well-maintained and kept in a state of good repair. The exterior walls of dwellings, dwelling units, and rooming houses shall be either prefinished material, brick, stone, stucco, exterior plaster, stained or painted wood, water-proof shingles, or other material designed and advertised to be used as permanent exterior siding and capable of being painted, stained, or weatherproofed if not prefinished. Materials designed and advertised for insulation, sub-siding, or structural uses other than exterior walls shall not be allowed as exterior siding. Roofing materials shall

- be kept in a state of good repair and shall have no significant signs of wear, weathering, or other forms of deterioration.
- (2) *Maintenance of interior walls, doors, floors, ceilings, countertops, cabinets.* Every interior partition, wall, door, floor, ceiling, countertop, and cabinet shall be capable of affording privacy, kept in a state of good repair, and so maintained as to permit it to be kept clean and sanitary.
 - (3) *Rainwater drains.* Rainwater shall be so drained and conveyed from every roof so as not to cause dampness in the basement, walls, ceilings, or floors of any room. Drains shall be kept clean and free of debris, and shall allow for the proper flow of water. No downspout located within six feet of adjoining property shall be pointed toward such property.
 - (4) *Windows, doors, hatchways.* Every window, exterior door, and basement hatchway shall be weather-tight and shall be kept in a good working condition, well-maintained, and repaired. All windows and exterior doors shall open and close properly with all hardware in-tact and operational.
 - (5) *Protection of exterior surfaces.* All exterior surfaces shall be protected from the elements and against decay by paint or other approved protective coating applied in a workmanlike manner. Painted surfaces must be properly maintained and repaired, including, but not limited to, scraping, priming, and applying finishing coats to said surfaces.
 - (6) *Stairways and porches.* Every inside and outside stairway, every porch, and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and maintained in a state of good repair.
 - (7) *Supplied plumbing fixtures.* Every supplied plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition and in accordance with the Plumbing Codes of the City and the State.
 - (8) *Chimney and supplied smoke pipes.* Every chimney and every supplied smoke pipe shall be adequately supported, reasonably clean, and maintained in a state of good repair and in accordance with the City Building and Heating and Air Conditioning Codes and the State Building and Heating, Ventilating, and Air Conditioning Codes, as applicable.
 - (9) *Bathroom and toilet room floors.* Every bathroom and toilet room floor shall be so maintained as to be reasonably impervious to water and as to permit such floor to be kept in a clean and sanitary condition.
 - (10) *Supplied facilities.* Every supplied facility, piece of equipment, or utility which is required under this article shall be so constructed or installed that it will function properly and shall be maintained in good working condition.
 - (11) *Discontinuance of required services, facilities, equipment, or utilities.* No owner or operator shall cause any service, facility, equipment, or utility which is required to be supplied under the provisions of this article to be removed from, shut off from, or discontinued from any occupied dwelling or dwelling unit let or occupied by said owner or operator, except for such temporary interruption as may be necessary while actual repairs, replacements, or alterations are being made.
 - (12) *Pest extermination.* Whenever infestation exists in any dwelling or dwelling unit or part thereof, or in the shared or public parts of any dwelling or part thereof containing two or more dwelling units, or whenever infestation is caused by failure of the owner to maintain the dwelling or part thereof in a rat-proof or insect-proof condition, extermination thereof shall be the responsibility of the owner. The owner shall hire a pest management professional to inspect and treat, as necessary, all dwelling units sharing a common wall, floor, or ceiling with the dwelling unit containing the infestation. The pest management professional must provide documentation that the affected dwelling unit and surrounding units are clear and free of infestation and live activity.
 - (13) *Cleanliness of public areas of dwellings.* Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition in all communal, shared, or

public areas of the dwelling and premises or parts thereof which are used or shared by the occupants of two or more dwelling units.

- (14) *Vacant dwelling units to be clean and sanitary before being let for occupancy.* No owner shall occupy or rent to any other person for occupancy or allow any other person to occupy any vacant dwelling unit or part thereof unless it is clean, sanitary, free of infestation, and complies with all provisions of this article and all rules and regulations adopted pursuant thereto.
- (15) *Hanging screens.* The owner of a dwelling or dwelling unit shall be responsible for hanging all screens whenever the same are required under the provisions of this chapter or any rule or regulation adopted pursuant hereto. Screens shall be hung at all times except as otherwise provided in this article. If windows are designed to have screens installed, one must be installed and in a state of good repair as required by Section 8-594.

(b) *Responsibility of occupants.*

- (1) *Cleanliness.* Every occupant of a dwelling or dwelling unit or part thereof shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which is occupied or controlled.
- (2) *Disposal of garbage and recyclables.* Every occupant of a dwelling or dwelling unit or part thereof shall dispose of all garbage and recyclables in a clean and sanitary manner by placing it in the garbage or recyclables containers as required by Chapter 32.
- (3) *Extermination of pests.* Every occupant of a dwelling or part thereof or dwelling unit or part thereof shall assist the owner of the dwelling with the extermination of any pests, including, but not limited to, maintaining unit cleanliness, notifying the owner of any infestation, cooperating with extermination efforts, and preparing the unit for treatment.
- (4) *Use and operation of supplied plumbing fixtures.* Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

Sec. 8-597. Maintenance of non-dwelling structures, fences, and premises.

No owner shall permit any non-dwelling structure or fence to exist on any premises which does not comply with the following requirements:

- (1) *Maintenance of non-dwelling structures.* Every foundation, retaining wall, exterior wall, roof, window, exterior door, basement hatchway, and every other entrance way of every non-dwelling structure shall be weather-tight, water-tight, and insect-proof; shall be rodent-proof in accordance with the terms of Section 6-7; shall be well maintained and kept in a state of good repair; and shall have no significant signs of wear, weathering, or other forms of deterioration.
- (2) *Protection of exterior surfaces.* All exterior wood and other surfaces of all non-dwelling structures shall be properly protected from the elements and against decay by paint or other approved protective coating applied in a workmanlike manner. Painted surfaces must be properly maintained and repaired, including, but not limited to, scraping, priming, and applying finishing coats to said surfaces. Exterior walls of structures shall be prefinished material, brick, stone, stucco, exterior plaster, stained or painted wood, water-proof shingles, or a similar material designed and advertised to be used as permanent exterior siding and capable of being painted, stained, or weatherproofed if not prefinished. Materials designed and advertised for insulation, sub-siding, or structural uses other than exterior walls shall not be allowed as exterior siding.
- (3) *Maintenance of fences.* Every fence either shall be reasonably maintained and kept in a state of good repair or shall be removed. All components of fencing material shall be installed as designed or completely removed. Fences shall consist only of materials approved in Chapter 44. Nothing in this subsection shall permit fence removal where the fence is otherwise required by this Code.

- (4) *Grading and drainage of premises.* All premises or part thereof shall be so graded and maintained that no stagnant water will accumulate or stand on the premises or part thereof or within any building or structure located on the premises or part thereof.

Secs. 8-598—8-627. Reserved.

DIVISION 5. ROOMING HOUSE/SHELTER FACILITY REGULATIONS

Sec. 8-628. Compliance required.

No person shall operate a rooming house or shelter facility or occupy or let to another for occupancy any rooming unit in any rooming house or shelter facility except in compliance with the requirements of this division and any other applicable section within this Code.

Sec. 8-629. Permits.

- (a) *Required.* No person shall operate a rooming house or shelter facility without a valid rooming house/shelter facility permit issued by the Director in the name of the operator and for the specific dwelling or dwelling unit within which the rooming house or shelter facility is contained, provided the provisions of this subsection shall not apply to dormitories associated with and run in connection with licensed educational institutions, hotels, motels, bed and breakfast establishments, and community living arrangements which are licensed by an agency of the State of Wisconsin.
- (b) *Application.* The operator shall file the application for a rooming house/shelter facility permit and a site plan according to Sections 44-83 and 44-1581 in the office of the Director on forms prepared by the Director.
- (c) *Issuance of permit and fees.* When all applicable provisions of this division and any rules and regulations adopted pursuant hereto have been complied with by the operator, the Director shall issue a rooming house/shelter facility permit upon the payment of the fee, which shall be as provided in the City Fee Schedule. Shelter facilities shall be exempt from the fees. All rooming house/shelter facility permits so issued shall expire on July 1 following the date of issuance unless sooner suspended or revoked as herein provided. Occupancy shall not exceed the capacity specified in Section 8-632(d) or in Wis. Admin. Code SPS § 362.0400 or sections referenced therein.
- (d) *Posting of permit.* Every rooming house/shelter facility permit issued by the Director shall be conspicuously posted by the operator in the rooming house or shelter facility for which it is issued and shall remain so posted at all times unless removed by the order of the Director.
- (e) *Nontransferability of permit.* No rooming house/shelter facility permit issued under this division shall be transferable as to person or place. Every operator shall notify the Director in writing within 24 hours after having relinquished the operation of a rooming house or shelter facility and shall file in writing with the Director the name and address of the operator assuming the operation of the rooming house or shelter facility. Any operator so assuming operation must have obtained a valid rooming house/shelter facility permit in accordance with this section.
- (f) *Relationship of permit to other codes.* The issuance of a rooming house/shelter facility permit shall not relieve the owner or operator of responsibility for compliance with the Building and Zoning Codes and any other applicable laws of the City and County and applicable rules of the State Department of Health and Department of Safety and Professional Services.
- (g) *Hearing when permit is denied.* Any person whose application for a rooming house shelter facility permit has been denied may request and shall be granted a hearing on the matter before the Protection and Policy Committee under the procedure provided by Section 8-569.
- (h) *Suspension, revocation, and non-renewal of permit.*

- (1) *Grounds.* Whenever, upon inspection of a rooming house or shelter facility, the Director finds that conditions or practices exist which are in violation of any provision of this article or any other provisions of this Code, or any rule or regulation adopted pursuant hereto, or if the operator keeps or maintains a disorderly house, the rooming house/shelter facility permit may be revoked, suspended for up to six months, or non-renewed.
- (2) *Notice.* No permit issued under this section shall be revoked, suspended, or non-renewed except upon due notice and hearing to determine whether grounds for such action exist. The Director shall give written notice of the grounds for revocation, suspension, or nonrenewal to the operator of such rooming house or shelter facility, which shall constitute the complaint. The notice shall be served upon the licensee at least 15 days prior to the date of the hearing and shall state the time and place thereof.
- (2) *Hearing.* The hearing on a complaint for suspension, revocation, or nonrenewal shall be held before the Protection and Policy Committee. The operator of the rooming house or shelter facility shall be entitled to be heard, to be represented by counsel, and to present and cross-examine witnesses. The operator may be provided a transcript of the hearing at their own expense.
- (3) *Recommendation by Committee.* Following the hearing, the Protection and Policy Committee shall issue Findings of Fact and Conclusions of Law and shall make a recommendation to the Common Council whether the operator's rooming house/shelter facility permit should be suspended, revoked, or nonrenewed. The City Clerk shall provide the operator with a copy of the Committee's report.
- (4) *Council action.* The Common Council shall consider the report and recommendation of the Protection and Policy Committee no later than the second regularly scheduled meeting following its receipt of the Committee's report. The Director or the operator may file an objection to the recommendation and have the opportunity to present arguments supporting their objection to the Common Council. Council shall determine whether arguments shall be presented orally, in writing, or both. Following arguments and deliberation, the Common Council shall adopt, modify, or reject the Findings of Fact, Conclusions of Law, and Recommendation of the Protection and Policy Committee. Notice of Council's decision shall be provided to the operator within 20 days.
- (5) *Appeal.* An operator of a rooming house or shelter facility shall appeal the suspension, revocation, or nonrenewal of their rooming house/shelter facility permit to the Brown County Circuit Court within 30 days of receipt of notice of Common Council's action.

Sec. 8-630. Operator to control occupancy.

No operator shall at any time allow a larger number of persons to occupy any individual or group sleeping room than is permitted by this division.

Sec. 8-631. Applicability of other parts of this article.

No person shall operate a rooming house or shelter facility unless all of the requirements of Sections 8-594, 8-595, and 8-596 are complied with, provided for the purpose of interpreting the requirements of the designated sections applicable to the enforcement of this division, the term "dwelling" shall be interpreted to mean rooming house or shelter facility and the term "dwelling unit" shall be interpreted to mean rooming unit. Every dwelling unit located within a rooming house or shelter facility shall comply with all of the requirements for dwelling units as established in this article.

Sec. 8-632. Arrangement, equipping, maintenance, and use of facilities.

- (a) *Toilets and lavatory basins.* At least one toilet and lavatory basin, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each ten persons or fraction thereof residing within a rooming house or shelter facility, including members of the operator's family wherever they share the use of such facilities.

- (b) *Baths.* At least one bath, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a rooming house or shelter facility, including members of the operator's family wherever they share the use of such facilities.
- (c) *Location of sanitary facilities.* Every toilet, lavatory basin, and bath shall be located within a room which affords privacy to a person within. All such facilities shall be so located within the rooming house or shelter facility as to be accessible to the occupants of each rooming unit sharing such facilities without going outside of the dwelling or part thereof and without going through another dwelling unit or part thereof or through a rooming unit or part thereof of another occupant.
- (d) *Minimum area for sleeping purposes.*
 - (1) The capacity of any room occupied for sleeping purposes shall be as follows:
 - a. 400 cubic feet for each occupant over 12 years of age; and
 - b. 200 cubic feet for each occupant 12 years of age or under.
 - (2) The operator of a shelter facility may allow homeless families on an emergency basis to occupy a sleeping room which does not meet the above minimum sleeping area requirements if the operator makes all reasonable attempts to place the family in another shelter which meets those requirements and so long as the family is placed in a room which complies with these regulations within 72 hours.
- (e) *Number of sleeping rooms.* Every sleeping room in every rooming house or shelter facility shall be numbered in a plain and conspicuous manner, the number to be placed on the outside of the door to such sleeping room. No two doors shall bear the same number. No number on any door of any sleeping room shall be changed to any other number without first securing the written approval of the Director.
- (f) *Preparation or eating of meals in rooming units prohibited.* No occupant of a sleeping room shall prepare meals or store perishable foods therein. The operator shall post in every sleeping room a sign on which shall be written or printed in letters not less than three-eighths-inch in height the following words: "NO COOKING OR STORING PERISHABLE FOODS PERMITTED IN THIS ROOM." Such sign shall remain posted at all times.
- (g) *Bed linens and towels.* The operator of every rooming house or shelter facility shall effect the change of supplied bed linens and towels therein at least once each week and prior to the letting of any room to any occupant. The operator shall maintain all supplied bedding in a reasonably clean and sanitary manner.
- (h) *Shades and drapes.* Every window of every sleeping room shall be supplied with shades, draw drapes, or other devices or materials which when properly used will afford privacy to the occupant of the room.
- (i) *Sanitary maintenance.* The operator of every rooming house or shelter facility shall maintain in a sanitary condition all walls, floors, and ceilings and every part of the rooming house or shelter facility, and the entire premises, where the entire structure or building within which the rooming house or shelter facility is contained is leased or occupied by the operator.
- (j) *Storage and disposal of garbage and recyclables.* Adequate garbage and recyclable storage containers, whose type and location are approved under Chapter 32, shall be supplied by the rooming house or shelter facility operator. The operator shall dispose of all garbage and recyclables in a clean and sanitary manner by placing them in the required containers.
- (k) *Hanging screens, storm doors, and storm windows.* The operator of a rooming house or shelter facility shall hang all screen and double storm doors and windows whenever the same are required under this article or any rule or regulation adopted pursuant hereto except where the owner has agreed to supply such service.
 - (1) *Exception.* During the cold weather period from November 1 to March 31 of each calendar year, having screens installed is optional. Any screens installed must be in a state of good repair.
- (l) *Pest extermination.* Whenever infestation exists in any dwelling or dwelling unit or part thereof, or in the shared or public parts of any dwelling or part thereof containing two or more dwelling units, or whenever infestation is caused by failure of the owner to maintain the dwelling or part thereof in a rat-proof or insect-

proof condition, extermination thereof shall be the responsibility of the owner. The owner shall hire a pest management professional to inspect and treat, as necessary, all dwelling units sharing a common wall, floor, or ceiling with the dwelling unit containing the infestation. The pest management professional must provide documentation that the affected dwelling unit and surrounding units are clear and free of infestation and live activity.

- (m) *Exits.* Every sleeping room in every rooming house or shelter facility shall have exits which conform to the exit requirements of the City and State Building Codes, as applicable. In addition, every exit and passageway shall comply with the following:
- (1) It shall be easily accessible from every sleeping room by passageway, without passing through any part of another sleeping room.
 - (2) It shall be kept in a reasonably good state of repair.
 - (3) It shall be unobstructed at all times.

Sec. 8-633. Reporting of communicable disease by operator.

The operator of a rooming house or shelter facility shall report to the Brown County Health Commissioner or any State of Wisconsin health care professional licensed under Wis. Stats. Ch. 441 (nurses) or Ch. 448 (medical practitioners) immediately upon discovery the name of any person living in the rooming house or shelter facility who is suffering from any communicable disease, as listed in Appendix A to Wis. Admin. Code DHS ch. 145; and such report shall be made whenever there is reason to believe or suspect that any person in such rooming house or shelter facility may be afflicted with any communicable disease.

Secs. 8-634—8-646. Reserved.

DIVISION 6. DORMITORY FACILITY REGULATIONS

Sec. 8-647. Compliance required.

No person shall operate a dormitory facility or occupy or let to another for occupancy any rooming unit in any dormitory facility except in compliance with the requirements of this division and any other applicable section of this Code.

Sec. 8-648. Permits.

- (a) *Required.* No person shall operate a dormitory facility without a valid dormitory facility conditional use permit issued by the City of Green Bay in the name of the operator and for the specific dwelling or dwelling unit or part thereof within which the dormitory facility is contained, provided the provisions of this section shall not apply to dormitories associated with and run in connection with hotels, motels, and bed and breakfast establishments which are licensed by an agency of the State of Wisconsin.
- (b) *Application.* The operator shall file the application for a dormitory facility conditional use permit and a site plan in accordance with Section 44-83.
- (c) *Issuance of permit.* When the operator has complied with all applicable provisions of this division and any rules and regulations adopted pursuant hereto, the Director shall process the conditional use permit request in accordance with Section 44-83.
- (d) *Nontransferability of permit.* No dormitory facility conditional use permit issued under this division shall be transferable as to person or place. Every operator shall notify the Director of Planning in writing within 24 hours after having relinquished the operation of a dormitory facility and shall file in writing with the Director the name and address of the operator assuming the operation of the dormitory facility. Any operator so

assuming operation must have obtained a valid dormitory facility conditional use permit in accordance with this section.

- (e) *Relationship of permit to other codes.* The issuance of a dormitory facility conditional use permit shall not relieve the owner or operator of responsibility for compliance with the Building and Zoning Codes and any other applicable laws of the City and County and applicable rules of the State of Wisconsin.
- (f) *Revocation of permit.* Any dormitory facility conditional use permit that has been issued may be revoked in accordance with the provisions of Chapter 44.

Sec. 8-649. Operator to control occupancy.

No operator shall at any time allow a larger number of persons to occupy any individual or group sleeping room than is permitted by this division.

Sec. 8-650. Applicability of other parts of this article.

No person shall operate a dormitory facility unless all of the requirements of Sections 8-594, 8-595, and 8-596 are complied with, provided for the purpose of interpreting the requirements of the designated sections applicable to the enforcement of this division, the term "dwelling" shall be interpreted to mean dormitory facility and the term "dwelling unit" shall be interpreted to mean rooming unit or part thereof. Every dwelling unit located within a dormitory facility shall comply with all of the requirements for dwelling units as established in this article.

Sec. 8-651. Arrangement, equipping, maintenance, and use of facilities.

- (a) *Toilets and lavatory basins.* At least one toilet and lavatory basin, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a dormitory facility, including members of the operator's family wherever they share the use of such facilities.
- (b) *Baths.* At least one bath, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a dormitory facility, including members of the operator's family wherever they share the use of such facilities.
- (c) *Location of sanitary facilities.* Every toilet, lavatory basin, and bath shall be located within a room which affords privacy to a person within. All such facilities shall be so located within the dormitory facility as to be accessible to the occupants of each rooming unit sharing such facilities without going outside of the dwelling or part thereof and without going through another dwelling unit or part thereof or through a rooming unit or part thereof of another occupant.
- (d) *Minimum area for sleeping purposes.* The capacity of any room occupied for sleeping purposes shall be as follows:
 - (1) Sleeping areas of at least 50 square feet per person residing in the dormitory with no more than four individuals per room, except that more than four individuals may be allowed per room if all said individuals are related by blood, marriage, or adoption.
 - (2) Rooms shall consist of enclosed places having walls that extend from the ceiling to the floor and an entry door.
- (e) *Number of kitchens/dining areas.* Every dormitory shall have one kitchen and dining area for every ten individuals residing in the dormitory facility.
- (f) *Number of laundry facilities.* Every dormitory shall have one laundry facility consisting of a minimum of one clothes washer, one clothes dryer, and one washbasin for every ten individuals residing in the dormitory facility.

- (g) *Number and size of common area/lounge.* Every dormitory shall have one common use area/lounge of at least 600 square feet in size for every ten individuals residing in the dormitory facility for relaxation and recreation of the occupants.
- (h) *Sanitary maintenance.* The operator of every dormitory facility shall maintain in a sanitary condition all walls, floors, and ceilings and every part of the dormitory facility, and the entire premises, where the entire structure or building within which the dormitory facility is contained is leased or occupied by the operator.
- (i) *Storage and disposal of garbage and recyclables.* Adequate garbage and recyclable storage containers, whose type and location are approved under Chapter 32, shall be supplied by the dormitory facility operator. The operator shall dispose of all garbage and recyclables in a clean and sanitary manner by placing them in the required containers.
- (j) *Extermination of pests.* The operator of a dormitory facility shall cause the extermination of any insects, rodents, or other pests therein and on the entire premises where the entire structure or building within which the dormitory facility is contained is leased or occupied by the operator, except that whenever infestation of a dormitory facility is caused by a failure of the owner to maintain the dwelling within which the dormitory facility is contained in a rat-proof or reasonably insect-proof condition, extermination shall be the responsibility of the owner.
- (k) *Exits.* Every sleeping room in every dormitory facility shall have exits which conform to the exit requirements of the City and State Building Codes, as applicable. In addition, every exit and passageway shall comply with the following:
 - (1) It shall be easily accessible from every sleeping room by passageway, without passing through any part of another sleeping room.
 - (2) It shall be kept in a reasonably good state of repair.
 - (3) It shall be unobstructed at all times.

Secs. 8-652—8-668. Reserved.

ARTICLE VII. MANUFACTURED AND MOBILE HOMES

Sec. 8-669. State laws adopted.

Except as otherwise provided in this article, Wis. Stats. § 66.0435, all provisions of Wis. Stats. Ch. 101, and all provisions of Wis. Admin. Code Ch. SPS 326 describing and defining regulations relative to manufactured and mobile homes that the City may adopt as ordinances are hereby adopted and by reference made part of this article as if fully set forth herein. Any future amendments, revisions, or modifications of the statutes and regulations incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of manufactured and mobile homes in the City of Green Bay. A copy of such code shall be on file in the office of the Inspection Division.

Sec. 8-670. Parking of manufactured and mobile homes restricted.

Except as provided in this article, no person shall park within the City any manufactured and mobile home on any street, alley, highway, or other public place or on any privately-owned land.

Sec. 8-671. Manufactured and mobile home park licenses.

- (a) *Required.* No person shall establish, operate, or maintain or permit to be established, operated, or maintained upon any property owned, leased, or controlled by said person a manufactured and mobile home park within the City without first securing a license therefor from the Director of the Department of Community and Economic Development (Director) or their designee, pursuant to this article. Operation in

any fiscal year requires a license. Such license shall expire on 12:00 midnight on June 30 annually but may be renewed under the provisions of this article for additional maximum two-year periods.

- (b) *Location restricted.* An application for the construction of a manufactured and mobile home park shall be considered only when its proposed location is within a district zoned to permit such use.
- (c) *Application.* The application for a license or a renewal thereof shall be made on forms furnished by the City and shall include the name and address of the owner in fee of the tract or if the fee is vested in some person other than the applicant, a duly verified statement by such person that the applicant is authorized to construct or maintain the manufactured and mobile home park and make the application, and such legal description of the premises upon which the manufactured and mobile home park is or will be located as will readily identify and definitely locate the premises. The initial application for any existing, new, or revised manufactured and mobile home park shall contain a park plan showing the following, either as existing or as proposed:
 - (1) The area to be used for park purposes.
 - (2) Roadways and driveways.
 - (3) The location and designation of dependent and independent manufactured and mobile home spaces.
 - (4) The location of service buildings and the number of sanitary conveniences, including toilets, washrooms, laundries, and utility rooms, to be used by occupants of the manufactured and mobile home park.
 - (5) A complete layout of storm, sanitary, and water systems for the service building and spaces.
 - (6) The method and plan of garbage removal.
 - (7) A plan for electrical lighting of spaces.
- (d) *Issuance of license.*
 - (1) *Approval and fee required.* The application for such license or renewal thereof shall be approved by the Inspection Division. Before a license is issued, the applicant shall pay an annual fee in accordance with Wis. Admin. Code Ch. SPS 326. The fee shall be as provided in the City Fee Schedule. A penalty fee, as provided in the City Fee Schedule, shall apply to renewal applications postmarked after June 30.
 - (2) *Municipal sanitary facilities required.* No license shall be issued for a manufactured and mobile home park where municipal sanitary facilities are not available.
- (e) *Revocation and suspension.* A license may be suspended or revoked after a hearing held pursuant to Wis. Stats. § 66.0435. Any hearing for the suspension, revocation, or non-renewal of a license shall be conducted before the Protection and Policy Committee. At the conclusion of the hearing, the Protection and Policy Committee shall recommend to the Common Council that the license be suspended, revoked, or non-renewed if it finds that the licensee committed a violation. The Common Council shall consider and take action on the recommendation of the Protection and Policy Committee within 45 days after the committee adjourns the hearing. Appeal from a decision of the Common Council shall be by petition for writ of certiorari to the Brown County Circuit Court.

Sec. 8-672. Management of manufactured and mobile home parks.

- (a) *Office to be in park.* In every manufactured and mobile home park, there shall be located the office of the attendant or person in charge of such park. A copy of the park license and of this article shall be posted therein, and the park register shall at all times be kept in such office.
- (b) *Duties of attendant and licensee.* The attendant or person in charge, together with the licensee, shall:
 - (1) Keep a register of all occupants, which shall be open at all times to inspection by state, federal, and local officers and which shall show for all occupants of the manufactured and mobile home park the following information:

- a. Names and addresses.
 - b. Number and ages of all children.
 - c. Number of public elementary school children.
 - d. Number of public secondary school children.
 - e. State of legal residence.
 - f. Dates of entrance and departure.
 - g. License numbers of all manufactured and mobile homes and towing or other vehicles, and states issuing such licenses.
 - h. Place of last location and length of stay.
 - i. Place of employment of each occupant.
- (2) Maintain the park in a clean, orderly, and sanitary condition at all times.
 - (3) Ensure that the provisions of this article are complied with and enforced and report promptly to the proper authorities any violations of this article or any other violations of law which may come to attention.
 - (4) Collect the monthly parking permit fee and keep a record book showing the names of persons paying such fees and the amounts paid.
 - (5) Submit with the total monthly parking permit fees to the City Treasurer a monthly report showing the names of persons paying such fees and the amount paid if less than for a full month. Such report shall also indicate departure time for current tenants and arrival time for new tenants and departure time if occurring the same month as arrival.

Sec. 8-673. Applicability of plumbing, electrical, and building ordinances.

All plumbing, electrical, building, and other work on or at any park licensed under this article shall comply with City ordinances, the requirements of the State Plumbing, Electrical, and Building Codes, and the regulations of the State Department of Health. Licenses granted under this article grant no permission to erect or repair any structure or to do any plumbing or electrical work.

Sec. 8-674. Variances.

When, in the judgment of the Plan Commission or the Council, a provision of this article may not literally be applied due to unusual hardship, such provision may be altered as long as the basic intent of control herein stated is retained.

Exhibit A

Chapter 8 BUILDINGS AND CONSTRUCTION

ARTICLE I. IN GENERAL

Sec. 8-1. Director of Community and Economic Development to enforce.

The Director of Community and Economic Development is responsible for the enforcement of this chapter and may issue citations hereunder and may delegate such citation authority to their employees. It is declared that the intent of this chapter can be most effectively carried out by the cooperation of all City departments concerned, and all such departments shall cooperate with the Director in the enforcement of this chapter.

Sec. 8-2. Wisconsin Administrative Code to be on file.

Copies of the chapters of the Wisconsin Administrative Code incorporated into this chapter by reference shall be kept on file in the offices of the Department of Community and Economic Development and the City Clerk.

Sec. 8-3. Violations of this chapter.

Whenever the Director determines that there has been a violation or that there are reasonable grounds to believe that there has been a violation of any provision of this chapter or of any rule or regulation adopted pursuant hereto, the Director shall give notice of such violation to the person legally responsible therefor. Such notice shall provide sufficient information to the person responsible as to inform them of the actions necessary to correct the violation and specify a deadline by which such corrections must be made.

Sec. 8-4. Appeals; Zoning Board of Appeals.

- (a) *Jurisdiction.* The Zoning Board of Appeals, organized under Section 44-138, shall have the authority to hear the following matters.
 - (1) Any decision of the Director of the Department of Community and Economic Development (Director) to deny an application for any permit issued under this chapter, or any decision to revoke such a permit.
 - (2) Any error in any order made by the Director in the enforcement of this chapter.
- (b) *Appeal process.* Any person aggrieved by a decision, determination, or order of the Director as described in subsection (a) may appeal the decision, determination, or order to the Zoning Board of Appeals. Unless otherwise provided in this chapter, such appeals shall be governed by the following provisions.
 - (1) The aggrieved person must file a written petition with the City Clerk within 20 days of the decision, determination, or order being appealed or the petition shall be untimely. The petition must identify the permit denial, permit revocation, or enforcement order being appealed, the official who made the decision, determination, or order, and all other relevant facts related to the appeal.
 - (2) The official whose decision, determination, or order is appealed shall submit a written report to the Board describing the reasons for the decision, determination, or order and shall attend the appeal hearing to comment.
 - (3) The Board shall establish a reasonable time for the hearing of the appeal and give public notice thereof. The Board shall render a decision on the appeal within a reasonable time.
 - (4) The Board may reverse or affirm the decision, determination, or order, wholly or partially, as appropriate.
 - (5) A party aggrieved by a decision of the Zoning Board of Appeals under this section may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.

Sec. 8-5. Re-inspection fees.

- (a) *Definition.* The term "re-inspection fee" means a special charge that may be assessed against a property owner by the City in order to defray the administrative cost of exercising jurisdiction over this chapter and conducting related inspections within the City.
- (b) *When assessed.* An inspector may assess a re-inspection fee if a property is not available to be inspected at the time of a scheduled inspection or if all of the following conditions are met:
 - (1) The inspector has found that the owner's parcel is not in compliance with a provision of this chapter;
 - (2) The inspector has informed the property owner of the changes necessary to gain compliance; and
 - (3) Upon subsequent investigation or inspection, the inspector finds that the same violation persists.
- (c) *Fees charged.* Each re-inspection fee shall be as provided in the City Fee Schedule. A separate re-inspection fee may be assessed each time the conditions under subsection (b) of this section exist.
- (d) *Appeals.* Within 30 days of assessment, a property owner against whom re-inspection fees have been assessed may appeal said fees to the Finance Committee.

Sec. 8-6. General penalty.

Unless a more specific penalty is specified, any person who shall violate any provision of this chapter or any rule, regulation, or order made hereunder shall be subject to a penalty as provided in Section 1-6, except that the minimum penalty for each offense shall be \$25.00. Unless otherwise provided, each 24-hour period any such violation is allowed to exist shall constitute a separate violation.

Secs. 8-7—8-18. Reserved.

ARTICLE II. BUILDING CODE

DIVISION 1. GENERALLY

Sec. 8-19. Purpose.

The purpose of this article is to provide minimum City regulations, provisions, and requirements for buildings and structures within the City, thereby increasing safety to persons and property, stable design, and good methods of construction and uses of materials in any building or structure constructed, enlarged, altered, repaired, moved, converted to other use, or demolished; to regulate the equipment, maintenance, condition, use, occupancy, and safety of buildings in the City; and to promote the public health, safety, and general welfare. This article shall apply to new buildings and structures and to alterations and additions to existing buildings and structures within the City.

Sec. 8-20. Applicability.

- (a) *Persons affected.* This article shall be binding upon every owner of a building and every person in charge of or responsible for the condition of any building or structure in the City, or who causes repair or alteration thereof.
- (b) *Buildings affected.* This article shall apply to all buildings and structures, except buildings which were erected in compliance with the City Building Code and/or the State of Wisconsin building code in force at the time of their construction or last change in use and which:
 - (1) Have been repaired and maintained so that the structures are weathertight and the structural members are not hazardous to life or property;

- (2) Are kept free from accumulations of dirt, filth, rubbish, garbage, or other matter in or on the same or in the yards, courts, passageways, or other areas connected or belonging to the same; and
- (3) Do not have cross-connections in plumbing systems that are hazardous to the occupants or violate any provision of the Plumbing Code regarding cross-connections.

Sec. 8-21. Definitions.

The definitions in Wis. Admin. Code SPS § 320.07 shall apply to this article. Additionally, the following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section. Where a conflict exists between a definition in this section and in Wis. Admin. Code SPS § 320.07, the definition in the administrative code shall control.

Accessory building means a detached building, not used as a dwelling unit but incidental to that of the main building and which is located on the same lot. Accessory building does not mean farm building.

Accessory use means a use incidental to the use of the main building or to the principal use of the premises.

Air temperature means a measurement of the temperature of the air and not of radiant heat.

Alley means a public thoroughfare which affords a secondary means of access to abutting property and which is generally fewer than 20 feet wide.

Alteration means an enhancement, upgrading, or substantial change or modification other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning, and other systems within a dwelling.

Apartment means a part of a building occupied or designed or intended to be occupied by one or more persons as a single-living unit or as a single-family housekeeping unit and which includes the use of kitchen facilities, either in private or in common with others.

Approved as to materials and types of construction means approved by the Director as the result of investigation and tests conducted by the Director or an authorized agent or by reason of accepted principles or tests by national authorities or by technical or scientific organizations accepted by the Director. Approvals given shall be in writing, and a copy thereof kept on file in the Building Inspection Division.

Balcony means a landing or porch projecting from the wall of a building.

Basement means that portion of a dwelling below the first floor or groundfloor with its entire floor below grade.

Base flood has the meaning ascribed in Section 44-1045.

Boarding house or lodging house means a building or structure, other than a hotel licensed by the State, where lodging and meals for three or more persons are served for compensation.

Building means:

- (1) *Noun.* Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property. When a structure is divided into separate parts by unpierced walls extending from the ground up, each part is deemed a separate building.
- (2) *Verb.* Any enlargement, alteration, movement, or demolishing of any building or structure, and also any new heating plant or any material alteration in any existing heating plant, toilet room, or elevator.

Court means an open, unoccupied space other than a yard on the same lot with a building.

Inner court means any court other than an outer court.

Outer court means a court which extends directly to and opens on a street or other permanent open space or on a required yard.

Department means the Department of Community and Economic Development.

Director means the Director of the Department of Community and Economic Development or their designee.

Dwelling means any building, or portion thereof, which is designed or used exclusively for residential purposes.

One-family dwelling means a building designed and occupied exclusively by one family.

Two-family dwelling means a building or portion thereof designed for or occupied by not more than two families.

Extermination means the control or elimination of infestation by eliminating harboring places and removing or make inaccessible materials that may serve as food or by poisoning, spraying, trapping, fumigating by a licensed fumigator or any other effective elimination procedure.

Family means one or more individuals living on a premises as a single housekeeping unit.

Filling station means a place where gasoline, kerosene, or any other fuel, lubricating oil, or grease for operating motor vehicles is offered for sale at retail to the public and where deliveries are made at the time of sale and directly into the motor vehicles, including greasing and oiling on the premises.

Full story. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it; or if there is no floor above it, then the space between the floor and the ceiling next above it, not including in either case mezzanine floors or balconies.

Garage means a space or structure used for storing motorized vehicles that has any more than two sides completely enclosed.

Community garage means a garage, or a series of garages, for use only for the storage of noncommercial vehicles of residents of the neighborhood.

Private garage means a garage, for private use only, for the storage of not more than four motorized vehicles, including not more than one commercial vehicle, which shall be of less than two-ton capacity.

Public garage means a garage other than a private or community garage used for the storage, sale, hire, or repair of motor vehicles or of vehicles used in connection therewith.

Habitable room means any room in a dwelling unit used for sleeping, living, or dining purposes.

Half story means that part of a building between the eaves and the ridge line of pitched roofs used for storage or occupancy. When designed and constructed for limited storage, such portion is an attic.

Homeless family means a group of one or more related individuals who are homeless individuals.

Homeless individual means an individual who lacks a fixed and regular nighttime residence or an individual whose primary nighttime residence is a supervised public or privately-operated shelter designed to provide temporary living accommodations. Temporary living accommodations include welfare hotels, congregate shelters, and transitional housing.

Hotel means a building in which lodging and board is provided to the public for compensation and which caters to daily transient guests.

Impervious to water means constructed of concrete, cement block, terrazzo, brick, tile, or other similar material approved by the Director and having tight-fitting joints and more than four and one-half percent absorption by test.

Infestation means the sustained presence of household pests, vermin, or rodents.

Living room means a room used for sitting, dining, or cooking purposes, but does not include a room designed for laundry, workshop, furnace, play, or storage purposes.

Mezzanine floor means a balcony-like floor located between a main or full floor and the main ceiling next above and not exceeding in area more than one-third of such main or full floor.

Occupant means any individual residing in a dwelling.

Owner means the State, the City, the University of Wisconsin-Green Bay, any sewer or drainage district, any person, firm, partnership, corporation, or organization of any kind having a legal or equitable interest in a property.

Plumbing means all gas pipes and gas burning equipment, waste pipes, water pipes, water closets, sinks, lavatories, bath tubs, catch basins, drains, vents, and any other fixtures, together with connections to the water, sewer, or gas lines.

Provided means furnished, supplied, or paid for by, or under control of, the owner.

Rooming house means a building or structure, other than a hotel licensed by the State, where three or more persons are lodged for compensation.

Service station means a garage, other than a public garage, used in connection with liquid fuel dispensing stations and in which one or more vehicles can be accommodated for washing, greasing, oil changing, tire and battery replacement, or similar minor operations or adjustments.

Shelter facility means a temporary place of lodging for homeless individuals or homeless families.

Sleeping room means a room used for sleeping purposes.

Street means a public or private right-of-way, lane, or way set aside permanently for common travel and being 21 feet or more in width if it existed on November 3, 1959.

Structural alteration means any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

Structure means anything constructed, the use of which requires location on the ground or attachment to something having a permanent location on the ground.

Yard means an open, unoccupied space on the same lot with a dwelling and lying between the front, rear, or sides of the dwelling and the respective lot lines.

Sec. 8-22. Incorporation by reference.

The Wisconsin Uniform Dwelling Code, Wis. Admin. Code SPS Chs. 320 to 325, and Commercial Building Code, Wis. Admin. Code SPS Chs. 361 to 366, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein. Any conflict between this article and the Wisconsin Administrative Code shall be resolved in favor of the Wisconsin Administrative Code.

Secs. 8-23—8-45. Reserved.

DIVISION 2. ADMINISTRATION

Sec. 8-46. Division of Building Inspection.

- (a) *Duties.* The Director shall enforce all state laws, City ordinances, and lawful orders relating to the construction, alteration, repair, removal, location, occupancy, safety, and use of buildings and permanent building equipment.
- (b) *Records.* The Director shall keep records of and make monthly and annual reports to the Council on all of the following.
 - (1) All applications for building permits, which shall be numbered in the order of issuance.
 - (2) The number, description, and size of every building erected, which shall indicate the materials used and the cost of each building, as well as the aggregate cost of all buildings of the various classes.

- (3) All inspections made and all removals and condemnations of buildings.
- (4) All related fees collected, including the dates of their receipt and delivery to the City Treasurer.
- (d) *Powers.*
 - (1) *Inspection.* The Director may at all reasonable times for any proper purpose enter upon any public or private premises and make inspections thereof and may require the permit for any building, electrical, heating, or plumbing work, or the required license therefor, to be produced for inspection.
 - (2) *Emergency powers.* The Director shall have such emergency powers as are necessary to fulfill the purpose and intent of this article; that is, to promote the public health, safety, and welfare.

Sec. 8-47. Building permits.

- (a) *Building permit required.* No person shall erect or construct any building or structure, or shall add to, enlarge, move, improve, alter, convert, extend, or demolish any building or structure or cause the same to be done, or shall commence any work covered by this article on any structure without first obtaining a building permit therefor from the Director, provided the Director may authorize minor repairs not involving structural alterations without requiring a building permit to be issued.
 - (1) *Residential properties.* The Director may issue a permit under this section to an owner currently living and residing at the property. For residential properties not occupied by the owner, the Director shall only issue a permit under this section to a contractor who holds a dwelling contractor certification or dwelling contractor qualifier certification issued by the State of Wisconsin.
- (b) *Application.* An application for a building permit shall be filed with the Director on a blank form to be furnished for that purpose. Such application shall describe the land upon which the proposed building or work is to be done, either by lot, block, tract, or similar general description which will readily identify and definitively locate the proposed building or work, shall show the use or occupancy of all parts of the building, and shall include such other pertinent information as may be required by the Director.
- (c) *Information to accompany application.*
 - (1) *Site plan.* Each application for a building permit shall be accompanied by two copies of a site plan, drawn to scale, where not less than one inch equals 20 feet nor more than 1/16-inch equals one foot, which shows the actual dimensions of the lot to be built upon, the size and location of the buildings to be erected, the proper relationship of the buildings to the exterior lines of existing or proposed streets shown on the Official Map, and such other information as may be necessary to provide for the enforcement of this article. Such site plan shall indicate the detailed legal description of the property as it appears of record. In the case of unplatted land or parcels conveyed by metes and bounds, the site plan, together with sufficient measurements to permit property determination, shall be submitted to the Director, who shall certify as to whether the proposal is in conflict with the Official Map.
 - (2) *Other data required.* The following data shall be a part of, or shall accompany, all site plans submitted for approval:
 - a. The location of streets, alleys, lot lines, and any other buildings on the same lot or property.
 - b. The name of the owner.
 - c. The intended use of all rooms.
 - d. When required by the Director, computations, stress diagrams, and other data necessary to show the correctness of the plans.
 - (3) *Foundation specifications.* When necessary, information concerning the size and material of the foundations and, if required, the loads to be placed thereon, where piles are to be driven, and the spacing, size, and materials of the piles and the load to be placed on each shall accompany the application for a building permit.

(e) *Conditions of approval of application.*

- (1) *Sanitary sewers.* Where sanitary sewers are not installed or immediately available, no building permit shall be issued by the Director until a plumbing permit for an individual sewage disposal system has been issued in accordance with Section 8-370.
- (2) *Right to inspect.* The Director may, as a condition of the granting of a building permit, enter any premises for which such permit was issued at any reasonable time during the course of the work and until final inspection and approval thereof has been given to inspect such premises for compliance with all statutory and ordinance regulations concerning the construction, repair, use, and location of such building.
- (3) *Buildings covered by State Building Code.*
 - a. *Approval of plans.* Before a permit is issued for any building listed in subsection (e)(3)b or for the equipment for remodeling any such building, complete plans and specifications, including a site plan showing the position of the building with respect to lot lines, shall be submitted to the State Department of Safety and Professional Services for approval in accordance with the Wisconsin Administrative Code. Such plans shall be submitted to the State in such number as will permit a complete set of approved plans and specifications, together with any correspondence concerning such approval by the State, to be filed with the Department of Community and Economic Development.
 - b. The Department of Safety and Professional Services must approve permit applications for the following types of buildings:
 1. Hospitals.
 2. Buildings containing elevators.
 3. Buildings containing fire sprinkler systems or fire alarm systems.
 4. All other buildings required by state law or administrative regulation to be submitted.
 - c. *Changes in approved plans.* After plans have been approved for buildings and equipment thereof, no changes shall be permitted unless such changes are approved by the Department of Safety and Professional Services.
 - d. *Inspection of buildings covered by State Building Code.* The Director shall make inspections and require such changes as will be necessary for buildings and their equipment to conform with the approved plans, or the approved changes in such approved plans, which have been filed in their office.

(f) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Building Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.

(g) *Permit fees.*

- (1) Fees for building permits issued under this section shall be provided in the City Fee Schedule.
- (2) If an application for a building permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.

(h) *Issuance of building permit.*

- (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a building permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp both sets of plans and specifications as "approved."

- (2) *Who shall have plans and specifications.* One such approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
- (3) *Evidence of permit.* With every permit, Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
- (4) *Lapse.* A building permit shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further construction is necessary after one year, the permit holder shall make written application in duplicate to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the building permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
- (5) *Revocation.*
- a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the building permit shall be revoked by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work upon the subject building until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (7) *Preliminary foundation permit may be issued.* Whenever any person has applied for a building permit and all of the provisions of this section have been complied with, particularly with respect to review and approval of the site plan and other necessary conditions of approval as set forth in subsection (e) of this section, the Director may issue a preliminary foundation permit allowing the permittee to construct the foundation of any building for which a permit is sought. Thereafter, the Director may issue the final permit upon approval of plans and specifications for the remaining portion of the building to be constructed above the foundation. Nothing contained herein shall require the Building Inspector to issue the final permit unless the plans and specifications for the remainder of the building to be constructed above the foundation are in proper order and approved. The Director shall not issue such preliminary foundation permit unless all necessary information provided hereunder has been

reviewed and approved by the appropriate City departments and the only information remaining to be approved is the computation, stress diagrams, and other data necessary to show the correctness of the plans for that portion of the building to be constructed above the foundation.

- (i) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Secs. 8-48—8-67. Reserved.

DIVISION 3. ENFORCEMENT

Sec. 8-68. Unsafe buildings; razing or repair.

- (a) *Order to raze.* If any building located within the City is old, dilapidated, or out of repair and consequently dangerous, unsafe, unsanitary, or otherwise unfit for human habitation and unreasonable to repair, the Director may order the owner of the building to raze and remove such building; or, if the building can be made safe by reasonable repairs, order the owner to either make the building safe and sanitary or raze and remove it, at the owner's option; or, where there has been a cessation of normal construction of a building for more than two years, order the owner of the building to raze and remove such building. Any order issued under this section shall specify the repairs necessary to make the building safe and sanitary and shall specify a time within which the owner shall comply therewith. Such order shall be served as provided by Wis. Stats. § 66.0413.
- (b) *Failure to comply with order.*
- (1) If the owner fails or refuses to comply with an order issued under this section within the time prescribed, the Director shall cause such building either to be razed and removed as provided by Wis. Stats. § 66.0413, through any available public agency or by contract or arrangement with private persons, or to be closed if unfit for human habitation, occupancy, or use.
 - (2) The cost of such razing and removal or closing shall be charged against the real estate and shall be assessed and collected as a special charge. When any building has been ordered razed and removed, the Director may sell the salvage and valuable material at the highest price obtainable. The proceeds of such sale, after deducting the expense of razing and removal of the building, shall be promptly remitted to the Circuit Court with a report of such sale or transaction, including the items of expense and the amounts deducted, for the use of the person entitled to the net proceeds, subject to the order of the Court. If there remains no surplus to be turned over to the Court, the report shall so state.
 - (3) If a building subject to a raze order under this section is unsanitary and unfit for human habitation, occupancy, or use and is not in danger of structural collapse, the Director shall post a placard on the premises containing the following notice: "This Building May Not Be Used For Human Habitation, Occupancy, or Use." The Director shall prohibit use of the building for human habitation, occupancy, or use until the necessary repairs have been made. Any person who rents, leases, or occupies a building which has been condemned for human habitation, occupancy, or use shall be fined not less than \$5.00 nor more than \$50.00 for each week of the violation.

Secs. 8-69—8-98. Reserved.

DIVISION 4. INSPECTION

Sec. 8-99. Structural portions to be inspected.

No structural portion of any part of any building or structure not supervised by an architect or professional engineer or their authorized representative, and no reinforced steel, structural framework of iron or steel, brick,

concrete block, frame, or any other materials used in the structural part of any building shall be covered or concealed in any manner without first securing the approval of the Building Inspection Division. The Building Inspection Division shall be notified at least one working day prior to such time as the work is to be inspected.

Sec. 8-100. Successive inspections to be made.

No work shall be done on any part of a building or structure beyond the point indicated in each successive inspection without first obtaining the approval of the Building Inspection Division. Upon notification by the permit holder or an agent of the completion of each of the respective steps in construction, the Director shall make the following successive inspections in accordance with the Department of Safety and Professional Services Administrative Code and shall either approve that portion of the construction as completed or shall notify the permit holder or an agent where the same fails to comply with the law:

- (1) Residential and/or commercial building inspections are required following specific phases of the construction process. The list in this section is not exhaustive, and additional inspections may be required as appropriate. The Director shall perform an inspection following each of the following steps in construction:
 - a. *Footings.* When forms for footings are in and ready to be poured. Forms for footings shall be framed with a minimum depth of six inch framing members.
 - b. *Foundation.* When footings are fully installed and the permit holder is ready to install concrete for the walls.
 - c. *Tar, stone, and tile.* When the walls are up and stone, tile, and damproofing have been installed.
 - d. *Rough-in.* When the roof and all framing, fire blocking, and bracing are in place, and all pipes, chimneys, and vents are completed.
 - e. *Insulation.* When the insulation has been installed.
- (2) *Certificate of occupancy.* The Chief Building Official, Plumbing Supervisor, Heating Inspector, Electrical Inspector, Engineering Department agents, and Fire Department Prevention Bureau, or their designees, shall each make a final inspection of all new buildings, additions, and alterations. If no violation of this article or any other ordinance, law, or order is found and if there is a sewer connected to the public system or a system approved by ordinance, a connection with adequate water supply and access to the premises by a graded and graveled public road, and the buildings, additions, and alterations are in compliance with the City's building, electrical, heating and air conditioning, plumbing, rat prevention, and fire prevention and control ordinances, the Director shall issue a certificate of occupancy stating the purpose for which the building is to be used and the maximum load and maximum number of persons that may be accommodated on each floor thereof. No building or part thereof shall be occupied until such certificate has been issued, except with the written consent of the Director, nor shall any building be occupied in any manner which conflicts with the conditions set forth in the certificate of occupancy. In no case shall a certificate of occupancy be issued until complete compliance with the conditions stipulated on the site plan have been met, except such certificate may be issued prior to complete compliance provided that a cash bond in an amount equal to the cost of site plan compliance, as stipulated by the Director of Public Works and indicated on the site plan, has been deposited with the City Treasurer. If all conditions have not been met within 60 days after notice by the Director of Community and Economic Development, the Director of Public Works may make the necessary installations as provided in the site plan and charge the same to the cash bond account for that particular building.
- (3) *Commercial partial and/or temporary occupancy.* Partial and/or temporary occupancy of a building may be granted subsequent to the original site plan approvals if the following conditions are met:
 - a. The applicant has submitted a Life Safety Plan containing the stamped seal of the supervising professional. Said Life Safety Plan shall demonstrate to the satisfaction of the Director that all life

safety components for the entire building have been completed or that an equivalent or better level of protection is in place.

- b. The Director and the Fire Chief have reviewed and approved the revised Life Safety Plan described in this subsection.
- c. The applicant has paid an additional permit fee in an amount determined by the Director, which amount shall reflect the actual administrative costs of issuing the partial or temporary certificate of occupancy. In determining the fee amount, the Director may consider all relevant factors, including, but not limited to, the timing or urgency of the request for the partial or temporary occupancy permit, the number of inspections required to grant the partial or temporary occupancy permit, and the percentage of the building included in the partial or temporary occupancy permit. The fee for the partial or temporary occupancy permit shall not exceed fifty percent of the total permit fee.

Secs. 8-101—8-128. Reserved.

DIVISION 5. BUILDING SITE REGULATIONS

Sec. 8-129. Excavations.

- (a) *Excavation plans to be submitted in advance.* A building permit shall be obtained before commencing with excavation or driving piles for any foundation of any building or structure. The application for a building permit shall be filed with the plans and specifications of the building showing the location of the building or structure, the size and material of the foundation, and, if required, the loads to be placed thereon, where piles are to be driven, the spacing, size, and materials of the piles and the load to be placed on each.
- (b) *Guard rails.* Any person making excavations or causing the same to be made shall properly guard them and shall so protect them that the adjoining soil shall not cave in. No one shall excavate so as to injure any adjoining soil, ground, or building. Wherever such excavations are made within ten feet of any sidewalk, street, or alley, guard rails and warning lights and signs determined to be proper by the Director shall be installed and maintained. The Director may require guard rails around such other excavations as such they believe the protection of the public requires.

Sec. 8-130. Abandoned or water-filled excavations.

- (a) *Open basements.* Any open basement or basement excavation on which no work has been performed for a period of 60 days after the commencement of building or razing shall constitute a nuisance and the owner or contractor shall, within five business days of receipt of written notice from the Director, cause such basement or basement excavation to be properly filled and leveled off to the original grade. All concrete, including footings and foundations, must be removed in its entirety prior to such filling and shall not be buried.
- (b) *Fill and debris.* Any fill or debris on land or lots that has not been leveled off or removed within 30 days after its deposit and which is harboring rodents, preventing noxious weeds from being cut, or otherwise creating a nuisance shall be subject to the issuance of written orders by the Director requiring the leveling or removal of such fill or debris within 48 hours of receipt of such orders. (c) *Water-filled excavations.* Any open basement or basement excavation in which one foot or more of water is permitted to stand shall constitute a nuisance and the owner shall, within 48 hours of receipt of written orders from the Director, cause the excavation or basement to be pumped dry.
- (d) *Publication of notice.* If the address of the owner or contractor cannot be ascertained with reasonable diligence, then the 48-hour period provided in subsections (a) through (c) of this section shall commence to run at the beginning of the day following two successive publications of the notice in the official newspaper.

- (e) *Failure to comply.* Failure to comply with a written order from the Director shall be cause to have the work done to abate the nuisance in accordance with Chapter 24, and the cost thereof charged back to the property or property owner.

Sec. 8-131. Littering and damage to property.

- (a) *General provisions.* No person engaged in work for which a building permit has been issued shall cause, maintain, or permit the littering of any public or private property with mud, dust, brush, stumps, tree limbs, construction, or other types of debris; nor shall such person cause damage to any public street, sidewalk, alley, curb, gutter, sewerage system, or property.
- (b) *Littering at razing or removal site.* No person shall leave litter, building debris, excavations, or ground piles on property on which a building is being razed or from which a building has been moved. If work is not being done in a satisfactory manner or is not progressing, thus causing a public safety hazard and nuisance, the Director shall issue a written order to the property owner specifying a definite period within which persons concerned shall clean up the property and level off the ground to the adjoining level, the City shall cause such work to be done to abate the nuisance in accordance with Chapter 24, and the cost thereof charged back to the property or the property owner.

Sec. 8-132. Lot corners.

- (a) *To be monumented.* Prior to issuance of a building permit, all lot corners of the property upon which any building or structure is to be located shall be monumented by a registered land surveyor. These monuments shall be marked by wooden guard stakes.
- (b) *Monuments to be maintained.* The lot corner monuments and guard stakes shall be maintained and kept readily visible until the footings have been inspected and approved by the Director.

Secs. 8-133—8-165. Reserved.

DIVISION 6. BUILDING CONSTRUCTION REGULATIONS

Sec. 8-166. Minimum building elevations.

- (a) The first habitable floor of any building or structure shall not be constructed below the current city elevation.
- (c) Uses requiring floodproofing measures shall be designed consistent with the current flood protection elevation. The Director shall require that the applicant submit a plan or document certified by a registered professional engineer or architect that the floodproofing measures are consistent with the flood protection elevation. Floodproofing measures shall include, but are not limited to, the following:
 - (1) Installation of water-tight doors, bulkheads, and shutters.
 - (2) Reinforcement of walls to resist water pressure.
 - (3) Use of paint, membrane, or mortar to reduce seepage of water through walls.
 - (4) Construction of water supply and waste treatment systems to prevent the entrance of floodwaters.
 - (5) Pumping facilities for subsurface drainage systems for buildings, to receive external foundation wall and basement floor pressures.
 - (6) Construction to resist rupture or collapse caused by water pressure or floating debris.
 - (7) Installation of cutoff (backwater) valves on sewer lines or elimination of gravity flow basement drains.
 - (8) Anchorage to resist flotation and lateral movement.
 - (9) Addition of mass or weights to structures to resist flotation.

- (10) Installation of pumps to lower water levels in structures.
- (d) Accessory uses such as parking lots, yards, and other similar land or open land uses may be permitted at the current base flood elevation.
- (e) Fill shall be placed around buildings and structures to a minimum of one foot above base flood elevation and shall extend at such elevation at least 15 feet in each direction from the structure thereon. Fill material shall be stabilized in a manner recommended by the U.S. Soil Conservation Service and protected against erosion.

Secs. 8-167—8-202. Reserved.

DIVISION 7. OTHER CONSTRUCTION REQUIREMENTS

Sec. 8-203. Materials approved by Department of Safety and Professional Services.

Materials not listed in this article but approved by the State Department of Safety and Professional Services may be used in any building in the City, provided the necessary test sheets verifying such approval are on file in the office of the Department.

Sec. 8-204. Prefabricated and other similar buildings.

Nothing in this article shall prevent the erection of prefabricated, component, pre-cut, stressed-skin, or unit-constructed buildings, provided such buildings meet or are modified to comply with all requirements of this article.

Sec. 8-205. Items not covered by this article.

Any item, phase, or area of construction not specifically covered by this article shall meet with the approval of the Director. This article shall not be interpreted to limit the scope or use of other construction practices not specifically covered herein, provided the standards of construction and safety intended by this article are maintained. Detailed material, information, and structural design data on other construction practices shall be submitted to the Director for approval prior to starting construction.

Secs. 8-206—8-234. Reserved.

DIVISION 8. HOUSING REQUIREMENTS

Sec. 8-235. Buildings affected.

This division shall apply to buildings hereafter constructed which are not covered by the State Building Code. Sections 8-238 through 8-240 shall also apply to buildings heretofore constructed which are not covered by the State Building Code.

Sec. 8-236. Light and air regulations.

Every room used for human habitation, including bath and toilet rooms, shall be lighted directly upon a street or alley, upon a court on the same lot with the building, or upon the sky. Every court which is bound on one side by a lot line and which opens at one or both ends to the street, alley, or yard shall be an outer line court and shall be at least three feet wide. Every court which is between two buildings or parts of buildings on the same lot and which opens at one or both ends to the street, alley, or yard shall be an outer court and shall be at least six feet wide. Every court which is bounded on one side and both ends by walls and on the remaining side by a lot line shall be an inner lot line court and shall be at least six feet wide and at least 60 square feet in area. Every court which is bounded on all sides by walls shall be an inner court and shall be at least ten feet wide and at least 150 square feet in area. No building shall be built, altered, or enlarged so as to encroach upon the space reserved under this section for light and air.

Sec. 8-237. Ceilings.

All habitable rooms in each dwelling unit shall maintain a minimum ceiling height of seven feet. If beams or girders are exposed below the normal ceiling, a height of seven feet shall be maintained between the floor and the beams or girders. Rooms with sloping ceilings shall maintain a seven-foot average. In one-half story residences, areas with less than five feet of head room at the sides shall not be included in the above requirements, but the center ceiling height shall be at least seven feet.

Secs. 8-238—8-273. Reserved.

DIVISION 9. OTHER BUILDING REGULATIONS

Sec. 8-274. Razing of buildings.

- (a) *Permit required.* No person shall raze any building in the City without first securing a permit therefor from the Department and a permit for the sealing of the sewer from the Director. No permit shall be granted unless the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. The applicant shall agree to indemnify and hold the City harmless from all liability arising out of the job. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the permit, and no work shall be done under such permit until a new certificate of insurance certificate complying with this subsection has been filed with Risk Management. No certificate of insurance is required if either of the following conditions exists:
- (1) The building is located in a residential zoning district and is set back at least ten feet from all property lines.
 - (2) The building is located in any zoning district, is an accessory building as defined in Section 44-249, is no greater than one story, and is set back at least ten feet from all property lines, or is constructed and situated upon the property so that the same may be razed with no damage resulting to the person or property of others as determined by the Director and Risk Manager. Anyone aggrieved by such determination may appeal that decision to the Protection and Policy Committee in accordance with Wis. Stats. Ch. 68.
- (b) *Requirements.* The holder of a permit to raze a building shall comply with the following requirements:
- (1) *Property to be protected.* Streets, alleys, and private property shall be properly protected by erecting proper fences and scaffolds. If scaffolds are to be built on streets or alleys, they shall be properly protected with a top cover of planks, guard rails, and toe-boards to prevent the falling of debris on sidewalks or streets. The top of the scaffold shall be at least eight feet above the sidewalk or alley.
 - (2) *Walls to be supported.* No person shall remove all horizontal support from exterior walls or partitions thereby permitting them to stand unsupported.
 - (3) *Buildings to be razed floor-by-floor.* In buildings of more than one story, the exterior walls, interior partitions, and other supports shall be removed floor-by-floor, using the floor below as protection from falling debris and to prevent exterior and interior walls from collapsing.
 - (4) *Razing to be gradual.* No walls, chimneys, or other construction shall be allowed to fall en masse on a floor and bulky material such as beams and columns shall be lowered and not thrown.
 - (5) *Cranes.* Cranes may be used in wrecking or demolishing buildings provided the other requirements of this subsection are met.
 - (6) *Sewers.* When a building is moved or demolished, its sewer shall be located at a point outside the foundation lines and sealed off. The plug or seal shall not be covered until the Director or a plumbing inspector under Section 8-356 gives approval.

- (7) *Obstruction of streets.* When razing requires the obstruction of a public street, alley, or sidewalk, a permit must be obtained from the Director of Public Works as provided in Section 34-11 before work on razing the structure can begin.
- (8) *Filling basement and excavated areas.* All loose material and debris shall be removed from the basement, crawlspaces, and other excavated areas. Upon ascertaining that all openings, pipelines, drains, and similar components have been properly capped, all basements, crawlspaces, excavated areas, and other below-grade voids resulting from the removal of pavements, slabs, foundations, and the like shall be filled to within four inches of finished grade with granular fill material. The material shall be well graded, free from debris and organic material. All granular fill shall be placed in layers of 12 inches or less and shall be compacted to not less than 95 percent of Modified Proctor (ASTM D-1557).
- (9) *Completion of project.* When razing activities are completed, the disturbed area shall be graded so that no gradients in disturbed earth shall be steeper than a slope of three to one (horizontal to vertical). A layer of arable topsoil capable of supporting perennial grasses shall be spread over the disturbed area to a minimum depth of four inches. The area shall be seeded with a perennial grass capable of survival in this climate and maintained until the area is stabilized and developed with zoning and other applicable provisions of this Code.

Sec. 8-275. Moving of dilapidated or detrimental building prohibited.

- (a) *Dilapidated buildings.* No permit shall be granted for the moving of any building from one location to another which, in the judgment of the Director, is so dilapidated and so out of repair as to be unsanitary or unfit for human habitation, occupancy, or use or is so out of repair that it would be unreasonable to repair the same.
- (b) *Detrimental buildings.*
 - (1) To protect and conserve the value of neighboring property, no permit shall be granted for the moving to a location within the City of any building which, in the judgment of the Director, would be detrimental to the character of the intended neighboring property. Such consideration shall be made on the basis of compatibility of external appearance, size, and architectural quality in relation to existing structures.
 - (2) The application for a moving permit shall be accompanied by three copies of a site plan of the proposed site, with such additional material as would permit the application of the foregoing standards.
- (c) *Denial; appeal.* The refusal to grant a moving permit shall be in writing and shall contain a detailed statement as to why the relocation would be detrimental to the value of the neighboring property, if such is the case. The applicant or any aggrieved party may, within ten days of the granting or refusal of a moving permit, appeal to the Board of Appeals. The Board of Appeals shall hear such appeal in accordance with procedures which it shall provide.

Sec. 8-276. Building maintenance.

- (a) *Hazardous conditions.* A person who owns, leases, or occupies a building shall keep the building from structural or other conditions that constitute a substantial hazard to the health or safety of its occupants or create an unreasonable risk of personal injury as a result of any reasonably foreseeable use of the building other than negligence by an occupant.
- (b) *Common areas.* A person who owns a commercial building and leases the building to multiple tenants shall keep all common areas of the building maintained in a manner that is safe, functioning, sanitary, and undamaged.
- (c) *Building exterior.* A person who owns a building shall keep all exterior and weatherproofing components maintained in a manner that is safe, functioning, cleanable, and undamaged.

- (d) *Other structures.* Accessory structures, temporary structures, fences, and other structures shall be kept in a manner that is safe, functioning, cleanable, and undamaged.
- (e) *Insufficient repairs.* A person who owns a building shall ensure all repairs to the building are performed in a workmanlike manner. The term "workmanlike manner" includes, but is not limited to:
 - (1) The use of materials that have a consistent texture, color, quality, or appearance with adjacent materials.
 - (2) The complete performance of a job which does not leave unfinished edges, exposed nails or screws, loosely attached materials, or similar conditions.

Secs. 8-277—8-324. Reserved.

DIVISION 10. OTHER STRUCTURES

Sec. 8-325. Billboards and signs.

- (a) *General.* Billboards and signs are subject to all applicable regulations in Chapter 30.
- (b) *Materials to be used within Commercial Construction District.* When erected or maintained within the Commercial Construction District, billboards and signs shall be constructed and maintained entirely of incombustible materials, including the structural parts of the frames of such structures; except that braces, uprights, and the skeleton frames of billboards and signboards to which the metal facing is fastened may be wood.
- (c) *Not to be an obstruction.* No billboard or sign or any part of such structure, or any anchor, brace, guide wire, or guide rod shall be attached, fastened, or anchored to any fire escape, fire ladder, or stand pipe; and no such structure or any part of such structure, or any anchor, brace, guide wire, or guide rod shall be erected or maintained so as to cover or obstruct any doors, doorways, or windows or so as to prevent or hinder the raising or placing of ladders against any such building by the City Fire Department if necessary.
- (d) *Signs in public places.* No person shall erect, fasten, post, paint, or maintain any sign, picture, poster, or advertisement of any description upon any curb, sidewalk, fence, board, barrel, box, case, railing, pole, post, barricade, material, bridge, bridge fender, dock, pile, structure, or building of any kind placed upon any street, alley, public way, public ground, or public waterway.
- (e) *Temporary banner.* No person shall erect or maintain any temporary banner or sign extending beyond the curblin of the street.

Sec. 8-326. Awnings over streets or sidewalks.

No person shall erect, repair, or maintain any awning over any sidewalk or street within the City except in accordance with this section.

- (1) *Permit required.* No person shall erect any awning over any sidewalk or street without first obtaining a permit therefor from the Director. No permit shall be granted unless the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager.
- (2) *Specifications.* Any awning erected over any sidewalk or street within the City shall be constructed of an adjustable iron frame firmly secured in place and covered with canvas or other suitable material. Such frame shall be at least 7½ feet in height above the highest point of the walk, and the lowest point of the flap or fringe of such awning shall not be less than 6½ feet above the sidewalk immediately beneath it.

- (3) *Permanent metal awnings.* Permanent metal-type awnings may be erected provided that a minimum clearance of ten feet is allowed from the sidewalk to the lowest part of the awning.

Sec. 8-327. Canopies, hoods, and projecting signs.

No permanent hood, canopy, or projecting sign shall be constructed unless in the manner herein provided.

- (1) *Permit and inspections required.* No canopy, hood, or projecting sign shall hereafter be erected without a permit therefor being first secured from the Director. All such canopies, hoods, or projecting signs shall be inspected yearly by the Director.
- (2) *Certificate of insurance for canopies, hoods, or projecting signs over the public right-of-way.* No permit shall be granted until the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the permit until a new certificate complying with this subsection has been filed with Risk Management.
- (3) *Clearance.* There shall be not less than ten feet between the grade of the sidewalk at any point and the lowest point of any appendage or projection of any canopy, hood, or projecting sign extending over a public street right-of-way.
- (4) *Project toward streets.* The projections of permanent hoods, canopies, or projecting signs shall not extend over the street nearer than two feet from a vertical projection of the outside face of the curb.
- (5) *Height.* The overall height of canopies or hoods, including all projections, ornamentations, accessories, or appurtenances, shall not exceed six feet. After the original erection, no sign, poster, or other thing extending beyond six feet above the ten-foot clearance required of such canopy shall be added to such canopy or hood. The maximum distance to the top of any canopy, including all projections, ornamentations, or appurtenances, signs, or other part of the canopy, shall not exceed 16 feet from any point of the sidewalk.
- (6) *Accessories to installations.* Any necessary appurtenances or signs of a temporary or permanent installation shall be rigidly attached to the hood or canopy in a manner satisfactory to the Director. No swinging signs or accessories shall be permitted.
- (7) *Signs erected above canopies or hoods.* Where projecting signs are erected above canopies or hoods, they shall in no manner be attached to any accessory, ornament, or other thing of a temporary or permanent nature. Such signs shall be hung independently of the canopy.
- (8) *Drainage to be provided.* All hoods, canopies, and projecting signs shall have gutters and conductors connected with the sewer at the building and shall be so drained as not to discharge any water onto the sidewalk or public highway, except as provided in the City Plumbing Code.
- (9) *Other design and material requirements.* Canopies, hoods, and projecting signs shall be built of incombustible material throughout, shall be capable of resisting a superimposed load of 30 pounds per square foot, shall extend from the lot line toward the curb at a height in the clear of not less than ten feet, and shall slope and drain toward the building in accordance with the City Plumbing Code.
- (10) *Suspension from building.* Canopies, hoods, and projecting signs shall be suspended from the building, with no supports resting upon the sidewalk or public highway.
- (11) *Approval required.* The Director shall approve the design and materials of construction of all canopies, hoods, and projecting signs.

Sec. 8-328. Fire escapes outside.

No outside fire escape or other structural addition projecting from a building over a public alley or thoroughfare shall be erected without first securing a permit from the Director. The Director shall not issue a

permit for the building of such outside fire escape or other structural addition unless the plans provide for a minimum of 13 feet, six inches vertical clearance from the permanent established grade of the alley or thoroughfare below, provided where such grade has not been established, the clearance shall be on the basis of the proposed grade for such alley or thoroughfare as set by the Director of Public Works.

Sec. 8-329. Gas or oil distributing stations.

- (a) *Plans and specifications.* Plans and specifications for any gas or oil distributing station shall conform in all respects to the laws of the State and to existing laws for buildings and construction in the City.
- (b) *Design standards.*
 - (1) *Sidewalk, street, and curb grades.* Sidewalk, street, and curb grades shall be established by the Council and shall be obtained from the Engineering Division of the Department of Public Works. All construction shall conform to the grades so established.
 - (2) *Driveways and stationaries.*
 - a. *Surfacing.* All stationaries and driveways which receive moving traffic shall be surfaced with bituminous or Portland cement concrete. If Portland cement concrete is used, it shall be a minimum thickness of six inches or of a designed mix containing not less than 5½ bags of cement per cubic yard of concrete. If bituminous concrete is used, it shall be laid with a minimum thickness of two inches of a plant hot mix material upon either a four-inch Portland cement concrete base or a six-inch crushed stone base, such base to be properly compacted and rolled.
 - b. *Corner lots.* Driveway approaches measured along the curbline shall not be less than 25 feet from the intersection of the street right-of-way line on a corner lot or 35 feet from the point of intersection of the curb faces, whichever is greater.
 - c. *Curb cuts.* Two driveways shall be permitted on both the long and short side of any lot; but in no case shall two driveways be permitted on any side less than 100 feet long. Openings shall not exceed the distances set in this subsection. The opening at the curb to any proposed gas or oil distributing station shall not be greater than 30 feet and at the property line shall not be greater than 20 feet.
 - d. *Curbing required.* Except at driveway locations, curbing not less than eight inches in height and eight inches in width shall be constructed adjacent to all property lines and/or street setback lines abutting the street rights-of-way. At all driveway locations, the end 24 inches by eight inches curbing may be evenly tapered to allow the top of such curbing to intersect at the grade with the driveway.
 - e. *Driveways.* The curbing of all driveways on both sides shall commence at the outside sidewalk line at the grade established by the Engineering Division of the Department of Public Works. Such curb shall continue and become attached to the curb at the street at the same grade as such street curbing, the outer edge of such curbing conforming with the entrance measurements as set forth in this section.
 - f. *Distance between driveways.* The minimum distance between driveways at the property line shall be 30 feet.
 - g. *Lighting.* The type and location of all lighting shall be shown on the site plan. All outdoor light sources shall be controlled, directed, and/or otherwise screened from illuminating directly upon adjoining or opposite properties. This control can be by landscaping, buildings, louvers, and/or shields on the lights, or with similar devices.
 - h. *Fencing required.*
 - 1. When abutting a residential zone, decorative fencing that is impervious to sight and not less than four feet nor more than eight feet in height shall be installed along the interior

boundaries of the proposed station property to a point 15 feet from the street right-of-way. Curbing eight inches by eight inches shall be placed along the property line within this 15 feet. When abutting a zone other than residential, curbing or bumper guards may replace the fencing equipment.

2. All exterior waste or storage areas shall be properly fenced to screen them from public view.
- i. *Setback area.*
 1. Where street setback areas are required, the setback area shall not be considered part of the station proper but shall be properly seeded and landscaped.
 2. With the permission of the Plan Commission, the station area may extend into the street setback area to within 15 feet of the street right-of-way line if proper curbing is installed as required by the Commission for the purpose of safety and protection of property.
 3. Interior and corner side yard setback areas bordering on residential zoning districts shall be landscaped and buffered as required in Chapter 44, regardless of size of parking area.
 - j. *Underground storage tanks.* The location and size of all underground fuel tanks shall be approved in writing by the Fire Prevention Division of the City Fire Department by submitting a site plan and application to such Division. Installations shall comply with the provisions of Chapter 18.
 - k. *Elevated pump islands.* All site plans shall show the following information:
 1. The location of the elevated pump islands.
 2. The location of a rectangular area that shall surround the pump islands. Such area shall be surfaced with Portland cement concrete or bituminous concrete in accordance with subsection (b)(2)a of this section, and covered and maintained with a solvent resistant material and shall project at least three feet to the front and rear of the pump island and eight feet to each side.
 3. The distance from the property line to the nearest point on the face of such pump island. Such distance shall be at least 15 feet.
- (c) *Permit.* No gas or oil distributing station shall be erected in the City without first securing a permit from the Director. No permit shall be issued by the Director until detailed plans and specifications have been submitted to the Plan Commission and subsequently approved by the Council.
 - (d) *Approval of plans.* No permit shall be issued until a site plan fulfilling the following requirements has been approved by the Plan Commission pursuant to Chapter 44. Such site plan shall be drawn to an engineer's scale and shall show the location and dimension of all property lines, property description, sidewalks, curbs, trees, lighting standards, utility poles, fire hydrants, mail boxes, traffic signs, water mains, sanitary sewers, storm sewers, storm sewer inlets, storm, sanitary, and water connections, and any other structures on or in the street adjacent to the property as well as on the property and shall show the location of all existing and proposed structures and installations on the property. All elevations shown on such site plan shall give the City datum. After a site plan has been approved by the Plan Commission, all construction and operation shall be in accordance with the provisions of the plan, and no certificate of occupancy shall be issued by the Director until all requirements have been fulfilled.
 - (e) *Noncompliance and inspection.* If it is thought the terms of this section are being violated, the City Engineer or the Director, or any other parties properly designated by the Common Council may enter upon the premises at any reasonable time for inspection. If noncompliance is found, all business activities upon such premises shall be suspended until the terms of this section are complied with.

Sec. 8-330. Erection and operation of service stations dispensing liquefied petroleum gas.

- (a) *Permit.* No service station distributing liquefied petroleum gas shall be erected in the City without first securing a permit from the Director. No permit shall be issued by the Director until detailed plans and specifications have been submitted to the Plan Commission and subsequently approved by the Council.
- (b) No service station dispensing liquefied petroleum gas shall be permitted within 200 feet of a building used for institutional occupancy or public assemblies.
- (c) A site plan shall be submitted to the Plan Commission, and a copy of such site plan shall also be filed with the Fire Department to be retained in the Fire Department records.
- (d) No building permit for a liquefied petroleum gas service station installation shall be issued until plans are approved by the Fire Chief.
- (e) No permit for the installation of a liquefied petroleum gas service station shall be approved within the Commercial Construction District.
- (f) The total quantity of liquefied petroleum gas in one or more containers shall not exceed 12,000 gallons at a single service station.
- (g) Each storage container used exclusively in service station operations shall be a minimum of 50 feet from any building or group of buildings, from the centerline of the adjoining streets at the time of installation, and from the adjoining property lines which may be built upon. No container shall be closer than 20 feet to the adjacent right-of-way line of the street.
- (h) A six-inch diversion curb shall be installed to protect all liquefied petroleum storage containers at any service station where flammable liquids are also dispensed.
- (i) The design and construction of protective guard rails and barriers around containers and metering devices shall be subject to approval by the Fire Chief.
- (j) No gas shall be transferred at a liquefied petroleum gas station to any automotive fuel supply tank if such tank requires removal from its normally-established installed position for weighing or gauging.
- (k) Liquefied petroleum gas service stations shall be equipped with at least 20 pounds dry powder fire extinguisher or the equivalent, as approved by the Fire Chief.

Sec. 8-331. Television and radio receiving and transmitting antennas.

- (a) *Applicability.* This section shall apply to the outdoor portion of all apparatus used for receiving or transmitting television or radio waves of more than 12 inches in height.
- (b) *To be of incombustible materials.* All television and radio antenna systems, including the supporting tower or mast, shall be constructed of galvanized steel or other corrosion-resistant incombustible material. Where approved by the State Department of Safety and Professional Services, towers constructed of wood or wood poles set in the ground may be used to support antenna systems, provided no wood tower or wood pole shall be mounted on the roof of any building or structure.
- (c) *Load requirements.*
 - (1) *Ice load.* The antenna and tower shall support the dead load of the structure plus an ice load of at least one-half inch in radial thickness. The ice load shall be computed upon the wires, cables, messengers, and antenna only.
 - (2) *To withstand wind.* The tower or mast shall be braced or guyed and anchored to resist a horizontal wind pressure of not less than 30 pounds per square foot of net exposed surface area. Guy wires shall not be anchored to a chimney or to any roof ventilator or vent pipe.
- (d) *To be independently mounted.* Antenna systems installed on the roof of a building shall not be supported by or attached to a chimney. All such installations shall be mounted on an independent platform or base and

anchored in place. Such platform or base shall be large enough to distribute the weight of the tower over sufficient roof area so the roof will safely support the weight of the structure in addition to the required live and dead roof loads.

- (e) *Distance from streets and thoroughfares.* All antenna systems shall be so installed that no part of the structure will be nearer to a street or other public thoroughfare than the height of the antenna as measured from its platform or base to the top-most point. Any variance necessary from this requirement shall be reviewed as described in subsection (h). No wires, cables, or guy wires shall extend over any street or other public thoroughfare or over any electric power or communication lines.
- (f) *Not to interfere with utility poles and lines.* Poles used for electric power or for communication lines shall not be used for supporting or guying any antenna system. Where antenna installations are so located that damage will be caused to adjacent power or communication lines by the falling of the antenna structures, a separate safety wire shall be attached to the top of the tower and secured in a direction away from such power or communication lines.
- (g) *Electrical installations.* Electrical installations in connection with antenna systems, including the grounding of the tower or mast, shall comply in all respects with the requirements of the State Electrical Code.
- (h) *Variance.* The Plan Commission is authorized to hear and decide special exceptions to the terms of this section and to authorize such variances from the terms of this section as shall not be contrary to the public interest. Such variances shall be granted only where, owing to special conditions, a literal enforcement of the provisions of this section will result in practical difficulty or unnecessary hardship. It is the intent that the spirit of this section shall be observed, public safety and welfare secured, and substantial justice done. If a variance is granted under this section, the owner shall sign a contract, approved by the City Attorney, agreeing to hold the City harmless from and indemnify the City for any and all liability that may result from the construction and maintenance of any structure permitted pursuant to such variance.
 - (1) In all cases where such a variance is granted, the owner shall file a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the variance until a new certificate complying with this subsection has been filed with Risk Management.

Sec. 8-332. Pools, ponds, and spas.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Pond means any naturally-occurring or manmade body of water that retains or detains the natural flow of water. This definition does not include ponds used for or as part of a stormwater management plan as regulated in Chapter 42.

Pool means any constructed or prefabricated structure, either temporary (installed for a duration of less than seven days) or permanent (installed for a duration of seven days or more), either above ground or in-ground, containing or normally capable of containing water that is primarily used for the purpose of wading, swimming, or other recreational use. This definition excludes hot tubs, spas, and ponds.

Spa or hot tub means any hydro-massage pool or tub designed for immersion of users and primarily intended for recreational or therapeutic use which may or may not be equipped with a filter, heater, and motor-driven blower.

- (b) *Permit required.* No construction of a pool intended as a permanent installation, a humanmade pond, or a spa shall begin unless a permit therefor has been obtained and the fee paid as provided in the City Fee Schedule. The application for such permit shall be accompanied by a site plan showing the size, location, and description of the property.
- (c) *Requirements.*

- (1) *Setback.* Permanent above- or in-ground pools, humanmade ponds, or spas shall maintain a minimum front yard setback of 25 feet and a rear and side yard setback of ten feet from adjoining property, subject to properly granted variance under Chapter 44. In determining this setback for above-ground pools, ponds, or spas with permanent fencing or decks, any deck or similar structure shall be considered part of the pool, pond, or spa.
- (2) *Fencing.* All pools, ponds, or spas requiring a permit shall be encompassed by fencing as required under this subsection. A variance to maximum fence height may be granted under the procedures of Chapter 44. However, under no circumstance may the minimum fence height requirements of this subsection be varied.
 - a. *Structural requirements.* All fences under this subsection shall be constructed in such a manner as to comply with the requirements of Chapter 44, Article V, Division 6, and the requirements of this subsection.
 1. The fence must be able to withstand 200 pounds of force in any direction.
 2. The fence shall be so constructed and designed as to prevent penetration of an object greater than six inches in diameter.
 3. All such fences shall be constructed with a locking door or gate which complies with all other height and structural requirements of this section.
 - b. *Permanent in-ground pools, ponds, or spas.* Permanent in-ground pools, ponds, or spas, subject to Chapter 44, Article V, Division 9, shall be encompassed by a freestanding fence not less than 48 inches nor more than 96 inches from the ground level. Such fence shall be no less than three feet from the pool, pond, or spa at its nearest point. The fence shall comply with the requirements of this subsection.
 - c. *Above-ground pools.* Above-ground pools, ponds, and spas shall be encompassed by fencing which complies with one or any combination of options listed below and the requirements of this subsection.
 1. A fence in compliance with the requirements under this subsection for in-ground pools, ponds, or spas.
 2. A fence within three feet of the pool, pond, or spa, not less than 48 inches nor more than 96 inches from ground level.
 3. A fence attached to a deck or walkway, provided such fence is at least 36 inches above the surface of the deck or walkway and complies with subsection (c)(2)c.2 of this section.
 4. A pool wall not less than 48 inches from ground level, provided that steps, ladders, or other means of pool access are removed when the pool is not in use.
- (3) *Exceptions.* Fencing shall not be required under the following circumstances:
 - a. Pools, ponds, or spas with locking and solid structural covers. Such covers shall be in place whenever the pool, pond, or spa is not in use and/or is unsupervised by an adult.
 - b. Pools, ponds, or spas completely enclosed within a building.
 - c. Existing pools, ponds, or spas as of April 20, 2004.
 - d. The Director has determined that the pool, pond, or spa does not affect the safety, health, or welfare of the residents of the community and does not annoy, disturb, injure, or endanger the comfort, repose, health, peace, or safety of others.
- (d) *Operation of residential pools, ponds, or spas.*

- (1) *Public pools, ponds, or spas prohibited in residential areas.* No person shall operate a public pool, pond, or spa on any premises zoned residential. The operation of a public pool, pond, or spa on residential premises is declared to be a public nuisance.
- (2) *Interference with enjoyment of property rights prohibited.* No pool, pond, or spa shall be so located, designed, operated, or maintained as to unduly interfere with the enjoyment of the property rights of owners of property adjoining the pool, pond, or spa or located in the neighborhood.
- (3) *Shielding lights.* Lights used to illuminate any pool shall be so arranged and shaded as to reflect light away from adjoining premises as regulated in Chapter 44, Article V, Division 8.
- (4) *Unnecessary noise.* No person shall make, continue, or cause to be made or continued at any pool, pond, or spa any loud, unnecessary, or unusual noise or any noise which annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others. In the operation of any pool, pond, or spa, the use or permitting the use or operation of any radio, receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet, and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing of the persons who are in the pool, pond, or spa premises, shall be prohibited.
- (5) *Indecent exposure.* Every person using an outdoor pool, pond or spa shall wear a bathing suit or other suitable garment to protect their person from indecent exposure.

Secs. 8-333—8-354. Reserved.

ARTICLE III. PLUMBING CODE

Sec. 8-355. Wisconsin State Plumbing Code adopted.

- (a) *Adoption by reference.* Wis. Stats. Ch. 145, and the Wisconsin State Plumbing Code, Wis. Admin. Code SPS Chs. 325 and 381 through 387, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein. Failure to comply with any of the provisions of such statutes or Codes shall constitute a violation of this article, punishable according to the penalties provided herein.
- (b) *To be on file.* A copy of the Wisconsin State Plumbing Code shall be on file in the offices of the Department of Community and Economic Development and the City Clerk.

Sec. 8-356. Administration.

- (a) *Definitions.* The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Director means the Director of the Department of Community and Economic Development or their designee.

Plumbing inspector shall be interpreted to have the same meaning as “Plumbing Supervisor,” as that term is defined in Wis. Stats. § 145.05, and shall be construed as though followed by the words, “or their designee.”

- (b) *Duties and authority.*

- (1) Plumbing inspectors shall supervise and inspect all plumbing and drainage work in or in connection with all buildings within the City and shall faithfully enforce all laws, ordinances, and rules in relation thereto. Plumbing inspectors shall see that the construction, reconstruction, demolition, and alteration of all plumbing and drainage installed in all buildings in the City conforms with state laws and with the rules and regulations of the State Department of Safety and Professional Services and of the City, shall see that the work is done by licensed plumbers as provided by state law and this article, and shall make or cause to be made all inspections required thereby and in the manner therein set forth. In the discharge of their duties, the plumbing inspectors may enter any building during reasonable hours.

They shall supervise and inspect plumbing and drainage installations as necessary to adequately enforce and administer the provisions of this article, state law, and the State Plumbing Code, or any amendments thereto, to make plumbing safe and sanitary and to promote the public welfare in all classes of buildings.

- (2) Plumbing inspectors shall take applications and issue permits to qualified applicants and keep suitable records of the permits issued.

Sec. 8-357. Testing and inspections.

Plumbing inspectors shall make or cause to be made all required testing and inspections in accordance with Wis. Admin. Code SPS § 382.21.

Sec. 8-358. Supervision of sewers.

- (a) The Director shall have jurisdiction over all building sanitary and storm sewers. No such sewer shall be laid, and no opening into or connection with a sewer service lateral shall be made, except under the direction and supervision of a plumbing inspector.
- (b) The Director of Public Works shall keep a proper sewer connection record in a book, card index, or plat provided for such purpose showing the location of the lot, the name of the owner of the premises desiring to make such connection, the master plumber, master plumber restricted service, or utility contractor proposing to lay the sewer or drain, and the exact location with respect to the public sewer of each sewer or drain so laid. Information concerning the size, location, and depth of public and private sewers or drains and the position of the branches, junctions, and appurtenances shall be furnished by the Director of Public Works. All reasonable care shall be taken to ensure the correctness of such information, but such correctness shall not be guaranteed. When a junction is not found within three (3) feet of the point designated according to the measurements furnished, an approved Y or T fitting shall be used. Such connection shall be made upon approval of the Director of Public Works and under the direction of the plumbing inspector.

Sec. 8-359. Permits.

- (a) *Permit required.* A permit is required to perform work that constitutes "plumbing" as that term is defined in Wis. Stats. § 145.01(10).
- (b) *Application.*
 - (1) Application for a permit shall be filed with the Director on a blank form furnished for that purpose. No work shall be started before a permit has been issued.
 - (2) Permits may be applied for by licensed master plumbers, persons licensed as master plumbers (restricted), as described in Wis. Stats. § 145.14, utility contractors, and by qualified homeowners.
 - (3) The permit application shall include the name, phone number, and email address of the property owner and plumber and shall state that the property owner and plumber will be bound by and subject to the rules and regulations of this article.
- (c) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Plumbing Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.
- (d) *Insurance and bond for persons making street cuts.* Before a permit shall be issued for work requiring a cut, excavation, or service connection on the traveled portion of any street, a permit therefor shall be obtained, a bond executed and deposited, and a certificate of insurance filed in accordance with the provisions of Section 34-5(b).
- (e) *Fees.*

- (1) Fees for permits issued under this section shall be as provided in the City Fee Schedule.
 - (2) If an application for a plumbing permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (f) *Restrictions on issuance.*
- (1) No plumbing or sewer permit shall be granted until a building permit has been issued.
 - (2) No plumbing or sewer permit shall be issued to any person who is in violation of this article until such violation has been corrected.
 - (3) No plumbing or sewer permit shall be issued to any master plumber or person against whom an order issued by a plumbing inspector is pending, including, but not limited to, defective work, bad faith, unreasonable delay in performance of plumbing or drainage work, or failure to respond to official communication.
- (g) *Plan examination.* Plumbing plans and specifications for the types of plumbing installations specified in Wis. Admin. Code SPS § 382.20 shall be submitted to the Director for review. This review requirement applies to all new buildings and all additions and alterations involving six or more indoor and/or outdoor plumbing fixtures.
- (h) *Plan approval.* No permit shall be issued to commence work on any plumbing installation requiring review without plan approval from the City or the State Department of Safety and Professional Services."
- (i) *Issuance of plumbing permit.*
- (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."
 - (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
 - (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
 - (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
 - (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.

- b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (h) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-360. Building sanitary sewers.

- (a) *Required.* Every building shall have a separate and independent connection with a public main sanitary sewer, private onsite water treatment system, or private main sanitary sewer. Each private main sanitary sewer shall conform to City standards for public sewers and shall be approved by a plumbing inspector. Manholes shall be located not less than 25 feet from any building.
- (1) *Exemption.* Upon proof of the following, the Director may grant an exemption from the requirements of subsection (a) of this section:
- a. The building is zoned Low Density Residential (R1) and is located within the City's Urban Expansion District.
 - b. The purpose of the exemption is to retrofit existing infrastructure that has been installed but not dedicated to the public and/or accepted as public right-of-way.
 - c. An easement exists on the face of the recorded subdivision plat, certified survey map (CSM) or replat which addresses the location of any shared lateral and identifies the ownership and maintenance responsibilities for the shared lateral from the common point of connection back to the sanitary sewer main.
 - d. An exemption is necessary to achieve compliance with any other requirement that the Director deems necessary.
- (b) *Piping.* All building sanitary sewer piping extending from a public sewer service lateral or other disposal terminal to within three feet to five feet of the outside foundation walls shall be of cast iron or vitrified clay. Such disposal terminal shall be the end of the sewer service lateral or, in the event no lateral has been installed, the City sewer main. Building sanitary sewer connections to a private main sanitary sewer shall be of cast iron pipe or vitrified clay pipe to within three feet to five feet outside of the foundation wall.
- (d) *Unconnected pipes to be closed off.* The ends of all sanitary sewer pipes not immediately connected shall be securely closed with a cap or plug to prevent the introduction of sand, earth, or drainage from an excavation.
- (e) *Replacement.* When it becomes necessary to replace any building sewer because of stoppages, such sewer shall be replaced in its full length with approved materials.
- (f) *Sewers carrying harmful discharges.* No person shall connect to a public sewer any sewer through which is discharged any substance likely to cause undue corrosion, obstruction, nuisance, explosion, or interference with sewage treatment processes.

- (g) *When buildings are razed or moved.* When a building is moved or demolished, the building sewer shall be located at a point outside the foundation walls and shall be sealed off. The plug or seal shall not be covered until approval has been given by a plumbing inspector.

Sec. 8-361. Building drains.

- (b) *Floor outlet fixtures below sidewalk grade.*
- (1) *New construction.* In all new construction, all floor outlet fixtures located below the sidewalk grade shall be provided with an approved Palmer-type backwater valve.
 - (2) *Existing buildings where drainage systems subject to backflow.* Where a building drainage system is subject to backflow of sewage and where the building was erected prior to August 19, 1972, the owner of the building shall, when ordered by a plumbing inspector, install approved automatic-type backwater valves in all fixtures located below the sidewalk grade.

Sec. 8-362. Grease and oil treatment.

All required plumbing installations for occupancies other than dwelling units where grease, fats, oils, or similar waste products of cooking or food are introduced into the drain system shall be provided.

Sec. 8-363. Storm drainage.

- (a) *Drains to connect to storm sewers.* All clear water drains shall discharge into a storm sewer wherever possible in accordance with Wis. Admin. Code SPS § 382.38. Where a building was erected prior to August 19, 1972, the owner of the building shall disconnect all clear water drains from the sanitary sewer when ordered to do so by a plumbing inspector.
- (b) *Sump pumps.* Every foundation drain shall be connected to a sump pit containing an approved sump pump as specified Wis. Admin. Code SPS § 382.36.
- (1) *New installations.* In all new construction, such approved sump pump shall discharge into a storm sewer where such is available or can be made available. In areas where a storm sewer is not available, the sump pump shall discharge into the surface at least ten feet from the building foundation. Discharge from the sump pump shall not be directed as to flow into a street or alley, over a sidewalk, or over adjoining property. Discharge from the sump pump shall not create a nuisance. The sump pump discharge shall be considered a nuisance in situations including, but not limited to, such discharge creating icing problems on a City street or sidewalk, entering a City street or sidewalk, creating ponds of standing water, or flowing over adjoining property. If the sump pump discharge is directed to the street, a permit must be obtained from the Director to direct the discharge from a sump pump to the street.
 - (2) *Existing installations creating a nuisance.* All sump pumps shall discharge into a storm sewer where such is available or can be made available if in the opinion of the Director the sump pump discharge creates a nuisance. Sump pump discharge shall be considered a nuisance in situations including, but not limited to, such discharge flowing into a street or alley, over a sidewalk, or over adjoining property. If such a nuisance exists, the Director shall require the owner of the property to install a storm sewer lateral and connect the sump pump discharge to the lateral.
- (c) *Required drainage of parking lots and surface drains.*
- (1) All parking lots whose area exceeds 2,000 square feet shall provide for interior drainage and be connected with a storm sewer if one abuts or adjoins the parking lot. Lots of 2,000 square feet or less may drain the surface water runoff to an abutting public street or alley if such public way provides stormwater drainage. Where neither drainage method is available, an interior yard storage area shall be provided. All provisions for drainage require approval by a plumbing inspector and the Director.

- (2) Where a parking lot is constructed and such construction impedes natural drainage of adjoining property, the parking lot drainage shall be extended as necessary to provide adequate drainage of the adjoining property.
 - (2) *Conduits.* The size of the conduit serving a parking lot shall be determined by the area to be drained. The conduit for areas less than 5,000 square feet shall be cast iron pipe from the yard drain or catch basin to the service lateral or, where no lateral has been installed, to the City sewer main or other designated terminal. Areas over 5,000 square feet may be served by pipes whose standards conform to City specifications for storm drainage.
 - (3) *Catch basin and grates.* Catch basin and grate areas shall conform to City specifications.
- (d) *Granting of funds for private clear water separation work.*
- (1) *Granting of funds.* The City may grant funds for private clear water separation work subject to this subsection (d). Any repayment of funds granted for private clear water separation work to property owned by indigent persons may be deferred by the Council. Such deferment shall be granted only to owner-occupied, single-family, or duplex residential real estate. Such deferment shall be by resolution directing the Director to pay all or any portion of the costs for private clear water separation work used on such property from the Storm Sewer Construction Account.
 - (2) *Copy of resolution to be filed with Register of Deeds for Brown County.* A copy of such resolution, with a statement of the amount and date paid and description of the property, certified by the City Clerk, shall be recorded with the Register of Deeds for Brown County; the amount shall thereby become a lien upon such real property in favor of the City prior to any other lien other than prior outstanding tax certificates or prior liens hereunder, for the amount paid, with legal interest, and shall be enforceable after transfer of title of the property by sale, inheritance, or will in the manner provided by law for the enforcement of mechanics liens.
 - (3) *Discharge of lien.* The owner of such property, heirs, personal representatives, or assigns may discharge such lien at any time by paying the amount of such lien with accrued interest to the City Treasurer, who shall execute a satisfaction in such form as may be recorded with the Register of Deeds for Brown County.
 - (4) *Purchase of lien.* The holder of any subsequent lien may purchase such lien by payment of the amount thereof with accrued interest to the City Treasurer, who shall execute a proper assignment thereof to such payee; and on recording such assignment, such assignee shall have the same rights the assignor had.
 - (5) *When due.* After transfer of title by sale, inheritance, or will, or when the basis for indigency no longer exists, the deferred funds shall be due and owing in full.
 - (6) *Limits for the determination of indigency.* The Council shall establish, by resolution, limits for the determination of indigency. Such limits shall include:
 - a. Maximum combined annual income of both spouses and their dependents.
 - b. Maximum combined assets of both spouses and their dependents.
 - (7) *Subject to review.* Such income and asset figures shall be subject to periodic review and modification by the Council.
 - (8) *Application.* Application for deferment shall be made to the Council upon an affidavit form provided by the City Clerk verified by each applicant.
 - a. The application shall list the relationship, ages, and employment status of the applicant and all dependents; a complete schedule setting forth all assets, liabilities, and income from all sources including the applicant individually and jointly with their spouse, and from their dependents; and any other pertinent information which may assist the City in evaluating such application.

- (9) *Notify Clerk of increases.* The applicant shall notify the City Clerk when there is a material change in the applicant's assets and/or their annual income increases above the limits described in this subsection(d).
- (10) *Providing false or incomplete information.* If the applicant willfully provides false or incomplete information, the basis for indigency shall no longer exist and the special assessment shall become due and owing in full.
- (11) *Application reviewed by Improvement and Services Committee.* The application for deferment shall be reviewed by the Improvement and Services Committee, which shall make a recommendation to the Council.
- (12) *Interest.* Interest may be charged during the deferment period. The interest rate shall not, however, exceed the legal rate prescribed by Wisconsin Statutes.

Sec. 8-364. Water supply systems.

- (a) *Water service.*
 - (1) *Size.* The water service or building supply pipe to any building shall be of sufficient size to provide an ample flow of water under maximum use to all fixtures and points of service. Such size shall be determined by standards set forth by the Wisconsin Department of Safety and Professional Services.
 - (2) *Material.* The underground water service pipe from the City main or a private water supply system to any building shall be meet the requirements of Wis. Admin. Code SPS § 384.30 and the Green Bay Water Utility.
 - (3) *Valve controls.* Service laterals shall include a corporation stop at the main, and a curb stop or valve at the curb, or privately-owned pump and a valve or stop within three feet of entering each building and, where a meter is installed, a valve on both sides of the meter as specified in Wis. Admin. Code SPS § 382.40(4)(b). Meters of one and one-half (1½) inches in diameter or larger shall have a bypass around the meter.
- (b) *Separate water service.* Plans and specifications for private water mains are required to be submitted to the State Department of Safety and Professional Services for site plan review in accordance with Wis. Admin. Code SPS § 382.20.
- (c) *Cross-connections prohibited.* No private water system shall be connected directly or indirectly to any private water main or pipe that is in turn connected to any publicly owned water main or pipe unless approved in writing by the State Department of Natural Resources pursuant to Wis. Admin. Code SPS § 382.40(3)(c).
- (d) *Plumbing inspector may make orders.* A plumbing inspector may issue orders requiring any changes necessary to bring any water supply work up to prescribed standards.

Sec. 8-365. Authority to control water service.

After the completion and trial of the work, no person shall turn on or leave turned on any water service curb stop which for any reason has been turned off by the Green Bay Water Utility. No unauthorized individual shall turn water on or off after it has been turned on or off from a given service, nor shall anyone make openings in the street or turn off water at the main without a permit therefor and supervision thereof as provided for in this article.

Sec. 8-366. Compulsory connection to sewer service.

When notified, the owner of any building intended for human habitation or occupancy abutting on any street, alley, or other thoroughfare in which public sanitary sewer has been extended and is available for service shall cause to be made a sewer connection thereto.

Sec. 8-367. Compulsory connection to water and well abandonment.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning.

Cross-connection means a connection or potential connection between any part of a water supply system and another environment containing substances that, under any circumstances, would allow the substances to enter the water supply system by means of back siphonage or back pressure.

Licensed pump installer means any individual who has obtained a license under Wis. Stats. § 280.15(2m), and Wis. Admin. Code NR § 146.04, as a pump installer and has paid the annual license fee under Wis. Stats. § 280.15(2m)(c)2.

Licensed well driller means any individual who has obtained a license under Wis. Stats. § 280.15(2m), and Wis. Admin. Code NR § 146.04, as a water well driller and has paid the annual license fee under Wis. Stats. § 280.15(2m)(c)1.

Municipal water system means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county or municipal-owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.

Pump installation means the pump and its associated pressure system including any equipment and material needed to withdraw, obtain, discharge, and store water from a well or a spring. The pump installation includes the spring box, reservoir, pump, pump drop pipe, check valves, well cap or seal, pitless adapter, pitless receiver tank, pitless unit, above-ground discharge unit, associated discharge piping and associated connections, valves, and appurtenances, pressure tank, sampling faucet, water storage or pressure vessel or structure, the electrical wiring and controls needed to operate the pump or pressure system, and any chemical addition, water treatment device, or yard hydrant upstream of the water storage or pressure vessel or building control valve.

Unused well means a well which is not in use or does not have a functional pumping system.

Well means any drillhole or other excavation or opening deeper than it is wide that extends more than ten feet below the ground surface constructed for the purpose of obtaining groundwater.

Well filling and sealing means the filling and sealing of a well, drillhole, pit, or reservoir with materials in accordance with Wis. Admin. Code NR Ch. 812 so the well, drillhole, pit, or reservoir will not act as a vertical conduit to contaminate another well, groundwater, or an aquifer.

- (b) *Compulsory connection to municipal water main.* The owner of any building intended for human habitation or occupancy abutting on any street, alley, or other thoroughfare in which a municipal water main has been extended and is available for service, shall cause to be made a water connection thereto within 120 days of notification of said extension and availability. Except as provided in subsection (4), the owner shall abandon any existing source of water currently being used for said building.
- (c) *Well filling and sealing required.* All unused wells and wells located on premises served by the municipal water system shall be filled and sealed in accordance with the terms of Wis. Admin. Code NR Ch. 812 not later than one year from the date the municipal water system is available.
- (d) *Well filling and sealing procedures.* All wells required to be filled and sealed under this section shall be filled and sealed according to the procedures and standards established in Wis. Admin. Code NR Ch. 812. A copy of the State Department of Natural Resources filling and sealing report shall be submitted by the well owner to the Water Utility within thirty days of the completion the well filling and sealing.
- (e) *Private well operation permit.*
- (1) The Green Bay Water Utility may grant a permit to a private well owner to operate a private well for a period of five years provided the conditions of this section are met. A private well operation permit may be renewed provided that the conditions of this section are met.

- (2) Permit applications shall be made on the form provided by the Water Utility.
- (3) The Water Utility General Manager or their designee may conduct inspections or have water quality tests conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application.
- (4) The Water Utility may only grant a private well operation permit if all of the following conditions are met.
 - a. The owner pays the private well operation permit fee as provided in the City Fee Schedule.
 - b. The owner demonstrates a need for use of a private well.
 - c. The owner operates the well in accordance with Wis. Admin. Code NR Ch. 812.
 - d. Prior to issuing or renewing the permit, a minimum of one safe sample has been taken from the private well to establish that the water is bacteriologically safe.
 - e. The well and pump system are functional and have been evaluated by a licensed well driller or pump installer and certified to comply with Wis. Admin. Code NR Ch. 812. The evaluation shall be documented on a form provided by the State of Wisconsin Department of Natural Resources.
- (5) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Water Commission.
- (f) Unapproved cross-connections between any private well and pump installations and the municipal water system are prohibited.
- (g) *Hardship.* When, in the judgment of the Water Commission, after recommendation from the Water Utility, it would be inappropriate to apply literally a provision of this section because hardship would result, the Water Commission may waive or vary such provisions so that substantial justice may be done and the public interest secured.

Sec. 8-368. Individual sewage disposal systems.

Private domestic sewage treatment and disposal systems, where permitted, shall be constructed, maintained, and used in accordance with the provisions of Wis. Admin. Code SPS Ch. 383.

Secs. 8-369—8-385. Reserved.

ARTICLE IV. ELECTRICAL CODE

DIVISION 1. GENERALLY

Secs. 8-386—8-402. Reserved.

DIVISION 2. LICENSURE

Sec. 8-403. License or registration required.

No person may install, repair, or maintain electrical wiring or engage in the business of installing, repairing, or maintaining electrical wiring, except as allowed pursuant to Wis. Stats. § 101.862 and this article.

Sec. 8-404. Licensure exemptions for homeowners.

Notwithstanding Wis. Stats. § 101.862(4)(a), a residential property owner may only install, repair, or maintain electrical wiring on premises that they own and occupy as a residence without a license if all of the following apply:

- (1) The premises is a one-family dwelling;
- (2) The homeowner signs the permit and accepts all responsibility for work performed; and
- (3) The homeowner does not perform any work on service entrance equipment.

Sec. 8-405. Proof of credentials.

The City of Green Bay has the right to verify the licensure of all persons performing electrical work.

Secs. 8-406—8-423. Reserved.

DIVISION 3. ELECTRICAL CODE REGULATIONS

Sec. 8-424. Adoption by reference.

Wis. Admin. Code SPS Ch. 316, as it may be amended from time to time, is hereby adopted and incorporated by reference as though fully set forth herein.

Sec. 8-425. Existing services.

If any component of the electrical service, from the service point to the load side of the service disconnect, is repaired or replaced grounding and bonding is required by the City to the same extent required by Wis. Admin. Code SPS § 316.250, as amended from time to time.

Secs. 8-426—8-449. Reserved.

DIVISION 4. CODE ENFORCEMENT

Sec. 8-450. Electrical Inspectors.

- (a) *Jurisdiction.* Electrical Inspectors shall exercise jurisdiction over inspection of the installation, alteration, repair, servicing, or maintenance of electrical wiring in all public or private buildings, including places of employment, within the City of Green Bay city limits.
- (b) *Authority.* Electrical Inspectors shall ensure all work performed within their jurisdiction complies with this article.
- (c) *Duties.* Electrical Inspectors may issue permits and shall maintain records of permits issued to contractors and homeowners, along with any fees received for such permits.

Sec. 8-451. Permits.

- (a) *Permit required.* No person may install, repair, alter, service, or maintain electrical wiring without first obtaining a permit under this article.
- (b) *Application.* An application for an electrical permit shall be filed with the Director on a blank form to be furnished for that purpose. The application shall include the name, phone number, and email address of the property owner and contractor and shall state that the property owner and contractor will be bound by and subject to the rules and regulations of this article.

- (c) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Electrical Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.
- (d) *Permit fees.*
- (1) Fees for building permits issued under this section shall be provided in the City Fee Schedule.
 - (2) If an application for a building permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (e) *Issuance of electrical permit.*
- (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."
 - (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
 - (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
 - (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
 - (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
 - (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If,

subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.

- (f) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-452. Inspection stages.

During the process of performing electrical work, the person performing such work shall ensure the following inspections occur when required by the Electrical Inspector:

- (1) *Rough.* An inspection before any electrical wiring is hidden from view.
- (2) *Service.* An inspection of the service equipment and grounding electrode system prior to energizing.
- (3) *Final.* An inspection after all work has been completed and wiring concealed.

Sec. 8-453. Compliance with article.

Electrical Inspectors may utilize any lawful means to gain compliance with this article, including, but not limited to:

- (1) Inspecting electrical wiring.
- (2) Withholding electrical permits.
- (3) Issuing orders to correct violations.
- (4) Assessing re-inspection fees.
- (5) Denying/removing the connection of power to equipment.
- (6) Issuing citations or complaints for violations.
- (7) Condemning a building that is not safe for human habitation.

Secs. 8-454—8-476. Reserved.

ARTICLE V. HEATING AND AIR CONDITIONING CODE

Sec. 8-477. Wisconsin State Heating, Ventilating, and Air Conditioning Code adopted.

The Wisconsin State Heating, Ventilating, and Air Conditioning Code, Wis. Admin. Code SPS Chs. 323 and 364, and the National Fuel Gas Code, NFPA 54, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein.

Sec. 8-478. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Director means the Director of the Department of Community and Economic Development or their designee.

HVAC means heating, ventilating, and air conditioning.

HVAC equipment means materials, piping, fittings, devices, appliances, apparatus, controls, and control wiring used as part of or in connection with permanent heating, ventilating, air conditioning, or exhausting systems serving buildings.

Licensed heating contractor means a person, entity, or business is a registered HVAC contractor under Wis. Admin. Code SPS § 305.70 or holds an HVAC qualifier certification under Wis. Admin. Code SPS § 305.71.

Sec. 8-479. License Required.

No person, entity, or business may engage or offer to engage in installing or servicing heating, ventilating, or air conditioning (HVAC) equipment unless the person, entity, or business is a registered HVAC contractor under Wis. Admin. Code SPS § 305.70 or holds an HVAC qualifier certification under Wis. Admin. Code SPS § 305.71.

Sec. 8-480. Permits.

- (a) *Permit required.* No person shall install or repair within the City any furnace, boiler, air conditioner, fireplace, or woodburning stove, or commence any other HVAC work in any structure subject to this article and/or any applicable provisions of the Wisconsin Administrative Code incorporated into this article, without first obtaining a permit for said work from the Director. In addition to any plans and specifications otherwise required under this article, the Director may require additional information consistent with their duty to review such plans prior to issuing permits under this section.
- (b) *To whom issued.* No permit shall be issued except to the owner of a residence to personally perform work on the owner's home or to a licensed heating contractor. Such permits shall be nontransferable.
- (c) *Application.* An application for an HVAC permit shall be filed with the Director on a blank form to be furnished for that purpose. The application shall include the name, phone number, and email address of the property owner and contractor and shall state that the property owner and contractor will be bound by and subject to the rules and regulations of this article.
- (d) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the HVAC Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.
 - (e) *Fees.*
 - (1) Fees for permits issued under this section shall be as provided in the City Fee Schedule.
 - (2) If an application for a permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (f) *Issuance of HVAC permit.*
 - (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."
 - (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
 - (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
 - (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to

the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.

(5) *Revocation.*

- a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
- b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
- c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.

(6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.

- (g) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-481. Inspection.

- (a) The Director shall examine and approve or disapprove all plans and specifications for the performance of any work governed by this article. The Inspector shall inspect all work as required by this article and shall order work stopped which is in violation of this article.
- (b) In any new building or addition, immediately upon completion of those portions of the installation which are to be concealed or covered, the licensed heating contractor shall notify the Director, who shall make an inspection within two working days after notice for inspection, excepting weekends and holidays. If no inspection is made within the specified time period, work may proceed. All other inspections shall be scheduled immediately upon notification of the completion of such work.
- (c) Wherever work for which a permit has been issued has been ordered stopped by the Inspector, the Inspector shall post a stop-work notice. After such notice has been posted, no further work shall be done until the violations have been corrected and such corrections approved by the Inspector.

Secs. 8-482—8-516. Reserved.

ARTICLE VI. MINIMUM HOUSING STANDARDS

DIVISION 1. GENERALLY

Sec. 8-517. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Approved means approved by or in accordance with regulations established by the Director of Community and Economic Development or their designee.

Basement means that portion of a building the floor of which is below the outside ground grade level.

Bath means a bathtub or shower stall.

Bedroom means a habitable room within a dwelling unit or part thereof which is used or intended to be used primarily for the purpose of sleeping, but not including any kitchen or dining room.

Boarding house or lodging house means a building or structure other than a hotel licensed by the State where lodging is furnished and meals for three (3) or more persons are served for compensation. A boarding house or lodging house may be considered a dormitory as defined and regulated within this Code.

City Building Code means Article II of this chapter.

City Electrical Code means Article IV of this chapter.

City Heating and Air Conditioning Code means Article V of this chapter.

City Plumbing Code means Article III of this chapter.

Director means the Director of the Department of Community and Economic Development or their designee.

Dormitory means a communal-type living arrangement of four or more persons not related by blood, adoption, or marriage who share common sleeping areas, kitchen, bath, and/or restroom facilities. The term "dormitory" includes, but is not limited to, shelter facilities, educational facility housing, rooming houses, boarding houses or lodging houses, community living arrangements, community based residential facilities, and migrant housing.

Dwelling means any building or structure which is wholly or partly used or intended to be used for living or sleeping by human occupants.

Dwelling unit means any habitable room or group of adjoining habitable rooms located within a dwelling or part thereof and forming a single unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating of meals.

Extermination means the control and elimination of infestation of insects, rodents, or other pests by eliminating their harborage places, removing or making inaccessible materials that may serve as their food, and poisoning, spraying, fumigating, trapping, or utilizing any other approved pest elimination methods.

Family means one or more individuals living on a premises as a single housekeeping unit.

Garbage broadly refers to both "garbage" and "refuse," as defined in Section 32-1 of this Code.

Habitable room means a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, toilet rooms, laundries, pantries, foyers, communicating corridors, closets, storage spaces, stairways, and rooms used for play or recreational purposes.

Homeless family means a group of one or more related individuals who are homeless individuals.

Homeless individual means an individual who lacks a fixed, regular, and adequate nighttime residence (without regard to whether the individual is a member of a family) or an individual whose primary nighttime residence is a supervised public or privately operated shelter designed to provide temporary living accommodations. Temporary living accommodations include welfare hotels, congregate shelters, dormitories, and transitional housing.

Infestation means the presence of any insects, rodents, or other pests within a dwelling or part thereof or on the dwelling premises or part thereof.

Kitchen means a habitable room used or intended to be used for cooking or the preparation of meals.

Living room means a habitable room within a dwelling unit which is used or intended to be used primarily for general living purposes.

Meaning of certain terms. Whenever the terms "dwelling," "dwelling unit," "rooming house," "rooming unit," or "premises" are used in this article, they shall be construed as though they were followed by the words "or any part thereof."

Non-dwelling structure means a garage, shed, or other similar storage or convenience building attached to or detached from a dwelling and used primarily for recreation and the storage of vehicles, lawn and garden appliances, and other household tools or equipment. A non-dwelling structure shall not be used for living or sleeping by human occupants.

Occupant means any person, including an owner or operator, living, sleeping, or cooking in or having actual possession of a dwelling or rooming unit or part thereof.

Operator means any person who has charge, care, or control of a building or part thereof in which dwelling or rooming units or part thereof are let.

Owner means any person who, individually or jointly or as tenant in common with other(s), has legal title or equitable title to any dwelling or dwelling unit or rooming unit or part thereof or who has charge, care, or control of any dwelling or dwelling unit or rooming unit or part thereof as executor, administrator, trustee, or guardian of the estate of the owner.

Plumbing includes, but is not limited to, all of the following facilities and equipment: water pipes, garbage disposal units, waste pipes, vent pipes, toilets, sinks, installed dishwashers, lavatories, baths, installed clothes washing machines, catch basins, drains, vents, domestic hot water heaters, and any other similar fixtures, together with all connections to water, sewer, or gas lines.

Portable heater means a UL-listed portable appliance used for heating a relatively small area, typically electrical in nature.

Premises means a platted lot or part thereof, an unplatted lot, or a parcel or a plot of land, either occupied or unoccupied by any dwelling or structure.

Recyclables means "recyclable waste," as defined in § 32-1 of this Code.

Roomer means an occupant of a rooming house or part thereof who is not a member of the family of the operator of that rooming house, or an occupant of a dwelling unit or part thereof who is not a member of the family occupying the dwelling unit or part thereof.

Rooming house means a building or structure, other than a hotel licensed by the State of Wisconsin, where three or more persons are lodged for compensation. A rooming house may be considered a dormitory as defined and regulated within this article. The term "rooming house" does not include short term rentals as defined in Wis. Stats. § 66.0615(1)(dk).

Rooming unit means any room or group of rooms forming a single habitable unit in a rooming house or part thereof used or intended to be used for living and sleeping but not for cooking or eating meals.

Shelter facility means a temporary place of lodging for homeless individuals or homeless families. A shelter facility may be considered a dormitory as defined and regulated within this Code.

Sleeping room means a habitable room in a dwelling or dwelling unit of an area and volume as required by this code intended for or used primarily for sleeping purposes.

State Building Code means Wis. Admin. Code SPS Chs. 320 through 325 and 361 through 366.

State Heating, Ventilating, and Air Conditioning Code means Wis. Admin. Code SPS Chs. 323 and 364.

State Plumbing Code means Wis. Admin. Code SPS Chs. 381 through 387.

Supplied means paid for, furnished by, or provided by or under the control of the owner or operator.

Unit heater means a self-contained, automatically controlled, vented, fuel-gas burning, space-heating appliance intended for installation in the space to be heated without the use of ducts, having integral means for circulation of air.

Sec. 8-518. Residential rental practices.

- (a) *State law adopted.* Wis. Admin. Code ATCP Ch. 134 and Wis. Stats. § 704.95, as they may be amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein.
- (b) *Enforcement.* The Director may sign and issue citations for violations of this section and may delegate that authority to employees.
- (c) *Penalties.* Any person who violates this section shall forfeit not less than \$25.00 nor more than \$5,000.00 for each offense.

Secs. 8-519—8-542. Reserved.

DIVISION 2. PURPOSE AND SCOPE

Sec. 8-543. Purpose.

Buildings that are or are becoming dilapidated, neglected, overcrowded with occupants, or unsanitary jeopardize and are detrimental to the health, safety, morals, and welfare of the people of the City. Such buildings are rendered detrimental to the public through faulty design or construction, failure to be kept in a proper state of repair, lack of proper sanitary facilities or adequate lighting or ventilation, inability to properly heat, improper management, or any combination of these factors. The City finds that elimination of such buildings or structures and the prevention of the occurrence of such conditions in the future is in the best interest of the citizens of the City, and this article is enacted to foster and encourage such elimination.

Sec. 8-544. Compliance with other codes.

The provisions of this article shall not abrogate the responsibility of every person to comply with the provisions of the State Building Code and the building, zoning, plumbing, heating and air conditioning, and electrical codes of the City.

Secs. 8-545—8-568. Reserved.

DIVISION 3. ADMINISTRATION AND ENFORCEMENT

Sec. 8-569. Inspections.

- (a) *To be made by Director.* The Director of Community and Economic Development shall make inspections to determine the condition of dwelling units, rooming units, premises, and parts thereof located within the City and may enter any building during reasonable hours in the discharge of the duties. Any person who

interferes with the Director in the discharge of the duties shall be in violation of this article. The Director shall have proper identification and shall show same when making such inspections.

- (b) *Access of owner or operator.* Every occupant of a dwelling, dwelling unit, rooming unit shall give the owner or operator thereof, or an agent or employee of the owner, access to any part of such dwelling, dwelling unit, rooming unit or its premises or part thereof at all reasonable times for the purpose of maintenance or making such repairs or alterations as are necessary to effect compliance with this article or with any lawful rule or regulation adopted, or any lawful notice or order issued, pursuant to the provisions of this article.

Sec. 8-570. Emergency orders.

Whenever the Director finds that an emergency exists which requires immediate action to protect the public health, the Director may, without notice of hearing and in accordance with the provisions of Wis. Stats. § 66.1337(4)(a), issue an order reciting the existence of such an emergency and requiring that such action be taken as the Director deems necessary to meet the emergency. Such order shall be effective immediately. Notwithstanding any other provision of this article, every notice served by the Director in accordance with the provisions of Sections 8-593(8), 8-596(a)(11), (b)(2) and (b)(3), and 8-632(j) shall be regarded as an order.

Sec. 8-571. Condemnation of dwellings and dwelling units or parts thereof as unfit for human habitation.

- (a) *When condemnation required.* Any dwelling unit or part thereof which the Director finds to have any of the following defects shall be condemned as unfit for human habitation, occupancy, or use:
 - (1) One which is so damaged, decayed, dilapidated, unsanitary, difficult to heat, unsafe, or vermin-infested that it creates a hazard to the health or welfare of the occupants or the public.
 - (2) One which lacks illumination, ventilation, or sanitary facilities adequate to protect the health or welfare of the occupants or the general public.
 - (3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or welfare of the occupants or the general public.
- (b) Any dwelling or dwelling unit or part thereof may be condemned by the Director as unfit for human habitation if the owner or occupant fails to comply with any order based on the provisions of this article or any rule or regulation adopted pursuant hereto, provided such dwelling or dwelling unit or part thereof is, in the opinion of the Director, unfit for human habitation by reason of such failure to comply.
- (c) *Procedure for condemnation.* The condemnation of dwellings and dwelling units as unfit for human habitation, occupancy, or use shall be carried out in accordance with Wis. Stats. § 66.0413. Where such condemnation occurs, the Director shall post at the main entrance to such dwelling or dwelling unit a notice stating that the dwelling or dwelling unit is unfit for human habitation, occupancy, or use and has been condemned. It shall be further unlawful for any person to occupy, use, or enter such dwelling or dwelling unit thereafter, except for the purpose of making required repairs or alterations.
 - (1) *Removal of notice prohibited.* The notice of condemnation shall remain posted until the required repairs or alterations are made. It shall be unlawful for any person to remove such notice without written permission from the Director.
 - (2) *Condemnation by police and fire departments.* The Director may temporarily grant authority under this section to the Chief of Police, Fire Chief, or their designees when circumstances so require.

Sec. 8-572. General penalty.

Any person who violates any provision of this article or any rule, regulation, or order made hereunder shall be subject to forfeiture of not less than \$25.00 nor more than \$5,000.00 for each offense.

Secs. 8-573—8-592. Reserved.

DIVISION 4. HOUSING STANDARDS

Sec. 8-593. 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 or part thereof for the purpose of living, sleeping, cooking, or eating meals therein which does not comply with the following requirements:

- (1) *Kitchen sink and lavatory.* Every dwelling unit shall contain an approved kitchen sink. Every dwelling unit shall contain a lavatory or wash basin in or adjacent to the toilet room.
- (2) *Toilet.* Every dwelling unit shall contain a toilet which shall be placed in a separate room enclosed with partitions which extend to the ceiling.
- (3) *Bath.* Every dwelling unit shall contain a bath which shall be contained within a toilet room or within a separate room which affords privacy to a person using such facility.
- (4) *Hot and cold water supply to bath and sinks.* Every bath, kitchen sink, and lavatory required under this article shall be properly connected with both hot and cold water lines.
- (5) *Water heating facilities.* Every dwelling shall have supplied water heating facilities which are properly installed and maintained in reasonably good working condition, properly connected with the hot water lines required under subsection (4) of this section, and capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every bath at a temperature of not less than 120 degrees Fahrenheit. Such supplied water heating facilities shall be capable of meeting these requirements when the dwelling or dwelling unit heating facilities are not in operation.
- (6) *Connection to water and sewer system.* Every kitchen sink, toilet, lavatory basin, and bath shall be in good working condition and properly connected to an approved water and sewer system.
- (7) *Plumbing.* All plumbing, plumbing equipment, and plumbing fixtures and the installation thereof shall comply with the Plumbing Codes of the City and of the State.
- (8) *Garbage and recyclables.* Every dwelling and dwelling unit shall be provided with adequate facilities for the storing of recyclables and garbage. Such facilities shall comply with the provisions of Chapter 32.
- (9) *Exits.* Every dwelling unit shall have exits which conform to the exit requirements of the City Building Code or the State Building Code, as applicable. Every exit and passageway shall also comply with the following requirements:
 - a. It shall be kept in good repair.
 - b. It shall be unobstructed at all times.

Sec. 8-594. Minimum standards for light, heating, and ventilation.

- (a) *Window area.* Every habitable room, toilet room, and bathroom shall have at least one window facing directly to the outdoors. The minimum window area shall be at least ten percent of the floor area of the room, but not less than 12 square feet. The top of at least one such window shall be not less than six and one-half (6½) feet above the floor. At least one half of the window shall be made so as to open the full width unless other means of adequately ventilating such rooms are installed and operating. The outside window in every toilet or bathroom shall have a total area of at least ten percent of the floor area, but not less than four square feet, provided no window or sky light shall be required in adequately ventilated bathrooms or toilet rooms equipped with a ventilation system which is kept in continuous operation.

- (b) *Electric equipment.* In accordance with Wis. Admin. Code SPS §§ 316.020 and 316.021, all electrical power and communication equipment shall be properly constructed, installed, operated, and maintained. Any of this equipment known to be defective shall be promptly repaired or isolated until repairs can be made.
- (c) *Heating facilities.*
- (1) Every dwelling unit shall have supplied heating facilities; and such facilities shall be properly installed, maintained in good working condition, and capable of adequately heating all habitable rooms, bathrooms, and toilet rooms contained therein or intended for use by the occupants thereof to a temperature of at least 68 degrees Fahrenheit, measured three feet above the floor level, when the outside temperature is at or above negative fifteen (-15) degrees Fahrenheit. A dwelling unit shall contain a sufficient number of chimney outlets to permit the occupants, through the use of unit heaters furnished by the owner, to adequately heat all habitable rooms, bathrooms, and toilet rooms contained therein to a temperature of at least 68 degrees Fahrenheit, measured at least three feet above the floor level, when the outdoor temperature is at or above negative fifteen (-15) degrees Fahrenheit. This provision shall not be interpreted to permit the use of portable heaters where such use is prohibited by either the City Building or Heating and Air Conditioning Code or the State Building or Heating, Ventilating and Air Conditioning Codes, as applicable. Every central heating system shall comply with the City Building and Heating and Air Conditioning Codes and the State Building and Heating, Ventilating and Air Conditioning Codes, as applicable. Such central heating systems shall also comply with the following requirements:
 - a. The central heating unit shall be in good operating condition.
 - b. Every heat duct, steam pipe, and hot water pipe shall be free of leaks and shall function so that an adequate amount of heat is delivered where intended.
 - c. Every seal between the sections of a warm air furnace shall be tight, so noxious gases will not escape into heat ducts.
 - d. If the temperature of all dwelling units in a multi-unit dwelling is regulated by a single heating zone controlled by a single device, and the temperature standards articulated in this section cannot be maintained in any of the dwelling units included in that zone, the Director may issue orders to remedy the deficiency, including but not limited to requiring additional heating zones in the dwelling.
 - (2) Every unit heater shall comply with the City Building and Heating and Air Conditioning Codes and the State Building and Heating, Ventilating, and Air Conditioning Codes, as applicable, and with all of the following requirements:
 - a. No unit heater burning solid, liquid, or gaseous fuels shall be a portable type.
 - b. Every unit heater burning solid, liquid, or gaseous fuels shall be properly vented.
 - c. Every coal-burning or oil-burning unit heater shall have a fire-resistant panel beneath it.
 - d. The location of unit heaters, the insulation of walls and ceilings close to such heaters, and the construction, installation, and guarding of smoke pipes and walls or ceilings through which they go shall be in accordance with the Heating and Air Conditioning Code of the City in Article V of this chapter.
- (d) *Lighting of public halls and stairways.* Every public hall and public stairway in every dwelling containing four or more dwelling units or accommodating more than 20 persons shall be adequately lighted at all times. Such lighting shall include lights at all intersections of stairways. Instead of continuous lighting, every public hall and public stairway in dwellings containing fewer than four dwelling units or rooming houses accommodating more than three roomers but less than 20 persons shall be supplied with convenient light switches controlling an adequate lighting system which may be turned on when needed.

- (e) *Screens.* At least one window in each habitable room, toilet room, and bathroom where windows are required shall be supplied with a screen covering at least one-third of the window area, except where other means of adequately ventilating such rooms are available and operating. Screens shall have a wire mesh of not less than No. 16, and all installed screens must be in a state of good repair.
- (1) *Exception.* During the cold weather period from November 1 to March 31 of each calendar year, having screens installed is optional. Any screens installed must be in a state of good repair.(f) *Basement window screens.* Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with a screen or such other device as will effectively prevent their entrance.

Sec. 8-595. Minimum space, use, and location requirements.

No person shall occupy 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) *Dwelling unit to be occupied by one family.* No dwelling unit or part thereof shall be occupied by more than one family.
- (2) *Minimum floor area for dwelling unit or part thereof.* Every dwelling unit or part thereof shall contain at least 150 square feet of floor space for the first occupant thereof and at least 100 additional square feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of total habitable room area.
- (3) *Minimum floor area for sleeping purposes.* Every room occupied by one person for sleeping purposes shall contain at least 70 square feet of floor space and 490 cubic feet of air space, and every room occupied by more than one person for sleeping purposes shall contain at least 60 square feet of floor space and 400 cubic feet of air space for each occupant thereof, provided these requirements shall be reduced by one-half for children under 12 years of age.
- (4) *Arrangement of sleeping, bath, and toilet rooms.* No dwelling or dwelling unit containing two or more sleeping rooms shall be so arranged that access to a bathroom or toilet room intended for use by the 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 or a bathroom or toilet room.
- (5) *When basement space may be habitable.* No basement space shall be used as a sleeping room or dwelling unit unless such sleeping room or dwelling unit is in conformity with existing City or State Building Codes and complies with the following requirements:
 - a. The total window area in each room shall be at least equal to the minimum window area required in Section 8-594(a).
 - b. Such required minimum window area shall be located entirely above the grade of the adjoining ground.
 - c. The total openable window area in each room shall be at least equal to the minimum required under Section 8-594(a), unless there is supplied some other approved ventilating device.
 - d. Every habitable room in a basement shall be at least seven feet, six inches high from the floor to the ceiling; and the ceiling shall be at least four feet above the outside ground grade level. The walls and floors shall be damp-proof and waterproof.
- (6) *Occupants to have access to sanitary facilities.* Every occupant of every dwelling or dwelling unit shall have unrestricted access to a toilet and bath and to a kitchen sink or lavatory located within that dwelling or dwelling unit.
- (7) *Ceiling height with respect to floor area.* At least one-half of the floor area of every habitable room shall have a ceiling height of at least seven feet, and the floor area of that part of any room where the

ceiling height is less than five feet shall not be considered in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.

- (a) *Exemption.* Any one- or two-family dwelling unit built prior to the State of Wisconsin's adoption of the Uniform Dwelling Code on June 1, 1980 is exempt from the basement room height requirement in Wis. Admin. Code SPS Ch. 321.

Sec. 8-596. Maintenance of dwellings, dwelling units, and rooming units.

- (a) *Owner's responsibility.* No person shall occupy as owner-occupant or let to another for occupancy any dwelling, dwelling unit, or rooming unit for the purpose of living therein which does not comply with the following requirements:
 - (1) *Maintenance of foundations, exterior walls, roofs.* Every foundation, exterior wall, and roof shall be weather-tight, water-tight, and insect-proof, shall be rodent-proof in accordance with the terms of Section 6-7 (Rat Prevention), and shall be well-maintained and kept in a state of good repair. The exterior walls of dwellings, dwelling units, and rooming houses shall be either prefinished material, brick, stone, stucco, exterior plaster, stained or painted wood, water-proof shingles, or other material designed and advertised to be used as permanent exterior siding and capable of being painted, stained, or weatherproofed if not prefinished. Materials designed and advertised for insulation, sub-siding, or structural uses other than exterior walls shall not be allowed as exterior siding. Roofing materials shall be kept in a state of good repair and shall have no significant signs of wear, weathering, or other forms of deterioration.
 - (2) *Maintenance of interior walls, doors, floors, ceilings, countertops, cabinets.* Every interior partition, wall, door, floor, ceiling, countertop, and cabinet shall be capable of affording privacy, kept in a state of good repair, and so maintained as to permit it to be kept clean and sanitary.
 - (3) *Rainwater drains.* Rainwater shall be so drained and conveyed from every roof so as not to cause dampness in the basement, walls, ceilings, or floors of any room. Drains shall be kept clean and free of debris, and shall allow for the proper flow of water. No downspout located within six feet of adjoining property shall be pointed toward such property.
 - (4) *Windows, doors, hatchways.* Every window, exterior door, and basement hatchway shall be weather-tight and shall be kept in a good working condition, well-maintained, and repaired. All windows and exterior doors shall open and close properly with all hardware in-tact and operational.
 - (5) *Protection of exterior surfaces.* All exterior surfaces shall be protected from the elements and against decay by paint or other approved protective coating applied in a workmanlike manner. Painted surfaces must be properly maintained and repaired, including, but not limited to, scraping, priming, and applying finishing coats to said surfaces.
 - (6) *Stairways and porches.* Every inside and outside stairway, every porch, and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and maintained in a state of good repair.
 - (7) *Supplied plumbing fixtures.* Every supplied plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition and in accordance with the Plumbing Codes of the City and the State.
 - (8) *Chimney and supplied smoke pipes.* Every chimney and every supplied smoke pipe shall be adequately supported, reasonably clean, and maintained in a state of good repair and in accordance with the City Building and Heating and Air Conditioning Codes and the State Building and Heating, Ventilating, and Air Conditioning Codes, as applicable.
 - (9) *Bathroom and toilet room floors.* Every bathroom and toilet room floor shall be so maintained as to be reasonably impervious to water and as to permit such floor to be kept in a clean and sanitary condition.

- (10) *Supplied facilities.* Every supplied facility, piece of equipment, or utility which is required under this article shall be so constructed or installed that it will function properly and shall be maintained in good working condition.
 - (11) *Discontinuance of required services, facilities, equipment, or utilities.* No owner or operator shall cause any service, facility, equipment, or utility which is required to be supplied under the provisions of this article to be removed from, shut off from, or discontinued from any occupied dwelling or dwelling unit let or occupied by said owner or operator, except for such temporary interruption as may be necessary while actual repairs, replacements, or alterations are being made.
 - (12) *Pest extermination.* Whenever infestation exists in any dwelling or dwelling unit or part thereof, or in the shared or public parts of any dwelling or part thereof containing two or more dwelling units, or whenever infestation is caused by failure of the owner to maintain the dwelling or part thereof in a rat-proof or insect-proof condition, extermination thereof shall be the responsibility of the owner. The owner shall hire a pest management professional to inspect and treat, as necessary, all dwelling units sharing a common wall, floor, or ceiling with the dwelling unit containing the infestation. The pest management professional must provide documentation that the affected dwelling unit and surrounding units are clear and free of infestation and live activity.
 - (13) *Cleanliness of public areas of dwellings.* Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition in all communal, shared, or public areas of the dwelling and premises or parts thereof which are used or shared by the occupants of two or more dwelling units.
 - (14) *Vacant dwelling units to be clean and sanitary before being let for occupancy.* No owner shall occupy or rent to any other person for occupancy or allow any other person to occupy any vacant dwelling unit or part thereof unless it is clean, sanitary, free of infestation, and complies with all provisions of this article and all rules and regulations adopted pursuant thereto.
 - (15) *Hanging screens.* The owner of a dwelling or dwelling unit shall be responsible for hanging all screens whenever the same are required under the provisions of this chapter or any rule or regulation adopted pursuant hereto. Screens shall be hung at all times except as otherwise provided in this article. If windows are designed to have screens installed, one must be installed and in a state of good repair as required by Section 8-594.
- (b) *Responsibility of occupants.*
- (1) *Cleanliness.* Every occupant of a dwelling or dwelling unit or part thereof shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which is occupied or controlled.
 - (2) *Disposal of garbage and recyclables.* Every occupant of a dwelling or dwelling unit or part thereof shall dispose of all garbage and recyclables in a clean and sanitary manner by placing it in the garbage or recyclables containers as required by Chapter 32.
 - (3) *Extermination of pests.* Every occupant of a dwelling or part thereof or dwelling unit or part thereof shall assist the owner of the dwelling with the extermination of any pests, including, but not limited to, maintaining unit cleanliness, notifying the owner of any infestation, cooperating with extermination efforts, and preparing the unit for treatment.
 - (4) *Use and operation of supplied plumbing fixtures.* Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

Sec. 8-597. Maintenance of non-dwelling structures, fences, and premises.

No owner shall permit any non-dwelling structure or fence to exist on any premises which does not comply with the following requirements:

- (1) *Maintenance of non-dwelling structures.* Every foundation, retaining wall, exterior wall, roof, window, exterior door, basement hatchway, and every other entrance way of every non-dwelling structure shall be weather-tight, water-tight, and insect-proof; shall be rodent-proof in accordance with the terms of Section 6-7; shall be well maintained and kept in a state of good repair; and shall have no significant signs of wear, weathering, or other forms of deterioration.
- (2) *Protection of exterior surfaces.* All exterior wood and other surfaces of all non-dwelling structures shall be properly protected from the elements and against decay by paint or other approved protective coating applied in a workmanlike manner. Painted surfaces must be properly maintained and repaired, including, but not limited to, scraping, priming, and applying finishing coats to said surfaces. Exterior walls of structures shall be prefinished material, brick, stone, stucco, exterior plaster, stained or painted wood, water-proof shingles, or a similar material designed and advertised to be used as permanent exterior siding and capable of being painted, stained, or weatherproofed if not prefinished. Materials designed and advertised for insulation, sub-siding, or structural uses other than exterior walls shall not be allowed as exterior siding.
- (3) *Maintenance of fences.* Every fence either shall be reasonably maintained and kept in a state of good repair or shall be removed. All components of fencing material shall be installed as designed or completely removed. Fences shall consist only of materials approved in Chapter 44. Nothing in this subsection shall permit fence removal where the fence is otherwise required by this Code.
- (4) *Grading and drainage of premises.* All premises or part thereof shall be so graded and maintained that no stagnant water will accumulate or stand on the premises or part thereof or within any building or structure located on the premises or part thereof.

Secs. 8-598—8-627. Reserved.

DIVISION 5. ROOMING HOUSE/SHELTER FACILITY REGULATIONS

Sec. 8-628. Compliance required.

No person shall operate a rooming house or shelter facility or occupy or let to another for occupancy any rooming unit in any rooming house or shelter facility except in compliance with the requirements of this division and any other applicable section within this Code.

Sec. 8-629. Permits.

- (a) *Required.* No person shall operate a rooming house or shelter facility without a valid rooming house/shelter facility permit issued by the Director in the name of the operator and for the specific dwelling or dwelling unit within which the rooming house or shelter facility is contained, provided the provisions of this subsection shall not apply to dormitories associated with and run in connection with licensed educational institutions, hotels, motels, bed and breakfast establishments, and community living arrangements which are licensed by an agency of the State of Wisconsin.
- (b) *Application.* The operator shall file the application for a rooming house/shelter facility permit and a site plan according to Sections 44-83 and 44-1581 in the office of the Director on forms prepared by the Director.
- (c) *Issuance of permit and fees.* When all applicable provisions of this division and any rules and regulations adopted pursuant hereto have been complied with by the operator, the Director shall issue a rooming house/shelter facility permit upon the payment of the fee, which shall be as provided in the City Fee Schedule. Shelter facilities shall be exempt from the fees. All rooming house/shelter facility permits so issued shall expire on July 1 following the date of issuance unless sooner suspended or revoked as herein provided. Occupancy shall not exceed the capacity specified in Section 8-632(d) or in Wis. Admin. Code SPS § 362.0400 or sections referenced therein.

- (d) *Posting of permit.* Every rooming house/shelter facility permit issued by the Director shall be conspicuously posted by the operator in the rooming house or shelter facility for which it is issued and shall remain so posted at all times unless removed by the order of the Director.
- (e) *Nontransferability of permit.* No rooming house/shelter facility permit issued under this division shall be transferable as to person or place. Every operator shall notify the Director in writing within 24 hours after having relinquished the operation of a rooming house or shelter facility and shall file in writing with the Director the name and address of the operator assuming the operation of the rooming house or shelter facility. Any operator so assuming operation must have obtained a valid rooming house/shelter facility permit in accordance with this section.
- (f) *Relationship of permit to other codes.* The issuance of a rooming house/shelter facility permit shall not relieve the owner or operator of responsibility for compliance with the Building and Zoning Codes and any other applicable laws of the City and County and applicable rules of the State Department of Health and Department of Safety and Professional Services.
- (g) *Hearing when permit is denied.* Any person whose application for a rooming house shelter facility permit has been denied may request and shall be granted a hearing on the matter before the Protection and Policy Committee under the procedure provided by Section 8-569.
- (h) *Suspension, revocation, and non-renewal of permit.*
 - (1) *Grounds.* Whenever, upon inspection of a rooming house or shelter facility, the Director finds that conditions or practices exist which are in violation of any provision of this article or any other provisions of this Code, or any rule or regulation adopted pursuant hereto, or if the operator keeps or maintains a disorderly house, the rooming house/shelter facility permit may be revoked, suspended for up to six months, or non-renewed.
 - (2) *Notice.* No permit issued under this section shall be revoked, suspended, or non-renewed except upon due notice and hearing to determine whether grounds for such action exist. The Director shall give written notice of the grounds for revocation, suspension, or nonrenewal to the operator of such rooming house or shelter facility, which shall constitute the complaint. The notice shall be served upon the licensee at least 15 days prior to the date of the hearing and shall state the time and place thereof.
 - (2) *Hearing.* The hearing on a complaint for suspension, revocation, or nonrenewal shall be held before the Protection and Policy Committee. The operator of the rooming house or shelter facility shall be entitled to be heard, to be represented by counsel, and to present and cross-examine witnesses. The operator may be provided a transcript of the hearing at their own expense.
 - (3) *Recommendation by Committee.* Following the hearing, the Protection and Policy Committee shall issue Findings of Fact and Conclusions of Law and shall make a recommendation to the Common Council whether the operator's rooming house/shelter facility permit should be suspended, revoked, or nonrenewed. The City Clerk shall provide the operator with a copy of the Committee's report.
 - (4) *Council action.* The Common Council shall consider the report and recommendation of the Protection and Policy Committee no later than the second regularly scheduled meeting following its receipt of the Committee's report. The Director or the operator may file an objection to the recommendation and have the opportunity to present arguments supporting their objection to the Common Council. Council shall determine whether arguments shall be presented orally, in writing, or both. Following arguments and deliberation, the Common Council shall adopt, modify, or reject the Findings of Fact, Conclusions of Law, and Recommendation of the Protection and Policy Committee. Notice of Council's decision shall be provided to the operator within 20 days.
 - (5) *Appeal.* An operator of a rooming house or shelter facility shall appeal the suspension, revocation, or nonrenewal of their rooming house/shelter facility permit to the Brown County Circuit Court within 30 days of receipt of notice of Common Council's action.

Sec. 8-630. Operator to control occupancy.

No operator shall at any time allow a larger number of persons to occupy any individual or group sleeping room than is permitted by this division.

Sec. 8-631. Applicability of other parts of this article.

No person shall operate a rooming house or shelter facility unless all of the requirements of Sections 8-594, 8-595, and 8-596 are complied with, provided for the purpose of interpreting the requirements of the designated sections applicable to the enforcement of this division, the term "dwelling" shall be interpreted to mean rooming house or shelter facility and the term "dwelling unit" shall be interpreted to mean rooming unit. Every dwelling unit located within a rooming house or shelter facility shall comply with all of the requirements for dwelling units as established in this article.

Sec. 8-632. Arrangement, equipping, maintenance, and use of facilities.

- (a) *Toilets and lavatory basins.* At least one toilet and lavatory basin, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each ten persons or fraction thereof residing within a rooming house or shelter facility, including members of the operator's family wherever they share the use of such facilities.
- (b) *Baths.* At least one bath, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a rooming house or shelter facility, including members of the operator's family wherever they share the use of such facilities.
- (c) *Location of sanitary facilities.* Every toilet, lavatory basin, and bath shall be located within a room which affords privacy to a person within. All such facilities shall be so located within the rooming house or shelter facility as to be accessible to the occupants of each rooming unit sharing such facilities without going outside of the dwelling or part thereof and without going through another dwelling unit or part thereof or through a rooming unit or part thereof of another occupant.
- (d) *Minimum area for sleeping purposes.*
 - (1) The capacity of any room occupied for sleeping purposes shall be as follows:
 - a. 400 cubic feet for each occupant over 12 years of age; and
 - b. 200 cubic feet for each occupant 12 years of age or under.
 - (2) The operator of a shelter facility may allow homeless families on an emergency basis to occupy a sleeping room which does not meet the above minimum sleeping area requirements if the operator makes all reasonable attempts to place the family in another shelter which meets those requirements and so long as the family is placed in a room which complies with these regulations within 72 hours.
- (e) *Number of sleeping rooms.* Every sleeping room in every rooming house or shelter facility shall be numbered in a plain and conspicuous manner, the number to be placed on the outside of the door to such sleeping room. No two doors shall bear the same number. No number on any door of any sleeping room shall be changed to any other number without first securing the written approval of the Director.
- (f) *Preparation or eating of meals in rooming units prohibited.* No occupant of a sleeping room shall prepare meals or store perishable foods therein. The operator shall post in every sleeping room a sign on which shall be written or printed in letters not less than three-eighths-inch in height the following words: "NO COOKING OR STORING PERISHABLE FOODS PERMITTED IN THIS ROOM." Such sign shall remain posted at all times.
- (g) *Bed linens and towels.* The operator of every rooming house or shelter facility shall effect the change of supplied bed linens and towels therein at least once each week and prior to the letting of any room to any occupant. The operator shall maintain all supplied bedding in a reasonably clean and sanitary manner.

- (h) *Shades and drapes.* Every window of every sleeping room shall be supplied with shades, draw drapes, or other devices or materials which when properly used will afford privacy to the occupant of the room.
- (i) *Sanitary maintenance.* The operator of every rooming house or shelter facility shall maintain in a sanitary condition all walls, floors, and ceilings and every part of the rooming house or shelter facility, and the entire premises, where the entire structure or building within which the rooming house or shelter facility is contained is leased or occupied by the operator.
- (j) *Storage and disposal of garbage and recyclables.* Adequate garbage and recyclable storage containers, whose type and location are approved under Chapter 32, shall be supplied by the rooming house or shelter facility operator. The operator shall dispose of all garbage and recyclables in a clean and sanitary manner by placing them in the required containers.
- (k) *Hanging screens, storm doors, and storm windows.* The operator of a rooming house or shelter facility shall hang all screen and double storm doors and windows whenever the same are required under this article or any rule or regulation adopted pursuant hereto except where the owner has agreed to supply such service.
 - (1) *Exception.* During the cold weather period from November 1 to March 31 of each calendar year, having screens installed is optional. Any screens installed must be in a state of good repair.
- (l) *Pest extermination.* Whenever infestation exists in any dwelling or dwelling unit or part thereof, or in the shared or public parts of any dwelling or part thereof containing two or more dwelling units, or whenever infestation is caused by failure of the owner to maintain the dwelling or part thereof in a rat-proof or insect-proof condition, extermination thereof shall be the responsibility of the owner. The owner shall hire a pest management professional to inspect and treat, as necessary, all dwelling units sharing a common wall, floor, or ceiling with the dwelling unit containing the infestation. The pest management professional must provide documentation that the affected dwelling unit and surrounding units are clear and free of infestation and live activity.
- (m) *Exits.* Every sleeping room in every rooming house or shelter facility shall have exits which conform to the exit requirements of the City and State Building Codes, as applicable. In addition, every exit and passageway shall comply with the following:
 - (1) It shall be easily accessible from every sleeping room by passageway, without passing through any part of another sleeping room.
 - (2) It shall be kept in a reasonably good state of repair.
 - (3) It shall be unobstructed at all times.

Sec. 8-633. Reporting of communicable disease by operator.

The operator of a rooming house or shelter facility shall report to the Brown County Health Commissioner or any State of Wisconsin health care professional licensed under Wis. Stats. Ch. 441 (nurses) or Ch. 448 (medical practitioners) immediately upon discovery the name of any person living in the rooming house or shelter facility who is suffering from any communicable disease, as listed in Appendix A to Wis. Admin. Code DHS Ch. 145; and such report shall be made whenever there is reason to believe or suspect that any person in such rooming house or shelter facility may be afflicted with any communicable disease.

Secs. 8-634—8-646. Reserved.

DIVISION 6. DORMITORY FACILITY REGULATIONS

Sec. 8-647. Compliance required.

No person shall operate a dormitory facility or occupy or let to another for occupancy any rooming unit in any dormitory facility except in compliance with the requirements of this division and any other applicable section of this Code.

Sec. 8-648. Permits.

- (a) *Required.* No person shall operate a dormitory facility without a valid dormitory facility conditional use permit issued by the City of Green Bay in the name of the operator and for the specific dwelling or dwelling unit or part thereof within which the dormitory facility is contained, provided the provisions of this section shall not apply to dormitories associated with and run in connection with hotels, motels, and bed and breakfast establishments which are licensed by an agency of the State of Wisconsin.
- (b) *Application.* The operator shall file the application for a dormitory facility conditional use permit and a site plan in accordance with Section 44-83.
- (c) *Issuance of permit.* When the operator has complied with all applicable provisions of this division and any rules and regulations adopted pursuant hereto, the Director shall process the conditional use permit request in accordance with Section 44-83.
- (d) *Nontransferability of permit.* No dormitory facility conditional use permit issued under this division shall be transferable as to person or place. Every operator shall notify the Director of Planning in writing within 24 hours after having relinquished the operation of a dormitory facility and shall file in writing with the Director the name and address of the operator assuming the operation of the dormitory facility. Any operator so assuming operation must have obtained a valid dormitory facility conditional use permit in accordance with this section.
- (e) *Relationship of permit to other codes.* The issuance of a dormitory facility conditional use permit shall not relieve the owner or operator of responsibility for compliance with the Building and Zoning Codes and any other applicable laws of the City and County and applicable rules of the State of Wisconsin.
- (f) *Revocation of permit.* Any dormitory facility conditional use permit that has been issued may be revoked in accordance with the provisions of Chapter 44.

Sec. 8-649. Operator to control occupancy.

No operator shall at any time allow a larger number of persons to occupy any individual or group sleeping room than is permitted by this division.

Sec. 8-650. Applicability of other parts of this article.

No person shall operate a dormitory facility unless all of the requirements of Sections 8-594, 8-595, and 8-596 are complied with, provided for the purpose of interpreting the requirements of the designated sections applicable to the enforcement of this division, the term "dwelling" shall be interpreted to mean dormitory facility and the term "dwelling unit" shall be interpreted to mean rooming unit or part thereof. Every dwelling unit located within a dormitory facility shall comply with all of the requirements for dwelling units as established in this article.

Sec. 8-651. Arrangement, equipping, maintenance, and use of facilities.

- (a) *Toilets and lavatory basins.* At least one toilet and lavatory basin, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a dormitory facility, including members of the operator's family wherever they share the use of such facilities.

- (b) *Baths.* At least one bath, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a dormitory facility, including members of the operator's family wherever they share the use of such facilities.
- (c) *Location of sanitary facilities.* Every toilet, lavatory basin, and bath shall be located within a room which affords privacy to a person within. All such facilities shall be so located within the dormitory facility as to be accessible to the occupants of each rooming unit sharing such facilities without going outside of the dwelling or part thereof and without going through another dwelling unit or part thereof or through a rooming unit or part thereof of another occupant.
- (d) *Minimum area for sleeping purposes.* The capacity of any room occupied for sleeping purposes shall be as follows:
 - (1) Sleeping areas of at least 50 square feet per person residing in the dormitory with no more than four individuals per room, except that more than four individuals may be allowed per room if all said individuals are related by blood, marriage, or adoption.
 - (2) Rooms shall consist of enclosed places having walls that extend from the ceiling to the floor and an entry door.
- (e) *Number of kitchens/dining areas.* Every dormitory shall have one kitchen and dining area for every ten individuals residing in the dormitory facility.
- (f) *Number of laundry facilities.* Every dormitory shall have one laundry facility consisting of a minimum of one clothes washer, one clothes dryer, and one washbasin for every ten individuals residing in the dormitory facility.
- (g) *Number and size of common area/lounge.* Every dormitory shall have one common use area/lounge of at least 600 square feet in size for every ten individuals residing in the dormitory facility for relaxation and recreation of the occupants.
- (h) *Sanitary maintenance.* The operator of every dormitory facility shall maintain in a sanitary condition all walls, floors, and ceilings and every part of the dormitory facility, and the entire premises, where the entire structure or building within which the dormitory facility is contained is leased or occupied by the operator.
- (i) *Storage and disposal of garbage and recyclables.* Adequate garbage and recyclable storage containers, whose type and location are approved under Chapter 32, shall be supplied by the dormitory facility operator. The operator shall dispose of all garbage and recyclables in a clean and sanitary manner by placing them in the required containers.
- (j) *Extermination of pests.* The operator of a dormitory facility shall cause the extermination of any insects, rodents, or other pests therein and on the entire premises where the entire structure or building within which the dormitory facility is contained is leased or occupied by the operator, except that whenever infestation of a dormitory facility is caused by a failure of the owner to maintain the dwelling within which the dormitory facility is contained in a rat-proof or reasonably insect-proof condition, extermination shall be the responsibility of the owner.
- (k) *Exits.* Every sleeping room in every dormitory facility shall have exits which conform to the exit requirements of the City and State Building Codes, as applicable. In addition, every exit and passageway shall comply with the following:
 - (1) It shall be easily accessible from every sleeping room by passageway, without passing through any part of another sleeping room.
 - (2) It shall be kept in a reasonably good state of repair.
 - (3) It shall be unobstructed at all times.

Secs. 8-652—8-668. Reserved.

ARTICLE VII. MANUFACTURED AND MOBILE HOMES

Sec. 8-669. State laws adopted.

Except as otherwise provided in this article, Wis. Stats. § 66.0435, all provisions of Wis. Stats. Ch. 101, and all provisions of Wis. Admin. Code SPS Ch. 326 describing and defining regulations relative to manufactured and mobile homes that the City may adopt as ordinances are hereby adopted and by reference made part of this article as if fully set forth herein. Any future amendments, revisions, or modifications of the statutes and regulations incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of manufactured and mobile homes in the City of Green Bay. A copy of such code shall be on file in the office of the Inspection Division.

Sec. 8-670. Parking of manufactured and mobile homes restricted.

Except as provided in this article, no person shall park within the City any manufactured and mobile home on any street, alley, highway, or other public place or on any privately-owned land.

Sec. 8-671. Manufactured and mobile home park licenses.

- (a) *Required.* No person shall establish, operate, or maintain or permit to be established, operated, or maintained upon any property owned, leased, or controlled by said person a manufactured and mobile home park within the City without first securing a license therefor from the Director of the Department of Community and Economic Development (Director) or their designee, pursuant to this article. Operation in any fiscal year requires a license. Such license shall expire on 12:00 midnight on June 30 annually but may be renewed under the provisions of this article for additional maximum two-year periods.
- (b) *Location restricted.* An application for the construction of a manufactured and mobile home park shall be considered only when its proposed location is within a district zoned to permit such use.
- (c) *Application.* The application for a license or a renewal thereof shall be made on forms furnished by the City and shall include the name and address of the owner in fee of the tract or if the fee is vested in some person other than the applicant, a duly verified statement by such person that the applicant is authorized to construct or maintain the manufactured and mobile home park and make the application, and such legal description of the premises upon which the manufactured and mobile home park is or will be located as will readily identify and definitely locate the premises. The initial application for any existing, new, or revised manufactured and mobile home park shall contain a park plan showing the following, either as existing or as proposed:
 - (1) The area to be used for park purposes.
 - (2) Roadways and driveways.
 - (3) The location and designation of dependent and independent manufactured and mobile home spaces.
 - (4) The location of service buildings and the number of sanitary conveniences, including toilets, washrooms, laundries, and utility rooms, to be used by occupants of the manufactured and mobile home park.
 - (5) A complete layout of storm, sanitary, and water systems for the service building and spaces.
 - (6) The method and plan of garbage removal.
 - (7) A plan for electrical lighting of spaces.
- (d) *Issuance of license.*

- (1) *Approval and fee required.* The application for such license or renewal thereof shall be approved by the Inspection Division. Before a license is issued, the applicant shall pay an annual fee in accordance with Wis. Admin. Code SPS Ch. 326. The fee shall be as provided in the City Fee Schedule. A penalty fee, as provided in the City Fee Schedule, shall apply to renewal applications postmarked after June 30.
- (2) *Municipal sanitary facilities required.* No license shall be issued for a manufactured and mobile home park where municipal sanitary facilities are not available.
- (e) *Revocation and suspension.* A license may be suspended or revoked after a hearing held pursuant to Wis. Stats. § 66.0435. Any hearing for the suspension, revocation, or non-renewal of a license shall be conducted before the Protection and Policy Committee. At the conclusion of the hearing, the Protection and Policy Committee shall recommend to the Common Council that the license be suspended, revoked, or non-renewed if it finds that the licensee committed a violation. The Common Council shall consider and take action on the recommendation of the Protection and Policy Committee within 45 days after the committee adjourns the hearing. Appeal from a decision of the Common Council shall be by petition for writ of certiorari to the Brown County Circuit Court.

Sec. 8-672. Management of manufactured and mobile home parks.

- (a) *Office to be in park.* In every manufactured and mobile home park, there shall be located the office of the attendant or person in charge of such park. A copy of the park license and of this article shall be posted therein, and the park register shall at all times be kept in such office.
- (b) *Duties of attendant and licensee.* The attendant or person in charge, together with the licensee, shall:
 - (1) Keep a register of all occupants, which shall be open at all times to inspection by state, federal, and local officers and which shall show for all occupants of the manufactured and mobile home park the following information:
 - a. Names and addresses.
 - b. Number and ages of all children.
 - c. Number of public elementary school children.
 - d. Number of public secondary school children.
 - e. State of legal residence.
 - f. Dates of entrance and departure.
 - g. License numbers of all manufactured and mobile homes and towing or other vehicles, and states issuing such licenses.
 - h. Place of last location and length of stay.
 - i. Place of employment of each occupant.
 - (2) Maintain the park in a clean, orderly, and sanitary condition at all times.
 - (3) Ensure that the provisions of this article are complied with and enforced and report promptly to the proper authorities any violations of this article or any other violations of law which may come to attention.
 - (4) Collect the monthly parking permit fee and keep a record book showing the names of persons paying such fees and the amounts paid.
 - (5) Submit with the total monthly parking permit fees to the City Treasurer a monthly report showing the names of persons paying such fees and the amount paid if less than for a full month. Such report shall also indicate departure time for current tenants and arrival time for new tenants and departure time if occurring the same month as arrival.

Sec. 8-673. Applicability of plumbing, electrical, and building ordinances.

All plumbing, electrical, building, and other work on or at any park licensed under this article shall comply with City ordinances, the requirements of the State Plumbing, Electrical, and Building Codes, and the regulations of the State Department of Health. Licenses granted under this article grant no permission to erect or repair any structure or to do any plumbing or electrical work.

Sec. 8-674. Variances.

When, in the judgment of the Plan Commission or the Council, a provision of this article may not literally be applied due to unusual hardship, such provision may be altered as long as the basic intent of control herein stated is retained.



Report to the
**Protection and Policy Committee
of the City of Green Bay**

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # X.2

General Ordinance No. 14-24, Creating Section 2-187, Green Bay Municipal Code, relating to Zoning Board of Appeals.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. DRAFT GO 14-24 - Create 2-187 - Zoning Board of Appeals

GENERAL ORDINANCE NO. 14-24

AN ORDINANCE
CREATING SECTION 2-187,
GREEN BAY MUNICIPAL CODE,
RELATING TO ZONING BOARD OF APPEALS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 2-187, Green Bay Municipal Code, is hereby created to read:

Sec. 2-187. – Zoning Board of Appeals

- (a) The Zoning Board Of Appeals shall be composed and organized in accordance with Section 44-138.
- (b) The Board of Appeals shall have jurisdiction over appeals and other matters pursuant to Sec. 8-4 and Sec. 44-139, et seq.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2024.

APPROVED:

Eric Genrich, Mayor

ATTEST:

Celestine Jeffreys, Clerk

jvl

June 25, 2024

PLANNING ORDINANCE NO. 02-24

**AN ORDINANCE
AMENDING THE OFFICIAL MAP OF THE
CITY OF GREEN BAY FROM LAFAYETTE DRIVE TO ERIC STREET
(OMA 24-01)**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. The Official Map of the City of Green Bay, as created by Section 34-1, Green Bay Municipal Code, is hereby amended removing mapped rights-of-way including the future extension of Lafayette Drive to the future extension of Eric Street and replacing with a cul-de-sac at the current east end of Lafayette Drive.

This amendment is depicted on a map attached hereto and made a part of this ordinance as though fully set forth herein.

SECTION 2. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall not take effect until a public hearing is held thereon as provided by Section 12.03, Green Bay Municipal Code, and the adoption and publication of this ordinance.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2024.

APPROVED:

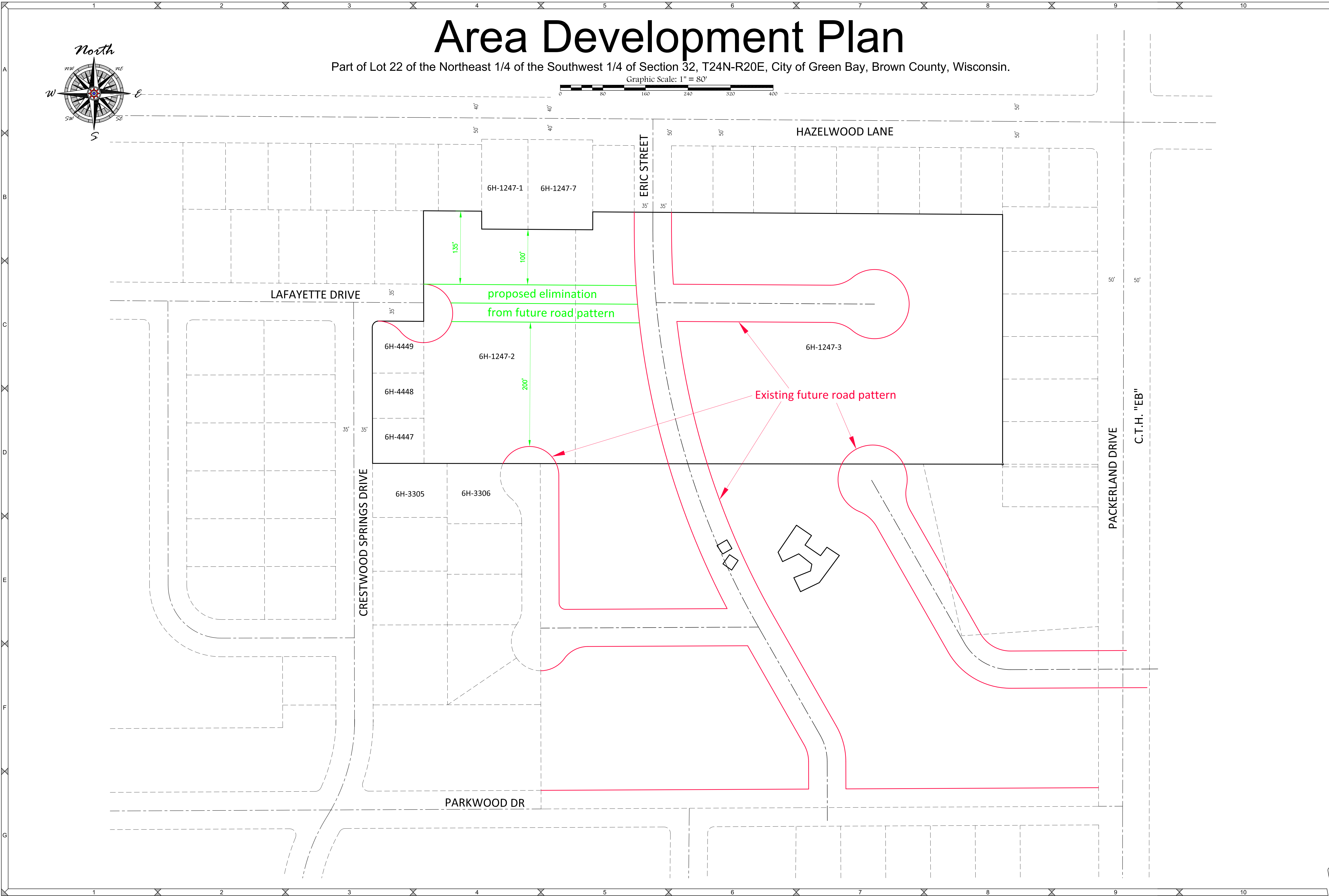
Eric Genrich, Mayor

ATTEST:

Celestine Jeffreys, City Clerk

dm:

Attachments – Map



SCALE
1"=80'

DRAWN BY
BAR

TAX PARCEL NO.

Area Development Plan


vierbicher
planners | engineers | advisors

400 Security Blvd Ste 1, Green Bay, WI (920) 434-9670
Data File: B-15018.txt

Thomas & Mary Saphner

PROJECT NO.
B-15018
SHEET NO.
1 of 1
DRAWING NO.
S-3866



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # X.4

Consideration with possible action on General Ordinance No. 13-24, Repealing and Recreating Chapter 8, Green Bay Municipal Code, relating to Buildings and Construction.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

1. Chapter 8 Updates Memo
2. DRAFT GO 13-24 - Repeal and Recreate Ch 8 - Buildings and Construction

CITY OF GREEN BAY

TO: Mayor Eric Genrich; Common Council

FROM: Assistant City Attorney Lindsay Mather

DATE: June 13, 2024

RE: Updates and Revisions to Building and Trades Codes in Chapter 8, GBMC

Chapter 8 of the Green Bay Municipal Code is being repealed and recreated in its entirety in order to incorporate necessary revisions and updates to the entire code at once. The primary purpose of the updates is to bring the Green Bay Municipal Code into compliance with Wisconsin's Administrative Code. Many changes were grammatical or otherwise non-substantive; however, this memo serves to provide an overview of the large-scale substantive changes.

- Municipalities no longer have the authority to regulate certain areas previously included in Chapter 8; those parts of the code have been removed.
- Provisions that were inconsistent with the state administrative code were removed or amended to resolve the inconsistencies.
- Certain provisions appeared in and/or applied to several of the Articles within Chapter 8. To streamline the chapter and prevent repetition, as well as make those provisions easier to find, they have been incorporated into Article I, "In General."
- Included in the "In General" article is a provision concerning appeals of permit denials and orders issued under Chapter 8. As presently written, the code gives jurisdiction over these appeals to different bodies. These revisions give that jurisdiction to the Board of Appeals.
 - In order to give the Board of Appeals jurisdiction over these hearings, Section 2-187 is being created to add appeals under Chapter 8 to the Board's jurisdiction (in addition to hearings under Chapter 44).
 - Appeals of reinspection fees, which affect the City's budget, will be heard by the Finance Committee, subject to approval by Council.
- The permitting provisions of each Article have been updated to make them more consistent with one another and contain all necessary provisions, including those related to permit revocation.

GENERAL ORDINANCE NO. 13-24

AN ORDINANCE REPEALING AND RECREATING
CHAPTER 8, GREEN BAY MUNICIPAL CODE,
RELATING TO BUILDINGS AND CONSTRUCTION

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Chapter 8, Green Bay Municipal Code, is hereby repealed in its entirety and recreated as shown in the attached Exhibit A, incorporated herein and made part hereof in its entirety by reference.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2024.

APPROVED:

Eric Genrich, Mayor

ATTEST:

Celestine Jeffreys, Clerk

ljm

6/25/2024

Exhibit A

Chapter 8 BUILDINGS AND CONSTRUCTION

ARTICLE I. IN GENERAL

Sec. 8-1. Director of Community and Economic Development to enforce.

The Director of Community and Economic Development is responsible for the enforcement of this chapter and may issue citations hereunder and may delegate such citation authority to their employees. It is declared that the intent of this chapter can be most effectively carried out by the cooperation of all City departments concerned, and all such departments shall cooperate with the Director in the enforcement of this chapter.

Sec. 8-2. Wisconsin Administrative Code to be on file.

Copies of the chapters of the Wisconsin Administrative Code incorporated into this chapter by reference shall be kept on file in the offices of the Department of Community and Economic Development and the City Clerk.

Sec. 8-3. Violations of this chapter.

Whenever the Director determines that there has been a violation or that there are reasonable grounds to believe that there has been a violation of any provision of this chapter or of any rule or regulation adopted pursuant hereto, the Director shall give notice of such violation to the person legally responsible therefor. Such notice shall provide sufficient information to the person responsible as to inform them of the actions necessary to correct the violation and specify a deadline by which such corrections must be made.

Sec. 8-4. Appeals; Zoning Board of Appeals.

- (a) *Jurisdiction.* The Zoning Board of Appeals, organized under Section 44-138, shall have the authority to hear the following matters.
 - (1) Any decision of the Director of the Department of Community and Economic Development (Director) to deny an application for any permit issued under this chapter, or any decision to revoke such a permit.
 - (2) Any error in any order made by the Director in the enforcement of this chapter.
- (b) *Appeal process.* Any person aggrieved by a decision, determination, or order of the Director as described in subsection (a) may appeal the decision, determination, or order to the Zoning Board of Appeals. Unless otherwise provided in this chapter, such appeals shall be governed by the following provisions.
 - (1) The aggrieved person must file a written petition with the City Clerk within 20 days of the decision, determination, or order being appealed or the petition shall be untimely. The petition must identify the permit denial, permit revocation, or enforcement order being appealed, the official who made the decision, determination, or order, and all other relevant facts related to the appeal.
 - (2) The official whose decision, determination, or order is appealed shall submit a written report to the Board describing the reasons for the decision, determination, or order and shall attend the appeal hearing to comment.
 - (3) The Board shall establish a reasonable time for the hearing of the appeal and give public notice thereof. The Board shall render a decision on the appeal within a reasonable time.
 - (4) The Board may reverse or affirm the decision, determination, or order, wholly or partially, as appropriate.
 - (5) A party aggrieved by a decision of the Zoning Board of Appeals under this section may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.

Sec. 8-5. Re-inspection fees.

- (a) *Definition.* The term "re-inspection fee" means a special charge that may be assessed against a property owner by the City in order to defray the administrative cost of exercising jurisdiction over this chapter and conducting related inspections within the City.
- (b) *When assessed.* An inspector may assess a re-inspection fee if a property is not available to be inspected at the time of a scheduled inspection or if all of the following conditions are met:
 - (1) The inspector has found that the owner's parcel is not in compliance with a provision of this chapter;
 - (2) The inspector has informed the property owner of the changes necessary to gain compliance; and
 - (3) Upon subsequent investigation or inspection, the inspector finds that the same violation persists.
- (c) *Fees charged.* Each re-inspection fee shall be as provided in the City Fee Schedule. A separate re-inspection fee may be assessed each time the conditions under subsection (b) of this section exist.
- (d) *Appeals.* Within 30 days of assessment, a property owner against whom re-inspection fees have been assessed may appeal said fees to the Finance Committee.

Sec. 8-6. General penalty.

Unless a more specific penalty is specified, any person who shall violate any provision of this chapter or any rule, regulation, or order made hereunder shall be subject to a penalty as provided in Section 1-6, except that the minimum penalty for each offense shall be \$25.00. Unless otherwise provided, each 24-hour period any such violation is allowed to exist shall constitute a separate violation.

Secs. 8-7—8-18. Reserved.

ARTICLE II. BUILDING CODE

DIVISION 1. GENERALLY

Sec. 8-19. Purpose.

The purpose of this article is to provide minimum City regulations, provisions, and requirements for buildings and structures within the City, thereby increasing safety to persons and property, stable design, and good methods of construction and uses of materials in any building or structure constructed, enlarged, altered, repaired, moved, converted to other use, or demolished; to regulate the equipment, maintenance, condition, use, occupancy, and safety of buildings in the City; and to promote the public health, safety, and general welfare. This article shall apply to new buildings and structures and to alterations and additions to existing buildings and structures within the City.

Sec. 8-20. Applicability.

- (a) *Persons affected.* This article shall be binding upon every owner of a building and every person in charge of or responsible for the condition of any building or structure in the City, or who causes repair or alteration thereof.
- (b) *Buildings affected.* This article shall apply to all buildings and structures, except buildings which were erected in compliance with the City Building Code and/or the State of Wisconsin building code in force at the time of their construction or last change in use and which:
 - (1) Have been repaired and maintained so that the structures are weathertight and the structural members are not hazardous to life or property;

- (2) Are kept free from accumulations of dirt, filth, rubbish, garbage, or other matter in or on the same or in the yards, courts, passageways, or other areas connected or belonging to the same; and
- (3) Do not have cross-connections in plumbing systems that are hazardous to the occupants or violate any provision of the Plumbing Code regarding cross-connections.

Sec. 8-21. Definitions.

The definitions in Wis. Admin. Code SPS § 320.07 shall apply to this article. Additionally, the following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section. Where a conflict exists between a definition in this section and in Wis. Admin. Code SPS § 320.07, the definition in the administrative code shall control.

Accessory building means a detached building, not used as a dwelling unit but incidental to that of the main building and which is located on the same lot. Accessory building does not mean farm building.

Accessory use means a use incidental to the use of the main building or to the principal use of the premises.

Air temperature means a measurement of the temperature of the air and not of radiant heat.

Alley means a public thoroughfare which affords a secondary means of access to abutting property and which is generally fewer than 20 feet wide.

Alteration means an enhancement, upgrading, or substantial change or modification other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning, and other systems within a dwelling.

Apartment means a part of a building occupied or designed or intended to be occupied by one or more persons as a single-living unit or as a single-family housekeeping unit and which includes the use of kitchen facilities, either in private or in common with others.

Approved as to materials and types of construction means approved by the Director as the result of investigation and tests conducted by the Director or an authorized agent or by reason of accepted principles or tests by national authorities or by technical or scientific organizations accepted by the Director. Approvals given shall be in writing, and a copy thereof kept on file in the Building Inspection Division.

Balcony means a landing or porch projecting from the wall of a building.

Basement means that portion of a dwelling below the first floor or groundfloor with its entire floor below grade.

Base flood has the meaning ascribed in Section 44-1045.

Boarding house or lodging house means a building or structure, other than a hotel licensed by the State, where lodging and meals for three or more persons are served for compensation.

Building means:

- (1) *Noun.* Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property. When a structure is divided into separate parts by unpierced walls extending from the ground up, each part is deemed a separate building.
- (2) *Verb.* Any enlargement, alteration, movement, or demolishing of any building or structure, and also any new heating plant or any material alteration in any existing heating plant, toilet room, or elevator.

Court means an open, unoccupied space other than a yard on the same lot with a building.

Inner court means any court other than an outer court.

Outer court means a court which extends directly to and opens on a street or other permanent open space or on a required yard.

Department means the Department of Community and Economic Development.

Director means the Director of the Department of Community and Economic Development or their designee.

Dwelling means any building, or portion thereof, which is designed or used exclusively for residential purposes.

One-family dwelling means a building designed and occupied exclusively by one family.

Two-family dwelling means a building or portion thereof designed for or occupied by not more than two families.

Extermination means the control or elimination of infestation by eliminating harboring places and removing or make inaccessible materials that may serve as food or by poisoning, spraying, trapping, fumigating by a licensed fumigator or any other effective elimination procedure.

Family means one or more individuals living on a premises as a single housekeeping unit.

Filling station means a place where gasoline, kerosene, or any other fuel, lubricating oil, or grease for operating motor vehicles is offered for sale at retail to the public and where deliveries are made at the time of sale and directly into the motor vehicles, including greasing and oiling on the premises.

Full story. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it; or if there is no floor above it, then the space between the floor and the ceiling next above it, not including in either case mezzanine floors or balconies.

Garage means a space or structure used for storing motorized vehicles that has any more than two sides completely enclosed.

Community garage means a garage, or a series of garages, for use only for the storage of noncommercial vehicles of residents of the neighborhood.

Privage garage means a garage, for private use only, for the storage of not more than four motorized vehicles, including not more than one commercial vehicle, which shall be of less than two-ton capacity.

Public garage means a garage other than a private or community garage used for the storage, sale, hire, or repair of motor vehicles or of vehicles used in connection therewith.

Habitable room means any room in a dwelling unit used for sleeping, living, or dining purposes.

Half story. That part of a building between the eaves and the ridge line of pitched roofs used for storage or occupancy. When designed and constructed for limited storage, such portion is an attic.

Homeless family means a group of one or more related individuals who are homeless individuals.

Homeless individual means an individual who lacks a fixed and regular nighttime residence or an individual whose primary nighttime residence is a supervised public or privately-operated shelter designed to provide temporary living accommodations. Temporary living accommodations include welfare hotels, congregate shelters, and transitional housing.

Hotel means a building in which lodging and board is provided to the public for compensation and which caters to daily transient guests.

Impervious to water means constructed of concrete, cement block, terrazzo, brick, tile, or other similar material approved by the Director and having tight-fitting joints and more than four and one-half percent absorption by test.

Infestation means the sustained presence of household pests, vermin, or rodents.

Living room means a room used for sitting, dining, or cooking purposes, but does not include a room designed for laundry, workshop, furnace, play, or storage purposes.

Mezzanine floor means a balcony-like floor located between a main or full floor and the main ceiling next above and not exceeding in area more than one-third of such main or full floor.

Occupant means any individual residing in a dwelling.

Owner means the State, the City, the University of Wisconsin-Green Bay, any sewer or drainage district, any person, firm, partnership, corporation, or organization of any kind having a legal or equitable interest in a property.

Plumbing means all gas pipes and gas burning equipment, waste pipes, water pipes, water closets, sinks, lavatories, bath tubs, catch basins, drains, vents, and any other fixtures, together with connections to the water, sewer, or gas lines.

Provided means furnished, supplied, or paid for by, or under control of, the owner.

Rooming house means a building or structure, other than a hotel licensed by the State, where three or more persons are lodged for compensation.

Service station means a garage, other than a public garage, used in connection with liquid fuel dispensing stations and in which one or more vehicles can be accommodated for washing, greasing, oil changing, tire and battery replacement, or similar minor operations or adjustments.

Shelter facility means a temporary place of lodging for homeless individuals or homeless families.

Sleeping room means a room used for sleeping purposes.

Street means a public or private right-of-way, lane, or way set aside permanently for common travel and being 21 feet or more in width if it existed on November 3, 1959.

Structural alteration means any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

Structure means anything constructed, the use of which requires location on the ground or attachment to something having a permanent location on the ground.

Yard means an open, unoccupied space on the same lot with a dwelling and lying between the front, rear, or sides of the dwelling and the respective lot lines.

Sec. 8-22. Incorporation by reference.

The Wisconsin Uniform Dwelling Code, Wis. Admin. Code SPS chs. 320 to 325, and Commercial Building Code, Wis. Admin. Code SPS chs. 361 to 366, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein. Any conflict between this article and the Wisconsin Administrative Code shall be resolved in favor of the Wisconsin Administrative Code.

Secs. 8-23—8-45. Reserved.

DIVISION 2. ADMINISTRATION

Sec. 8-46. Division of Building Inspection.

- (a) *Duties.* The Director shall enforce all state laws, City ordinances, and lawful orders relating to the construction, alteration, repair, removal, location, occupancy, safety, and use of buildings and permanent building equipment.
- (b) *Records.* The Director shall keep records of and make monthly and annual reports to the Council on all of the following.
 - (1) All applications for building permits, which shall be numbered in the order of issuance.
 - (2) The number, description, and size of every building erected, which shall indicate the materials used and the cost of each building, as well as the aggregate cost of all buildings of the various classes.

- (3) All inspections made and all removals and condemnations of buildings.
- (4) All related fees collected, including the dates of their receipt and delivery to the City Treasurer.
- (d) *Powers.*
 - (1) *Inspection.* The Director may at all reasonable times for any proper purpose enter upon any public or private premises and make inspections thereof and may require the permit for any building, electrical, heating, or plumbing work, or the required license therefor, to be produced for inspection.
 - (2) *Emergency powers.* The Director shall have such emergency powers as are necessary to fulfill the purpose and intent of this article; that is, to promote the public health, safety, and welfare.

Sec. 8-47. Building permits.

- (a) *Building permit required.* No person shall erect or construct any building or structure, or shall add to, enlarge, move, improve, alter, convert, extend, or demolish any building or structure or cause the same to be done, or shall commence any work covered by this article on any structure without first obtaining a building permit therefor from the Director, provided the Director may authorize minor repairs not involving structural alterations without requiring a building permit to be issued.
 - (1) *Residential properties.* The Director may issue a permit under this section to an owner currently living and residing at the property. For residential properties not occupied by the owner, the Director shall only issue a permit under this section to a contractor who holds a dwelling contractor certification or dwelling contractor qualifier certification issued by the State of Wisconsin.
- (b) *Application.* An application for a building permit shall be filed with the Director on a blank form to be furnished for that purpose. Such application shall describe the land upon which the proposed building or work is to be done, either by lot, block, tract, or similar general description which will readily identify and definitively locate the proposed building or work, shall show the use or occupancy of all parts of the building, and shall include such other pertinent information as may be required by the Director.
- (c) *Information to accompany application.*
 - (1) *Site plan.* Each application for a building permit shall be accompanied by two copies of a site plan, drawn to scale, where not less than one inch equals 20 feet nor more than 1/16-inch equals one foot, which shows the actual dimensions of the lot to be built upon, the size and location of the buildings to be erected, the proper relationship of the buildings to the exterior lines of existing or proposed streets shown on the Official Map, and such other information as may be necessary to provide for the enforcement of this article. Such site plan shall indicate the detailed legal description of the property as it appears of record. In the case of unplatted land or parcels conveyed by metes and bounds, the site plan, together with sufficient measurements to permit property determination, shall be submitted to the Director, who shall certify as to whether the proposal is in conflict with the Official Map.
 - (2) *Other data required.* The following data shall be a part of, or shall accompany, all site plans submitted for approval:
 - a. The location of streets, alleys, lot lines, and any other buildings on the same lot or property.
 - b. The name of the owner.
 - c. The intended use of all rooms.
 - d. When required by the Director, computations, stress diagrams, and other data necessary to show the correctness of the plans.
 - (3) *Foundation specifications.* When necessary, information concerning the size and material of the foundations and, if required, the loads to be placed thereon, where piles are to be driven, and the spacing, size, and materials of the piles and the load to be placed on each shall accompany the application for a building permit.

(e) *Conditions of approval of application.*

- (1) *Sanitary sewers.* Where sanitary sewers are not installed or immediately available, no building permit shall be issued by the Director until a plumbing permit for an individual sewage disposal system has been issued in accordance with Section 8-370.
- (2) *Right to inspect.* The Director may, as a condition of the granting of a building permit, enter any premises for which such permit was issued at any reasonable time during the course of the work and until final inspection and approval thereof has been given to inspect such premises for compliance with all statutory and ordinance regulations concerning the construction, repair, use, and location of such building.
- (3) *Buildings covered by State Building Code.*
 - a. *Approval of plans.* Before a permit is issued for any building listed in subsection (e)(3)b or for the equipment for remodeling any such building, complete plans and specifications, including a site plan showing the position of the building with respect to lot lines, shall be submitted to the State Department of Safety and Professional Services for approval in accordance with the Wisconsin Administrative Code. Such plans shall be submitted to the State in such number as will permit a complete set of approved plans and specifications, together with any correspondence concerning such approval by the State, to be filed with the Department of Community and Economic Development.
 - b. The Department of Safety and Professional Services must approve permit applications for the following types of buildings:
 1. Hospitals.
 2. Buildings containing elevators.
 3. Buildings containing fire sprinkler systems or fire alarm systems.
 4. All other buildings required by state law or administrative regulation to be submitted.
 - c. *Changes in approved plans.* After plans have been approved for buildings and equipment thereof, no changes shall be permitted unless such changes are approved by the Department of Safety and Professional Services.
 - d. *Inspection of buildings covered by State Building Code.* The Director shall make inspections and require such changes as will be necessary for buildings and their equipment to conform with the approved plans, or the approved changes in such approved plans, which have been filed in their office.

(f) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Building Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.

(g) *Permit fees.*

- (1) Fees for building permits issued under this section shall be provided in the City Fee Schedule.
- (2) If an application for a building permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.

(h) *Issuance of building permit.*

- (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a building permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp both sets of plans and specifications as "approved."

- (2) *Who shall have plans and specifications.* One such approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
- (3) *Evidence of permit.* With every permit, Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
- (4) *Lapse.* A building permit shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further construction is necessary after one year, the permit holder shall make written application in duplicate to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the building permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
- (5) *Revocation.*
- a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the building permit shall be revoked by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work upon the subject building until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (7) *Preliminary foundation permit may be issued.* Whenever any person has applied for a building permit and all of the provisions of this section have been complied with, particularly with respect to review and approval of the site plan and other necessary conditions of approval as set forth in subsection (e) of this section, the Director may issue a preliminary foundation permit allowing the permittee to construct the foundation of any building for which a permit is sought. Thereafter, the Director may issue the final permit upon approval of plans and specifications for the remaining portion of the building to be constructed above the foundation. Nothing contained herein shall require the Building Inspector to issue the final permit unless the plans and specifications for the remainder of the building to be constructed above the foundation are in proper order and approved. The Director shall not issue such preliminary foundation permit unless all necessary information provided hereunder has been

reviewed and approved by the appropriate City departments and the only information remaining to be approved is the computation, stress diagrams, and other data necessary to show the correctness of the plans for that portion of the building to be constructed above the foundation.

- (i) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Secs. 8-48—8-67. Reserved.

DIVISION 3. ENFORCEMENT

Sec. 8-71. Unsafe buildings; razing or repair.

- (a) *Order to raze.* If any building located within the City is old, dilapidated, or out of repair and consequently dangerous, unsafe, unsanitary, or otherwise unfit for human habitation and unreasonable to repair, the Director may order the owner of the building to raze and remove such building; or, if the building can be made safe by reasonable repairs, order the owner to either make the building safe and sanitary or raze and remove it, at the owner's option; or, where there has been a cessation of normal construction of a building for more than two years, order the owner of the building to raze and remove such building. Any order issued under this section shall specify the repairs necessary to make the building safe and sanitary and shall specify a time within which the owner shall comply therewith. Such order shall be served as provided by Wis. Stats. § 66.0413.
- (b) *Failure to comply with order.*
 - (1) If the owner fails or refuses to comply with an order issued under this section within the time prescribed, the Director shall cause such building either to be razed and removed as provided by Wis. Stats. § 66.0413, through any available public agency or by contract or arrangement with private persons, or to be closed if unfit for human habitation, occupancy, or use.
 - (2) The cost of such razing and removal or closing shall be charged against the real estate and shall be assessed and collected as a special charge. When any building has been ordered razed and removed, the Director may sell the salvage and valuable material at the highest price obtainable. The proceeds of such sale, after deducting the expense of razing and removal of the building, shall be promptly remitted to the Circuit Court with a report of such sale or transaction, including the items of expense and the amounts deducted, for the use of the person entitled to the net proceeds, subject to the order of the Court. If there remains no surplus to be turned over to the Court, the report shall so state.
 - (3) If a building subject to a raze order under this section is unsanitary and unfit for human habitation, occupancy, or use and is not in danger of structural collapse, the Director shall post a placard on the premises containing the following notice: "This Building May Not Be Used For Human Habitation, Occupancy, or Use." The Director shall prohibit use of the building for human habitation, occupancy, or use until the necessary repairs have been made. Any person who rents, leases, or occupies a building which has been condemned for human habitation, occupancy, or use shall be fined not less than \$5.00 nor more than \$50.00 for each week of the violation.

Secs. 8-72—8-98. Reserved.

DIVISION 4. INSPECTION

Sec. 8-99. Structural portions to be inspected.

No structural portion of any part of any building or structure not supervised by an architect or professional engineer or their authorized representative, and no reinforced steel, structural framework of iron or steel, brick, concrete block, frame, or any other materials used in the structural part of any building shall be covered or concealed in any manner without first securing the approval of the Building Inspection Division. The Building Inspection Division shall be notified at least one working day prior to such time as the work is to be inspected.

Sec. 8-100. Successive inspections to be made.

No work shall be done on any part of a building or structure beyond the point indicated in each successive inspection without first obtaining the approval of the Building Inspection Division. Upon notification by the permit holder or an agent of the completion of each of the respective steps in construction, the Director shall make the following successive inspections in accordance with the Department of Safety and Professional Services Administrative Code and shall either approve that portion of the construction as completed or shall notify the permit holder or an agent where the same fails to comply with the law:

- (1) Residential and/or commercial building inspections are required following specific phases of the construction process. The list in this section is not exhaustive, and additional inspections may be required as appropriate. The Director shall perform an inspection following each of the following steps in construction:
 - a. *Footings.* When forms for footings are in and ready to be poured. Forms for footings shall be framed with a minimum depth of six inch framing members.
 - b. *Foundation.* When footings are fully installed and the permit holder is ready to install concrete for the walls.
 - c. *Tar, stone, and tile.* When the walls are up and stone, tile, and damproofing have been installed.
 - d. *Rough-in.* When the roof and all framing, fire blocking, and bracing are in place, and all pipes, chimneys, and vents are completed.
 - e. *Insulation.* When the insulation has been installed.
- (2) *Certificate of occupancy.* The Chief Building Official, Plumbing Supervisor, Heating Inspector, Electrical Inspector, Engineering Department agents, and Fire Department Prevention Bureau, or their designees, shall each make a final inspection of all new buildings, additions, and alterations. If no violation of this article or any other ordinance, law, or order is found and if there is a sewer connected to the public system or a system approved by ordinance, a connection with adequate water supply and access to the premises by a graded and graveled public road, and the buildings, additions, and alterations are in compliance with the City's building, electrical, heating and air conditioning, plumbing, rat prevention, and fire prevention and control ordinances, the Director shall issue a certificate of occupancy stating the purpose for which the building is to be used and the maximum load and maximum number of persons that may be accommodated on each floor thereof. No building or part thereof shall be occupied until such certificate has been issued, except with the written consent of the Director, nor shall any building be occupied in any manner which conflicts with the conditions set forth in the certificate of occupancy. In no case shall a certificate of occupancy be issued until complete compliance with the conditions stipulated on the site plan have been met, except such certificate may be issued prior to complete compliance provided that a cash bond in an amount equal to the cost of site plan compliance, as stipulated by the Director of Public Works and indicated on the site plan, has been deposited with the City Treasurer. If all conditions have not been met within 60 days after notice by the Director of Community and Economic Development, the Director of Public Works may make the

necessary installations as provided in the site plan and charge the same to the cash bond account for that particular building.

- (3) *Commercial partial and/or temporary occupancy.* Partial and/or temporary occupancy of a building may be granted subsequent to the original site plan approvals if the following conditions are met:
- a. The applicant has submitted a Life Safety Plan containing the stamped seal of the supervising professional. Said Life Safety Plan shall demonstrate to the satisfaction of the Director that all life safety components for the entire building have been completed or that an equivalent or better level of protection is in place.
 - b. The Director and the Fire Chief have reviewed and approved the revised Life Safety Plan described in this subsection.
 - c. The applicant has paid an additional permit fee in an amount determined by the Director, which amount shall reflect the actual administrative costs of issuing the partial or temporary certificate of occupancy. In determining the fee amount, the Director may consider all relevant factors, including, but not limited to, the timing or urgency of the request for the partial or temporary occupancy permit, the number of inspections required to grant the partial or temporary occupancy permit, and the percentage of the building included in the partial or temporary occupancy permit. The fee for the partial or temporary occupancy permit shall not exceed fifty percent of the total permit fee.

Secs. 8-101—8-128. Reserved.

DIVISION 5. BUILDING SITE REGULATIONS

Sec. 8-129. Excavations.

- (a) *Excavation plans to be submitted in advance.* A building permit shall be obtained before commencing with excavation or driving piles for any foundation of any building or structure. The application for a building permit shall be filed with the plans and specifications of the building showing the location of the building or structure, the size and material of the foundation, and, if required, the loads to be placed thereon, where piles are to be driven, the spacing, size, and materials of the piles and the load to be placed on each.
- (b) *Guard rails.* Any person making excavations or causing the same to be made shall properly guard them and shall so protect them that the adjoining soil shall not cave in. No one shall excavate so as to injure any adjoining soil, ground, or building. Wherever such excavations are made within ten feet of any sidewalk, street, or alley, guard rails and warning lights and signs determined to be proper by the Director shall be installed and maintained. The Director may require guard rails around such other excavations as such they believe the protection of the public requires.

Sec. 8-130. Abandoned or water-filled excavations.

- (a) *Open basements.* Any open basement or basement excavation on which no work has been performed for a period of 60 days after the commencement of building or razing shall constitute a nuisance and the owner or contractor shall, within five business days of receipt of written notice from the Director, cause such basement or basement excavation to be properly filled and leveled off to the original grade. All concrete, including footings and foundations, must be removed in its entirety prior to such filling and shall not be buried.
- (b) *Fill and debris.* Any fill or debris on land or lots that has not been leveled off or removed within 30 days after its deposit and which is harboring rodents, preventing noxious weeds from being cut, or otherwise creating a nuisance shall be subject to the issuance of written orders by the Director requiring the leveling or removal of such fill or debris within 48 hours of receipt of such orders.
- (c) *Water-filled excavations.* Any open

basement or basement excavation in which one foot or more of water is permitted to stand shall constitute a nuisance and the owner shall, within 48 hours of receipt of written orders from the Director, cause the excavation or basement to be pumped dry.

- (d) *Publication of notice.* If the address of the owner or contractor cannot be ascertained with reasonable diligence, then the 48-hour period provided in subsections (a) through (c) of this section shall commence to run at the beginning of the day following two successive publications of the notice in the official newspaper.
- (e) *Failure to comply.* Failure to comply with a written order from the Director shall be cause to have the work done to abate the nuisance in accordance with Chapter 24, and the cost thereof charged back to the property or property owner.

Sec. 8-131. Littering and damage to property.

- (a) *General provisions.* No person engaged in work for which a building permit has been issued shall cause, maintain, or permit the littering of any public or private property with mud, dust, brush, stumps, tree limbs, construction, or other types of debris; nor shall such person cause damage to any public street, sidewalk, alley, curb, gutter, sewerage system, or property.
- (b) *Littering at razing or removal site.* No person shall leave litter, building debris, excavations, or ground piles on property on which a building is being razed or from which a building has been moved. If work is not being done in a satisfactory manner or is not progressing, thus causing a public safety hazard and nuisance, the Director shall issue a written order to the property owner specifying a definite period within which persons concerned shall clean up the property and level off the ground to the adjoining level, the City shall cause such work to be done to abate the nuisance in accordance with Chapter 24, and the cost thereof charged back to the property or the property owner.

Sec. 8-132. Lot corners.

- (a) *To be monumented.* Prior to issuance of a building permit, all lot corners of the property upon which any building or structure is to be located shall be monumented by a registered land surveyor. These monuments shall be marked by wooden guard stakes.
- (b) *Monuments to be maintained.* The lot corner monuments and guard stakes shall be maintained and kept readily visible until the footings have been inspected and approved by the Director.

Secs. 8-133—8-165. Reserved.

DIVISION 6. BUILDING CONSTRUCTION REGULATIONS

Sec. 8-166. Minimum building elevations.

- (a) The first habitable floor of any building or structure shall not be constructed below the current city elevation.
- (c) Uses requiring floodproofing measures shall be designed consistent with the current flood protection elevation. The Director shall require that the applicant submit a plan or document certified by a registered professional engineer or architect that the floodproofing measures are consistent with the flood protection elevation. Floodproofing measures shall include, but are not limited to, the following:
 - (1) Installation of water-tight doors, bulkheads, and shutters.
 - (2) Reinforcement of walls to resist water pressure.
 - (3) Use of paint, membrane, or mortar to reduce seepage of water through walls.
 - (4) Construction of water supply and waste treatment systems to prevent the entrance of floodwaters.

- (5) Pumping facilities for subsurface drainage systems for buildings, to receive external foundation wall and basement floor pressures.
- (6) Construction to resist rupture or collapse caused by water pressure or floating debris.
- (7) Installation of cutoff (backwater) valves on sewer lines or elimination of gravity flow basement drains.
- (8) Anchorage to resist flotation and lateral movement.
- (9) Addition of mass or weights to structures to resist flotation.
- (10) Installation of pumps to lower water levels in structures.
- (d) Accessory uses such as parking lots, yards, and other similar land or open land uses may be permitted at the current base flood elevation.
- (e) Fill shall be placed around buildings and structures to a minimum of one foot above base flood elevation and shall extend at such elevation at least 15 feet in each direction from the structure thereon. Fill material shall be stabilized in a manner recommended by the U.S. Soil Conservation Service and protected against erosion.

Secs. 8-167—8-202. Reserved.

DIVISION 7. OTHER CONSTRUCTION REQUIREMENTS

Sec. 8-203. Materials approved by Department of Safety and Professional Services.

Materials not listed in this article but approved by the State Department of Safety and Professional Services may be used in any building in the City, provided the necessary test sheets verifying such approval are on file in the office of the Department.

Sec. 8-204. Prefabricated and other similar buildings.

Nothing in this article shall prevent the erection of prefabricated, component, pre-cut, stressed-skin, or unit-constructed buildings, provided such buildings meet or are modified to comply with all requirements of this article.

Sec. 8-205. Items not covered by this article.

Any item, phase, or area of construction not specifically covered by this article shall meet with the approval of the Director. This article shall not be interpreted to limit the scope or use of other construction practices not specifically covered herein, provided the standards of construction and safety intended by this article are maintained. Detailed material, information, and structural design data on other construction practices shall be submitted to the Director for approval prior to starting construction.

Secs. 8-206—8-234. Reserved.

DIVISION 8. HOUSING REQUIREMENTS

Sec. 8-235. Buildings affected.

This division shall apply to buildings hereafter constructed which are not covered by the State Building Code. Sections 8-238 through 8-240 shall also apply to buildings heretofore constructed which are not covered by the State Building Code.

Sec. 8-236. Light and air regulations.

Every room used for human habitation, including bath and toilet rooms, shall be lighted directly upon a street or alley, upon a court on the same lot with the building, or upon the sky. Every court which is bound on one side by a lot line and which opens at one or both ends to the street, alley, or yard shall be an outer line court and shall be at least three feet wide. Every court which is between two buildings or parts of buildings on the same lot and which opens at one or both ends to the street, alley, or yard shall be an outer court and shall be at least six feet wide. Every court which is bounded on one side and both ends by walls and on the remaining side by a lot line shall be an inner lot line court and shall be at least six feet wide and at least 60 square feet in area. Every court which is bounded on all sides by walls shall be an inner court and shall be at least ten feet wide and at least 150 square feet in area. No building shall be built, altered, or enlarged so as to encroach upon the space reserved under this section for light and air.

Sec. 8-247. Ceilings.

All habitable rooms in each dwelling unit shall maintain a minimum ceiling height of seven feet. If beams or girders are exposed below the normal ceiling, a height of seven feet shall be maintained between the floor and the beams or girders. Rooms with sloping ceilings shall maintain a seven-foot average. In one-half story residences, areas with less than five feet of head room at the sides shall not be included in the above requirements, but the center ceiling height shall be at least seven feet.

Secs. 8-248—8-273. Reserved.

DIVISION 9. OTHER BUILDING REGULATIONS

Sec. 8-274. Razing of buildings.

- (a) *Permit required.* No person shall raze any building in the City without first securing a permit therefor from the Department and a permit for the sealing of the sewer from the Director. No permit shall be granted unless the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. The applicant shall agree to indemnify and hold the City harmless from all liability arising out of the job. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the permit, and no work shall be done under such permit until a new certificate of insurance certificate complying with this subsection has been filed with Risk Management. No certificate of insurance is required if either of the following conditions exists:
- (1) The building is located in a residential zoning district and is set back at least ten feet from all property lines.
 - (2) The building is located in any zoning district, is an accessory building as defined in Section 44-249, is no greater than one story, and is set back at least ten feet from all property lines, or is constructed and situated upon the property so that the same may be razed with no damage resulting to the person or property of others as determined by the Director and Risk Manager. Anyone aggrieved by such determination may appeal that decision to the Protection and Policy Committee in accordance with Wis. Stats. Ch. 68.
- (b) *Requirements.* The holder of a permit to raze a building shall comply with the following requirements:
- (1) *Property to be protected.* Streets, alleys, and private property shall be properly protected by erecting proper fences and scaffolds. If scaffolds are to be built on streets or alleys, they shall be properly protected with a top cover of planks, guard rails, and toe-boards to prevent the falling of debris on sidewalks or streets. The top of the scaffold shall be at least eight feet above the sidewalk or alley.

- (2) *Walls to be supported.* No person shall remove all horizontal support from exterior walls or partitions thereby permitting them to stand unsupported.
- (3) *Buildings to be razed floor-by-floor.* In buildings of more than one story, the exterior walls, interior partitions, and other supports shall be removed floor-by-floor, using the floor below as protection from falling debris and to prevent exterior and interior walls from collapsing.
- (4) *Razing to be gradual.* No walls, chimneys, or other construction shall be allowed to fall en masse on a floor and bulky material such as beams and columns shall be lowered and not thrown.
- (5) *Cranes.* Cranes may be used in wrecking or demolishing buildings provided the other requirements of this subsection are met.
- (6) *Sewers.* When a building is moved or demolished, its sewer shall be located at a point outside the foundation lines and sealed off. The plug or seal shall not be covered until the Director or a plumbing inspector under Section 8-356 gives approval.
- (7) *Obstruction of streets.* When razing requires the obstruction of a public street, alley, or sidewalk, a permit must be obtained from the Director of Public Works as provided in Section 34-11 before work on razing the structure can begin.
- (8) *Filling basement and excavated areas.* All loose material and debris shall be removed from the basement, crawlspaces, and other excavated areas. Upon ascertaining that all openings, pipelines, drains, and similar components have been properly capped, all basements, crawlspaces, excavated areas, and other below-grade voids resulting from the removal of pavements, slabs, foundations, and the like shall be filled to within four inches of finished grade with granular fill material. The material shall be well graded, free from debris and organic material. All granular fill shall be placed in layers of 12 inches or less and shall be compacted to not less than 95 percent of Modified Proctor (ASTM D-1557).
- (9) *Completion of project.* When razing activities are completed, the disturbed area shall be graded so that no gradients in disturbed earth shall be steeper than a slope of three to one (horizontal to vertical). A layer of arable topsoil capable of supporting perennial grasses shall be spread over the disturbed area to a minimum depth of four inches. The area shall be seeded with a perennial grass capable of survival in this climate and maintained until the area is stabilized and developed with zoning and other applicable provisions of this Code.

Sec. 8-275. Moving of dilapidated or detrimental building prohibited.

- (a) *Dilapidated buildings.* No permit shall be granted for the moving of any building from one location to another which, in the judgment of the Director, is so dilapidated and so out of repair as to be unsanitary or unfit for human habitation, occupancy, or use or is so out of repair that it would be unreasonable to repair the same.
- (b) *Detrimental buildings.*
 - (1) To protect and conserve the value of neighboring property, no permit shall be granted for the moving to a location within the City of any building which, in the judgment of the Director, would be detrimental to the character of the intended neighboring property. Such consideration shall be made on the basis of compatibility of external appearance, size, and architectural quality in relation to existing structures.
 - (2) The application for a moving permit shall be accompanied by three copies of a site plan of the proposed site, with such additional material as would permit the application of the foregoing standards.
- (c) *Denial; appeal.* The refusal to grant a moving permit shall be in writing and shall contain a detailed statement as to why the relocation would be detrimental to the value of the neighboring property, if such is the case. The applicant or any aggrieved party may, within ten days of the granting or refusal of a moving permit,

appeal to the Board of Appeals. The Board of Appeals shall hear such appeal in accordance with procedures which it shall provide.

Sec. 8-276. Building maintenance.

- (a) *Hazardous conditions.* A person who owns, leases, or occupies a building shall keep the building from structural or other conditions that constitute a substantial hazard to the health or safety of its occupants or create an unreasonable risk of personal injury as a result of any reasonably foreseeable use of the building other than negligence by an occupant.
- (b) *Common areas.* A person who owns a commercial building and leases the building to multiple tenants shall keep all common areas of the building maintained in a manner that is safe, functioning, sanitary, and undamaged.
- (c) *Building exterior.* A person who owns a building shall keep all exterior and weatherproofing components maintained in a manner that is safe, functioning, cleanable, and undamaged.
- (d) *Other structures.* Accessory structures, temporary structures, fences, and other structures shall be kept in a manner that is safe, functioning, cleanable, and undamaged.
- (e) *Insufficient repairs.* A person who owns a building shall ensure all repairs to the building are performed in a workmanlike manner. The term "workmanlike manner" includes, but is not limited to:
 - (1) The use of materials that have a consistent texture, color, quality, or appearance with adjacent materials.
 - (2) The complete performance of a job which does not leave unfinished edges, exposed nails or screws, loosely attached materials, or similar conditions.

Secs. 8-277—8-324. Reserved.

DIVISION 10. OTHER STRUCTURES

Sec. 8-325. Billboards and signs.

- (a) *General.* Billboards and signs are subject to all applicable regulations in Chapter 30.
- (b) *Materials to be used within Commercial Construction District.* When erected or maintained within the Commercial Construction District, billboards and signs shall be constructed and maintained entirely of incombustible materials, including the structural parts of the frames of such structures; except that braces, uprights, and the skeleton frames of billboards and signboards to which the metal facing is fastened may be wood.
- (c) *Not to be an obstruction.* No billboard or sign or any part of such structure, or any anchor, brace, guide wire, or guide rod shall be attached, fastened, or anchored to any fire escape, fire ladder, or stand pipe; and no such structure or any part of such structure, or any anchor, brace, guide wire, or guide rod shall be erected or maintained so as to cover or obstruct any doors, doorways, or windows or so as to prevent or hinder the raising or placing of ladders against any such building by the City Fire Department if necessary.
- (d) *Signs in public places.* No person shall erect, fasten, post, paint, or maintain any sign, picture, poster, or advertisement of any description upon any curb, sidewalk, fence, board, barrel, box, case, railing, pole, post, barricade, material, bridge, bridge fender, dock, pile, structure, or building of any kind placed upon any street, alley, public way, public ground, or public waterway.
- (e) *Temporary banner.* No person shall erect or maintain any temporary banner or sign extending beyond the curblineline of the street.

Sec. 8-326. Awnings over streets or sidewalks.

No person shall erect, repair, or maintain any awning over any sidewalk or street within the City except in accordance with this section.

- (1) *Permit required.* No person shall erect any awning over any sidewalk or street without first obtaining a permit therefor from the Director. No permit shall be granted unless the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager.
- (2) *Specifications.* Any awning erected over any sidewalk or street within the City shall be constructed of an adjustable iron frame firmly secured in place and covered with canvas or other suitable material. Such frame shall be at least 7½ feet in height above the highest point of the walk, and the lowest point of the flap or fringe of such awning shall not be less than 6½ feet above the sidewalk immediately beneath it.
- (3) *Permanent metal awnings.* Permanent metal-type awnings may be erected provided that a minimum clearance of ten feet is allowed from the sidewalk to the lowest part of the awning.

Sec. 8-327. Canopies, hoods, and projecting signs.

No permanent hood, canopy, or projecting sign shall be constructed unless in the manner herein provided.

- (1) *Permit and inspections required.* No canopy, hood, or projecting sign shall hereafter be erected without a permit therefor being first secured from the Director. All such canopies, hoods, or projecting signs shall be inspected yearly by the Director.
- (2) *Certificate of insurance for canopies, hoods, or projecting signs over the public right-of-way.* No permit shall be granted until the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the permit until a new certificate complying with this subsection has been filed with Risk Management.
- (3) *Clearance.* There shall be not less than ten feet between the grade of the sidewalk at any point and the lowest point of any appendage or projection of any canopy, hood, or projecting sign extending over a public street right-of-way.
- (4) *Project toward streets.* The projections of permanent hoods, canopies, or projecting signs shall not extend over the street nearer than two feet from a vertical projection of the outside face of the curb.
- (5) *Height.* The overall height of canopies or hoods, including all projections, ornamentations, accessories, or appurtenances, shall not exceed six feet. After the original erection, no sign, poster, or other thing extending beyond six feet above the ten-foot clearance required of such canopy shall be added to such canopy or hood. The maximum distance to the top of any canopy, including all projections, ornamentations, or appurtenances, signs, or other part of the canopy, shall not exceed 16 feet from any point of the sidewalk.
- (6) *Accessories to installations.* Any necessary appurtenances or signs of a temporary or permanent installation shall be rigidly attached to the hood or canopy in a manner satisfactory to the Director. No swinging signs or accessories shall be permitted.
- (7) *Signs erected above canopies or hoods.* Where projecting signs are erected above canopies or hoods, they shall in no manner be attached to any accessory, ornament, or other thing of a temporary or permanent nature. Such signs shall be hung independently of the canopy.
- (8) *Drainage to be provided.* All hoods, canopies, and projecting signs shall have gutters and conductors connected with the sewer at the building and shall be so drained as not to discharge any water onto the sidewalk or public highway, except as provided in the City Plumbing Code.

- (9) *Other design and material requirements.* Canopies, hoods, and projecting signs shall be built of incombustible material throughout, shall be capable of resisting a superimposed load of 30 pounds per square foot, shall extend from the lot line toward the curb at a height in the clear of not less than ten feet, and shall slope and drain toward the building in accordance with the City Plumbing Code.
- (10) *Suspension from building.* Canopies, hoods, and projecting signs shall be suspended from the building, with no supports resting upon the sidewalk or public highway.
- (11) *Approval required.* The Director shall approve the design and materials of construction of all canopies, hoods, and projecting signs.

Sec. 8-328. Fire escapes outside.

No outside fire escape or other structural addition projecting from a building over a public alley or thoroughfare shall be erected without first securing a permit from the Director. The Director shall not issue a permit for the building of such outside fire escape or other structural addition unless the plans provide for a minimum of 13 feet, six inches vertical clearance from the permanent established grade of the alley or thoroughfare below, provided where such grade has not been established, the clearance shall be on the basis of the proposed grade for such alley or thoroughfare as set by the Director of Public Works.

Sec. 8-329. Gas or oil distributing stations.

- (a) *Plans and specifications.* Plans and specifications for any gas or oil distributing station shall conform in all respects to the laws of the State and to existing laws for buildings and construction in the City.
- (b) *Design standards.*
 - (1) *Sidewalk, street, and curb grades.* Sidewalk, street, and curb grades shall be established by the Council and shall be obtained from the Engineering Division of the Department of Public Works. All construction shall conform to the grades so established.
 - (2) *Driveways and stationaries.*
 - a. *Surfacing.* All stationaries and driveways which receive moving traffic shall be surfaced with bituminous or Portland cement concrete. If Portland cement concrete is used, it shall be a minimum thickness of six inches or of a designed mix containing not less than 5½ bags of cement per cubic yard of concrete. If bituminous concrete is used, it shall be laid with a minimum thickness of two inches of a plant hot mix material upon either a four-inch Portland cement concrete base or a six-inch crushed stone base, such base to be properly compacted and rolled.
 - b. *Corner lots.* Driveway approaches measured along the curblines shall not be less than 25 feet from the intersection of the street right-of-way line on a corner lot or 35 feet from the point of intersection of the curb faces, whichever is greater.
 - c. *Curb cuts.* Two driveways shall be permitted on both the long and short side of any lot; but in no case shall two driveways be permitted on any side less than 100 feet long. Openings shall not exceed the distances set in this subsection. The opening at the curb to any proposed gas or oil distributing station shall not be greater than 30 feet and at the property line shall not be greater than 20 feet.
 - d. *Curbing required.* Except at driveway locations, curbing not less than eight inches in height and eight inches in width shall be constructed adjacent to all property lines and/or street setback lines abutting the street rights-of-way. At all driveway locations, the end 24 inches by eight inches curbing may be evenly tapered to allow the top of such curbing to intersect at the grade with the driveway.
 - e. *Driveways.* The curbing of all driveways on both sides shall commence at the outside sidewalk line at the grade established by the Engineering Division of the Department of Public Works. Such

curb shall continue and become attached to the curb at the street at the same grade as such street curbing, the outer edge of such curbing conforming with the entrance measurements as set forth in this section.

- f. *Distance between driveways.* The minimum distance between driveways at the property line shall be 30 feet.
 - g. *Lighting.* The type and location of all lighting shall be shown on the site plan. All outdoor light sources shall be controlled, directed, and/or otherwise screened from illuminating directly upon adjoining or opposite properties. This control can be by landscaping, buildings, louvers, and/or shields on the lights, or with similar devices.
 - h. *Fencing required.*
 - 1. When abutting a residential zone, decorative fencing that is impervious to sight and not less than four feet nor more than eight feet in height shall be installed along the interior boundaries of the proposed station property to a point 15 feet from the street right-of-way. Curbing eight inches by eight inches shall be placed along the property line within this 15 feet. When abutting a zone other than residential, curbing or bumper guards may replace the fencing equipment.
 - 2. All exterior waste or storage areas shall be properly fenced to screen them from public view.
 - i. *Setback area.*
 - 1. Where street setback areas are required, the setback area shall not be considered part of the station proper but shall be properly seeded and landscaped.
 - 2. With the permission of the Plan Commission, the station area may extend into the street setback area to within 15 feet of the street right-of-way line if proper curbing is installed as required by the Commission for the purpose of safety and protection of property.
 - 3. Interior and corner side yard setback areas bordering on residential zoning districts shall be landscaped and buffered as required in Chapter 44, regardless of size of parking area.
 - j. *Underground storage tanks.* The location and size of all underground fuel tanks shall be approved in writing by the Fire Prevention Division of the City Fire Department by submitting a site plan and application to such Division. Installations shall comply with the provisions of Chapter 18.
 - k. *Elevated pump islands.* All site plans shall show the following information:
 - 1. The location of the elevated pump islands.
 - 2. The location of a rectangular area that shall surround the pump islands. Such area shall be surfaced with Portland cement concrete or bituminous concrete in accordance with subsection (b)(2)a of this section, and covered and maintained with a solvent resistant material and shall project at least three feet to the front and rear of the pump island and eight feet to each side.
 - 3. The distance from the property line to the nearest point on the face of such pump island. Such distance shall be at least 15 feet.
- (c) *Permit.* No gas or oil distributing station shall be erected in the City without first securing a permit from the Director. No permit shall be issued by the Director until detailed plans and specifications have been submitted to the Plan Commission and subsequently approved by the Council.
- (d) *Approval of plans.* No permit shall be issued until a site plan fulfilling the following requirements has been approved by the Plan Commission pursuant to Chapter 44. Such site plan shall be drawn to an engineer's scale and shall show the location and dimension of all property lines, property description, sidewalks, curbs, trees, lighting standards, utility poles, fire hydrants, mail boxes, traffic signs, water mains, sanitary sewers,

storm sewers, storm sewer inlets, storm, sanitary, and water connections, and any other structures on or in the street adjacent to the property as well as on the property and shall show the location of all existing and proposed structures and installations on the property. All elevations shown on such site plan shall give the City datum. After a site plan has been approved by the Plan Commission, all construction and operation shall be in accordance with the provisions of the plan, and no certificate of occupancy shall be issued by the Director until all requirements have been fulfilled.

- (e) *Noncompliance and inspection.* If it is thought the terms of this section are being violated, the City Engineer or the Director, or any other parties properly designated by the Common Council may enter upon the premises at any reasonable time for inspection. If noncompliance is found, all business activities upon such premises shall be suspended until the terms of this section are complied with.

Sec. 8-330. Erection and operation of service stations dispensing liquefied petroleum gas.

- (a) *Permit.* No service station distributing liquefied petroleum gas shall be erected in the City without first securing a permit from the Director. No permit shall be issued by the Director until detailed plans and specifications have been submitted to the Plan Commission and subsequently approved by the Council.
- (b) No service station dispensing liquefied petroleum gas shall be permitted within 200 feet of a building used for institutional occupancy or public assemblies.
- (c) A site plan shall be submitted to the Plan Commission, and a copy of such site plan shall also be filed with the Fire Department to be retained in the Fire Department records.
- (d) No building permit for a liquefied petroleum gas service station installation shall be issued until plans are approved by the Fire Chief.
- (e) No permit for the installation of a liquefied petroleum gas service station shall be approved within the Commercial Construction District.
- (f) The total quantity of liquefied petroleum gas in one or more containers shall not exceed 12,000 gallons at a single service station.
- (g) Each storage container used exclusively in service station operations shall be a minimum of 50 feet from any building or group of buildings, from the centerline of the adjoining streets at the time of installation, and from the adjoining property lines which may be built upon. No container shall be closer than 20 feet to the adjacent right-of-way line of the street.
- (h) A six-inch diversion curb shall be installed to protect all liquefied petroleum storage containers at any service station where flammable liquids are also dispensed.
- (i) The design and construction of protective guard rails and barriers around containers and metering devices shall be subject to approval by the Fire Chief.
- (j) No gas shall be transferred at a liquefied petroleum gas station to any automotive fuel supply tank if such tank requires removal from its normally-established installed position for weighing or gauging.
- (k) Liquefied petroleum gas service stations shall be equipped with at least 20 pounds dry powder fire extinguisher or the equivalent, as approved by the Fire Chief.

Sec. 8-331. Television and radio receiving and transmitting antennas.

- (a) *Applicability.* This section shall apply to the outdoor portion of all apparatus used for receiving or transmitting television or radio waves of more than 12 inches in height.
- (b) *To be of incombustible materials.* All television and radio antenna systems, including the supporting tower or mast, shall be constructed of galvanized steel or other corrosion-resistant incombustible material. Where approved by the State Department of Safety and Professional Services, towers constructed of wood or wood

poles set in the ground may be used to support antenna systems, provided no wood tower or wood pole shall be mounted on the roof of any building or structure.

- (c) *Load requirements.*
 - (1) *Ice load.* The antenna and tower shall support the dead load of the structure plus an ice load of at least one-half inch in radial thickness. The ice load shall be computed upon the wires, cables, messengers, and antenna only.
 - (2) *To withstand wind.* The tower or mast shall be braced or guyed and anchored to resist a horizontal wind pressure of not less than 30 pounds per square foot of net exposed surface area. Guy wires shall not be anchored to a chimney or to any roof ventilator or vent pipe.
- (d) *To be independently mounted.* Antenna systems installed on the roof of a building shall not be supported by or attached to a chimney. All such installations shall be mounted on an independent platform or base and anchored in place. Such platform or base shall be large enough to distribute the weight of the tower over sufficient roof area so the roof will safely support the weight of the structure in addition to the required live and dead roof loads.
- (e) *Distance from streets and thoroughfares.* All antenna systems shall be so installed that no part of the structure will be nearer to a street or other public thoroughfare than the height of the antenna as measured from its platform or base to the top-most point. Any variance necessary from this requirement shall be reviewed as described in subsection (h). No wires, cables, or guy wires shall extend over any street or other public thoroughfare or over any electric power or communication lines.
- (f) *Not to interfere with utility poles and lines.* Poles used for electric power or for communication lines shall not be used for supporting or guying any antenna system. Where antenna installations are so located that damage will be caused to adjacent power or communication lines by the falling of the antenna structures, a separate safety wire shall be attached to the top of the tower and secured in a direction away from such power or communication lines.
- (g) *Electrical installations.* Electrical installations in connection with antenna systems, including the grounding of the tower or mast, shall comply in all respects with the requirements of the State Electrical Code.
- (h) *Variance.* The Plan Commission is authorized to hear and decide special exceptions to the terms of this section and to authorize such variances from the terms of this section as shall not be contrary to the public interest. Such variances shall be granted only where, owing to special conditions, a literal enforcement of the provisions of this section will result in practical difficulty or unnecessary hardship. It is the intent that the spirit of this section shall be observed, public safety and welfare secured, and substantial justice done. If a variance is granted under this section, the owner shall sign a contract, approved by the City Attorney, agreeing to hold the City harmless from and indemnify the City for any and all liability that may result from the construction and maintenance of any structure permitted pursuant to such variance.
 - (1) In all cases where such a variance is granted, the owner shall file a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the variance until a new certificate complying with this subsection has been filed with Risk Management.

Sec. 8-332. Pools, ponds, and spas.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Pond means any naturally-occurring or manmade body of water that retains or detains the natural flow of water. This definition does not include ponds used for or as part of a stormwater management plan as regulated in Chapter 42.

Pool means any constructed or prefabricated structure, either temporary (installed for a duration of less than seven days) or permanent (installed for a duration of seven days or more), either above ground or in-ground, containing or normally capable of containing water that is primarily used for the purpose of wading, swimming, or other recreational use. This definition excludes hot tubs, spas, and ponds.

Spa or hot tub means any hydro-massage pool or tub designed for immersion of users and primarily intended for recreational or therapeutic use which may or may not be equipped with a filter, heater, and motor-driven blower.

- (b) *Permit required.* No construction of a pool intended as a permanent installation, a humanmade pond, or a spa shall begin unless a permit therefor has been obtained and the fee paid as provided in the City Fee Schedule. The application for such permit shall be accompanied by a site plan showing the size, location, and description of the property.
- (c) *Requirements.*
 - (1) *Setback.* Permanent above- or in-ground pools, humanmade ponds, or spas shall maintain a minimum front yard setback of 25 feet and a rear and side yard setback of ten feet from adjoining property, subject to properly granted variance under Chapter 44. In determining this setback for above-ground pools, ponds, or spas with permanent fencing or decks, any deck or similar structure shall be considered part of the pool, pond, or spa.
 - (2) *Fencing.* All pools, ponds, or spas requiring a permit shall be encompassed by fencing as required under this subsection. A variance to maximum fence height may be granted under the procedures of Chapter 44. However, under no circumstance may the minimum fence height requirements of this subsection be varied.
 - a. *Structural requirements.* All fences under this subsection shall be constructed in such a manner as to comply with the requirements of Chapter 44, Article V, Division 6, and the requirements of this subsection.
 - 1. The fence must be able to withstand 200 pounds of force in any direction.
 - 2. The fence shall be so constructed and designed as to prevent penetration of an object greater than six inches in diameter.
 - 3. All such fences shall be constructed with a locking door or gate which complies with all other height and structural requirements of this section.
 - b. *Permanent in-ground pools, ponds, or spas.* Permanent in-ground pools, ponds, or spas, subject to Chapter 44, Article V, Division 9, shall be encompassed by a freestanding fence not less than 48 inches nor more than 96 inches from the ground level. Such fence shall be no less than three feet from the pool, pond, or spa at its nearest point. The fence shall comply with the requirements of this subsection.
 - c. *Above-ground pools.* Above-ground pools, ponds, and spas shall be encompassed by fencing which complies with one or any combination of options listed below and the requirements of this subsection.
 - 1. A fence in compliance with the requirements under this subsection for in-ground pools, ponds, or spas.
 - 2. A fence within three feet of the pool, pond, or spa, not less than 48 inches nor more than 96 inches from ground level.
 - 3. A fence attached to a deck or walkway, provided such fence is at least 36 inches above the surface of the deck or walkway and complies with subsection (c)(2)c.2 of this section.
 - 4. A pool wall not less than 48 inches from ground level, provided that steps, ladders, or other means of pool access are removed when the pool is not in use.

- (3) *Exceptions.* Fencing shall not be required under the following circumstances:
 - a. Pools, ponds, or spas with locking and solid structural covers. Such covers shall be in place whenever the pool, pond, or spa is not in use and/or is unsupervised by an adult.
 - b. Pools, ponds, or spas completely enclosed within a building.
 - c. Existing pools, ponds, or spas as of April 20, 2004.
 - d. The Director has determined that the pool, pond, or spa does not affect the safety, health, or welfare of the residents of the community and does not annoy, disturb, injure, or endanger the comfort, repose, health, peace, or safety of others.
- (d) *Operation of residential pools, ponds, or spas.*
 - (1) *Public pools, ponds, or spas prohibited in residential areas.* No person shall operate a public pool, pond, or spa on any premises zoned residential. The operation of a public pool, pond, or spa on residential premises is declared to be a public nuisance.
 - (2) *Interference with enjoyment of property rights prohibited.* No pool, pond, or spa shall be so located, designed, operated, or maintained as to unduly interfere with the enjoyment of the property rights of owners of property adjoining the pool, pond, or spa or located in the neighborhood.
 - (3) *Shielding lights.* Lights used to illuminate any pool shall be so arranged and shaded as to reflect light away from adjoining premises as regulated in Chapter 44, Article V, Division 8.
 - (4) *Unnecessary noise.* No person shall make, continue, or cause to be made or continued at any pool, pond, or spa any loud, unnecessary, or unusual noise or any noise which annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others. In the operation of any pool, pond, or spa, the use or permitting the use or operation of any radio, receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet, and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing of the persons who are in the pool, pond, or spa premises, shall be prohibited.
 - (5) *Indecent exposure.* Every person using an outdoor pool, pond or spa shall wear a bathing suit or other suitable garment to protect their person from indecent exposure.

Secs. 8-333—8-354. Reserved.

ARTICLE III. PLUMBING CODE

Sec. 8-355. Wisconsin State Plumbing Code adopted.

- (a) *Adoption by reference.* Wis. Stats. Ch. 145, and the Wisconsin State Plumbing Code, Wis. Admin. Code SPS chs. 325 and 381 through 387, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein. Failure to comply with any of the provisions of such statutes or Codes shall constitute a violation of this article, punishable according to the penalties provided herein.
- (b) *To be on file.* A copy of the Wisconsin State Plumbing Code shall be on file in the offices of the Department of Community and Economic Development and the City Clerk.

Sec. 8-356. Administration.

- (a) *Definitions.* The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Director means the Director of the Department of Community and Economic Development or their designee.

Plumbing inspector shall be interpreted to have the same meaning as “Plumbing Supervisor,” as that term is defined in Wis. Stats. § 145.05, and shall be construed as though followed by the words, “or their designee.”

(b) *Duties and authority.*

- (1) Plumbing inspectors shall supervise and inspect all plumbing and drainage work in or in connection with all buildings within the City and shall faithfully enforce all laws, ordinances, and rules in relation thereto. Plumbing inspectors shall see that the construction, reconstruction, demolition, and alteration of all plumbing and drainage installed in all buildings in the City conforms with state laws and with the rules and regulations of the State Department of Safety and Professional Services and of the City, shall see that the work is done by licensed plumbers as provided by state law and this article, and shall make or cause to be made all inspections required thereby and in the manner therein set forth. In the discharge of their duties, the plumbing inspectors may enter any building during reasonable hours. They shall supervise and inspect plumbing and drainage installations as necessary to adequately enforce and administer the provisions of this article, state law, and the State Plumbing Code, or any amendments thereto, to make plumbing safe and sanitary and to promote the public welfare in all classes of buildings.
- (2) Plumbing inspectors shall take applications and issue permits to qualified applicants and keep suitable records of the permits issued.

Sec. 8-357. Reinspection fees.

- (a) *Definition.* The term "re-inspection fee" means a special charge that may be assessed against a property owner by the City in order to defray the cost of exercising jurisdiction over this article and conducting related inspections within the City.
- (b) *When assessed.* An inspector may assess a re-inspection fee if a property is not available to be inspected at the time of a scheduled inspection and/or if the following conditions are met:
 - (1) The inspector has found that the owner's parcel is not in compliance with a provision of this article;
 - (2) The inspector has informed the property owner of the changes necessary to gain compliance; and
 - (3) Upon subsequent inspection, the inspector finds that the same article violation persists.
- (c) *Fees charged.* Each re-inspection fee shall be as provided in the City Fee Schedule. A separate re-inspection fee may be assessed each time the conditions under subsection (b) of this section exist.
- (d) *Appeals.* Within 30 days of assessment, a property owner against whom re-inspection fees have been assessed may appeal said fees to the Finance Committee.

Sec. 8-358. Testing and inspections.

Plumbing inspectors shall make or cause to be made all required testing and inspections in accordance with Wis. Admin. Code SPS § 382.21.

Sec. 8-359. Supervision of sewers.

- (a) The Director shall have jurisdiction over all building sanitary and storm sewers. No such sewer shall be laid, and no opening into or connection with a sewer service lateral shall be made, except under the direction and supervision of a plumbing inspector.
- (b) The Director of Public Works shall keep a proper sewer connection record in a book, card index, or plat provided for such purpose showing the location of the lot, the name of the owner of the premises desiring to make such connection, the master plumber, master plumber restricted service, or utility contractor proposing to lay the sewer or drain, and the exact location with respect to the public sewer of each sewer or drain so laid. Information concerning the size, location, and depth of public and private sewers or drains and

the position of the branches, junctions, and appurtenances shall be furnished by the Director of Public Works. All reasonable care shall be taken to ensure the correctness of such information, but such correctness shall not be guaranteed. When a junction is not found within three (3) feet of the point designated according to the measurements furnished, an approved Y or T fitting shall be used. Such connection shall be made upon approval of the Director of Public Works and under the direction of the plumbing inspector.

Sec. 8-360. Permits.

- (a) *Permit required.* A permit is required to perform work that constitutes "plumbing" as that term is defined in Wis. Stats. § 145.01(10).
- (b) *Application.*
 - (1) Application for a permit shall be filed with the Director on a blank form furnished for that purpose. No work shall be started before a permit has been issued.
 - (2) Permits may be applied for by licensed master plumbers, persons licensed as master plumbers (restricted), as described in Wis. Stats. § 145.14, utility contractors, and by qualified homeowners.
 - (3) The permit application shall include the name, phone number, and email address of the property owner and plumber and shall state that the property owner and plumber will be bound by and subject to the rules and regulations of this article.
- (c) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Plumbing Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.
- (d) *Insurance and bond for persons making street cuts.* Before a permit shall be issued for work requiring a cut, excavation, or service connection on the traveled portion of any street, a permit therefor shall be obtained, a bond executed and deposited, and a certificate of insurance filed in accordance with the provisions of Section 34-5(b).
- (e) *Fees.*
 - (1) Fees for permits issued under this section shall be as provided in the City Fee Schedule.
 - (2) If an application for a plumbing permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (f) *Restrictions on issuance.*
 - (1) No plumbing or sewer permit shall be granted until a building permit has been issued.
 - (2) No plumbing or sewer permit shall be issued to any person who is in violation of this article until such violation has been corrected.
 - (3) No plumbing or sewer permit shall be issued to any master plumber or person against whom an order issued by a plumbing inspector is pending, including, but not limited to, defective work, bad faith, unreasonable delay in performance of plumbing or drainage work, or failure to respond to official communication.
- (g) *Plan examination.* Plumbing plans and specifications for the types of plumbing installations specified in Wis. Admin. Code SPS § 382.20 shall be submitted to the Director for review. This review requirement applies to all new buildings and all additions and alterations involving six or more indoor and/or outdoor plumbing fixtures.
- (h) *Plan approval.* No permit shall be issued to commence work on any plumbing installation requiring review without plan approval from the City or the State Department of Safety and Professional Services."
- (i) *Issuance of plumbing permit.*

- (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."
- (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
- (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
- (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
- (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (h) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-361. Building sanitary sewers.

- (a) *Required.* Every building shall have a separate and independent connection with a public main sanitary sewer, private onsite water treatment system, or private main sanitary sewer. Each private main sanitary

sewer shall conform to City standards for public sewers and shall be approved by a plumbing inspector. Manholes shall be located not less than 25 feet from any building.

- (1) *Exemption.* Upon proof of the following, the Director may grant an exemption from the requirements of subsection (a) of this section:
 - a. The building is zoned Low Density Residential (R1) and is located within the City's Urban Expansion District.
 - b. The purpose of the exemption is to retrofit existing infrastructure that has been installed but not dedicated to the public and/or accepted as public right-of-way.
 - c. An easement exists on the face of the recorded subdivision plat, certified survey map (CSM) or replat which addresses the location of any shared lateral and identifies the ownership and maintenance responsibilities for the shared lateral from the common point of connection back to the sanitary sewer main.
 - d. An exemption is necessary to achieve compliance with any other requirement that the Director deems necessary.
- (b) *Piping.* All building sanitary sewer piping extending from a public sewer service lateral or other disposal terminal to within three feet to five feet of the outside foundation walls shall be of cast iron or vitrified clay. Such disposal terminal shall be the end of the sewer service lateral or, in the event no lateral has been installed, the City sewer main. Building sanitary sewer connections to a private main sanitary sewer shall be of cast iron pipe or vitrified clay pipe to within three feet to five feet outside of the foundation wall.
- (d) *Unconnected pipes to be closed off.* The ends of all sanitary sewer pipes not immediately connected shall be securely closed with a cap or plug to prevent the introduction of sand, earth, or drainage from an excavation.
- (e) *Replacement.* When it becomes necessary to replace any building sewer because of stoppages, such sewer shall be replaced in its full length with approved materials.
- (f) *Sewers carrying harmful discharges.* No person shall connect to a public sewer any sewer through which is discharged any substance likely to cause undue corrosion, obstruction, nuisance, explosion, or interference with sewage treatment processes.
- (g) *When buildings are razed or moved.* When a building is moved or demolished, the building sewer shall be located at a point outside the foundation walls and shall be sealed off. The plug or seal shall not be covered until approval has been given by a plumbing inspector.

Sec. 8-362. Building drains.

- (b) *Floor outlet fixtures below sidewalk grade.*
 - (1) *New construction.* In all new construction, all floor outlet fixtures located below the sidewalk grade shall be provided with an approved Palmer-type backwater valve.
 - (2) *Existing buildings where drainage systems subject to backflow.* Where a building drainage system is subject to backflow of sewage and where the building was erected prior to August 19, 1972, the owner of the building shall, when ordered by a plumbing inspector, install approved automatic-type backwater valves in all fixtures located below the sidewalk grade.

Sec. 8-363. Grease and oil treatment.

All required plumbing installations for occupancies other than dwelling units where grease, fats, oils, or similar waste products of cooking or food are introduced into the drain system shall be provided.

Sec. 8-364. Storm drainage.

- (a) *Drains to connect to storm sewers.* All clear water drains shall discharge into a storm sewer wherever possible in accordance with Wis. Admin. Code SPS § 382.38. Where a building was erected prior to August 19, 1972, the owner of the building shall disconnect all clear water drains from the sanitary sewer when ordered to do so by a plumbing inspector.
- (b) *Sump pumps.* Every foundation drain shall be connected to a sump pit containing an approved sump pump as specified Wis. Admin. Code SPS § 382.36.
 - (1) *New installations.* In all new construction, such approved sump pump shall discharge into a storm sewer where such is available or can be made available. In areas where a storm sewer is not available, the sump pump shall discharge into the surface at least ten feet from the building foundation. Discharge from the sump pump shall not be directed as to flow into a street or alley, over a sidewalk, or over adjoining property. Discharge from the sump pump shall not create a nuisance. The sump pump discharge shall be considered a nuisance in situations including, but not limited to, such discharge creating icing problems on a City street or sidewalk, entering a City street or sidewalk, creating ponds of standing water, or flowing over adjoining property. If the sump pump discharge is directed to the street, a permit must be obtained from the Director to direct the discharge from a sump pump to the street.
 - (2) *Existing installations creating a nuisance.* All sump pumps shall discharge into a storm sewer where such is available or can be made available if in the opinion of the Director the sump pump discharge creates a nuisance. Sump pump discharge shall be considered a nuisance in situations including, but not limited to, such discharge flowing into a street or alley, over a sidewalk, or over adjoining property. If such a nuisance exists, the Director shall require the owner of the property to install a storm sewer lateral and connect the sump pump discharge to the lateral.
- (c) *Required drainage of parking lots and surface drains.*
 - (1) All parking lots whose area exceeds 2,000 square feet shall provide for interior drainage and be connected with a storm sewer if one abuts or adjoins the parking lot. Lots of 2,000 square feet or less may drain the surface water runoff to an abutting public street or alley if such public way provides stormwater drainage. Where neither drainage method is available, an interior yard storage area shall be provided. All provisions for drainage require approval by a plumbing inspector and the Director.
 - (2) Where a parking lot is constructed and such construction impedes natural drainage of adjoining property, the parking lot drainage shall be extended as necessary to provide adequate drainage of the adjoining property.
 - (2) *Conduits.* The size of the conduit serving a parking lot shall be determined by the area to be drained. The conduit for areas less than 5,000 square feet shall be cast iron pipe from the yard drain or catch basin to the service lateral or, where no lateral has been installed, to the City sewer main or other designated terminal. Areas over 5,000 square feet may be served by pipes whose standards conform to City specifications for storm drainage.
 - (3) *Catch basin and grates.* Catch basin and grate areas shall conform to City specifications.
- (d) *Granting of funds for private clear water separation work.*
 - (1) *Granting of funds.* The City may grant funds for private clear water separation work subject to this subsection (d). Any repayment of funds granted for private clear water separation work to property owned by indigent persons may be deferred by the Council. Such deferment shall be granted only to owner-occupied, single-family, or duplex residential real estate. Such deferment shall be by resolution directing the Director to pay all or any portion of the costs for private clear water separation work used on such property from the Storm Sewer Construction Account.

- (2) *Copy of resolution to be filed with Register of Deeds for Brown County.* A copy of such resolution, with a statement of the amount and date paid and description of the property, certified by the City Clerk, shall be recorded with the Register of Deeds for Brown County; the amount shall thereby become a lien upon such real property in favor of the City prior to any other lien other than prior outstanding tax certificates or prior liens hereunder, for the amount paid, with legal interest, and shall be enforceable after transfer of title of the property by sale, inheritance, or will in the manner provided by law for the enforcement of mechanics liens.
- (3) *Discharge of lien.* The owner of such property, heirs, personal representatives, or assigns may discharge such lien at any time by paying the amount of such lien with accrued interest to the City Treasurer, who shall execute a satisfaction in such form as may be recorded with the Register of Deeds for Brown County.
- (4) *Purchase of lien.* The holder of any subsequent lien may purchase such lien by payment of the amount thereof with accrued interest to the City Treasurer, who shall execute a proper assignment thereof to such payee; and on recording such assignment, such assignee shall have the same rights the assignor had.
- (5) *When due.* After transfer of title by sale, inheritance, or will, or when the basis for indigency no longer exists, the deferred funds shall be due and owing in full.
- (6) *Limits for the determination of indigency.* The Council shall establish, by resolution, limits for the determination of indigency. Such limits shall include:
 - a. Maximum combined annual income of both spouses and their dependents.
 - b. Maximum combined assets of both spouses and their dependents.
- (7) *Subject to review.* Such income and asset figures shall be subject to periodic review and modification by the Council.
- (8) *Application.* Application for deferment shall be made to the Council upon an affidavit form provided by the City Clerk verified by each applicant.
 - a. The application shall list the relationship, ages, and employment status of the applicant and all dependents; a complete schedule setting forth all assets, liabilities, and income from all sources including the applicant individually and jointly with their spouse, and from their dependents; and any other pertinent information which may assist the City in evaluating such application.
- (9) *Notify Clerk of increases.* The applicant shall notify the City Clerk when there is a material change in the applicant's assets and/or their annual income increases above the limits described in this subsection(d).
- (10) *Providing false or incomplete information.* If the applicant willfully provides false or incomplete information, the basis for indigency shall no longer exist and the special assessment shall become due and owing in full.
- (11) *Application reviewed by Improvement and Services Committee.* The application for deferment shall be reviewed by the Improvement and Services Committee, which shall make a recommendation to the Council.
- (12) *Interest.* Interest may be charged during the deferment period. The interest rate shall not, however, exceed the legal rate prescribed by Wisconsin Statutes.

Sec. 8-365. Water supply systems.

- (a) *Water service.*

- (1) *Size.* The water service or building supply pipe to any building shall be of sufficient size to provide an ample flow of water under maximum use to all fixtures and points of service. Such size shall be determined by standards set forth by the Wisconsin Department of Safety and Professional Services.
 - (2) *Material.* The underground water service pipe from the City main or a private water supply system to any building shall be meet the requirements of Wis. Admin. Code SPS § 384.30 and the Green Bay Water Utility.
 - (3) *Valve controls.* Service laterals shall include a corporation stop at the main, and a curb stop or valve at the curb, or privately-owned pump and a valve or stop within three feet of entering each building and, where a meter is installed, a valve on both sides of the meter as specified in Wis. Admin. Code SPS § 382.40(4)(b). Meters of one and one-half (1½) inches in diameter or larger shall have a bypass around the meter.
- (b) *Separate water service.* Plans and specifications for private water mains are required to be submitted to the State Department of Safety and Professional Services for site plan review in accordance with Wis. Admin. Code SPS § 382.20.
 - (c) *Cross-connections prohibited.* No private water system shall be connected directly or indirectly to any private water main or pipe that is in turn connected to any publicly owned water main or pipe unless approved in writing by the State Department of Natural Resources pursuant to Wis. Admin. Code SPS § 382.40(3)(c).
 - (d) *Plumbing inspector may make orders.* A plumbing inspector may issue orders requiring any changes necessary to bring any water supply work up to prescribed standards.

Sec. 8-366. Authority to control water service.

After the completion and trial of the work, no person shall turn on or leave turned on any water service curb stop which for any reason has been turned off by the Green Bay Water Utility. No unauthorized individual shall turn water on or off after it has been turned on or off from a given service, nor shall anyone make openings in the street or turn off water at the main without a permit therefor and supervision thereof as provided for in this article.

Sec. 8-367. Compulsory connection to sewer service.

When notified, the owner of any building intended for human habitation or occupancy abutting on any street, alley, or other thoroughfare in which public sanitary sewer has been extended and is available for service shall cause to be made a sewer connection thereto.

Sec. 8-368. Compulsory connection to water and well abandonment.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning.

Cross-connection means a connection or potential connection between any part of a water supply system and another environment containing substances that, under any circumstances, would allow the substances to enter the water supply system by means of back siphonage or back pressure.

Licensed pump installer means any individual who has obtained a license under Wis. Stats. § 280.15(2m), and Wis. Admin. Code § NR 146.04, as a pump installer and has paid the annual license fee under Wis. Stats. § 280.15(2m)(c)2.

Licensed well driller means any individual who has obtained a license under Wis. Stats. § 280.15(2m), and Wis. Admin. Code § NR 146.04, as a water well driller and has paid the annual license fee under Wis. Stats. § 280.15(2m)(c)1.

Municipal water system means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county or municipal-owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.

Pump installation means the pump and its associated pressure system including any equipment and material needed to withdraw, obtain, discharge, and store water from a well or a spring. The pump installation includes the spring box, reservoir, pump, pump drop pipe, check valves, well cap or seal, pitless adapter, pitless receiver tank, pitless unit, above-ground discharge unit, associated discharge piping and associated connections, valves, and appurtenances, pressure tank, sampling faucet, water storage or pressure vessel or structure, the electrical wiring and controls needed to operate the pump or pressure system, and any chemical addition, water treatment device, or yard hydrant upstream of the water storage or pressure vessel or building control valve.

Unused well means a well which is not in use or does not have a functional pumping system.

Well means any drillhole or other excavation or opening deeper than it is wide that extends more than ten feet below the ground surface constructed for the purpose of obtaining groundwater.

Well filling and sealing means the filling and sealing of a well, drillhole, pit, or reservoir with materials in accordance with Wis. Admin. Code NR ch. 812 so the well, drillhole, pit, or reservoir will not act as a vertical conduit to contaminate another well, groundwater, or an aquifer.

- (b) *Compulsory connection to municipal water main.* The owner of any building intended for human habitation or occupancy abutting on any street, alley, or other thoroughfare in which a municipal water main has been extended and is available for service, shall cause to be made a water connection thereto within 120 days of notification of said extension and availability. Except as provided in subsection (4), the owner shall abandon any existing source of water currently being used for said building.
- (c) *Well filling and sealing required.* All unused wells and wells located on premises served by the municipal water system shall be filled and sealed in accordance with the terms of Wis. Admin. Code NR ch. 812 not later than one year from the date the municipal water system is available.
- (d) *Well filling and sealing procedures.* All wells required to be filled and sealed under this section shall be filled and sealed according to the procedures and standards established in Wis. Admin. Code NR ch. 812. A copy of the State Department of Natural Resources filling and sealing report shall be submitted by the well owner to the Water Utility within thirty days of the completion the well filling and sealing.
- (e) *Private well operation permit.*
 - (1) The Green Bay Water Utility may grant a permit to a private well owner to operate a private well for a period of five years provided the conditions of this section are met. A private well operation permit may be renewed provided that the conditions of this section are met.
 - (2) Permit applications shall be made on the form provided by the Water Utility.
 - (3) The Water Utility General Manager or their designee may conduct inspections or have water quality tests conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application.
 - (4) The Water Utility may only grant a private well operation permit if all of the following conditions are met.
 - a. The owner pays the private well operation permit fee as provided in the City Fee Schedule.
 - b. The demonstrates a need for use of a private well.
 - c. The owner operates the well in accordance with Wis. Admin. Code NR ch. 812.
 - d. Prior to issuing or renewing the permit, a minimum of one safe sample has been taken from the private well to establish that the water is bacteriologically safe.

- e. The well and pump system are functional and have been evaluated by a licensed well driller or pump installer and certified to comply with Wis. Admin. Code NR ch. 812. The evaluation shall be documented on a form provided by the State of Wisconsin Department of Natural Resources.
- (5) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Water Commission.
- (f) Unapproved cross-connections between any private well and pump installations and the municipal water system are prohibited.
- (g) *Hardship.* When, in the judgment of the Water Commission, after recommendation from the Water Utility, it would be inappropriate to apply literally a provision of this section because hardship would result, the Water Commission may waive or vary such provisions so that substantial justice may be done and the public interest secured.

Sec. 8-369. Individual sewage disposal systems.

Private domestic sewage treatment and disposal systems, where permitted, shall be constructed, maintained, and used in accordance with the provisions of Wis. Admin. Code SPS ch. 383.

Secs. 8-370—8-385. Reserved.

ARTICLE IV. ELECTRICAL CODE

DIVISION 1. GENERALLY

Secs. 8-386—8-402. Reserved.

DIVISION 2. LICENSURE

Sec. 8-403. License or registration required.

No person may install, repair, or maintain electrical wiring or engage in the business of installing, repairing, or maintaining electrical wiring, except as allowed pursuant to Wis. Stats. § 101.862 and this article.

Sec. 8-404. Licensure exemptions for homeowners.

Notwithstanding Wis. Stats. § 101.862(4)(a), a residential property owner may only install, repair, or maintain electrical wiring on premises that they own and occupy as a residence without a license if all of the following apply:

- (1) The premises is a one-family dwelling;
- (2) The homeowner signs the permit and accepts all responsibility for work performed; and
- (3) The homeowner does not perform any work on service entrance equipment.

Sec. 8-405. Proof of credentials.

The City of Green Bay has the right to verify the licensure of all persons performing electrical work.

Secs. 8-406—8-423. Reserved.

DIVISION 3. ELECTRICAL CODE REGULATIONS

Sec. 8-424. Adoption by reference.

Wis. Admin. Code SPS ch. 316, as it may be amended from time to time, is hereby adopted and incorporated by reference as though fully set forth herein.

Sec. 8-425. Existing services.

If any component of the electrical service, from the service point to the load side of the service disconnect, is repaired or replaced grounding and bonding is required by the City to the same extent required by Wis. Admin. Code SPS § 316.250, as amended from time to time.

Secs. 8-426—8-448. Reserved.

DIVISION 4. CODE ENFORCEMENT

Sec. 8-450. Electrical Inspectors.

- (a) *Jurisdiction.* Electrical Inspectors shall exercise jurisdiction over inspection of the installation, alteration, repair, servicing, or maintenance of electrical wiring in all public or private buildings, including places of employment, within the City of Green Bay city limits.
- (b) *Authority.* Electrical Inspectors shall ensure all work performed within their jurisdiction complies with this article.
- (c) *Duties.* Electrical Inspectors may issue permits and shall maintain records of permits issued to contractors and homeowners, along with any fees received for such permits.

Sec. 8-451. Permits.

- (a) *Permit required.* No person may install, repair, alter, service, or maintain electrical wiring without first obtaining a permit under this article.
- (b) *Application.* An application for an electrical permit shall be filed with the Director on a blank form to be furnished for that purpose. The application shall include the name, phone number, and email address of the property owner and contractor and shall state that the property owner and contractor will be bound by and subject to the rules and regulations of this article.
- (c) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Electrical Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.
- (d) *Permit fees.*
 - (1) Fees for building permits issued under this section shall be provided in the City Fee Schedule.
 - (2) If an application for a building permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (e) *Issuance of electrical permit.*
 - (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."

- (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
- (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
- (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
- (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (f) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-452. Inspection stages.

During the process of performing electrical work, the person performing such work shall ensure the following inspections occur when required by the Electrical Inspector:

- (1) *Rough.* An inspection before any electrical wiring is hidden from view.
- (2) *Service.* An inspection of the service equipment and grounding electrode system prior to energizing.
- (3) *Final.* An inspection after all work has been completed and wiring concealed.

Sec. 8-453. Compliance with article.

Electrical Inspectors may utilize any lawful means to gain compliance with this article, including, but not limited to:

- (1) Inspecting electrical wiring.
- (2) Withholding electrical permits.
- (3) Issuing orders to correct violations.
- (4) Assessing re-inspection fees.
- (5) Denying/removing the connection of power to equipment.
- (6) Issuing citations or complaints for violations.
- (7) Condemning a building that is not safe for human habitation.

Secs. 8-455—8-475. Reserved.

ARTICLE V. HEATING AND AIR CONDITIONING CODE

Sec. 8-477. Wisconsin State Heating, Ventilating, and Air Conditioning Code adopted.

Adoption by reference. The Wisconsin State Heating, Ventilating, and Air Conditioning Code, Wis. Admin. Code SPS chs. 323 and 364, and the National Fuel Gas Code, NFPA 54, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein.

Sec. 8-478. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Director means the Director of the Department of Community and Economic Development or their designee.

HVAC means heating, ventilating, and air conditioning.

HVAC equipment means materials, piping, fittings, devices, appliances, apparatus, controls, and control wiring used as part of or in connection with permanent heating, ventilating, air conditioning, or exhausting systems serving buildings.

Licensed heating contractor means a person, entity, or business is a registered HVAC contractor under Wis. Admin. Code SPS § 305.70 or holds an HVAC qualifier certification under Wis. Admin. Code SPS § 305.71.

Sec. 8-479. License Required.

No person, entity, or business may engage or offer to engage in installing or servicing heating, ventilating, or air conditioning (HVAC) equipment unless the person, entity, or business is a registered HVAC contractor under Wis. Admin. Code SPS § 305.70 or holds an HVAC qualifier certification under Wis. Admin. Code SPS § 305.71.

Sec. 8-480. Permits.

- (a) *Permit required.* No person shall install or repair within the City any furnace, boiler, air conditioner, fireplace, or woodburning stove, or commence any other HVAC work in any structure subject to this article and/or any applicable provisions of the Wisconsin Administrative Code incorporated into this article, without first obtaining a permit for said work from the Director. In addition to any plans and specifications otherwise

required under this article, the Director may require additional information consistent with their duty to review such plans prior to issuing permits under this section.

- (b) *To whom issued.* No permit shall be issued except to the owner of a residence to personally perform work on the owner's home or to a licensed heating contractor. Such permits shall be nontransferable.
- (c) *Application.* An application for an HVAC permit shall be filed with the Director on a blank form to be furnished for that purpose. The application shall include the name, phone number, and email address of the property owner and contractor and shall state that the property owner and contractor will be bound by and subject to the rules and regulations of this article.
- (d) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the HVAC Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection. (e) *Fees.*
 - (1) Fees for permits issued under this section shall be as provided in the City Fee Schedule.
 - (2) If an application for a permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (f) *Issuance of HVAC permit.*
 - (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."
 - (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
 - (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
 - (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
 - (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.

- c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (g) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-481. Inspection.

- (a) The Director shall examine and approve or disapprove all plans and specifications for the performance of any work governed by this article. The Inspector shall inspect all work as required by this article and shall order work stopped which is in violation of this article.
- (b) In any new building or addition, immediately upon completion of those portions of the installation which are to be concealed or covered, the licensed heating contractor shall notify the Director, who shall make an inspection within two working days after notice for inspection, excepting weekends and holidays. If no inspection is made within the specified time period, work may proceed. All other inspections shall be scheduled immediately upon notification of the completion of such work.
- (c) Wherever work for which a permit has been issued has been ordered stopped by the Inspector, the Inspector shall post a stop-work notice. After such notice has been posted, no further work shall be done until the violations have been corrected and such corrections approved by the Inspector.

Secs. 8-485—8-516. Reserved.

ARTICLE VI. MINIMUM HOUSING STANDARDS

DIVISION 1. GENERALLY

Sec. 8-517. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Approved means approved by or in accordance with regulations established by the Director of Community and Economic Development or their designee.

Basement means that portion of a building the floor of which is below the outside ground grade level.

Bath means a bathtub or shower stall.

Bedroom means a habitable room within a dwelling unit or part thereof which is used or intended to be used primarily for the purpose of sleeping, but not including any kitchen or dining room.

Boarding house or lodging house means a building or structure other than a hotel licensed by the State where lodging is furnished and meals for three (3) or more persons are served for compensation. A boarding house or lodging house may be considered a dormitory as defined and regulated within this Code.

City Building Code means Article II of this chapter.

City Electrical Code means Article IV of this chapter.

City Heating and Air Conditioning Code means Article V of this chapter.

City Plumbing Code means Article III of this chapter.

Director means the Director of the Department of Community and Economic Development or their designee.

Dormitory means a communal-type living arrangement of four or more persons not related by blood, adoption, or marriage who share common sleeping areas, kitchen, bath, and/or restroom facilities. The term "dormitory" includes, but is not limited to, shelter facilities, educational facility housing, rooming houses, boarding houses or lodging houses, community living arrangements, community based residential facilities, and migrant housing.

Dwelling means any building or structure which is wholly or partly used or intended to be used for living or sleeping by human occupants.

Dwelling unit means any habitable room or group of adjoining habitable rooms located within a dwelling or part thereof and forming a single unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating of meals.

Extermination means the control and elimination of infestation of insects, rodents, or other pests by eliminating their harborage places, removing or making inaccessible materials that may serve as their food, and poisoning, spraying, fumigating, trapping, or utilizing any other approved pest elimination methods.

Family means one or more individuals living on a premises as a single housekeeping unit.

Garbage broadly refers to both "garbage" and "refuse," as defined in Section 32-1 of this Code.

Habitable room means a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, toilet rooms, laundries, pantries, foyers, communicating corridors, closets, storage spaces, stairways, and rooms used for play or recreational purposes.

Homeless family means a group of one or more related individuals who are homeless individuals.

Homeless individual means an individual who lacks a fixed, regular, and adequate nighttime residence (without regard to whether the individual is a member of a family) or an individual whose primary nighttime residence is a supervised public or privately operated shelter designed to provide temporary living accommodations. Temporary living accommodations include welfare hotels, congregate shelters, dormitories, and transitional housing.

Infestation means the presence of any insects, rodents, or other pests within a dwelling or part thereof or on the dwelling premises or part thereof.

Kitchen means a habitable room used or intended to be used for cooking or the preparation of meals.

Living room means a habitable room within a dwelling unit which is used or intended to be used primarily for general living purposes.

Meaning of certain terms. Whenever the terms "dwelling," "dwelling unit," "rooming house," "rooming unit," or "premises" are used in this article, they shall be construed as though they were followed by the words "or any part thereof."

Non-dwelling structure means a garage, shed, or other similar storage or convenience building attached to or detached from a dwelling and used primarily for recreation and the storage of vehicles, lawn and garden appliances, and other household tools or equipment. A non-dwelling structure shall not be used for living or sleeping by human occupants.

Occupant means any person, including an owner or operator, living, sleeping, or cooking in or having actual possession of a dwelling or rooming unit or part thereof.

Operator means any person who has charge, care, or control of a building or part thereof in which dwelling or rooming units or part thereof are let.

Owner means any person who, individually or jointly or as tenant in common with other(s), has legal title or equitable title to any dwelling or dwelling unit or rooming unit or part thereof or who has charge, care, or control of any dwelling or dwelling unit or rooming unit or part thereof as executor, administrator, trustee, or guardian of the estate of the owner.

Plumbing includes, but is not limited to, all of the following facilities and equipment: water pipes, garbage disposal units, waste pipes, vent pipes, toilets, sinks, installed dishwashers, lavatories, baths, installed clothes washing machines, catch basins, drains, vents, domestic hot water heaters, and any other similar fixtures, together with all connections to water, sewer, or gas lines.

Portable heater means a UL-listed portable appliance used for heating a relatively small area, typically electrical in nature.

Premises means a platted lot or part thereof, an unplatted lot, or a parcel or a plot of land, either occupied or unoccupied by any dwelling or structure.

Recyclables means "recyclable waste," as defined in § 32-1 of this Code.

Roomer means an occupant of a rooming house or part thereof who is not a member of the family of the operator of that rooming house, or an occupant of a dwelling unit or part thereof who is not a member of the family occupying the dwelling unit or part thereof.

Rooming house means a building or structure, other than a hotel licensed by the State of Wisconsin, where three or more persons are lodged for compensation. A rooming house may be considered a dormitory as defined and regulated within this article. The term "rooming house" does not include short term rentals as defined in Wis. Stats. § 66.0615(1)(dk).

Rooming unit means any room or group of rooms forming a single habitable unit in a rooming house or part thereof used or intended to be used for living and sleeping but not for cooking or eating meals.

Shelter facility means a temporary place of lodging for homeless individuals or homeless families. A shelter facility may be considered a dormitory as defined and regulated within this Code.

Sleeping room means a habitable room in a dwelling or dwelling unit of an area and volume as required by this code intended for or used primarily for sleeping purposes.

State Building Code means Wis. Admin. Code SPS chs. 320 through 325 and 361 through 366.

State Heating, Ventilating, and Air Conditioning Code means Wis. Admin. Code SPS chs. 323 and 364.

State Plumbing Code means Wis. Admin. Code SPS chs. 381 through 387.

Supplied means paid for, furnished by, or provided by or under the control of the owner or operator.

Unit heater means a self-contained, automatically controlled, vented, fuel-gas burning, space-heating appliance intended for installation in the space to be heated without the use of ducts, having integral means for circulation of air.

Sec. 8-518. Residential rental practices.

- (a) *State law adopted.* Wis. Admin. Code ATPC ch. 134 and Wis. Stats. § 704.95, as they may be amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein.
- (b) *Enforcement.* The Director may sign and issue citations for violations of this section and may delegate that authority to employees.
- (c) *Penalties.* Any person who violates this section shall forfeit not less than \$25.00 nor more than \$5,000.00 for each offense.

Secs. 8-519—8-542. Reserved.

DIVISION 2. PURPOSE AND SCOPE

Sec. 8-543. Purpose.

Buildings that are or are becoming dilapidated, neglected, overcrowded with occupants, or unsanitary jeopardize and are detrimental to the health, safety, morals, and welfare of the people of the City. Such buildings are rendered detrimental to the public through faulty design or construction, failure to be kept in a proper state of repair, lack of proper sanitary facilities or adequate lighting or ventilation, inability to properly heat, improper management, or any combination of these factors. The City finds that elimination of such buildings or structures and the prevention of the occurrence of such conditions in the future is in the best interest of the citizens of the City, and this article is enacted to foster and encourage such elimination.

Sec. 8-544. Compliance with other codes.

The provisions of this article shall not abrogate the responsibility of every person to comply with the provisions of the State Building Code and the building, zoning, plumbing, heating and air conditioning, and electrical codes of the City.

Secs. 8-545—8-566. Reserved.

DIVISION 3. ADMINISTRATION AND ENFORCEMENT

Sec. 8-568. Inspections.

- (a) *To be made by Director.* The Director of Community and Economic Development shall make inspections to determine the condition of dwelling units, rooming units, premises, and parts thereof located within the City and may enter any building during reasonable hours in the discharge of the duties. Any person who interferes with the Director in the discharge of the duties shall be in violation of this article. The Director shall have proper identification and shall show same when making such inspections.
- (b) *Access of owner or operator.* Every occupant of a dwelling, dwelling unit, rooming unit shall give the owner or operator thereof, or an agent or employee of the owner, access to any part of such dwelling, dwelling unit, rooming unit or its premises or part thereof at all reasonable times for the purpose of maintenance or making such repairs or alterations as are necessary to effect compliance with this article or with any lawful rule or regulation adopted, or any lawful notice or order issued, pursuant to the provisions of this article.

Sec. 8-570. Emergency orders.

Whenever the Director finds that an emergency exists which requires immediate action to protect the public health, the Director may, without notice of hearing and in accordance with the provisions of Wis. Stats. § 66.1337(4)(a), issue an order reciting the existence of such an emergency and requiring that such action be taken as the Director deems necessary to meet the emergency. Such order shall be effective immediately. Notwithstanding any other provision of this article, every notice served by the Director in accordance with the provisions of Sections 8-593(8), 8-596(a)(11), (b)(2) and (b)(3), and 8-632(j) shall be regarded as an order.

Sec. 8-571. Condemnation of dwellings and dwelling units or parts thereof as unfit for human habitation.

- (a) *When condemnation required.* Any dwelling unit or part thereof which the Director finds to have any of the following defects shall be condemned as unfit for human habitation, occupancy, or use:
- (1) One which is so damaged, decayed, dilapidated, unsanitary, difficult to heat, unsafe, or vermin-infested that it creates a hazard to the health or welfare of the occupants or the public.
 - (2) One which lacks illumination, ventilation, or sanitary facilities adequate to protect the health or welfare of the occupants or the general public.
 - (3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or welfare of the occupants or the general public.
- (b) Any dwelling or dwelling unit or part thereof may be condemned by the Director as unfit for human habitation if the owner or occupant fails to comply with any order based on the provisions of this article or any rule or regulation adopted pursuant hereto, provided such dwelling or dwelling unit or part thereof is, in the opinion of the Director, unfit for human habitation by reason of such failure to comply.
- (c) *Procedure for condemnation.* The condemnation of dwellings and dwelling units as unfit for human habitation, occupancy, or use shall be carried out in accordance with Wis. Stats. § 66.0413. Where such condemnation occurs, the Director shall post at the main entrance to such dwelling or dwelling unit a notice stating that the dwelling or dwelling unit is unfit for human habitation, occupancy, or use and has been condemned. It shall be further unlawful for any person to occupy, use, or enter such dwelling or dwelling unit thereafter, except for the purpose of making required repairs or alterations.
- (1) *Removal of notice prohibited.* The notice of condemnation shall remain posted until the required repairs or alterations are made. It shall be unlawful for any person to remove such notice without written permission from the Director.
 - (2) *Condemnation by police and fire departments.* The Director may temporarily grant authority under this section to the Chief of Police, Fire Chief, or their designees when circumstances so require.

Sec. 8-572. General penalty.

Any person who violates any provision of this article or any rule, regulation, or order made hereunder shall be subject to forfeiture of not less than \$25.00 nor more than \$5,000.00 for each offense.

Secs. 8-573—8-592. Reserved.

DIVISION 4. HOUSING STANDARDS

Sec. 8-593. 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 or part thereof for the purpose of living, sleeping, cooking, or eating meals therein which does not comply with the following requirements:

- (1) *Kitchen sink and lavatory.* Every dwelling unit shall contain an approved kitchen sink. Every dwelling unit shall contain a lavatory or wash basin in or adjacent to the toilet room.
- (2) *Toilet.* Every dwelling unit shall contain a toilet which shall be placed in a separate room enclosed with partitions which extend to the ceiling.
- (3) *Bath.* Every dwelling unit shall contain a bath which shall be contained within a toilet room or within a separate room which affords privacy to a person using such facility.

- (4) *Hot and cold water supply to bath and sinks.* Every bath, kitchen sink, and lavatory required under this article shall be properly connected with both hot and cold water lines.
- (5) *Water heating facilities.* Every dwelling shall have supplied water heating facilities which are properly installed and maintained in reasonably good working condition, properly connected with the hot water lines required under subsection (4) of this section, and capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every bath at a temperature of not less than 120 degrees Fahrenheit. Such supplied water heating facilities shall be capable of meeting these requirements when the dwelling or dwelling unit heating facilities are not in operation.
- (6) *Connection to water and sewer system.* Every kitchen sink, toilet, lavatory basin, and bath shall be in good working condition and properly connected to an approved water and sewer system.
- (7) *Plumbing.* All plumbing, plumbing equipment, and plumbing fixtures and the installation thereof shall comply with the Plumbing Codes of the City and of the State.
- (8) *Garbage and recyclables.* Every dwelling and dwelling unit shall be provided with adequate facilities for the storing of recyclables and garbage. Such facilities shall comply with the provisions of Chapter 32.
- (9) *Exits.* Every dwelling unit shall have exits which conform to the exit requirements of the City Building Code or the State Building Code, as applicable. Every exit and passageway shall also comply with the following requirements:
 - a. It shall be kept in good repair.
 - b. It shall be unobstructed at all times.

Sec. 8-594. Minimum standards for light, heating, and ventilation.

- (a) *Window area.* Every habitable room, toilet room, and bathroom shall have at least one window facing directly to the outdoors. The minimum window area shall be at least ten percent of the floor area of the room, but not less than 12 square feet. The top of at least one such window shall be not less than six and one-half (6½) feet above the floor. At least one half of the window shall be made so as to open the full width unless other means of adequately ventilating such rooms are installed and operating. The outside window in every toilet or bathroom shall have a total area of at least ten percent of the floor area, but not less than four square feet, provided no window or sky light shall be required in adequately ventilated bathrooms or toilet rooms equipped with a ventilation system which is kept in continuous operation.
- (b) *Electric equipment.* In accordance with Wis. Admin. Code SPS §§ 316.020 and 316.021, all electrical power and communication equipment shall be properly constructed, installed, operated, and maintained. Any of this equipment known to be defective shall be promptly repaired or isolated until repairs can be made.
- (c) *Heating facilities.*
 - (1) Every dwelling unit shall have supplied heating facilities; and such facilities shall be properly installed, maintained in good working condition, and capable of adequately heating all habitable rooms, bathrooms, and toilet rooms contained therein or intended for use by the occupants thereof to a temperature of at least 68 degrees Fahrenheit, measured three feet above the floor level, when the outside temperature is at or above negative fifteen (-15) degrees Fahrenheit. A dwelling unit shall contain a sufficient number of chimney outlets to permit the occupants, through the use of unit heaters furnished by the owner, to adequately heat all habitable rooms, bathrooms, and toilet rooms contained therein to a temperature of at least 68 degrees Fahrenheit, measured at least three feet above the floor level, when the outdoor temperature is at or above negative fifteen (-15) degrees Fahrenheit. This provision shall not be interpreted to permit the use of portable heaters where such use is prohibited by either the City Building or Heating and Air Conditioning Code or the State Building or Heating, Ventilating and Air Conditioning Codes, as applicable. Every central heating system shall comply with the City Building and Heating and Air Conditioning Codes and the State Building and

Heating, Ventilating and Air Conditioning Codes, as applicable. Such central heating systems shall also comply with the following requirements:

- a. The central heating unit shall be in good operating condition.
 - b. Every heat duct, steam pipe, and hot water pipe shall be free of leaks and shall function so that an adequate amount of heat is delivered where intended.
 - c. Every seal between the sections of a warm air furnace shall be tight, so noxious gases will not escape into heat ducts.
 - d. If the temperature of all dwelling units in a multi-unit dwelling is regulated by a single heating zone controlled by a single device, and the temperature standards articulated in this section cannot be maintained in any of the dwelling units included in that zone, the Director may issue orders to remedy the deficiency, including but not limited to requiring additional heating zones in the dwelling.
- (2) Every unit heater shall comply with the City Building and Heating and Air Conditioning Codes and the State Building and Heating, Ventilating, and Air Conditioning Codes, as applicable, and with all of the following requirements:
- a. No unit heater burning solid, liquid, or gaseous fuels shall be a portable type.
 - b. Every unit heater burning solid, liquid, or gaseous fuels shall be properly vented.
 - c. Every coal-burning or oil-burning unit heater shall have a fire-resistant panel beneath it.
 - d. The location of unit heaters, the insulation of walls and ceilings close to such heaters, and the construction, installation, and guarding of smoke pipes and walls or ceilings through which they go shall be in accordance with the Heating and Air Conditioning Code of the City in Article V of this chapter.
- (d) *Lighting of public halls and stairways.* Every public hall and public stairway in every dwelling containing four or more dwelling units or accommodating more than 20 persons shall be adequately lighted at all times. Such lighting shall include lights at all intersections of stairways. Instead of continuous lighting, every public hall and public stairway in dwellings containing fewer than four dwelling units or rooming houses accommodating more than three roomers but less than 20 persons shall be supplied with convenient light switches controlling an adequate lighting system which may be turned on when needed.
- (e) *Screens.* At least one window in each habitable room, toilet room, and bathroom where windows are required shall be supplied with a screen covering at least one-third of the window area, except where other means of adequately ventilating such rooms are available and operating. Screens shall have a wire mesh of not less than No. 16, and all installed screens must be in a state of good repair.
- (1) *Exception.* During the cold weather period from November 1 to March 31 of each calendar year, having screens installed is optional. Any screens installed must be in a state of good repair.(f) *Basement window screens.* Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with a screen or such other device as will effectively prevent their entrance.

Sec. 8-595. Minimum space, use, and location requirements.

No person shall occupy 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) *Dwelling unit to be occupied by one family.* No dwelling unit or part thereof shall be occupied by more than one family.
- (2) *Minimum floor area for dwelling unit or part thereof.* Every dwelling unit or part thereof shall contain at least 150 square feet of floor space for the first occupant thereof and at least 100 additional square

feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of total habitable room area.

- (3) *Minimum floor area for sleeping purposes.* Every room occupied by one person for sleeping purposes shall contain at least 70 square feet of floor space and 490 cubic feet of air space, and every room occupied by more than one person for sleeping purposes shall contain at least 60 square feet of floor space and 400 cubic feet of air space for each occupant thereof, provided these requirements shall be reduced by one-half for children under 12 years of age.
- (4) *Arrangement of sleeping, bath, and toilet rooms.* No dwelling or dwelling unit containing two or more sleeping rooms shall be so arranged that access to a bathroom or toilet room intended for use by the 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 or a bathroom or toilet room.
- (5) *When basement space may be habitable.* No basement space shall be used as a sleeping room or dwelling unit unless such sleeping room or dwelling unit is in conformity with existing City or State Building Codes and complies with the following requirements:
 - a. The total window area in each room shall be at least equal to the minimum window area required in Section 8-594(a).
 - b. Such required minimum window area shall be located entirely above the grade of the adjoining ground.
 - c. The total openable window area in each room shall be at least equal to the minimum required under Section 8-594(a), unless there is supplied some other approved ventilating device.
 - d. Every habitable room in a basement shall be at least seven feet, six inches high from the floor to the ceiling; and the ceiling shall be at least four feet above the outside ground grade level. The walls and floors shall be damp-proof and waterproof.
- (6) *Occupants to have access to sanitary facilities.* Every occupant of every dwelling or dwelling unit shall have unrestricted access to a toilet and bath and to a kitchen sink or lavatory located within that dwelling or dwelling unit.
- (7) *Ceiling height with respect to floor area.* At least one-half of the floor area of every habitable room shall have a ceiling height of at least seven feet, and the floor area of that part of any room where the ceiling height is less than five feet shall not be considered in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.
 - (a) *Exemption.* Any one- or two-family dwelling unit built prior to the State of Wisconsin's adoption of the Uniform Dwelling Code on June 1, 1980 is exempt from the basement room height requirement in Wis. Admin. Code SPS ch. 321.

Sec. 8-596. Maintenance of dwellings, dwelling units, and rooming units.

- (a) *Owner's responsibility.* No person shall occupy as owner-occupant or let to another for occupancy any dwelling, dwelling unit, or rooming unit for the purpose of living therein which does not comply with the following requirements:
 - (1) *Maintenance of foundations, exterior walls, roofs.* Every foundation, exterior wall, and roof shall be weather-tight, water-tight, and insect-proof, shall be rodent-proof in accordance with the terms of Section 6-7 (Rat Prevention), and shall be well-maintained and kept in a state of good repair. The exterior walls of dwellings, dwelling units, and rooming houses shall be either prefinished material, brick, stone, stucco, exterior plaster, stained or painted wood, water-proof shingles, or other material designed and advertised to be used as permanent exterior siding and capable of being painted, stained, or weatherproofed if not prefinished. Materials designed and advertised for insulation, sub-siding, or structural uses other than exterior walls shall not be allowed as exterior siding. Roofing materials shall

- be kept in a state of good repair and shall have no significant signs of wear, weathering, or other forms of deterioration.
- (2) *Maintenance of interior walls, doors, floors, ceilings, countertops, cabinets.* Every interior partition, wall, door, floor, ceiling, countertop, and cabinet shall be capable of affording privacy, kept in a state of good repair, and so maintained as to permit it to be kept clean and sanitary.
 - (3) *Rainwater drains.* Rainwater shall be so drained and conveyed from every roof so as not to cause dampness in the basement, walls, ceilings, or floors of any room. Drains shall be kept clean and free of debris, and shall allow for the proper flow of water. No downspout located within six feet of adjoining property shall be pointed toward such property.
 - (4) *Windows, doors, hatchways.* Every window, exterior door, and basement hatchway shall be weather-tight and shall be kept in a good working condition, well-maintained, and repaired. All windows and exterior doors shall open and close properly with all hardware in-tact and operational.
 - (5) *Protection of exterior surfaces.* All exterior surfaces shall be protected from the elements and against decay by paint or other approved protective coating applied in a workmanlike manner. Painted surfaces must be properly maintained and repaired, including, but not limited to, scraping, priming, and applying finishing coats to said surfaces.
 - (6) *Stairways and porches.* Every inside and outside stairway, every porch, and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and maintained in a state of good repair.
 - (7) *Supplied plumbing fixtures.* Every supplied plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition and in accordance with the Plumbing Codes of the City and the State.
 - (8) *Chimney and supplied smoke pipes.* Every chimney and every supplied smoke pipe shall be adequately supported, reasonably clean, and maintained in a state of good repair and in accordance with the City Building and Heating and Air Conditioning Codes and the State Building and Heating, Ventilating, and Air Conditioning Codes, as applicable.
 - (9) *Bathroom and toilet room floors.* Every bathroom and toilet room floor shall be so maintained as to be reasonably impervious to water and as to permit such floor to be kept in a clean and sanitary condition.
 - (10) *Supplied facilities.* Every supplied facility, piece of equipment, or utility which is required under this article shall be so constructed or installed that it will function properly and shall be maintained in good working condition.
 - (11) *Discontinuance of required services, facilities, equipment, or utilities.* No owner or operator shall cause any service, facility, equipment, or utility which is required to be supplied under the provisions of this article to be removed from, shut off from, or discontinued from any occupied dwelling or dwelling unit let or occupied by said owner or operator, except for such temporary interruption as may be necessary while actual repairs, replacements, or alterations are being made.
 - (12) *Pest extermination.* Whenever infestation exists in any dwelling or dwelling unit or part thereof, or in the shared or public parts of any dwelling or part thereof containing two or more dwelling units, or whenever infestation is caused by failure of the owner to maintain the dwelling or part thereof in a rat-proof or insect-proof condition, extermination thereof shall be the responsibility of the owner. The owner shall hire a pest management professional to inspect and treat, as necessary, all dwelling units sharing a common wall, floor, or ceiling with the dwelling unit containing the infestation. The pest management professional must provide documentation that the affected dwelling unit and surrounding units are clear and free of infestation and live activity.
 - (13) *Cleanliness of public areas of dwellings.* Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition in all communal, shared, or

public areas of the dwelling and premises or parts thereof which are used or shared by the occupants of two or more dwelling units.

- (14) *Vacant dwelling units to be clean and sanitary before being let for occupancy.* No owner shall occupy or rent to any other person for occupancy or allow any other person to occupy any vacant dwelling unit or part thereof unless it is clean, sanitary, free of infestation, and complies with all provisions of this article and all rules and regulations adopted pursuant thereto.
- (15) *Hanging screens.* The owner of a dwelling or dwelling unit shall be responsible for hanging all screens whenever the same are required under the provisions of this chapter or any rule or regulation adopted pursuant hereto. Screens shall be hung at all times except as otherwise provided in this article. If windows are designed to have screens installed, one must be installed and in a state of good repair as required by Section 8-594.

(b) *Responsibility of occupants.*

- (1) *Cleanliness.* Every occupant of a dwelling or dwelling unit or part thereof shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which is occupied or controlled.
- (2) *Disposal of garbage and recyclables.* Every occupant of a dwelling or dwelling unit or part thereof shall dispose of all garbage and recyclables in a clean and sanitary manner by placing it in the garbage or recyclables containers as required by Chapter 32.
- (3) *Extermination of pests.* Every occupant of a dwelling or part thereof or dwelling unit or part thereof shall assist the owner of the dwelling with the extermination of any pests, including, but not limited to, maintaining unit cleanliness, notifying the owner of any infestation, cooperating with extermination efforts, and preparing the unit for treatment.
- (4) *Use and operation of supplied plumbing fixtures.* Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

Sec. 8-597. Maintenance of non-dwelling structures, fences, and premises.

No owner shall permit any non-dwelling structure or fence to exist on any premises which does not comply with the following requirements:

- (1) *Maintenance of non-dwelling structures.* Every foundation, retaining wall, exterior wall, roof, window, exterior door, basement hatchway, and every other entrance way of every non-dwelling structure shall be weather-tight, water-tight, and insect-proof; shall be rodent-proof in accordance with the terms of Section 6-7; shall be well maintained and kept in a state of good repair; and shall have no significant signs of wear, weathering, or other forms of deterioration.
- (2) *Protection of exterior surfaces.* All exterior wood and other surfaces of all non-dwelling structures shall be properly protected from the elements and against decay by paint or other approved protective coating applied in a workmanlike manner. Painted surfaces must be properly maintained and repaired, including, but not limited to, scraping, priming, and applying finishing coats to said surfaces. Exterior walls of structures shall be prefinished material, brick, stone, stucco, exterior plaster, stained or painted wood, water-proof shingles, or a similar material designed and advertised to be used as permanent exterior siding and capable of being painted, stained, or weatherproofed if not prefinished. Materials designed and advertised for insulation, sub-siding, or structural uses other than exterior walls shall not be allowed as exterior siding.
- (3) *Maintenance of fences.* Every fence either shall be reasonably maintained and kept in a state of good repair or shall be removed. All components of fencing material shall be installed as designed or completely removed. Fences shall consist only of materials approved in Chapter 44. Nothing in this subsection shall permit fence removal where the fence is otherwise required by this Code.

- (4) *Grading and drainage of premises.* All premises or part thereof shall be so graded and maintained that no stagnant water will accumulate or stand on the premises or part thereof or within any building or structure located on the premises or part thereof.

Secs. 8-598—8-627. Reserved.

DIVISION 5. ROOMING HOUSE/SHELTER FACILITY REGULATIONS

Sec. 8-628. Compliance required.

No person shall operate a rooming house or shelter facility or occupy or let to another for occupancy any rooming unit in any rooming house or shelter facility except in compliance with the requirements of this division and any other applicable section within this Code.

Sec. 8-629. Permits.

- (a) *Required.* No person shall operate a rooming house or shelter facility without a valid rooming house/shelter facility permit issued by the Director in the name of the operator and for the specific dwelling or dwelling unit within which the rooming house or shelter facility is contained, provided the provisions of this subsection shall not apply to dormitories associated with and run in connection with licensed educational institutions, hotels, motels, bed and breakfast establishments, and community living arrangements which are licensed by an agency of the State of Wisconsin.
- (b) *Application.* The operator shall file the application for a rooming house/shelter facility permit and a site plan according to Sections 44-83 and 44-1581 in the office of the Director on forms prepared by the Director.
- (c) *Issuance of permit and fees.* When all applicable provisions of this division and any rules and regulations adopted pursuant hereto have been complied with by the operator, the Director shall issue a rooming house/shelter facility permit upon the payment of the fee, which shall be as provided in the City Fee Schedule. Shelter facilities shall be exempt from the fees. All rooming house/shelter facility permits so issued shall expire on July 1 following the date of issuance unless sooner suspended or revoked as herein provided. Occupancy shall not exceed the capacity specified in Section 8-632(d) or in Wis. Admin. Code SPS § 362.0400 or sections referenced therein.
- (d) *Posting of permit.* Every rooming house/shelter facility permit issued by the Director shall be conspicuously posted by the operator in the rooming house or shelter facility for which it is issued and shall remain so posted at all times unless removed by the order of the Director.
- (e) *Nontransferability of permit.* No rooming house/shelter facility permit issued under this division shall be transferable as to person or place. Every operator shall notify the Director in writing within 24 hours after having relinquished the operation of a rooming house or shelter facility and shall file in writing with the Director the name and address of the operator assuming the operation of the rooming house or shelter facility. Any operator so assuming operation must have obtained a valid rooming house/shelter facility permit in accordance with this section.
- (f) *Relationship of permit to other codes.* The issuance of a rooming house/shelter facility permit shall not relieve the owner or operator of responsibility for compliance with the Building and Zoning Codes and any other applicable laws of the City and County and applicable rules of the State Department of Health and Department of Safety and Professional Services.
- (g) *Hearing when permit is denied.* Any person whose application for a rooming house shelter facility permit has been denied may request and shall be granted a hearing on the matter before the Protection and Policy Committee under the procedure provided by Section 8-569.
- (h) *Suspension, revocation, and non-renewal of permit.*

- (1) *Grounds.* Whenever, upon inspection of a rooming house or shelter facility, the Director finds that conditions or practices exist which are in violation of any provision of this article or any other provisions of this Code, or any rule or regulation adopted pursuant hereto, or if the operator keeps or maintains a disorderly house, the rooming house/shelter facility permit may be revoked, suspended for up to six months, or non-renewed.
- (2) *Notice.* No permit issued under this section shall be revoked, suspended, or non-renewed except upon due notice and hearing to determine whether grounds for such action exist. The Director shall give written notice of the grounds for revocation, suspension, or nonrenewal to the operator of such rooming house or shelter facility, which shall constitute the complaint. The notice shall be served upon the licensee at least 15 days prior to the date of the hearing and shall state the time and place thereof.
- (2) *Hearing.* The hearing on a complaint for suspension, revocation, or nonrenewal shall be held before the Protection and Policy Committee. The operator of the rooming house or shelter facility shall be entitled to be heard, to be represented by counsel, and to present and cross-examine witnesses. The operator may be provided a transcript of the hearing at their own expense.
- (3) *Recommendation by Committee.* Following the hearing, the Protection and Policy Committee shall issue Findings of Fact and Conclusions of Law and shall make a recommendation to the Common Council whether the operator's rooming house/shelter facility permit should be suspended, revoked, or nonrenewed. The City Clerk shall provide the operator with a copy of the Committee's report.
- (4) *Council action.* The Common Council shall consider the report and recommendation of the Protection and Policy Committee no later than the second regularly scheduled meeting following its receipt of the Committee's report. The Director or the operator may file an objection to the recommendation and have the opportunity to present arguments supporting their objection to the Common Council. Council shall determine whether arguments shall be presented orally, in writing, or both. Following arguments and deliberation, the Common Council shall adopt, modify, or reject the Findings of Fact, Conclusions of Law, and Recommendation of the Protection and Policy Committee. Notice of Council's decision shall be provided to the operator within 20 days.
- (5) *Appeal.* An operator of a rooming house or shelter facility shall appeal the suspension, revocation, or nonrenewal of their rooming house/shelter facility permit to the Brown County Circuit Court within 30 days of receipt of notice of Common Council's action.

Sec. 8-630. Operator to control occupancy.

No operator shall at any time allow a larger number of persons to occupy any individual or group sleeping room than is permitted by this division.

Sec. 8-631. Applicability of other parts of this article.

No person shall operate a rooming house or shelter facility unless all of the requirements of Sections 8-594, 8-595, and 8-596 are complied with, provided for the purpose of interpreting the requirements of the designated sections applicable to the enforcement of this division, the term "dwelling" shall be interpreted to mean rooming house or shelter facility and the term "dwelling unit" shall be interpreted to mean rooming unit. Every dwelling unit located within a rooming house or shelter facility shall comply with all of the requirements for dwelling units as established in this article.

Sec. 8-632. Arrangement, equipping, maintenance, and use of facilities.

- (a) *Toilets and lavatory basins.* At least one toilet and lavatory basin, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each ten persons or fraction thereof residing within a rooming house or shelter facility, including members of the operator's family wherever they share the use of such facilities.

- (b) *Baths.* At least one bath, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a rooming house or shelter facility, including members of the operator's family wherever they share the use of such facilities.
- (c) *Location of sanitary facilities.* Every toilet, lavatory basin, and bath shall be located within a room which affords privacy to a person within. All such facilities shall be so located within the rooming house or shelter facility as to be accessible to the occupants of each rooming unit sharing such facilities without going outside of the dwelling or part thereof and without going through another dwelling unit or part thereof or through a rooming unit or part thereof of another occupant.
- (d) *Minimum area for sleeping purposes.*
 - (1) The capacity of any room occupied for sleeping purposes shall be as follows:
 - a. 400 cubic feet for each occupant over 12 years of age; and
 - b. 200 cubic feet for each occupant 12 years of age or under.
 - (2) The operator of a shelter facility may allow homeless families on an emergency basis to occupy a sleeping room which does not meet the above minimum sleeping area requirements if the operator makes all reasonable attempts to place the family in another shelter which meets those requirements and so long as the family is placed in a room which complies with these regulations within 72 hours.
- (e) *Number of sleeping rooms.* Every sleeping room in every rooming house or shelter facility shall be numbered in a plain and conspicuous manner, the number to be placed on the outside of the door to such sleeping room. No two doors shall bear the same number. No number on any door of any sleeping room shall be changed to any other number without first securing the written approval of the Director.
- (f) *Preparation or eating of meals in rooming units prohibited.* No occupant of a sleeping room shall prepare meals or store perishable foods therein. The operator shall post in every sleeping room a sign on which shall be written or printed in letters not less than three-eighths-inch in height the following words: "NO COOKING OR STORING PERISHABLE FOODS PERMITTED IN THIS ROOM." Such sign shall remain posted at all times.
- (g) *Bed linens and towels.* The operator of every rooming house or shelter facility shall effect the change of supplied bed linens and towels therein at least once each week and prior to the letting of any room to any occupant. The operator shall maintain all supplied bedding in a reasonably clean and sanitary manner.
- (h) *Shades and drapes.* Every window of every sleeping room shall be supplied with shades, draw drapes, or other devices or materials which when properly used will afford privacy to the occupant of the room.
- (i) *Sanitary maintenance.* The operator of every rooming house or shelter facility shall maintain in a sanitary condition all walls, floors, and ceilings and every part of the rooming house or shelter facility, and the entire premises, where the entire structure or building within which the rooming house or shelter facility is contained is leased or occupied by the operator.
- (j) *Storage and disposal of garbage and recyclables.* Adequate garbage and recyclable storage containers, whose type and location are approved under Chapter 32, shall be supplied by the rooming house or shelter facility operator. The operator shall dispose of all garbage and recyclables in a clean and sanitary manner by placing them in the required containers.
- (k) *Hanging screens, storm doors, and storm windows.* The operator of a rooming house or shelter facility shall hang all screen and double storm doors and windows whenever the same are required under this article or any rule or regulation adopted pursuant hereto except where the owner has agreed to supply such service.
 - (1) *Exception.* During the cold weather period from November 1 to March 31 of each calendar year, having screens installed is optional. Any screens installed must be in a state of good repair.
- (l) *Pest extermination.* Whenever infestation exists in any dwelling or dwelling unit or part thereof, or in the shared or public parts of any dwelling or part thereof containing two or more dwelling units, or whenever infestation is caused by failure of the owner to maintain the dwelling or part thereof in a rat-proof or insect-

proof condition, extermination thereof shall be the responsibility of the owner. The owner shall hire a pest management professional to inspect and treat, as necessary, all dwelling units sharing a common wall, floor, or ceiling with the dwelling unit containing the infestation. The pest management professional must provide documentation that the affected dwelling unit and surrounding units are clear and free of infestation and live activity.

- (m) *Exits.* Every sleeping room in every rooming house or shelter facility shall have exits which conform to the exit requirements of the City and State Building Codes, as applicable. In addition, every exit and passageway shall comply with the following:
- (1) It shall be easily accessible from every sleeping room by passageway, without passing through any part of another sleeping room.
 - (2) It shall be kept in a reasonably good state of repair.
 - (3) It shall be unobstructed at all times.

Sec. 8-633. Reporting of communicable disease by operator.

The operator of a rooming house or shelter facility shall report to the Brown County Health Commissioner or any State of Wisconsin health care professional licensed under Wis. Stats. Ch. 441 (nurses) or Ch. 448 (medical practitioners) immediately upon discovery the name of any person living in the rooming house or shelter facility who is suffering from any communicable disease, as listed in Appendix A to Wis. Admin. Code DHS ch. 145; and such report shall be made whenever there is reason to believe or suspect that any person in such rooming house or shelter facility may be afflicted with any communicable disease.

Secs. 8-634—8-646. Reserved.

DIVISION 6. DORMITORY FACILITY REGULATIONS

Sec. 8-647. Compliance required.

No person shall operate a dormitory facility or occupy or let to another for occupancy any rooming unit in any dormitory facility except in compliance with the requirements of this division and any other applicable section of this Code.

Sec. 8-648. Permits.

- (a) *Required.* No person shall operate a dormitory facility without a valid dormitory facility conditional use permit issued by the City of Green Bay in the name of the operator and for the specific dwelling or dwelling unit or part thereof within which the dormitory facility is contained, provided the provisions of this section shall not apply to dormitories associated with and run in connection with hotels, motels, and bed and breakfast establishments which are licensed by an agency of the State of Wisconsin.
- (b) *Application.* The operator shall file the application for a dormitory facility conditional use permit and a site plan in accordance with Section 44-83.
- (c) *Issuance of permit.* When the operator has complied with all applicable provisions of this division and any rules and regulations adopted pursuant hereto, the Director shall process the conditional use permit request in accordance with Section 44-83.
- (d) *Nontransferability of permit.* No dormitory facility conditional use permit issued under this division shall be transferable as to person or place. Every operator shall notify the Director of Planning in writing within 24 hours after having relinquished the operation of a dormitory facility and shall file in writing with the Director the name and address of the operator assuming the operation of the dormitory facility. Any operator so

assuming operation must have obtained a valid dormitory facility conditional use permit in accordance with this section.

- (e) *Relationship of permit to other codes.* The issuance of a dormitory facility conditional use permit shall not relieve the owner or operator of responsibility for compliance with the Building and Zoning Codes and any other applicable laws of the City and County and applicable rules of the State of Wisconsin.
- (f) *Revocation of permit.* Any dormitory facility conditional use permit that has been issued may be revoked in accordance with the provisions of Chapter 44.

Sec. 8-649. Operator to control occupancy.

No operator shall at any time allow a larger number of persons to occupy any individual or group sleeping room than is permitted by this division.

Sec. 8-650. Applicability of other parts of this article.

No person shall operate a dormitory facility unless all of the requirements of Sections 8-594, 8-595, and 8-596 are complied with, provided for the purpose of interpreting the requirements of the designated sections applicable to the enforcement of this division, the term "dwelling" shall be interpreted to mean dormitory facility and the term "dwelling unit" shall be interpreted to mean rooming unit or part thereof. Every dwelling unit located within a dormitory facility shall comply with all of the requirements for dwelling units as established in this article.

Sec. 8-651. Arrangement, equipping, maintenance, and use of facilities.

- (a) *Toilets and lavatory basins.* At least one toilet and lavatory basin, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a dormitory facility, including members of the operator's family wherever they share the use of such facilities.
- (b) *Baths.* At least one bath, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a dormitory facility, including members of the operator's family wherever they share the use of such facilities.
- (c) *Location of sanitary facilities.* Every toilet, lavatory basin, and bath shall be located within a room which affords privacy to a person within. All such facilities shall be so located within the dormitory facility as to be accessible to the occupants of each rooming unit sharing such facilities without going outside of the dwelling or part thereof and without going through another dwelling unit or part thereof or through a rooming unit or part thereof of another occupant.
- (d) *Minimum area for sleeping purposes.* The capacity of any room occupied for sleeping purposes shall be as follows:
 - (1) Sleeping areas of at least 50 square feet per person residing in the dormitory with no more than four individuals per room, except that more than four individuals may be allowed per room if all said individuals are related by blood, marriage, or adoption.
 - (2) Rooms shall consist of enclosed places having walls that extend from the ceiling to the floor and an entry door.
- (e) *Number of kitchens/dining areas.* Every dormitory shall have one kitchen and dining area for every ten individuals residing in the dormitory facility.
- (f) *Number of laundry facilities.* Every dormitory shall have one laundry facility consisting of a minimum of one clothes washer, one clothes dryer, and one washbasin for every ten individuals residing in the dormitory facility.

- (g) *Number and size of common area/lounge.* Every dormitory shall have one common use area/lounge of at least 600 square feet in size for every ten individuals residing in the dormitory facility for relaxation and recreation of the occupants.
- (h) *Sanitary maintenance.* The operator of every dormitory facility shall maintain in a sanitary condition all walls, floors, and ceilings and every part of the dormitory facility, and the entire premises, where the entire structure or building within which the dormitory facility is contained is leased or occupied by the operator.
- (i) *Storage and disposal of garbage and recyclables.* Adequate garbage and recyclable storage containers, whose type and location are approved under Chapter 32, shall be supplied by the dormitory facility operator. The operator shall dispose of all garbage and recyclables in a clean and sanitary manner by placing them in the required containers.
- (j) *Extermination of pests.* The operator of a dormitory facility shall cause the extermination of any insects, rodents, or other pests therein and on the entire premises where the entire structure or building within which the dormitory facility is contained is leased or occupied by the operator, except that whenever infestation of a dormitory facility is caused by a failure of the owner to maintain the dwelling within which the dormitory facility is contained in a rat-proof or reasonably insect-proof condition, extermination shall be the responsibility of the owner.
- (k) *Exits.* Every sleeping room in every dormitory facility shall have exits which conform to the exit requirements of the City and State Building Codes, as applicable. In addition, every exit and passageway shall comply with the following:
 - (1) It shall be easily accessible from every sleeping room by passageway, without passing through any part of another sleeping room.
 - (2) It shall be kept in a reasonably good state of repair.
 - (3) It shall be unobstructed at all times.

Secs. 8-652—8-668. Reserved.

ARTICLE VII. MANUFACTURED AND MOBILE HOMES

Sec. 8-669. State laws adopted.

Except as otherwise provided in this article, Wis. Stats. § 66.0435, all provisions of Wis. Stats. Ch. 101, and all provisions of Wis. Admin. Code Ch. SPS 326 describing and defining regulations relative to manufactured and mobile homes that the City may adopt as ordinances are hereby adopted and by reference made part of this article as if fully set forth herein. Any future amendments, revisions, or modifications of the statutes and regulations incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of manufactured and mobile homes in the City of Green Bay. A copy of such code shall be on file in the office of the Inspection Division.

Sec. 8-670. Parking of manufactured and mobile homes restricted.

Except as provided in this article, no person shall park within the City any manufactured and mobile home on any street, alley, highway, or other public place or on any privately-owned land.

Sec. 8-671. Manufactured and mobile home park licenses.

- (a) *Required.* No person shall establish, operate, or maintain or permit to be established, operated, or maintained upon any property owned, leased, or controlled by said person a manufactured and mobile home park within the City without first securing a license therefor from the Director of the Department of Community and Economic Development (Director) or their designee, pursuant to this article. Operation in

any fiscal year requires a license. Such license shall expire on 12:00 midnight on June 30 annually but may be renewed under the provisions of this article for additional maximum two-year periods.

- (b) *Location restricted.* An application for the construction of a manufactured and mobile home park shall be considered only when its proposed location is within a district zoned to permit such use.
- (c) *Application.* The application for a license or a renewal thereof shall be made on forms furnished by the City and shall include the name and address of the owner in fee of the tract or if the fee is vested in some person other than the applicant, a duly verified statement by such person that the applicant is authorized to construct or maintain the manufactured and mobile home park and make the application, and such legal description of the premises upon which the manufactured and mobile home park is or will be located as will readily identify and definitely locate the premises. The initial application for any existing, new, or revised manufactured and mobile home park shall contain a park plan showing the following, either as existing or as proposed:
 - (1) The area to be used for park purposes.
 - (2) Roadways and driveways.
 - (3) The location and designation of dependent and independent manufactured and mobile home spaces.
 - (4) The location of service buildings and the number of sanitary conveniences, including toilets, washrooms, laundries, and utility rooms, to be used by occupants of the manufactured and mobile home park.
 - (5) A complete layout of storm, sanitary, and water systems for the service building and spaces.
 - (6) The method and plan of garbage removal.
 - (7) A plan for electrical lighting of spaces.
- (d) *Issuance of license.*
 - (1) *Approval and fee required.* The application for such license or renewal thereof shall be approved by the Inspection Division. Before a license is issued, the applicant shall pay an annual fee in accordance with Wis. Admin. Code Ch. SPS 326. The fee shall be as provided in the City Fee Schedule. A penalty fee, as provided in the City Fee Schedule, shall apply to renewal applications postmarked after June 30.
 - (2) *Municipal sanitary facilities required.* No license shall be issued for a manufactured and mobile home park where municipal sanitary facilities are not available.
- (e) *Revocation and suspension.* A license may be suspended or revoked after a hearing held pursuant to Wis. Stats. § 66.0435. Any hearing for the suspension, revocation, or non-renewal of a license shall be conducted before the Protection and Policy Committee. At the conclusion of the hearing, the Protection and Policy Committee shall recommend to the Common Council that the license be suspended, revoked, or non-renewed if it finds that the licensee committed a violation. The Common Council shall consider and take action on the recommendation of the Protection and Policy Committee within 45 days after the committee adjourns the hearing. Appeal from a decision of the Common Council shall be by petition for writ of certiorari to the Brown County Circuit Court.

Sec. 8-672. Management of manufactured and mobile home parks.

- (a) *Office to be in park.* In every manufactured and mobile home park, there shall be located the office of the attendant or person in charge of such park. A copy of the park license and of this article shall be posted therein, and the park register shall at all times be kept in such office.
- (b) *Duties of attendant and licensee.* The attendant or person in charge, together with the licensee, shall:
 - (1) Keep a register of all occupants, which shall be open at all times to inspection by state, federal, and local officers and which shall show for all occupants of the manufactured and mobile home park the following information:

- a. Names and addresses.
 - b. Number and ages of all children.
 - c. Number of public elementary school children.
 - d. Number of public secondary school children.
 - e. State of legal residence.
 - f. Dates of entrance and departure.
 - g. License numbers of all manufactured and mobile homes and towing or other vehicles, and states issuing such licenses.
 - h. Place of last location and length of stay.
 - i. Place of employment of each occupant.
- (2) Maintain the park in a clean, orderly, and sanitary condition at all times.
 - (3) Ensure that the provisions of this article are complied with and enforced and report promptly to the proper authorities any violations of this article or any other violations of law which may come to attention.
 - (4) Collect the monthly parking permit fee and keep a record book showing the names of persons paying such fees and the amounts paid.
 - (5) Submit with the total monthly parking permit fees to the City Treasurer a monthly report showing the names of persons paying such fees and the amount paid if less than for a full month. Such report shall also indicate departure time for current tenants and arrival time for new tenants and departure time if occurring the same month as arrival.

Sec. 8-673. Applicability of plumbing, electrical, and building ordinances.

All plumbing, electrical, building, and other work on or at any park licensed under this article shall comply with City ordinances, the requirements of the State Plumbing, Electrical, and Building Codes, and the regulations of the State Department of Health. Licenses granted under this article grant no permission to erect or repair any structure or to do any plumbing or electrical work.

Sec. 8-674. Variances.

When, in the judgment of the Plan Commission or the Council, a provision of this article may not literally be applied due to unusual hardship, such provision may be altered as long as the basic intent of control herein stated is retained.

Exhibit A

Chapter 8 BUILDINGS AND CONSTRUCTION

ARTICLE I. IN GENERAL

Sec. 8-1. Director of Community and Economic Development to enforce.

The Director of Community and Economic Development is responsible for the enforcement of this chapter and may issue citations hereunder and may delegate such citation authority to their employees. It is declared that the intent of this chapter can be most effectively carried out by the cooperation of all City departments concerned, and all such departments shall cooperate with the Director in the enforcement of this chapter.

Sec. 8-2. Wisconsin Administrative Code to be on file.

Copies of the chapters of the Wisconsin Administrative Code incorporated into this chapter by reference shall be kept on file in the offices of the Department of Community and Economic Development and the City Clerk.

Sec. 8-3. Violations of this chapter.

Whenever the Director determines that there has been a violation or that there are reasonable grounds to believe that there has been a violation of any provision of this chapter or of any rule or regulation adopted pursuant hereto, the Director shall give notice of such violation to the person legally responsible therefor. Such notice shall provide sufficient information to the person responsible as to inform them of the actions necessary to correct the violation and specify a deadline by which such corrections must be made.

Sec. 8-4. Appeals; Zoning Board of Appeals.

- (a) *Jurisdiction.* The Zoning Board of Appeals, organized under Section 44-138, shall have the authority to hear the following matters.
 - (1) Any decision of the Director of the Department of Community and Economic Development (Director) to deny an application for any permit issued under this chapter, or any decision to revoke such a permit.
 - (2) Any error in any order made by the Director in the enforcement of this chapter.
- (b) *Appeal process.* Any person aggrieved by a decision, determination, or order of the Director as described in subsection (a) may appeal the decision, determination, or order to the Zoning Board of Appeals. Unless otherwise provided in this chapter, such appeals shall be governed by the following provisions.
 - (1) The aggrieved person must file a written petition with the City Clerk within 20 days of the decision, determination, or order being appealed or the petition shall be untimely. The petition must identify the permit denial, permit revocation, or enforcement order being appealed, the official who made the decision, determination, or order, and all other relevant facts related to the appeal.
 - (2) The official whose decision, determination, or order is appealed shall submit a written report to the Board describing the reasons for the decision, determination, or order and shall attend the appeal hearing to comment.
 - (3) The Board shall establish a reasonable time for the hearing of the appeal and give public notice thereof. The Board shall render a decision on the appeal within a reasonable time.
 - (4) The Board may reverse or affirm the decision, determination, or order, wholly or partially, as appropriate.
 - (5) A party aggrieved by a decision of the Zoning Board of Appeals under this section may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.

Sec. 8-5. Re-inspection fees.

- (a) *Definition.* The term "re-inspection fee" means a special charge that may be assessed against a property owner by the City in order to defray the administrative cost of exercising jurisdiction over this chapter and conducting related inspections within the City.
- (b) *When assessed.* An inspector may assess a re-inspection fee if a property is not available to be inspected at the time of a scheduled inspection or if all of the following conditions are met:
 - (1) The inspector has found that the owner's parcel is not in compliance with a provision of this chapter;
 - (2) The inspector has informed the property owner of the changes necessary to gain compliance; and
 - (3) Upon subsequent investigation or inspection, the inspector finds that the same violation persists.
- (c) *Fees charged.* Each re-inspection fee shall be as provided in the City Fee Schedule. A separate re-inspection fee may be assessed each time the conditions under subsection (b) of this section exist.
- (d) *Appeals.* Within 30 days of assessment, a property owner against whom re-inspection fees have been assessed may appeal said fees to the Finance Committee.

Sec. 8-6. General penalty.

Unless a more specific penalty is specified, any person who shall violate any provision of this chapter or any rule, regulation, or order made hereunder shall be subject to a penalty as provided in Section 1-6, except that the minimum penalty for each offense shall be \$25.00. Unless otherwise provided, each 24-hour period any such violation is allowed to exist shall constitute a separate violation.

Secs. 8-7—8-18. Reserved.

ARTICLE II. BUILDING CODE

DIVISION 1. GENERALLY

Sec. 8-19. Purpose.

The purpose of this article is to provide minimum City regulations, provisions, and requirements for buildings and structures within the City, thereby increasing safety to persons and property, stable design, and good methods of construction and uses of materials in any building or structure constructed, enlarged, altered, repaired, moved, converted to other use, or demolished; to regulate the equipment, maintenance, condition, use, occupancy, and safety of buildings in the City; and to promote the public health, safety, and general welfare. This article shall apply to new buildings and structures and to alterations and additions to existing buildings and structures within the City.

Sec. 8-20. Applicability.

- (a) *Persons affected.* This article shall be binding upon every owner of a building and every person in charge of or responsible for the condition of any building or structure in the City, or who causes repair or alteration thereof.
- (b) *Buildings affected.* This article shall apply to all buildings and structures, except buildings which were erected in compliance with the City Building Code and/or the State of Wisconsin building code in force at the time of their construction or last change in use and which:
 - (1) Have been repaired and maintained so that the structures are weathertight and the structural members are not hazardous to life or property;

- (2) Are kept free from accumulations of dirt, filth, rubbish, garbage, or other matter in or on the same or in the yards, courts, passageways, or other areas connected or belonging to the same; and
- (3) Do not have cross-connections in plumbing systems that are hazardous to the occupants or violate any provision of the Plumbing Code regarding cross-connections.

Sec. 8-21. Definitions.

The definitions in Wis. Admin. Code SPS § 320.07 shall apply to this article. Additionally, the following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section. Where a conflict exists between a definition in this section and in Wis. Admin. Code SPS § 320.07, the definition in the administrative code shall control.

Accessory building means a detached building, not used as a dwelling unit but incidental to that of the main building and which is located on the same lot. Accessory building does not mean farm building.

Accessory use means a use incidental to the use of the main building or to the principal use of the premises.

Air temperature means a measurement of the temperature of the air and not of radiant heat.

Alley means a public thoroughfare which affords a secondary means of access to abutting property and which is generally fewer than 20 feet wide.

Alteration means an enhancement, upgrading, or substantial change or modification other than an addition or repair to a dwelling or to electrical, plumbing, heating, ventilating, air conditioning, and other systems within a dwelling.

Apartment means a part of a building occupied or designed or intended to be occupied by one or more persons as a single-living unit or as a single-family housekeeping unit and which includes the use of kitchen facilities, either in private or in common with others.

Approved as to materials and types of construction means approved by the Director as the result of investigation and tests conducted by the Director or an authorized agent or by reason of accepted principles or tests by national authorities or by technical or scientific organizations accepted by the Director. Approvals given shall be in writing, and a copy thereof kept on file in the Building Inspection Division.

Balcony means a landing or porch projecting from the wall of a building.

Basement means that portion of a dwelling below the first floor or groundfloor with its entire floor below grade.

Base flood has the meaning ascribed in Section 44-1045.

Boarding house or lodging house means a building or structure, other than a hotel licensed by the State, where lodging and meals for three or more persons are served for compensation.

Building means:

- (1) *Noun.* Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, or property. When a structure is divided into separate parts by unpierced walls extending from the ground up, each part is deemed a separate building.
- (2) *Verb.* Any enlargement, alteration, movement, or demolishing of any building or structure, and also any new heating plant or any material alteration in any existing heating plant, toilet room, or elevator.

Court means an open, unoccupied space other than a yard on the same lot with a building.

Inner court means any court other than an outer court.

Outer court means a court which extends directly to and opens on a street or other permanent open space or on a required yard.

Department means the Department of Community and Economic Development.

Director means the Director of the Department of Community and Economic Development or their designee.

Dwelling means any building, or portion thereof, which is designed or used exclusively for residential purposes.

One-family dwelling means a building designed and occupied exclusively by one family.

Two-family dwelling means a building or portion thereof designed for or occupied by not more than two families.

Extermination means the control or elimination of infestation by eliminating harboring places and removing or make inaccessible materials that may serve as food or by poisoning, spraying, trapping, fumigating by a licensed fumigator or any other effective elimination procedure.

Family means one or more individuals living on a premises as a single housekeeping unit.

Filling station means a place where gasoline, kerosene, or any other fuel, lubricating oil, or grease for operating motor vehicles is offered for sale at retail to the public and where deliveries are made at the time of sale and directly into the motor vehicles, including greasing and oiling on the premises.

Full story. That portion of a building, other than a basement, included between the surface of any floor and the surface of the floor next above it; or if there is no floor above it, then the space between the floor and the ceiling next above it, not including in either case mezzanine floors or balconies.

Garage means a space or structure used for storing motorized vehicles that has any more than two sides completely enclosed.

Community garage means a garage, or a series of garages, for use only for the storage of noncommercial vehicles of residents of the neighborhood.

Private garage means a garage, for private use only, for the storage of not more than four motorized vehicles, including not more than one commercial vehicle, which shall be of less than two-ton capacity.

Public garage means a garage other than a private or community garage used for the storage, sale, hire, or repair of motor vehicles or of vehicles used in connection therewith.

Habitable room means any room in a dwelling unit used for sleeping, living, or dining purposes.

Half story means that part of a building between the eaves and the ridge line of pitched roofs used for storage or occupancy. When designed and constructed for limited storage, such portion is an attic.

Homeless family means a group of one or more related individuals who are homeless individuals.

Homeless individual means an individual who lacks a fixed and regular nighttime residence or an individual whose primary nighttime residence is a supervised public or privately-operated shelter designed to provide temporary living accommodations. Temporary living accommodations include welfare hotels, congregate shelters, and transitional housing.

Hotel means a building in which lodging and board is provided to the public for compensation and which caters to daily transient guests.

Impervious to water means constructed of concrete, cement block, terrazzo, brick, tile, or other similar material approved by the Director and having tight-fitting joints and more than four and one-half percent absorption by test.

Infestation means the sustained presence of household pests, vermin, or rodents.

Living room means a room used for sitting, dining, or cooking purposes, but does not include a room designed for laundry, workshop, furnace, play, or storage purposes.

Mezzanine floor means a balcony-like floor located between a main or full floor and the main ceiling next above and not exceeding in area more than one-third of such main or full floor.

Occupant means any individual residing in a dwelling.

Owner means the State, the City, the University of Wisconsin-Green Bay, any sewer or drainage district, any person, firm, partnership, corporation, or organization of any kind having a legal or equitable interest in a property.

Plumbing means all gas pipes and gas burning equipment, waste pipes, water pipes, water closets, sinks, lavatories, bath tubs, catch basins, drains, vents, and any other fixtures, together with connections to the water, sewer, or gas lines.

Provided means furnished, supplied, or paid for by, or under control of, the owner.

Rooming house means a building or structure, other than a hotel licensed by the State, where three or more persons are lodged for compensation.

Service station means a garage, other than a public garage, used in connection with liquid fuel dispensing stations and in which one or more vehicles can be accommodated for washing, greasing, oil changing, tire and battery replacement, or similar minor operations or adjustments.

Shelter facility means a temporary place of lodging for homeless individuals or homeless families.

Sleeping room means a room used for sleeping purposes.

Street means a public or private right-of-way, lane, or way set aside permanently for common travel and being 21 feet or more in width if it existed on November 3, 1959.

Structural alteration means any change in the supporting members of a building, such as bearing walls, columns, beams, or girders.

Structure means anything constructed, the use of which requires location on the ground or attachment to something having a permanent location on the ground.

Yard means an open, unoccupied space on the same lot with a dwelling and lying between the front, rear, or sides of the dwelling and the respective lot lines.

Sec. 8-22. Incorporation by reference.

The Wisconsin Uniform Dwelling Code, Wis. Admin. Code SPS Chs. 320 to 325, and Commercial Building Code, Wis. Admin. Code SPS Chs. 361 to 366, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein. Any conflict between this article and the Wisconsin Administrative Code shall be resolved in favor of the Wisconsin Administrative Code.

Secs. 8-23—8-45. Reserved.

DIVISION 2. ADMINISTRATION

Sec. 8-46. Division of Building Inspection.

- (a) *Duties.* The Director shall enforce all state laws, City ordinances, and lawful orders relating to the construction, alteration, repair, removal, location, occupancy, safety, and use of buildings and permanent building equipment.
- (b) *Records.* The Director shall keep records of and make monthly and annual reports to the Council on all of the following.
 - (1) All applications for building permits, which shall be numbered in the order of issuance.
 - (2) The number, description, and size of every building erected, which shall indicate the materials used and the cost of each building, as well as the aggregate cost of all buildings of the various classes.

- (3) All inspections made and all removals and condemnations of buildings.
- (4) All related fees collected, including the dates of their receipt and delivery to the City Treasurer.
- (d) *Powers.*
 - (1) *Inspection.* The Director may at all reasonable times for any proper purpose enter upon any public or private premises and make inspections thereof and may require the permit for any building, electrical, heating, or plumbing work, or the required license therefor, to be produced for inspection.
 - (2) *Emergency powers.* The Director shall have such emergency powers as are necessary to fulfill the purpose and intent of this article; that is, to promote the public health, safety, and welfare.

Sec. 8-47. Building permits.

- (a) *Building permit required.* No person shall erect or construct any building or structure, or shall add to, enlarge, move, improve, alter, convert, extend, or demolish any building or structure or cause the same to be done, or shall commence any work covered by this article on any structure without first obtaining a building permit therefor from the Director, provided the Director may authorize minor repairs not involving structural alterations without requiring a building permit to be issued.
 - (1) *Residential properties.* The Director may issue a permit under this section to an owner currently living and residing at the property. For residential properties not occupied by the owner, the Director shall only issue a permit under this section to a contractor who holds a dwelling contractor certification or dwelling contractor qualifier certification issued by the State of Wisconsin.
- (b) *Application.* An application for a building permit shall be filed with the Director on a blank form to be furnished for that purpose. Such application shall describe the land upon which the proposed building or work is to be done, either by lot, block, tract, or similar general description which will readily identify and definitively locate the proposed building or work, shall show the use or occupancy of all parts of the building, and shall include such other pertinent information as may be required by the Director.
- (c) *Information to accompany application.*
 - (1) *Site plan.* Each application for a building permit shall be accompanied by two copies of a site plan, drawn to scale, where not less than one inch equals 20 feet nor more than 1/16-inch equals one foot, which shows the actual dimensions of the lot to be built upon, the size and location of the buildings to be erected, the proper relationship of the buildings to the exterior lines of existing or proposed streets shown on the Official Map, and such other information as may be necessary to provide for the enforcement of this article. Such site plan shall indicate the detailed legal description of the property as it appears of record. In the case of unplatted land or parcels conveyed by metes and bounds, the site plan, together with sufficient measurements to permit property determination, shall be submitted to the Director, who shall certify as to whether the proposal is in conflict with the Official Map.
 - (2) *Other data required.* The following data shall be a part of, or shall accompany, all site plans submitted for approval:
 - a. The location of streets, alleys, lot lines, and any other buildings on the same lot or property.
 - b. The name of the owner.
 - c. The intended use of all rooms.
 - d. When required by the Director, computations, stress diagrams, and other data necessary to show the correctness of the plans.
 - (3) *Foundation specifications.* When necessary, information concerning the size and material of the foundations and, if required, the loads to be placed thereon, where piles are to be driven, and the spacing, size, and materials of the piles and the load to be placed on each shall accompany the application for a building permit.

(e) *Conditions of approval of application.*

- (1) *Sanitary sewers.* Where sanitary sewers are not installed or immediately available, no building permit shall be issued by the Director until a plumbing permit for an individual sewage disposal system has been issued in accordance with Section 8-370.
- (2) *Right to inspect.* The Director may, as a condition of the granting of a building permit, enter any premises for which such permit was issued at any reasonable time during the course of the work and until final inspection and approval thereof has been given to inspect such premises for compliance with all statutory and ordinance regulations concerning the construction, repair, use, and location of such building.
- (3) *Buildings covered by State Building Code.*
 - a. *Approval of plans.* Before a permit is issued for any building listed in subsection (e)(3)b or for the equipment for remodeling any such building, complete plans and specifications, including a site plan showing the position of the building with respect to lot lines, shall be submitted to the State Department of Safety and Professional Services for approval in accordance with the Wisconsin Administrative Code. Such plans shall be submitted to the State in such number as will permit a complete set of approved plans and specifications, together with any correspondence concerning such approval by the State, to be filed with the Department of Community and Economic Development.
 - b. The Department of Safety and Professional Services must approve permit applications for the following types of buildings:
 1. Hospitals.
 2. Buildings containing elevators.
 3. Buildings containing fire sprinkler systems or fire alarm systems.
 4. All other buildings required by state law or administrative regulation to be submitted.
 - c. *Changes in approved plans.* After plans have been approved for buildings and equipment thereof, no changes shall be permitted unless such changes are approved by the Department of Safety and Professional Services.
 - d. *Inspection of buildings covered by State Building Code.* The Director shall make inspections and require such changes as will be necessary for buildings and their equipment to conform with the approved plans, or the approved changes in such approved plans, which have been filed in their office.

(f) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Building Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.

(g) *Permit fees.*

- (1) Fees for building permits issued under this section shall be provided in the City Fee Schedule.
- (2) If an application for a building permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.

(h) *Issuance of building permit.*

- (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a building permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp both sets of plans and specifications as "approved."

- (2) *Who shall have plans and specifications.* One such approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
- (3) *Evidence of permit.* With every permit, Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
- (4) *Lapse.* A building permit shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further construction is necessary after one year, the permit holder shall make written application in duplicate to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the building permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
- (5) *Revocation.*
- a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the building permit shall be revoked by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work upon the subject building until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (7) *Preliminary foundation permit may be issued.* Whenever any person has applied for a building permit and all of the provisions of this section have been complied with, particularly with respect to review and approval of the site plan and other necessary conditions of approval as set forth in subsection (e) of this section, the Director may issue a preliminary foundation permit allowing the permittee to construct the foundation of any building for which a permit is sought. Thereafter, the Director may issue the final permit upon approval of plans and specifications for the remaining portion of the building to be constructed above the foundation. Nothing contained herein shall require the Building Inspector to issue the final permit unless the plans and specifications for the remainder of the building to be constructed above the foundation are in proper order and approved. The Director shall not issue such preliminary foundation permit unless all necessary information provided hereunder has been

reviewed and approved by the appropriate City departments and the only information remaining to be approved is the computation, stress diagrams, and other data necessary to show the correctness of the plans for that portion of the building to be constructed above the foundation.

- (i) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Secs. 8-48—8-67. Reserved.

DIVISION 3. ENFORCEMENT

Sec. 8-68. Unsafe buildings; razing or repair.

- (a) *Order to raze.* If any building located within the City is old, dilapidated, or out of repair and consequently dangerous, unsafe, unsanitary, or otherwise unfit for human habitation and unreasonable to repair, the Director may order the owner of the building to raze and remove such building; or, if the building can be made safe by reasonable repairs, order the owner to either make the building safe and sanitary or raze and remove it, at the owner's option; or, where there has been a cessation of normal construction of a building for more than two years, order the owner of the building to raze and remove such building. Any order issued under this section shall specify the repairs necessary to make the building safe and sanitary and shall specify a time within which the owner shall comply therewith. Such order shall be served as provided by Wis. Stats. § 66.0413.
- (b) *Failure to comply with order.*
- (1) If the owner fails or refuses to comply with an order issued under this section within the time prescribed, the Director shall cause such building either to be razed and removed as provided by Wis. Stats. § 66.0413, through any available public agency or by contract or arrangement with private persons, or to be closed if unfit for human habitation, occupancy, or use.
 - (2) The cost of such razing and removal or closing shall be charged against the real estate and shall be assessed and collected as a special charge. When any building has been ordered razed and removed, the Director may sell the salvage and valuable material at the highest price obtainable. The proceeds of such sale, after deducting the expense of razing and removal of the building, shall be promptly remitted to the Circuit Court with a report of such sale or transaction, including the items of expense and the amounts deducted, for the use of the person entitled to the net proceeds, subject to the order of the Court. If there remains no surplus to be turned over to the Court, the report shall so state.
 - (3) If a building subject to a raze order under this section is unsanitary and unfit for human habitation, occupancy, or use and is not in danger of structural collapse, the Director shall post a placard on the premises containing the following notice: "This Building May Not Be Used For Human Habitation, Occupancy, or Use." The Director shall prohibit use of the building for human habitation, occupancy, or use until the necessary repairs have been made. Any person who rents, leases, or occupies a building which has been condemned for human habitation, occupancy, or use shall be fined not less than \$5.00 nor more than \$50.00 for each week of the violation.

Secs. 8-69—8-98. Reserved.

DIVISION 4. INSPECTION

Sec. 8-99. Structural portions to be inspected.

No structural portion of any part of any building or structure not supervised by an architect or professional engineer or their authorized representative, and no reinforced steel, structural framework of iron or steel, brick,

concrete block, frame, or any other materials used in the structural part of any building shall be covered or concealed in any manner without first securing the approval of the Building Inspection Division. The Building Inspection Division shall be notified at least one working day prior to such time as the work is to be inspected.

Sec. 8-100. Successive inspections to be made.

No work shall be done on any part of a building or structure beyond the point indicated in each successive inspection without first obtaining the approval of the Building Inspection Division. Upon notification by the permit holder or an agent of the completion of each of the respective steps in construction, the Director shall make the following successive inspections in accordance with the Department of Safety and Professional Services Administrative Code and shall either approve that portion of the construction as completed or shall notify the permit holder or an agent where the same fails to comply with the law:

- (1) Residential and/or commercial building inspections are required following specific phases of the construction process. The list in this section is not exhaustive, and additional inspections may be required as appropriate. The Director shall perform an inspection following each of the following steps in construction:
 - a. *Footings.* When forms for footings are in and ready to be poured. Forms for footings shall be framed with a minimum depth of six inch framing members.
 - b. *Foundation.* When footings are fully installed and the permit holder is ready to install concrete for the walls.
 - c. *Tar, stone, and tile.* When the walls are up and stone, tile, and damproofing have been installed.
 - d. *Rough-in.* When the roof and all framing, fire blocking, and bracing are in place, and all pipes, chimneys, and vents are completed.
 - e. *Insulation.* When the insulation has been installed.
- (2) *Certificate of occupancy.* The Chief Building Official, Plumbing Supervisor, Heating Inspector, Electrical Inspector, Engineering Department agents, and Fire Department Prevention Bureau, or their designees, shall each make a final inspection of all new buildings, additions, and alterations. If no violation of this article or any other ordinance, law, or order is found and if there is a sewer connected to the public system or a system approved by ordinance, a connection with adequate water supply and access to the premises by a graded and graveled public road, and the buildings, additions, and alterations are in compliance with the City's building, electrical, heating and air conditioning, plumbing, rat prevention, and fire prevention and control ordinances, the Director shall issue a certificate of occupancy stating the purpose for which the building is to be used and the maximum load and maximum number of persons that may be accommodated on each floor thereof. No building or part thereof shall be occupied until such certificate has been issued, except with the written consent of the Director, nor shall any building be occupied in any manner which conflicts with the conditions set forth in the certificate of occupancy. In no case shall a certificate of occupancy be issued until complete compliance with the conditions stipulated on the site plan have been met, except such certificate may be issued prior to complete compliance provided that a cash bond in an amount equal to the cost of site plan compliance, as stipulated by the Director of Public Works and indicated on the site plan, has been deposited with the City Treasurer. If all conditions have not been met within 60 days after notice by the Director of Community and Economic Development, the Director of Public Works may make the necessary installations as provided in the site plan and charge the same to the cash bond account for that particular building.
- (3) *Commercial partial and/or temporary occupancy.* Partial and/or temporary occupancy of a building may be granted subsequent to the original site plan approvals if the following conditions are met:
 - a. The applicant has submitted a Life Safety Plan containing the stamped seal of the supervising professional. Said Life Safety Plan shall demonstrate to the satisfaction of the Director that all life

safety components for the entire building have been completed or that an equivalent or better level of protection is in place.

- b. The Director and the Fire Chief have reviewed and approved the revised Life Safety Plan described in this subsection.
- c. The applicant has paid an additional permit fee in an amount determined by the Director, which amount shall reflect the actual administrative costs of issuing the partial or temporary certificate of occupancy. In determining the fee amount, the Director may consider all relevant factors, including, but not limited to, the timing or urgency of the request for the partial or temporary occupancy permit, the number of inspections required to grant the partial or temporary occupancy permit, and the percentage of the building included in the partial or temporary occupancy permit. The fee for the partial or temporary occupancy permit shall not exceed fifty percent of the total permit fee.

Secs. 8-101—8-128. Reserved.

DIVISION 5. BUILDING SITE REGULATIONS

Sec. 8-129. Excavations.

- (a) *Excavation plans to be submitted in advance.* A building permit shall be obtained before commencing with excavation or driving piles for any foundation of any building or structure. The application for a building permit shall be filed with the plans and specifications of the building showing the location of the building or structure, the size and material of the foundation, and, if required, the loads to be placed thereon, where piles are to be driven, the spacing, size, and materials of the piles and the load to be placed on each.
- (b) *Guard rails.* Any person making excavations or causing the same to be made shall properly guard them and shall so protect them that the adjoining soil shall not cave in. No one shall excavate so as to injure any adjoining soil, ground, or building. Wherever such excavations are made within ten feet of any sidewalk, street, or alley, guard rails and warning lights and signs determined to be proper by the Director shall be installed and maintained. The Director may require guard rails around such other excavations as such they believe the protection of the public requires.

Sec. 8-130. Abandoned or water-filled excavations.

- (a) *Open basements.* Any open basement or basement excavation on which no work has been performed for a period of 60 days after the commencement of building or razing shall constitute a nuisance and the owner or contractor shall, within five business days of receipt of written notice from the Director, cause such basement or basement excavation to be properly filled and leveled off to the original grade. All concrete, including footings and foundations, must be removed in its entirety prior to such filling and shall not be buried.
- (b) *Fill and debris.* Any fill or debris on land or lots that has not been leveled off or removed within 30 days after its deposit and which is harboring rodents, preventing noxious weeds from being cut, or otherwise creating a nuisance shall be subject to the issuance of written orders by the Director requiring the leveling or removal of such fill or debris within 48 hours of receipt of such orders. (c) *Water-filled excavations.* Any open basement or basement excavation in which one foot or more of water is permitted to stand shall constitute a nuisance and the owner shall, within 48 hours of receipt of written orders from the Director, cause the excavation or basement to be pumped dry.
- (d) *Publication of notice.* If the address of the owner or contractor cannot be ascertained with reasonable diligence, then the 48-hour period provided in subsections (a) through (c) of this section shall commence to run at the beginning of the day following two successive publications of the notice in the official newspaper.

- (e) *Failure to comply.* Failure to comply with a written order from the Director shall be cause to have the work done to abate the nuisance in accordance with Chapter 24, and the cost thereof charged back to the property or property owner.

Sec. 8-131. Littering and damage to property.

- (a) *General provisions.* No person engaged in work for which a building permit has been issued shall cause, maintain, or permit the littering of any public or private property with mud, dust, brush, stumps, tree limbs, construction, or other types of debris; nor shall such person cause damage to any public street, sidewalk, alley, curb, gutter, sewerage system, or property.
- (b) *Littering at razing or removal site.* No person shall leave litter, building debris, excavations, or ground piles on property on which a building is being razed or from which a building has been moved. If work is not being done in a satisfactory manner or is not progressing, thus causing a public safety hazard and nuisance, the Director shall issue a written order to the property owner specifying a definite period within which persons concerned shall clean up the property and level off the ground to the adjoining level, the City shall cause such work to be done to abate the nuisance in accordance with Chapter 24, and the cost thereof charged back to the property or the property owner.

Sec. 8-132. Lot corners.

- (a) *To be monumented.* Prior to issuance of a building permit, all lot corners of the property upon which any building or structure is to be located shall be monumented by a registered land surveyor. These monuments shall be marked by wooden guard stakes.
- (b) *Monuments to be maintained.* The lot corner monuments and guard stakes shall be maintained and kept readily visible until the footings have been inspected and approved by the Director.

Secs. 8-133—8-165. Reserved.

DIVISION 6. BUILDING CONSTRUCTION REGULATIONS

Sec. 8-166. Minimum building elevations.

- (a) The first habitable floor of any building or structure shall not be constructed below the current city elevation.
- (c) Uses requiring floodproofing measures shall be designed consistent with the current flood protection elevation. The Director shall require that the applicant submit a plan or document certified by a registered professional engineer or architect that the floodproofing measures are consistent with the flood protection elevation. Floodproofing measures shall include, but are not limited to, the following:
 - (1) Installation of water-tight doors, bulkheads, and shutters.
 - (2) Reinforcement of walls to resist water pressure.
 - (3) Use of paint, membrane, or mortar to reduce seepage of water through walls.
 - (4) Construction of water supply and waste treatment systems to prevent the entrance of floodwaters.
 - (5) Pumping facilities for subsurface drainage systems for buildings, to receive external foundation wall and basement floor pressures.
 - (6) Construction to resist rupture or collapse caused by water pressure or floating debris.
 - (7) Installation of cutoff (backwater) valves on sewer lines or elimination of gravity flow basement drains.
 - (8) Anchorage to resist flotation and lateral movement.
 - (9) Addition of mass or weights to structures to resist flotation.

- (10) Installation of pumps to lower water levels in structures.
- (d) Accessory uses such as parking lots, yards, and other similar land or open land uses may be permitted at the current base flood elevation.
- (e) Fill shall be placed around buildings and structures to a minimum of one foot above base flood elevation and shall extend at such elevation at least 15 feet in each direction from the structure thereon. Fill material shall be stabilized in a manner recommended by the U.S. Soil Conservation Service and protected against erosion.

Secs. 8-167—8-202. Reserved.

DIVISION 7. OTHER CONSTRUCTION REQUIREMENTS

Sec. 8-203. Materials approved by Department of Safety and Professional Services.

Materials not listed in this article but approved by the State Department of Safety and Professional Services may be used in any building in the City, provided the necessary test sheets verifying such approval are on file in the office of the Department.

Sec. 8-204. Prefabricated and other similar buildings.

Nothing in this article shall prevent the erection of prefabricated, component, pre-cut, stressed-skin, or unit-constructed buildings, provided such buildings meet or are modified to comply with all requirements of this article.

Sec. 8-205. Items not covered by this article.

Any item, phase, or area of construction not specifically covered by this article shall meet with the approval of the Director. This article shall not be interpreted to limit the scope or use of other construction practices not specifically covered herein, provided the standards of construction and safety intended by this article are maintained. Detailed material, information, and structural design data on other construction practices shall be submitted to the Director for approval prior to starting construction.

Secs. 8-206—8-234. Reserved.

DIVISION 8. HOUSING REQUIREMENTS

Sec. 8-235. Buildings affected.

This division shall apply to buildings hereafter constructed which are not covered by the State Building Code. Sections 8-238 through 8-240 shall also apply to buildings heretofore constructed which are not covered by the State Building Code.

Sec. 8-236. Light and air regulations.

Every room used for human habitation, including bath and toilet rooms, shall be lighted directly upon a street or alley, upon a court on the same lot with the building, or upon the sky. Every court which is bound on one side by a lot line and which opens at one or both ends to the street, alley, or yard shall be an outer line court and shall be at least three feet wide. Every court which is between two buildings or parts of buildings on the same lot and which opens at one or both ends to the street, alley, or yard shall be an outer court and shall be at least six feet wide. Every court which is bounded on one side and both ends by walls and on the remaining side by a lot line shall be an inner lot line court and shall be at least six feet wide and at least 60 square feet in area. Every court which is bounded on all sides by walls shall be an inner court and shall be at least ten feet wide and at least 150 square feet in area. No building shall be built, altered, or enlarged so as to encroach upon the space reserved under this section for light and air.

Sec. 8-237. Ceilings.

All habitable rooms in each dwelling unit shall maintain a minimum ceiling height of seven feet. If beams or girders are exposed below the normal ceiling, a height of seven feet shall be maintained between the floor and the beams or girders. Rooms with sloping ceilings shall maintain a seven-foot average. In one-half story residences, areas with less than five feet of head room at the sides shall not be included in the above requirements, but the center ceiling height shall be at least seven feet.

Secs. 8-238—8-273. Reserved.

DIVISION 9. OTHER BUILDING REGULATIONS

Sec. 8-274. Razing of buildings.

- (a) *Permit required.* No person shall raze any building in the City without first securing a permit therefor from the Department and a permit for the sealing of the sewer from the Director. No permit shall be granted unless the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. The applicant shall agree to indemnify and hold the City harmless from all liability arising out of the job. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the permit, and no work shall be done under such permit until a new certificate of insurance certificate complying with this subsection has been filed with Risk Management. No certificate of insurance is required if either of the following conditions exists:
- (1) The building is located in a residential zoning district and is set back at least ten feet from all property lines.
 - (2) The building is located in any zoning district, is an accessory building as defined in Section 44-249, is no greater than one story, and is set back at least ten feet from all property lines, or is constructed and situated upon the property so that the same may be razed with no damage resulting to the person or property of others as determined by the Director and Risk Manager. Anyone aggrieved by such determination may appeal that decision to the Protection and Policy Committee in accordance with Wis. Stats. Ch. 68.
- (b) *Requirements.* The holder of a permit to raze a building shall comply with the following requirements:
- (1) *Property to be protected.* Streets, alleys, and private property shall be properly protected by erecting proper fences and scaffolds. If scaffolds are to be built on streets or alleys, they shall be properly protected with a top cover of planks, guard rails, and toe-boards to prevent the falling of debris on sidewalks or streets. The top of the scaffold shall be at least eight feet above the sidewalk or alley.
 - (2) *Walls to be supported.* No person shall remove all horizontal support from exterior walls or partitions thereby permitting them to stand unsupported.
 - (3) *Buildings to be razed floor-by-floor.* In buildings of more than one story, the exterior walls, interior partitions, and other supports shall be removed floor-by-floor, using the floor below as protection from falling debris and to prevent exterior and interior walls from collapsing.
 - (4) *Razing to be gradual.* No walls, chimneys, or other construction shall be allowed to fall en masse on a floor and bulky material such as beams and columns shall be lowered and not thrown.
 - (5) *Cranes.* Cranes may be used in wrecking or demolishing buildings provided the other requirements of this subsection are met.
 - (6) *Sewers.* When a building is moved or demolished, its sewer shall be located at a point outside the foundation lines and sealed off. The plug or seal shall not be covered until the Director or a plumbing inspector under Section 8-356 gives approval.

- (7) *Obstruction of streets.* When razing requires the obstruction of a public street, alley, or sidewalk, a permit must be obtained from the Director of Public Works as provided in Section 34-11 before work on razing the structure can begin.
- (8) *Filling basement and excavated areas.* All loose material and debris shall be removed from the basement, crawlspaces, and other excavated areas. Upon ascertaining that all openings, pipelines, drains, and similar components have been properly capped, all basements, crawlspaces, excavated areas, and other below-grade voids resulting from the removal of pavements, slabs, foundations, and the like shall be filled to within four inches of finished grade with granular fill material. The material shall be well graded, free from debris and organic material. All granular fill shall be placed in layers of 12 inches or less and shall be compacted to not less than 95 percent of Modified Proctor (ASTM D-1557).
- (9) *Completion of project.* When razing activities are completed, the disturbed area shall be graded so that no gradients in disturbed earth shall be steeper than a slope of three to one (horizontal to vertical). A layer of arable topsoil capable of supporting perennial grasses shall be spread over the disturbed area to a minimum depth of four inches. The area shall be seeded with a perennial grass capable of survival in this climate and maintained until the area is stabilized and developed with zoning and other applicable provisions of this Code.

Sec. 8-275. Moving of dilapidated or detrimental building prohibited.

- (a) *Dilapidated buildings.* No permit shall be granted for the moving of any building from one location to another which, in the judgment of the Director, is so dilapidated and so out of repair as to be unsanitary or unfit for human habitation, occupancy, or use or is so out of repair that it would be unreasonable to repair the same.
- (b) *Detrimental buildings.*
 - (1) To protect and conserve the value of neighboring property, no permit shall be granted for the moving to a location within the City of any building which, in the judgment of the Director, would be detrimental to the character of the intended neighboring property. Such consideration shall be made on the basis of compatibility of external appearance, size, and architectural quality in relation to existing structures.
 - (2) The application for a moving permit shall be accompanied by three copies of a site plan of the proposed site, with such additional material as would permit the application of the foregoing standards.
- (c) *Denial; appeal.* The refusal to grant a moving permit shall be in writing and shall contain a detailed statement as to why the relocation would be detrimental to the value of the neighboring property, if such is the case. The applicant or any aggrieved party may, within ten days of the granting or refusal of a moving permit, appeal to the Board of Appeals. The Board of Appeals shall hear such appeal in accordance with procedures which it shall provide.

Sec. 8-276. Building maintenance.

- (a) *Hazardous conditions.* A person who owns, leases, or occupies a building shall keep the building from structural or other conditions that constitute a substantial hazard to the health or safety of its occupants or create an unreasonable risk of personal injury as a result of any reasonably foreseeable use of the building other than negligence by an occupant.
- (b) *Common areas.* A person who owns a commercial building and leases the building to multiple tenants shall keep all common areas of the building maintained in a manner that is safe, functioning, sanitary, and undamaged.
- (c) *Building exterior.* A person who owns a building shall keep all exterior and weatherproofing components maintained in a manner that is safe, functioning, cleanable, and undamaged.

- (d) *Other structures.* Accessory structures, temporary structures, fences, and other structures shall be kept in a manner that is safe, functioning, cleanable, and undamaged.
- (e) *Insufficient repairs.* A person who owns a building shall ensure all repairs to the building are performed in a workmanlike manner. The term "workmanlike manner" includes, but is not limited to:
 - (1) The use of materials that have a consistent texture, color, quality, or appearance with adjacent materials.
 - (2) The complete performance of a job which does not leave unfinished edges, exposed nails or screws, loosely attached materials, or similar conditions.

Secs. 8-277—8-324. Reserved.

DIVISION 10. OTHER STRUCTURES

Sec. 8-325. Billboards and signs.

- (a) *General.* Billboards and signs are subject to all applicable regulations in Chapter 30.
- (b) *Materials to be used within Commercial Construction District.* When erected or maintained within the Commercial Construction District, billboards and signs shall be constructed and maintained entirely of incombustible materials, including the structural parts of the frames of such structures; except that braces, uprights, and the skeleton frames of billboards and signboards to which the metal facing is fastened may be wood.
- (c) *Not to be an obstruction.* No billboard or sign or any part of such structure, or any anchor, brace, guide wire, or guide rod shall be attached, fastened, or anchored to any fire escape, fire ladder, or stand pipe; and no such structure or any part of such structure, or any anchor, brace, guide wire, or guide rod shall be erected or maintained so as to cover or obstruct any doors, doorways, or windows or so as to prevent or hinder the raising or placing of ladders against any such building by the City Fire Department if necessary.
- (d) *Signs in public places.* No person shall erect, fasten, post, paint, or maintain any sign, picture, poster, or advertisement of any description upon any curb, sidewalk, fence, board, barrel, box, case, railing, pole, post, barricade, material, bridge, bridge fender, dock, pile, structure, or building of any kind placed upon any street, alley, public way, public ground, or public waterway.
- (e) *Temporary banner.* No person shall erect or maintain any temporary banner or sign extending beyond the curblin of the street.

Sec. 8-326. Awnings over streets or sidewalks.

No person shall erect, repair, or maintain any awning over any sidewalk or street within the City except in accordance with this section.

- (1) *Permit required.* No person shall erect any awning over any sidewalk or street without first obtaining a permit therefor from the Director. No permit shall be granted unless the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager.
- (2) *Specifications.* Any awning erected over any sidewalk or street within the City shall be constructed of an adjustable iron frame firmly secured in place and covered with canvas or other suitable material. Such frame shall be at least 7½ feet in height above the highest point of the walk, and the lowest point of the flap or fringe of such awning shall not be less than 6½ feet above the sidewalk immediately beneath it.

- (3) *Permanent metal awnings.* Permanent metal-type awnings may be erected provided that a minimum clearance of ten feet is allowed from the sidewalk to the lowest part of the awning.

Sec. 8-327. Canopies, hoods, and projecting signs.

No permanent hood, canopy, or projecting sign shall be constructed unless in the manner herein provided.

- (1) *Permit and inspections required.* No canopy, hood, or projecting sign shall hereafter be erected without a permit therefor being first secured from the Director. All such canopies, hoods, or projecting signs shall be inspected yearly by the Director.
- (2) *Certificate of insurance for canopies, hoods, or projecting signs over the public right-of-way.* No permit shall be granted until the applicant files a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the permit until a new certificate complying with this subsection has been filed with Risk Management.
- (3) *Clearance.* There shall be not less than ten feet between the grade of the sidewalk at any point and the lowest point of any appendage or projection of any canopy, hood, or projecting sign extending over a public street right-of-way.
- (4) *Project toward streets.* The projections of permanent hoods, canopies, or projecting signs shall not extend over the street nearer than two feet from a vertical projection of the outside face of the curb.
- (5) *Height.* The overall height of canopies or hoods, including all projections, ornamentations, accessories, or appurtenances, shall not exceed six feet. After the original erection, no sign, poster, or other thing extending beyond six feet above the ten-foot clearance required of such canopy shall be added to such canopy or hood. The maximum distance to the top of any canopy, including all projections, ornamentations, or appurtenances, signs, or other part of the canopy, shall not exceed 16 feet from any point of the sidewalk.
- (6) *Accessories to installations.* Any necessary appurtenances or signs of a temporary or permanent installation shall be rigidly attached to the hood or canopy in a manner satisfactory to the Director. No swinging signs or accessories shall be permitted.
- (7) *Signs erected above canopies or hoods.* Where projecting signs are erected above canopies or hoods, they shall in no manner be attached to any accessory, ornament, or other thing of a temporary or permanent nature. Such signs shall be hung independently of the canopy.
- (8) *Drainage to be provided.* All hoods, canopies, and projecting signs shall have gutters and conductors connected with the sewer at the building and shall be so drained as not to discharge any water onto the sidewalk or public highway, except as provided in the City Plumbing Code.
- (9) *Other design and material requirements.* Canopies, hoods, and projecting signs shall be built of incombustible material throughout, shall be capable of resisting a superimposed load of 30 pounds per square foot, shall extend from the lot line toward the curb at a height in the clear of not less than ten feet, and shall slope and drain toward the building in accordance with the City Plumbing Code.
- (10) *Suspension from building.* Canopies, hoods, and projecting signs shall be suspended from the building, with no supports resting upon the sidewalk or public highway.
- (11) *Approval required.* The Director shall approve the design and materials of construction of all canopies, hoods, and projecting signs.

Sec. 8-328. Fire escapes outside.

No outside fire escape or other structural addition projecting from a building over a public alley or thoroughfare shall be erected without first securing a permit from the Director. The Director shall not issue a

permit for the building of such outside fire escape or other structural addition unless the plans provide for a minimum of 13 feet, six inches vertical clearance from the permanent established grade of the alley or thoroughfare below, provided where such grade has not been established, the clearance shall be on the basis of the proposed grade for such alley or thoroughfare as set by the Director of Public Works.

Sec. 8-329. Gas or oil distributing stations.

- (a) *Plans and specifications.* Plans and specifications for any gas or oil distributing station shall conform in all respects to the laws of the State and to existing laws for buildings and construction in the City.
- (b) *Design standards.*
 - (1) *Sidewalk, street, and curb grades.* Sidewalk, street, and curb grades shall be established by the Council and shall be obtained from the Engineering Division of the Department of Public Works. All construction shall conform to the grades so established.
 - (2) *Driveways and stationaries.*
 - a. *Surfacing.* All stationaries and driveways which receive moving traffic shall be surfaced with bituminous or Portland cement concrete. If Portland cement concrete is used, it shall be a minimum thickness of six inches or of a designed mix containing not less than 5½ bags of cement per cubic yard of concrete. If bituminous concrete is used, it shall be laid with a minimum thickness of two inches of a plant hot mix material upon either a four-inch Portland cement concrete base or a six-inch crushed stone base, such base to be properly compacted and rolled.
 - b. *Corner lots.* Driveway approaches measured along the curblines shall not be less than 25 feet from the intersection of the street right-of-way line on a corner lot or 35 feet from the point of intersection of the curb faces, whichever is greater.
 - c. *Curb cuts.* Two driveways shall be permitted on both the long and short side of any lot; but in no case shall two driveways be permitted on any side less than 100 feet long. Openings shall not exceed the distances set in this subsection. The opening at the curb to any proposed gas or oil distributing station shall not be greater than 30 feet and at the property line shall not be greater than 20 feet.
 - d. *Curbing required.* Except at driveway locations, curbing not less than eight inches in height and eight inches in width shall be constructed adjacent to all property lines and/or street setback lines abutting the street rights-of-way. At all driveway locations, the end 24 inches by eight inches curbing may be evenly tapered to allow the top of such curbing to intersect at the grade with the driveway.
 - e. *Driveways.* The curbing of all driveways on both sides shall commence at the outside sidewalk line at the grade established by the Engineering Division of the Department of Public Works. Such curb shall continue and become attached to the curb at the street at the same grade as such street curbing, the outer edge of such curbing conforming with the entrance measurements as set forth in this section.
 - f. *Distance between driveways.* The minimum distance between driveways at the property line shall be 30 feet.
 - g. *Lighting.* The type and location of all lighting shall be shown on the site plan. All outdoor light sources shall be controlled, directed, and/or otherwise screened from illuminating directly upon adjoining or opposite properties. This control can be by landscaping, buildings, louvers, and/or shields on the lights, or with similar devices.
 - h. *Fencing required.*
 - 1. When abutting a residential zone, decorative fencing that is impervious to sight and not less than four feet nor more than eight feet in height shall be installed along the interior

boundaries of the proposed station property to a point 15 feet from the street right-of-way. Curbing eight inches by eight inches shall be placed along the property line within this 15 feet. When abutting a zone other than residential, curbing or bumper guards may replace the fencing equipment.

2. All exterior waste or storage areas shall be properly fenced to screen them from public view.

i. *Setback area.*

1. Where street setback areas are required, the setback area shall not be considered part of the station proper but shall be properly seeded and landscaped.
2. With the permission of the Plan Commission, the station area may extend into the street setback area to within 15 feet of the street right-of-way line if proper curbing is installed as required by the Commission for the purpose of safety and protection of property.
3. Interior and corner side yard setback areas bordering on residential zoning districts shall be landscaped and buffered as required in Chapter 44, regardless of size of parking area.

j. *Underground storage tanks.* The location and size of all underground fuel tanks shall be approved in writing by the Fire Prevention Division of the City Fire Department by submitting a site plan and application to such Division. Installations shall comply with the provisions of Chapter 18.

k. *Elevated pump islands.* All site plans shall show the following information:

1. The location of the elevated pump islands.
2. The location of a rectangular area that shall surround the pump islands. Such area shall be surfaced with Portland cement concrete or bituminous concrete in accordance with subsection (b)(2)a of this section, and covered and maintained with a solvent resistant material and shall project at least three feet to the front and rear of the pump island and eight feet to each side.
3. The distance from the property line to the nearest point on the face of such pump island. Such distance shall be at least 15 feet.

(c) *Permit.* No gas or oil distributing station shall be erected in the City without first securing a permit from the Director. No permit shall be issued by the Director until detailed plans and specifications have been submitted to the Plan Commission and subsequently approved by the Council.

(d) *Approval of plans.* No permit shall be issued until a site plan fulfilling the following requirements has been approved by the Plan Commission pursuant to Chapter 44. Such site plan shall be drawn to an engineer's scale and shall show the location and dimension of all property lines, property description, sidewalks, curbs, trees, lighting standards, utility poles, fire hydrants, mail boxes, traffic signs, water mains, sanitary sewers, storm sewers, storm sewer inlets, storm, sanitary, and water connections, and any other structures on or in the street adjacent to the property as well as on the property and shall show the location of all existing and proposed structures and installations on the property. All elevations shown on such site plan shall give the City datum. After a site plan has been approved by the Plan Commission, all construction and operation shall be in accordance with the provisions of the plan, and no certificate of occupancy shall be issued by the Director until all requirements have been fulfilled.

(e) *Noncompliance and inspection.* If it is thought the terms of this section are being violated, the City Engineer or the Director, or any other parties properly designated by the Common Council may enter upon the premises at any reasonable time for inspection. If noncompliance is found, all business activities upon such premises shall be suspended until the terms of this section are complied with.

Sec. 8-330. Erection and operation of service stations dispensing liquefied petroleum gas.

- (a) *Permit.* No service station distributing liquefied petroleum gas shall be erected in the City without first securing a permit from the Director. No permit shall be issued by the Director until detailed plans and specifications have been submitted to the Plan Commission and subsequently approved by the Council.
- (b) No service station dispensing liquefied petroleum gas shall be permitted within 200 feet of a building used for institutional occupancy or public assemblies.
- (c) A site plan shall be submitted to the Plan Commission, and a copy of such site plan shall also be filed with the Fire Department to be retained in the Fire Department records.
- (d) No building permit for a liquefied petroleum gas service station installation shall be issued until plans are approved by the Fire Chief.
- (e) No permit for the installation of a liquefied petroleum gas service station shall be approved within the Commercial Construction District.
- (f) The total quantity of liquefied petroleum gas in one or more containers shall not exceed 12,000 gallons at a single service station.
- (g) Each storage container used exclusively in service station operations shall be a minimum of 50 feet from any building or group of buildings, from the centerline of the adjoining streets at the time of installation, and from the adjoining property lines which may be built upon. No container shall be closer than 20 feet to the adjacent right-of-way line of the street.
- (h) A six-inch diversion curb shall be installed to protect all liquefied petroleum storage containers at any service station where flammable liquids are also dispensed.
- (i) The design and construction of protective guard rails and barriers around containers and metering devices shall be subject to approval by the Fire Chief.
- (j) No gas shall be transferred at a liquefied petroleum gas station to any automotive fuel supply tank if such tank requires removal from its normally-established installed position for weighing or gauging.
- (k) Liquefied petroleum gas service stations shall be equipped with at least 20 pounds dry powder fire extinguisher or the equivalent, as approved by the Fire Chief.

Sec. 8-331. Television and radio receiving and transmitting antennas.

- (a) *Applicability.* This section shall apply to the outdoor portion of all apparatus used for receiving or transmitting television or radio waves of more than 12 inches in height.
- (b) *To be of incombustible materials.* All television and radio antenna systems, including the supporting tower or mast, shall be constructed of galvanized steel or other corrosion-resistant incombustible material. Where approved by the State Department of Safety and Professional Services, towers constructed of wood or wood poles set in the ground may be used to support antenna systems, provided no wood tower or wood pole shall be mounted on the roof of any building or structure.
- (c) *Load requirements.*
 - (1) *Ice load.* The antenna and tower shall support the dead load of the structure plus an ice load of at least one-half inch in radial thickness. The ice load shall be computed upon the wires, cables, messengers, and antenna only.
 - (2) *To withstand wind.* The tower or mast shall be braced or guyed and anchored to resist a horizontal wind pressure of not less than 30 pounds per square foot of net exposed surface area. Guy wires shall not be anchored to a chimney or to any roof ventilator or vent pipe.
- (d) *To be independently mounted.* Antenna systems installed on the roof of a building shall not be supported by or attached to a chimney. All such installations shall be mounted on an independent platform or base and

anchored in place. Such platform or base shall be large enough to distribute the weight of the tower over sufficient roof area so the roof will safely support the weight of the structure in addition to the required live and dead roof loads.

- (e) *Distance from streets and thoroughfares.* All antenna systems shall be so installed that no part of the structure will be nearer to a street or other public thoroughfare than the height of the antenna as measured from its platform or base to the top-most point. Any variance necessary from this requirement shall be reviewed as described in subsection (h). No wires, cables, or guy wires shall extend over any street or other public thoroughfare or over any electric power or communication lines.
- (f) *Not to interfere with utility poles and lines.* Poles used for electric power or for communication lines shall not be used for supporting or guying any antenna system. Where antenna installations are so located that damage will be caused to adjacent power or communication lines by the falling of the antenna structures, a separate safety wire shall be attached to the top of the tower and secured in a direction away from such power or communication lines.
- (g) *Electrical installations.* Electrical installations in connection with antenna systems, including the grounding of the tower or mast, shall comply in all respects with the requirements of the State Electrical Code.
- (h) *Variance.* The Plan Commission is authorized to hear and decide special exceptions to the terms of this section and to authorize such variances from the terms of this section as shall not be contrary to the public interest. Such variances shall be granted only where, owing to special conditions, a literal enforcement of the provisions of this section will result in practical difficulty or unnecessary hardship. It is the intent that the spirit of this section shall be observed, public safety and welfare secured, and substantial justice done. If a variance is granted under this section, the owner shall sign a contract, approved by the City Attorney, agreeing to hold the City harmless from and indemnify the City for any and all liability that may result from the construction and maintenance of any structure permitted pursuant to such variance.
 - (1) In all cases where such a variance is granted, the owner shall file a certificate of insurance with Risk Management giving evidence of liability insurance with policy limits in amounts to be determined by the Risk Manager. Such insurance shall not be cancelled or reduced without 30 days prior written notice thereof to Risk Management. Such notice shall suspend the variance until a new certificate complying with this subsection has been filed with Risk Management.

Sec. 8-332. Pools, ponds, and spas.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Pond means any naturally-occurring or manmade body of water that retains or detains the natural flow of water. This definition does not include ponds used for or as part of a stormwater management plan as regulated in Chapter 42.

Pool means any constructed or prefabricated structure, either temporary (installed for a duration of less than seven days) or permanent (installed for a duration of seven days or more), either above ground or in-ground, containing or normally capable of containing water that is primarily used for the purpose of wading, swimming, or other recreational use. This definition excludes hot tubs, spas, and ponds.

Spa or hot tub means any hydro-massage pool or tub designed for immersion of users and primarily intended for recreational or therapeutic use which may or may not be equipped with a filter, heater, and motor-driven blower.

- (b) *Permit required.* No construction of a pool intended as a permanent installation, a humanmade pond, or a spa shall begin unless a permit therefor has been obtained and the fee paid as provided in the City Fee Schedule. The application for such permit shall be accompanied by a site plan showing the size, location, and description of the property.
- (c) *Requirements.*

- (1) *Setback.* Permanent above- or in-ground pools, humanmade ponds, or spas shall maintain a minimum front yard setback of 25 feet and a rear and side yard setback of ten feet from adjoining property, subject to properly granted variance under Chapter 44. In determining this setback for above-ground pools, ponds, or spas with permanent fencing or decks, any deck or similar structure shall be considered part of the pool, pond, or spa.
- (2) *Fencing.* All pools, ponds, or spas requiring a permit shall be encompassed by fencing as required under this subsection. A variance to maximum fence height may be granted under the procedures of Chapter 44. However, under no circumstance may the minimum fence height requirements of this subsection be varied.
 - a. *Structural requirements.* All fences under this subsection shall be constructed in such a manner as to comply with the requirements of Chapter 44, Article V, Division 6, and the requirements of this subsection.
 1. The fence must be able to withstand 200 pounds of force in any direction.
 2. The fence shall be so constructed and designed as to prevent penetration of an object greater than six inches in diameter.
 3. All such fences shall be constructed with a locking door or gate which complies with all other height and structural requirements of this section.
 - b. *Permanent in-ground pools, ponds, or spas.* Permanent in-ground pools, ponds, or spas, subject to Chapter 44, Article V, Division 9, shall be encompassed by a freestanding fence not less than 48 inches nor more than 96 inches from the ground level. Such fence shall be no less than three feet from the pool, pond, or spa at its nearest point. The fence shall comply with the requirements of this subsection.
 - c. *Above-ground pools.* Above-ground pools, ponds, and spas shall be encompassed by fencing which complies with one or any combination of options listed below and the requirements of this subsection.
 1. A fence in compliance with the requirements under this subsection for in-ground pools, ponds, or spas.
 2. A fence within three feet of the pool, pond, or spa, not less than 48 inches nor more than 96 inches from ground level.
 3. A fence attached to a deck or walkway, provided such fence is at least 36 inches above the surface of the deck or walkway and complies with subsection (c)(2)c.2 of this section.
 4. A pool wall not less than 48 inches from ground level, provided that steps, ladders, or other means of pool access are removed when the pool is not in use.
- (3) *Exceptions.* Fencing shall not be required under the following circumstances:
 - a. Pools, ponds, or spas with locking and solid structural covers. Such covers shall be in place whenever the pool, pond, or spa is not in use and/or is unsupervised by an adult.
 - b. Pools, ponds, or spas completely enclosed within a building.
 - c. Existing pools, ponds, or spas as of April 20, 2004.
 - d. The Director has determined that the pool, pond, or spa does not affect the safety, health, or welfare of the residents of the community and does not annoy, disturb, injure, or endanger the comfort, repose, health, peace, or safety of others.
- (d) *Operation of residential pools, ponds, or spas.*

- (1) *Public pools, ponds, or spas prohibited in residential areas.* No person shall operate a public pool, pond, or spa on any premises zoned residential. The operation of a public pool, pond, or spa on residential premises is declared to be a public nuisance.
- (2) *Interference with enjoyment of property rights prohibited.* No pool, pond, or spa shall be so located, designed, operated, or maintained as to unduly interfere with the enjoyment of the property rights of owners of property adjoining the pool, pond, or spa or located in the neighborhood.
- (3) *Shielding lights.* Lights used to illuminate any pool shall be so arranged and shaded as to reflect light away from adjoining premises as regulated in Chapter 44, Article V, Division 8.
- (4) *Unnecessary noise.* No person shall make, continue, or cause to be made or continued at any pool, pond, or spa any loud, unnecessary, or unusual noise or any noise which annoys, disturbs, injures, or endangers the comfort, repose, health, peace, or safety of others. In the operation of any pool, pond, or spa, the use or permitting the use or operation of any radio, receiving set, musical instrument, phonograph, or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet, and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing of the persons who are in the pool, pond, or spa premises, shall be prohibited.
- (5) *Indecent exposure.* Every person using an outdoor pool, pond or spa shall wear a bathing suit or other suitable garment to protect their person from indecent exposure.

Secs. 8-333—8-354. Reserved.

ARTICLE III. PLUMBING CODE

Sec. 8-355. Wisconsin State Plumbing Code adopted.

- (a) *Adoption by reference.* Wis. Stats. Ch. 145, and the Wisconsin State Plumbing Code, Wis. Admin. Code SPS Chs. 325 and 381 through 387, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein. Failure to comply with any of the provisions of such statutes or Codes shall constitute a violation of this article, punishable according to the penalties provided herein.
- (b) *To be on file.* A copy of the Wisconsin State Plumbing Code shall be on file in the offices of the Department of Community and Economic Development and the City Clerk.

Sec. 8-356. Administration.

- (a) *Definitions.* The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Director means the Director of the Department of Community and Economic Development or their designee.

Plumbing inspector shall be interpreted to have the same meaning as “Plumbing Supervisor,” as that term is defined in Wis. Stats. § 145.05, and shall be construed as though followed by the words, “or their designee.”

- (b) *Duties and authority.*

- (1) Plumbing inspectors shall supervise and inspect all plumbing and drainage work in or in connection with all buildings within the City and shall faithfully enforce all laws, ordinances, and rules in relation thereto. Plumbing inspectors shall see that the construction, reconstruction, demolition, and alteration of all plumbing and drainage installed in all buildings in the City conforms with state laws and with the rules and regulations of the State Department of Safety and Professional Services and of the City, shall see that the work is done by licensed plumbers as provided by state law and this article, and shall make or cause to be made all inspections required thereby and in the manner therein set forth. In the discharge of their duties, the plumbing inspectors may enter any building during reasonable hours.

They shall supervise and inspect plumbing and drainage installations as necessary to adequately enforce and administer the provisions of this article, state law, and the State Plumbing Code, or any amendments thereto, to make plumbing safe and sanitary and to promote the public welfare in all classes of buildings.

- (2) Plumbing inspectors shall take applications and issue permits to qualified applicants and keep suitable records of the permits issued.

Sec. 8-357. Testing and inspections.

Plumbing inspectors shall make or cause to be made all required testing and inspections in accordance with Wis. Admin. Code SPS § 382.21.

Sec. 8-358. Supervision of sewers.

- (a) The Director shall have jurisdiction over all building sanitary and storm sewers. No such sewer shall be laid, and no opening into or connection with a sewer service lateral shall be made, except under the direction and supervision of a plumbing inspector.
- (b) The Director of Public Works shall keep a proper sewer connection record in a book, card index, or plat provided for such purpose showing the location of the lot, the name of the owner of the premises desiring to make such connection, the master plumber, master plumber restricted service, or utility contractor proposing to lay the sewer or drain, and the exact location with respect to the public sewer of each sewer or drain so laid. Information concerning the size, location, and depth of public and private sewers or drains and the position of the branches, junctions, and appurtenances shall be furnished by the Director of Public Works. All reasonable care shall be taken to ensure the correctness of such information, but such correctness shall not be guaranteed. When a junction is not found within three (3) feet of the point designated according to the measurements furnished, an approved Y or T fitting shall be used. Such connection shall be made upon approval of the Director of Public Works and under the direction of the plumbing inspector.

Sec. 8-359. Permits.

- (a) *Permit required.* A permit is required to perform work that constitutes "plumbing" as that term is defined in Wis. Stats. § 145.01(10).
- (b) *Application.*
 - (1) Application for a permit shall be filed with the Director on a blank form furnished for that purpose. No work shall be started before a permit has been issued.
 - (2) Permits may be applied for by licensed master plumbers, persons licensed as master plumbers (restricted), as described in Wis. Stats. § 145.14, utility contractors, and by qualified homeowners.
 - (3) The permit application shall include the name, phone number, and email address of the property owner and plumber and shall state that the property owner and plumber will be bound by and subject to the rules and regulations of this article.
- (c) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Plumbing Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.
- (d) *Insurance and bond for persons making street cuts.* Before a permit shall be issued for work requiring a cut, excavation, or service connection on the traveled portion of any street, a permit therefor shall be obtained, a bond executed and deposited, and a certificate of insurance filed in accordance with the provisions of Section 34-5(b).
- (e) *Fees.*

- (1) Fees for permits issued under this section shall be as provided in the City Fee Schedule.
 - (2) If an application for a plumbing permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (f) *Restrictions on issuance.*
- (1) No plumbing or sewer permit shall be granted until a building permit has been issued.
 - (2) No plumbing or sewer permit shall be issued to any person who is in violation of this article until such violation has been corrected.
 - (3) No plumbing or sewer permit shall be issued to any master plumber or person against whom an order issued by a plumbing inspector is pending, including, but not limited to, defective work, bad faith, unreasonable delay in performance of plumbing or drainage work, or failure to respond to official communication.
- (g) *Plan examination.* Plumbing plans and specifications for the types of plumbing installations specified in Wis. Admin. Code SPS § 382.20 shall be submitted to the Director for review. This review requirement applies to all new buildings and all additions and alterations involving six or more indoor and/or outdoor plumbing fixtures.
- (h) *Plan approval.* No permit shall be issued to commence work on any plumbing installation requiring review without plan approval from the City or the State Department of Safety and Professional Services."
- (i) *Issuance of plumbing permit.*
- (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."
 - (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
 - (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
 - (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
 - (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.

- b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
- (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.
- (h) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-360. Building sanitary sewers.

- (a) *Required.* Every building shall have a separate and independent connection with a public main sanitary sewer, private onsite water treatment system, or private main sanitary sewer. Each private main sanitary sewer shall conform to City standards for public sewers and shall be approved by a plumbing inspector. Manholes shall be located not less than 25 feet from any building.
- (1) *Exemption.* Upon proof of the following, the Director may grant an exemption from the requirements of subsection (a) of this section:
- a. The building is zoned Low Density Residential (R1) and is located within the City's Urban Expansion District.
 - b. The purpose of the exemption is to retrofit existing infrastructure that has been installed but not dedicated to the public and/or accepted as public right-of-way.
 - c. An easement exists on the face of the recorded subdivision plat, certified survey map (CSM) or replat which addresses the location of any shared lateral and identifies the ownership and maintenance responsibilities for the shared lateral from the common point of connection back to the sanitary sewer main.
 - d. An exemption is necessary to achieve compliance with any other requirement that the Director deems necessary.
- (b) *Piping.* All building sanitary sewer piping extending from a public sewer service lateral or other disposal terminal to within three feet to five feet of the outside foundation walls shall be of cast iron or vitrified clay. Such disposal terminal shall be the end of the sewer service lateral or, in the event no lateral has been installed, the City sewer main. Building sanitary sewer connections to a private main sanitary sewer shall be of cast iron pipe or vitrified clay pipe to within three feet to five feet outside of the foundation wall.
- (d) *Unconnected pipes to be closed off.* The ends of all sanitary sewer pipes not immediately connected shall be securely closed with a cap or plug to prevent the introduction of sand, earth, or drainage from an excavation.
- (e) *Replacement.* When it becomes necessary to replace any building sewer because of stoppages, such sewer shall be replaced in its full length with approved materials.
- (f) *Sewers carrying harmful discharges.* No person shall connect to a public sewer any sewer through which is discharged any substance likely to cause undue corrosion, obstruction, nuisance, explosion, or interference with sewage treatment processes.

- (g) *When buildings are razed or moved.* When a building is moved or demolished, the building sewer shall be located at a point outside the foundation walls and shall be sealed off. The plug or seal shall not be covered until approval has been given by a plumbing inspector.

Sec. 8-361. Building drains.

- (b) *Floor outlet fixtures below sidewalk grade.*
- (1) *New construction.* In all new construction, all floor outlet fixtures located below the sidewalk grade shall be provided with an approved Palmer-type backwater valve.
 - (2) *Existing buildings where drainage systems subject to backflow.* Where a building drainage system is subject to backflow of sewage and where the building was erected prior to August 19, 1972, the owner of the building shall, when ordered by a plumbing inspector, install approved automatic-type backwater valves in all fixtures located below the sidewalk grade.

Sec. 8-362. Grease and oil treatment.

All required plumbing installations for occupancies other than dwelling units where grease, fats, oils, or similar waste products of cooking or food are introduced into the drain system shall be provided.

Sec. 8-363. Storm drainage.

- (a) *Drains to connect to storm sewers.* All clear water drains shall discharge into a storm sewer wherever possible in accordance with Wis. Admin. Code SPS § 382.38. Where a building was erected prior to August 19, 1972, the owner of the building shall disconnect all clear water drains from the sanitary sewer when ordered to do so by a plumbing inspector.
- (b) *Sump pumps.* Every foundation drain shall be connected to a sump pit containing an approved sump pump as specified Wis. Admin. Code SPS § 382.36.
- (1) *New installations.* In all new construction, such approved sump pump shall discharge into a storm sewer where such is available or can be made available. In areas where a storm sewer is not available, the sump pump shall discharge into the surface at least ten feet from the building foundation. Discharge from the sump pump shall not be directed as to flow into a street or alley, over a sidewalk, or over adjoining property. Discharge from the sump pump shall not create a nuisance. The sump pump discharge shall be considered a nuisance in situations including, but not limited to, such discharge creating icing problems on a City street or sidewalk, entering a City street or sidewalk, creating ponds of standing water, or flowing over adjoining property. If the sump pump discharge is directed to the street, a permit must be obtained from the Director to direct the discharge from a sump pump to the street.
 - (2) *Existing installations creating a nuisance.* All sump pumps shall discharge into a storm sewer where such is available or can be made available if in the opinion of the Director the sump pump discharge creates a nuisance. Sump pump discharge shall be considered a nuisance in situations including, but not limited to, such discharge flowing into a street or alley, over a sidewalk, or over adjoining property. If such a nuisance exists, the Director shall require the owner of the property to install a storm sewer lateral and connect the sump pump discharge to the lateral.
- (c) *Required drainage of parking lots and surface drains.*
- (1) All parking lots whose area exceeds 2,000 square feet shall provide for interior drainage and be connected with a storm sewer if one abuts or adjoins the parking lot. Lots of 2,000 square feet or less may drain the surface water runoff to an abutting public street or alley if such public way provides stormwater drainage. Where neither drainage method is available, an interior yard storage area shall be provided. All provisions for drainage require approval by a plumbing inspector and the Director.

- (2) Where a parking lot is constructed and such construction impedes natural drainage of adjoining property, the parking lot drainage shall be extended as necessary to provide adequate drainage of the adjoining property.
 - (2) *Conduits.* The size of the conduit serving a parking lot shall be determined by the area to be drained. The conduit for areas less than 5,000 square feet shall be cast iron pipe from the yard drain or catch basin to the service lateral or, where no lateral has been installed, to the City sewer main or other designated terminal. Areas over 5,000 square feet may be served by pipes whose standards conform to City specifications for storm drainage.
 - (3) *Catch basin and grates.* Catch basin and grate areas shall conform to City specifications.
- (d) *Granting of funds for private clear water separation work.*
- (1) *Granting of funds.* The City may grant funds for private clear water separation work subject to this subsection (d). Any repayment of funds granted for private clear water separation work to property owned by indigent persons may be deferred by the Council. Such deferment shall be granted only to owner-occupied, single-family, or duplex residential real estate. Such deferment shall be by resolution directing the Director to pay all or any portion of the costs for private clear water separation work used on such property from the Storm Sewer Construction Account.
 - (2) *Copy of resolution to be filed with Register of Deeds for Brown County.* A copy of such resolution, with a statement of the amount and date paid and description of the property, certified by the City Clerk, shall be recorded with the Register of Deeds for Brown County; the amount shall thereby become a lien upon such real property in favor of the City prior to any other lien other than prior outstanding tax certificates or prior liens hereunder, for the amount paid, with legal interest, and shall be enforceable after transfer of title of the property by sale, inheritance, or will in the manner provided by law for the enforcement of mechanics liens.
 - (3) *Discharge of lien.* The owner of such property, heirs, personal representatives, or assigns may discharge such lien at any time by paying the amount of such lien with accrued interest to the City Treasurer, who shall execute a satisfaction in such form as may be recorded with the Register of Deeds for Brown County.
 - (4) *Purchase of lien.* The holder of any subsequent lien may purchase such lien by payment of the amount thereof with accrued interest to the City Treasurer, who shall execute a proper assignment thereof to such payee; and on recording such assignment, such assignee shall have the same rights the assignor had.
 - (5) *When due.* After transfer of title by sale, inheritance, or will, or when the basis for indigency no longer exists, the deferred funds shall be due and owing in full.
 - (6) *Limits for the determination of indigency.* The Council shall establish, by resolution, limits for the determination of indigency. Such limits shall include:
 - a. Maximum combined annual income of both spouses and their dependents.
 - b. Maximum combined assets of both spouses and their dependents.
 - (7) *Subject to review.* Such income and asset figures shall be subject to periodic review and modification by the Council.
 - (8) *Application.* Application for deferment shall be made to the Council upon an affidavit form provided by the City Clerk verified by each applicant.
 - a. The application shall list the relationship, ages, and employment status of the applicant and all dependents; a complete schedule setting forth all assets, liabilities, and income from all sources including the applicant individually and jointly with their spouse, and from their dependents; and any other pertinent information which may assist the City in evaluating such application.

- (9) *Notify Clerk of increases.* The applicant shall notify the City Clerk when there is a material change in the applicant's assets and/or their annual income increases above the limits described in this subsection(d).
- (10) *Providing false or incomplete information.* If the applicant willfully provides false or incomplete information, the basis for indigency shall no longer exist and the special assessment shall become due and owing in full.
- (11) *Application reviewed by Improvement and Services Committee.* The application for deferment shall be reviewed by the Improvement and Services Committee, which shall make a recommendation to the Council.
- (12) *Interest.* Interest may be charged during the deferment period. The interest rate shall not, however, exceed the legal rate prescribed by Wisconsin Statutes.

Sec. 8-364. Water supply systems.

- (a) *Water service.*
 - (1) *Size.* The water service or building supply pipe to any building shall be of sufficient size to provide an ample flow of water under maximum use to all fixtures and points of service. Such size shall be determined by standards set forth by the Wisconsin Department of Safety and Professional Services.
 - (2) *Material.* The underground water service pipe from the City main or a private water supply system to any building shall be meet the requirements of Wis. Admin. Code SPS § 384.30 and the Green Bay Water Utility.
 - (3) *Valve controls.* Service laterals shall include a corporation stop at the main, and a curb stop or valve at the curb, or privately-owned pump and a valve or stop within three feet of entering each building and, where a meter is installed, a valve on both sides of the meter as specified in Wis. Admin. Code SPS § 382.40(4)(b). Meters of one and one-half (1½) inches in diameter or larger shall have a bypass around the meter.
- (b) *Separate water service.* Plans and specifications for private water mains are required to be submitted to the State Department of Safety and Professional Services for site plan review in accordance with Wis. Admin. Code SPS § 382.20.
- (c) *Cross-connections prohibited.* No private water system shall be connected directly or indirectly to any private water main or pipe that is in turn connected to any publicly owned water main or pipe unless approved in writing by the State Department of Natural Resources pursuant to Wis. Admin. Code SPS § 382.40(3)(c).
- (d) *Plumbing inspector may make orders.* A plumbing inspector may issue orders requiring any changes necessary to bring any water supply work up to prescribed standards.

Sec. 8-365. Authority to control water service.

After the completion and trial of the work, no person shall turn on or leave turned on any water service curb stop which for any reason has been turned off by the Green Bay Water Utility. No unauthorized individual shall turn water on or off after it has been turned on or off from a given service, nor shall anyone make openings in the street or turn off water at the main without a permit therefor and supervision thereof as provided for in this article.

Sec. 8-366. Compulsory connection to sewer service.

When notified, the owner of any building intended for human habitation or occupancy abutting on any street, alley, or other thoroughfare in which public sanitary sewer has been extended and is available for service shall cause to be made a sewer connection thereto.

Sec. 8-367. Compulsory connection to water and well abandonment.

- (a) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning.

Cross-connection means a connection or potential connection between any part of a water supply system and another environment containing substances that, under any circumstances, would allow the substances to enter the water supply system by means of back siphonage or back pressure.

Licensed pump installer means any individual who has obtained a license under Wis. Stats. § 280.15(2m), and Wis. Admin. Code NR § 146.04, as a pump installer and has paid the annual license fee under Wis. Stats. § 280.15(2m)(c)2.

Licensed well driller means any individual who has obtained a license under Wis. Stats. § 280.15(2m), and Wis. Admin. Code NR § 146.04, as a water well driller and has paid the annual license fee under Wis. Stats. § 280.15(2m)(c)1.

Municipal water system means a community water system owned by a city, village, county, town, town sanitary district, utility district, public inland lake and rehabilitation district, municipal water district or a federal, state, county or municipal-owned institution for congregate care or correction, or a privately owned water utility serving the foregoing.

Pump installation means the pump and its associated pressure system including any equipment and material needed to withdraw, obtain, discharge, and store water from a well or a spring. The pump installation includes the spring box, reservoir, pump, pump drop pipe, check valves, well cap or seal, pitless adapter, pitless receiver tank, pitless unit, above-ground discharge unit, associated discharge piping and associated connections, valves, and appurtenances, pressure tank, sampling faucet, water storage or pressure vessel or structure, the electrical wiring and controls needed to operate the pump or pressure system, and any chemical addition, water treatment device, or yard hydrant upstream of the water storage or pressure vessel or building control valve.

Unused well means a well which is not in use or does not have a functional pumping system.

Well means any drillhole or other excavation or opening deeper than it is wide that extends more than ten feet below the ground surface constructed for the purpose of obtaining groundwater.

Well filling and sealing means the filling and sealing of a well, drillhole, pit, or reservoir with materials in accordance with Wis. Admin. Code NR Ch. 812 so the well, drillhole, pit, or reservoir will not act as a vertical conduit to contaminate another well, groundwater, or an aquifer.

- (b) *Compulsory connection to municipal water main.* The owner of any building intended for human habitation or occupancy abutting on any street, alley, or other thoroughfare in which a municipal water main has been extended and is available for service, shall cause to be made a water connection thereto within 120 days of notification of said extension and availability. Except as provided in subsection (4), the owner shall abandon any existing source of water currently being used for said building.
- (c) *Well filling and sealing required.* All unused wells and wells located on premises served by the municipal water system shall be filled and sealed in accordance with the terms of Wis. Admin. Code NR Ch. 812 not later than one year from the date the municipal water system is available.
- (d) *Well filling and sealing procedures.* All wells required to be filled and sealed under this section shall be filled and sealed according to the procedures and standards established in Wis. Admin. Code NR Ch. 812. A copy of the State Department of Natural Resources filling and sealing report shall be submitted by the well owner to the Water Utility within thirty days of the completion the well filling and sealing.
- (e) *Private well operation permit.*
- (1) The Green Bay Water Utility may grant a permit to a private well owner to operate a private well for a period of five years provided the conditions of this section are met. A private well operation permit may be renewed provided that the conditions of this section are met.

- (2) Permit applications shall be made on the form provided by the Water Utility.
- (3) The Water Utility General Manager or their designee may conduct inspections or have water quality tests conducted at the applicant's expense to obtain or verify information necessary for consideration of a permit application.
- (4) The Water Utility may only grant a private well operation permit if all of the following conditions are met.
 - a. The owner pays the private well operation permit fee as provided in the City Fee Schedule.
 - b. The owner demonstrates a need for use of a private well.
 - c. The owner operates the well in accordance with Wis. Admin. Code NR Ch. 812.
 - d. Prior to issuing or renewing the permit, a minimum of one safe sample has been taken from the private well to establish that the water is bacteriologically safe.
 - e. The well and pump system are functional and have been evaluated by a licensed well driller or pump installer and certified to comply with Wis. Admin. Code NR Ch. 812. The evaluation shall be documented on a form provided by the State of Wisconsin Department of Natural Resources.
- (5) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Water Commission.
- (f) Unapproved cross-connections between any private well and pump installations and the municipal water system are prohibited.
- (g) *Hardship.* When, in the judgment of the Water Commission, after recommendation from the Water Utility, it would be inappropriate to apply literally a provision of this section because hardship would result, the Water Commission may waive or vary such provisions so that substantial justice may be done and the public interest secured.

Sec. 8-368. Individual sewage disposal systems.

Private domestic sewage treatment and disposal systems, where permitted, shall be constructed, maintained, and used in accordance with the provisions of Wis. Admin. Code SPS Ch. 383.

Secs. 8-369—8-385. Reserved.

ARTICLE IV. ELECTRICAL CODE

DIVISION 1. GENERALLY

Secs. 8-386—8-402. Reserved.

DIVISION 2. LICENSURE

Sec. 8-403. License or registration required.

No person may install, repair, or maintain electrical wiring or engage in the business of installing, repairing, or maintaining electrical wiring, except as allowed pursuant to Wis. Stats. § 101.862 and this article.

Sec. 8-404. Licensure exemptions for homeowners.

Notwithstanding Wis. Stats. § 101.862(4)(a), a residential property owner may only install, repair, or maintain electrical wiring on premises that they own and occupy as a residence without a license if all of the following apply:

- (1) The premises is a one-family dwelling;
- (2) The homeowner signs the permit and accepts all responsibility for work performed; and
- (3) The homeowner does not perform any work on service entrance equipment.

Sec. 8-405. Proof of credentials.

The City of Green Bay has the right to verify the licensure of all persons performing electrical work.

Secs. 8-406—8-423. Reserved.

DIVISION 3. ELECTRICAL CODE REGULATIONS

Sec. 8-424. Adoption by reference.

Wis. Admin. Code SPS Ch. 316, as it may be amended from time to time, is hereby adopted and incorporated by reference as though fully set forth herein.

Sec. 8-425. Existing services.

If any component of the electrical service, from the service point to the load side of the service disconnect, is repaired or replaced grounding and bonding is required by the City to the same extent required by Wis. Admin. Code SPS § 316.250, as amended from time to time.

Secs. 8-426—8-449. Reserved.

DIVISION 4. CODE ENFORCEMENT

Sec. 8-450. Electrical Inspectors.

- (a) *Jurisdiction.* Electrical Inspectors shall exercise jurisdiction over inspection of the installation, alteration, repair, servicing, or maintenance of electrical wiring in all public or private buildings, including places of employment, within the City of Green Bay city limits.
- (b) *Authority.* Electrical Inspectors shall ensure all work performed within their jurisdiction complies with this article.
- (c) *Duties.* Electrical Inspectors may issue permits and shall maintain records of permits issued to contractors and homeowners, along with any fees received for such permits.

Sec. 8-451. Permits.

- (a) *Permit required.* No person may install, repair, alter, service, or maintain electrical wiring without first obtaining a permit under this article.
- (b) *Application.* An application for an electrical permit shall be filed with the Director on a blank form to be furnished for that purpose. The application shall include the name, phone number, and email address of the property owner and contractor and shall state that the property owner and contractor will be bound by and subject to the rules and regulations of this article.

- (c) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the Electrical Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.
- (d) *Permit fees.*
- (1) Fees for building permits issued under this section shall be provided in the City Fee Schedule.
 - (2) If an application for a building permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (e) *Issuance of electrical permit.*
- (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."
 - (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
 - (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
 - (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.
 - (5) *Revocation.*
 - a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
 - b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
 - c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.
 - (6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If,

subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.

- (f) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-452. Inspection stages.

During the process of performing electrical work, the person performing such work shall ensure the following inspections occur when required by the Electrical Inspector:

- (1) *Rough.* An inspection before any electrical wiring is hidden from view.
- (2) *Service.* An inspection of the service equipment and grounding electrode system prior to energizing.
- (3) *Final.* An inspection after all work has been completed and wiring concealed.

Sec. 8-453. Compliance with article.

Electrical Inspectors may utilize any lawful means to gain compliance with this article, including, but not limited to:

- (1) Inspecting electrical wiring.
- (2) Withholding electrical permits.
- (3) Issuing orders to correct violations.
- (4) Assessing re-inspection fees.
- (5) Denying/removing the connection of power to equipment.
- (6) Issuing citations or complaints for violations.
- (7) Condemning a building that is not safe for human habitation.

Secs. 8-454—8-476. Reserved.

ARTICLE V. HEATING AND AIR CONDITIONING CODE

Sec. 8-477. Wisconsin State Heating, Ventilating, and Air Conditioning Code adopted.

The Wisconsin State Heating, Ventilating, and Air Conditioning Code, Wis. Admin. Code SPS Chs. 323 and 364, and the National Fuel Gas Code, NFPA 54, as amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein.

Sec. 8-478. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Director means the Director of the Department of Community and Economic Development or their designee.

HVAC means heating, ventilating, and air conditioning.

HVAC equipment means materials, piping, fittings, devices, appliances, apparatus, controls, and control wiring used as part of or in connection with permanent heating, ventilating, air conditioning, or exhausting systems serving buildings.

Licensed heating contractor means a person, entity, or business is a registered HVAC contractor under Wis. Admin. Code SPS § 305.70 or holds an HVAC qualifier certification under Wis. Admin. Code SPS § 305.71.

Sec. 8-479. License Required.

No person, entity, or business may engage or offer to engage in installing or servicing heating, ventilating, or air conditioning (HVAC) equipment unless the person, entity, or business is a registered HVAC contractor under Wis. Admin. Code SPS § 305.70 or holds an HVAC qualifier certification under Wis. Admin. Code SPS § 305.71.

Sec. 8-480. Permits.

- (a) *Permit required.* No person shall install or repair within the City any furnace, boiler, air conditioner, fireplace, or woodburning stove, or commence any other HVAC work in any structure subject to this article and/or any applicable provisions of the Wisconsin Administrative Code incorporated into this article, without first obtaining a permit for said work from the Director. In addition to any plans and specifications otherwise required under this article, the Director may require additional information consistent with their duty to review such plans prior to issuing permits under this section.
- (b) *To whom issued.* No permit shall be issued except to the owner of a residence to personally perform work on the owner's home or to a licensed heating contractor. Such permits shall be nontransferable.
- (c) *Application.* An application for an HVAC permit shall be filed with the Director on a blank form to be furnished for that purpose. The application shall include the name, phone number, and email address of the property owner and contractor and shall state that the property owner and contractor will be bound by and subject to the rules and regulations of this article.
- (d) *Specifications shall be in detail.* All specifications in which general expressions are used to the effect that work shall be done "in accordance with the HVAC Code" or "to the satisfaction of the Director" shall be deemed imperfect and incomplete; and every reference to the Building Code shall be to the applicable section or subsection.
 - (e) *Fees.*
 - (1) Fees for permits issued under this section shall be as provided in the City Fee Schedule.
 - (2) If an application for a permit has not been obtained prior to the commencement of a job, the applicable permit fee shall be doubled.
- (f) *Issuance of HVAC permit.*
 - (1) *When issued.* If the application, plans, and specifications conform to the requirements of this article and to all other laws or ordinances applicable thereto, the Director shall, upon receipt of the required fee, issue a permit for such work in the name of the owner and shall sign, date, and endorse in writing or by rubber stamp the plans and specifications as "approved."
 - (2) *Who shall have plans and specifications.* One approved set of plans and specifications shall be retained by the Department and one shall be returned to the applicant, which set shall be kept at the site of such work at all times until the work authorized thereby is completed and shall be available for inspection by any public official. Such approved plans and specifications shall not be altered without written permission from the Director.
 - (3) *Evidence of permit.* With every permit, the Director shall also issue to the applicant an appropriate card properly filled out evidencing issuance of the permit. The permit holder shall place such card in a conspicuous place on the site of such authorized work, the card to be unobstructed from the public view and available for Inspectors to mark.
 - (4) *Lapse.* A permit issued under this section shall lapse and be void unless the work authorized thereby is commenced within six months of the date thereof and completed or resumed within one year from the date thereof. If further work is necessary after one year, the permit holder shall make written application to the Director stating the reasons for the request for an extension at least 90 days prior to

the expiration of the permit, and the Director shall approve or reject the renewal permit application. The applicant may appeal the denial of a renewal permit application to the Board of Appeals.

(5) *Revocation.*

- a. If the Director finds at any time that the ordinances, laws, orders, plans, and specifications herein are not being complied with, the Director may revoke the permit by written notice served on the general contractor, or on the person in charge of that phase of work in which the error or violation has occurred, and upon the owner. Such service shall be either personal or by mailing a copy of such notice to the address of the permit holder and by posting a copy of such notice at the work site. When any such permit is revoked, no person shall do any further work until a new permit is issued, excepting such work as the Director may authorize as reasonably necessary to protect work already done on the job, existing property, adjoining property, and/or the public.
- b. The permit holder may request a hearing on the revocation of said permit within 15 business days of receipt of notice of the City's intent to revoke the permit.
- c. The hearing on the revocation shall be held before the Board of Appeals. If the Board of Appeals revokes the permit, the permit holder may seek judicial review of the Board's decision by petition for writ of certiorari to the Brown County Circuit Court.

(6) *Violations and errors not excused by issuance.* The issuance of a permit or the approval of plans and specifications shall not be deemed or construed to be permission for or approval of any violation of any provision of this article. No permit presuming to give authority to violate, or to fail to comply with, the provisions of this article shall be valid except insofar as the work or use which it authorizes is lawful. If, subsequent to the issuance of a permit, errors are discovered in the application, plans, specifications, or execution of the work, the Director may require the correction of such errors and may rescind the permit and prevent building operations from being further carried on thereunder when in violation of this article or any other City ordinances.

- (g) *Hearing when permit is denied.* Any person whose application for a permit under this section has been denied may request and shall be granted a hearing on the matter before the Zoning Board of Appeals.

Sec. 8-481. Inspection.

- (a) The Director shall examine and approve or disapprove all plans and specifications for the performance of any work governed by this article. The Inspector shall inspect all work as required by this article and shall order work stopped which is in violation of this article.
- (b) In any new building or addition, immediately upon completion of those portions of the installation which are to be concealed or covered, the licensed heating contractor shall notify the Director, who shall make an inspection within two working days after notice for inspection, excepting weekends and holidays. If no inspection is made within the specified time period, work may proceed. All other inspections shall be scheduled immediately upon notification of the completion of such work.
- (c) Wherever work for which a permit has been issued has been ordered stopped by the Inspector, the Inspector shall post a stop-work notice. After such notice has been posted, no further work shall be done until the violations have been corrected and such corrections approved by the Inspector.

Secs. 8-482—8-516. Reserved.

ARTICLE VI. MINIMUM HOUSING STANDARDS

DIVISION 1. GENERALLY

Sec. 8-517. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Approved means approved by or in accordance with regulations established by the Director of Community and Economic Development or their designee.

Basement means that portion of a building the floor of which is below the outside ground grade level.

Bath means a bathtub or shower stall.

Bedroom means a habitable room within a dwelling unit or part thereof which is used or intended to be used primarily for the purpose of sleeping, but not including any kitchen or dining room.

Boarding house or lodging house means a building or structure other than a hotel licensed by the State where lodging is furnished and meals for three (3) or more persons are served for compensation. A boarding house or lodging house may be considered a dormitory as defined and regulated within this Code.

City Building Code means Article II of this chapter.

City Electrical Code means Article IV of this chapter.

City Heating and Air Conditioning Code means Article V of this chapter.

City Plumbing Code means Article III of this chapter.

Director means the Director of the Department of Community and Economic Development or their designee.

Dormitory means a communal-type living arrangement of four or more persons not related by blood, adoption, or marriage who share common sleeping areas, kitchen, bath, and/or restroom facilities. The term "dormitory" includes, but is not limited to, shelter facilities, educational facility housing, rooming houses, boarding houses or lodging houses, community living arrangements, community based residential facilities, and migrant housing.

Dwelling means any building or structure which is wholly or partly used or intended to be used for living or sleeping by human occupants.

Dwelling unit means any habitable room or group of adjoining habitable rooms located within a dwelling or part thereof and forming a single unit with facilities which are used or intended to be used for living, sleeping, cooking, and eating of meals.

Extermination means the control and elimination of infestation of insects, rodents, or other pests by eliminating their harborage places, removing or making inaccessible materials that may serve as their food, and poisoning, spraying, fumigating, trapping, or utilizing any other approved pest elimination methods.

Family means one or more individuals living on a premises as a single housekeeping unit.

Garbage broadly refers to both "garbage" and "refuse," as defined in Section 32-1 of this Code.

Habitable room means a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, toilet rooms, laundries, pantries, foyers, communicating corridors, closets, storage spaces, stairways, and rooms used for play or recreational purposes.

Homeless family means a group of one or more related individuals who are homeless individuals.

Homeless individual means an individual who lacks a fixed, regular, and adequate nighttime residence (without regard to whether the individual is a member of a family) or an individual whose primary nighttime residence is a supervised public or privately operated shelter designed to provide temporary living accommodations. Temporary living accommodations include welfare hotels, congregate shelters, dormitories, and transitional housing.

Infestation means the presence of any insects, rodents, or other pests within a dwelling or part thereof or on the dwelling premises or part thereof.

Kitchen means a habitable room used or intended to be used for cooking or the preparation of meals.

Living room means a habitable room within a dwelling unit which is used or intended to be used primarily for general living purposes.

Meaning of certain terms. Whenever the terms "dwelling," "dwelling unit," "rooming house," "rooming unit," or "premises" are used in this article, they shall be construed as though they were followed by the words "or any part thereof."

Non-dwelling structure means a garage, shed, or other similar storage or convenience building attached to or detached from a dwelling and used primarily for recreation and the storage of vehicles, lawn and garden appliances, and other household tools or equipment. A non-dwelling structure shall not be used for living or sleeping by human occupants.

Occupant means any person, including an owner or operator, living, sleeping, or cooking in or having actual possession of a dwelling or rooming unit or part thereof.

Operator means any person who has charge, care, or control of a building or part thereof in which dwelling or rooming units or part thereof are let.

Owner means any person who, individually or jointly or as tenant in common with other(s), has legal title or equitable title to any dwelling or dwelling unit or rooming unit or part thereof or who has charge, care, or control of any dwelling or dwelling unit or rooming unit or part thereof as executor, administrator, trustee, or guardian of the estate of the owner.

Plumbing includes, but is not limited to, all of the following facilities and equipment: water pipes, garbage disposal units, waste pipes, vent pipes, toilets, sinks, installed dishwashers, lavatories, baths, installed clothes washing machines, catch basins, drains, vents, domestic hot water heaters, and any other similar fixtures, together with all connections to water, sewer, or gas lines.

Portable heater means a UL-listed portable appliance used for heating a relatively small area, typically electrical in nature.

Premises means a platted lot or part thereof, an unplatted lot, or a parcel or a plot of land, either occupied or unoccupied by any dwelling or structure.

Recyclables means "recyclable waste," as defined in § 32-1 of this Code.

Roomer means an occupant of a rooming house or part thereof who is not a member of the family of the operator of that rooming house, or an occupant of a dwelling unit or part thereof who is not a member of the family occupying the dwelling unit or part thereof.

Rooming house means a building or structure, other than a hotel licensed by the State of Wisconsin, where three or more persons are lodged for compensation. A rooming house may be considered a dormitory as defined and regulated within this article. The term "rooming house" does not include short term rentals as defined in Wis. Stats. § 66.0615(1)(dk).

Rooming unit means any room or group of rooms forming a single habitable unit in a rooming house or part thereof used or intended to be used for living and sleeping but not for cooking or eating meals.

Shelter facility means a temporary place of lodging for homeless individuals or homeless families. A shelter facility may be considered a dormitory as defined and regulated within this Code.

Sleeping room means a habitable room in a dwelling or dwelling unit of an area and volume as required by this code intended for or used primarily for sleeping purposes.

State Building Code means Wis. Admin. Code SPS Chs. 320 through 325 and 361 through 366.

State Heating, Ventilating, and Air Conditioning Code means Wis. Admin. Code SPS Chs. 323 and 364.

State Plumbing Code means Wis. Admin. Code SPS Chs. 381 through 387.

Supplied means paid for, furnished by, or provided by or under the control of the owner or operator.

Unit heater means a self-contained, automatically controlled, vented, fuel-gas burning, space-heating appliance intended for installation in the space to be heated without the use of ducts, having integral means for circulation of air.

Sec. 8-518. Residential rental practices.

- (a) *State law adopted.* Wis. Admin. Code ATCP Ch. 134 and Wis. Stats. § 704.95, as they may be amended from time to time, are hereby adopted and incorporated by reference as though fully set forth herein.
- (b) *Enforcement.* The Director may sign and issue citations for violations of this section and may delegate that authority to employees.
- (c) *Penalties.* Any person who violates this section shall forfeit not less than \$25.00 nor more than \$5,000.00 for each offense.

Secs. 8-519—8-542. Reserved.

DIVISION 2. PURPOSE AND SCOPE

Sec. 8-543. Purpose.

Buildings that are or are becoming dilapidated, neglected, overcrowded with occupants, or unsanitary jeopardize and are detrimental to the health, safety, morals, and welfare of the people of the City. Such buildings are rendered detrimental to the public through faulty design or construction, failure to be kept in a proper state of repair, lack of proper sanitary facilities or adequate lighting or ventilation, inability to properly heat, improper management, or any combination of these factors. The City finds that elimination of such buildings or structures and the prevention of the occurrence of such conditions in the future is in the best interest of the citizens of the City, and this article is enacted to foster and encourage such elimination.

Sec. 8-544. Compliance with other codes.

The provisions of this article shall not abrogate the responsibility of every person to comply with the provisions of the State Building Code and the building, zoning, plumbing, heating and air conditioning, and electrical codes of the City.

Secs. 8-545—8-568. Reserved.

DIVISION 3. ADMINISTRATION AND ENFORCEMENT

Sec. 8-569. Inspections.

- (a) *To be made by Director.* The Director of Community and Economic Development shall make inspections to determine the condition of dwelling units, rooming units, premises, and parts thereof located within the City and may enter any building during reasonable hours in the discharge of the duties. Any person who

interferes with the Director in the discharge of the duties shall be in violation of this article. The Director shall have proper identification and shall show same when making such inspections.

- (b) *Access of owner or operator.* Every occupant of a dwelling, dwelling unit, rooming unit shall give the owner or operator thereof, or an agent or employee of the owner, access to any part of such dwelling, dwelling unit, rooming unit or its premises or part thereof at all reasonable times for the purpose of maintenance or making such repairs or alterations as are necessary to effect compliance with this article or with any lawful rule or regulation adopted, or any lawful notice or order issued, pursuant to the provisions of this article.

Sec. 8-570. Emergency orders.

Whenever the Director finds that an emergency exists which requires immediate action to protect the public health, the Director may, without notice of hearing and in accordance with the provisions of Wis. Stats. § 66.1337(4)(a), issue an order reciting the existence of such an emergency and requiring that such action be taken as the Director deems necessary to meet the emergency. Such order shall be effective immediately. Notwithstanding any other provision of this article, every notice served by the Director in accordance with the provisions of Sections 8-593(8), 8-596(a)(11), (b)(2) and (b)(3), and 8-632(j) shall be regarded as an order.

Sec. 8-571. Condemnation of dwellings and dwelling units or parts thereof as unfit for human habitation.

- (a) *When condemnation required.* Any dwelling unit or part thereof which the Director finds to have any of the following defects shall be condemned as unfit for human habitation, occupancy, or use:
 - (1) One which is so damaged, decayed, dilapidated, unsanitary, difficult to heat, unsafe, or vermin-infested that it creates a hazard to the health or welfare of the occupants or the public.
 - (2) One which lacks illumination, ventilation, or sanitary facilities adequate to protect the health or welfare of the occupants or the general public.
 - (3) One which, because of its general condition or location, is unsanitary or otherwise dangerous to the health or welfare of the occupants or the general public.
- (b) Any dwelling or dwelling unit or part thereof may be condemned by the Director as unfit for human habitation if the owner or occupant fails to comply with any order based on the provisions of this article or any rule or regulation adopted pursuant hereto, provided such dwelling or dwelling unit or part thereof is, in the opinion of the Director, unfit for human habitation by reason of such failure to comply.
- (c) *Procedure for condemnation.* The condemnation of dwellings and dwelling units as unfit for human habitation, occupancy, or use shall be carried out in accordance with Wis. Stats. § 66.0413. Where such condemnation occurs, the Director shall post at the main entrance to such dwelling or dwelling unit a notice stating that the dwelling or dwelling unit is unfit for human habitation, occupancy, or use and has been condemned. It shall be further unlawful for any person to occupy, use, or enter such dwelling or dwelling unit thereafter, except for the purpose of making required repairs or alterations.
 - (1) *Removal of notice prohibited.* The notice of condemnation shall remain posted until the required repairs or alterations are made. It shall be unlawful for any person to remove such notice without written permission from the Director.
 - (2) *Condemnation by police and fire departments.* The Director may temporarily grant authority under this section to the Chief of Police, Fire Chief, or their designees when circumstances so require.

Sec. 8-572. General penalty.

Any person who violates any provision of this article or any rule, regulation, or order made hereunder shall be subject to forfeiture of not less than \$25.00 nor more than \$5,000.00 for each offense.

Secs. 8-573—8-592. Reserved.

DIVISION 4. HOUSING STANDARDS

Sec. 8-593. 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 or part thereof for the purpose of living, sleeping, cooking, or eating meals therein which does not comply with the following requirements:

- (1) *Kitchen sink and lavatory.* Every dwelling unit shall contain an approved kitchen sink. Every dwelling unit shall contain a lavatory or wash basin in or adjacent to the toilet room.
- (2) *Toilet.* Every dwelling unit shall contain a toilet which shall be placed in a separate room enclosed with partitions which extend to the ceiling.
- (3) *Bath.* Every dwelling unit shall contain a bath which shall be contained within a toilet room or within a separate room which affords privacy to a person using such facility.
- (4) *Hot and cold water supply to bath and sinks.* Every bath, kitchen sink, and lavatory required under this article shall be properly connected with both hot and cold water lines.
- (5) *Water heating facilities.* Every dwelling shall have supplied water heating facilities which are properly installed and maintained in reasonably good working condition, properly connected with the hot water lines required under subsection (4) of this section, and capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every bath at a temperature of not less than 120 degrees Fahrenheit. Such supplied water heating facilities shall be capable of meeting these requirements when the dwelling or dwelling unit heating facilities are not in operation.
- (6) *Connection to water and sewer system.* Every kitchen sink, toilet, lavatory basin, and bath shall be in good working condition and properly connected to an approved water and sewer system.
- (7) *Plumbing.* All plumbing, plumbing equipment, and plumbing fixtures and the installation thereof shall comply with the Plumbing Codes of the City and of the State.
- (8) *Garbage and recyclables.* Every dwelling and dwelling unit shall be provided with adequate facilities for the storing of recyclables and garbage. Such facilities shall comply with the provisions of Chapter 32.
- (9) *Exits.* Every dwelling unit shall have exits which conform to the exit requirements of the City Building Code or the State Building Code, as applicable. Every exit and passageway shall also comply with the following requirements:
 - a. It shall be kept in good repair.
 - b. It shall be unobstructed at all times.

Sec. 8-594. Minimum standards for light, heating, and ventilation.

- (a) *Window area.* Every habitable room, toilet room, and bathroom shall have at least one window facing directly to the outdoors. The minimum window area shall be at least ten percent of the floor area of the room, but not less than 12 square feet. The top of at least one such window shall be not less than six and one-half (6½) feet above the floor. At least one half of the window shall be made so as to open the full width unless other means of adequately ventilating such rooms are installed and operating. The outside window in every toilet or bathroom shall have a total area of at least ten percent of the floor area, but not less than four square feet, provided no window or sky light shall be required in adequately ventilated bathrooms or toilet rooms equipped with a ventilation system which is kept in continuous operation.

- (b) *Electric equipment.* In accordance with Wis. Admin. Code SPS §§ 316.020 and 316.021, all electrical power and communication equipment shall be properly constructed, installed, operated, and maintained. Any of this equipment known to be defective shall be promptly repaired or isolated until repairs can be made.
- (c) *Heating facilities.*
- (1) Every dwelling unit shall have supplied heating facilities; and such facilities shall be properly installed, maintained in good working condition, and capable of adequately heating all habitable rooms, bathrooms, and toilet rooms contained therein or intended for use by the occupants thereof to a temperature of at least 68 degrees Fahrenheit, measured three feet above the floor level, when the outside temperature is at or above negative fifteen (-15) degrees Fahrenheit. A dwelling unit shall contain a sufficient number of chimney outlets to permit the occupants, through the use of unit heaters furnished by the owner, to adequately heat all habitable rooms, bathrooms, and toilet rooms contained therein to a temperature of at least 68 degrees Fahrenheit, measured at least three feet above the floor level, when the outdoor temperature is at or above negative fifteen (-15) degrees Fahrenheit. This provision shall not be interpreted to permit the use of portable heaters where such use is prohibited by either the City Building or Heating and Air Conditioning Code or the State Building or Heating, Ventilating and Air Conditioning Codes, as applicable. Every central heating system shall comply with the City Building and Heating and Air Conditioning Codes and the State Building and Heating, Ventilating and Air Conditioning Codes, as applicable. Such central heating systems shall also comply with the following requirements:
 - a. The central heating unit shall be in good operating condition.
 - b. Every heat duct, steam pipe, and hot water pipe shall be free of leaks and shall function so that an adequate amount of heat is delivered where intended.
 - c. Every seal between the sections of a warm air furnace shall be tight, so noxious gases will not escape into heat ducts.
 - d. If the temperature of all dwelling units in a multi-unit dwelling is regulated by a single heating zone controlled by a single device, and the temperature standards articulated in this section cannot be maintained in any of the dwelling units included in that zone, the Director may issue orders to remedy the deficiency, including but not limited to requiring additional heating zones in the dwelling.
 - (2) Every unit heater shall comply with the City Building and Heating and Air Conditioning Codes and the State Building and Heating, Ventilating, and Air Conditioning Codes, as applicable, and with all of the following requirements:
 - a. No unit heater burning solid, liquid, or gaseous fuels shall be a portable type.
 - b. Every unit heater burning solid, liquid, or gaseous fuels shall be properly vented.
 - c. Every coal-burning or oil-burning unit heater shall have a fire-resistant panel beneath it.
 - d. The location of unit heaters, the insulation of walls and ceilings close to such heaters, and the construction, installation, and guarding of smoke pipes and walls or ceilings through which they go shall be in accordance with the Heating and Air Conditioning Code of the City in Article V of this chapter.
- (d) *Lighting of public halls and stairways.* Every public hall and public stairway in every dwelling containing four or more dwelling units or accommodating more than 20 persons shall be adequately lighted at all times. Such lighting shall include lights at all intersections of stairways. Instead of continuous lighting, every public hall and public stairway in dwellings containing fewer than four dwelling units or rooming houses accommodating more than three roomers but less than 20 persons shall be supplied with convenient light switches controlling an adequate lighting system which may be turned on when needed.

- (e) *Screens.* At least one window in each habitable room, toilet room, and bathroom where windows are required shall be supplied with a screen covering at least one-third of the window area, except where other means of adequately ventilating such rooms are available and operating. Screens shall have a wire mesh of not less than No. 16, and all installed screens must be in a state of good repair.
- (1) *Exception.* During the cold weather period from November 1 to March 31 of each calendar year, having screens installed is optional. Any screens installed must be in a state of good repair.(f) *Basement window screens.* Every basement or cellar window used or intended to be used for ventilation, and every other opening to a basement which might provide an entry for rodents, shall be supplied with a screen or such other device as will effectively prevent their entrance.

Sec. 8-595. Minimum space, use, and location requirements.

No person shall occupy 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) *Dwelling unit to be occupied by one family.* No dwelling unit or part thereof shall be occupied by more than one family.
- (2) *Minimum floor area for dwelling unit or part thereof.* Every dwelling unit or part thereof shall contain at least 150 square feet of floor space for the first occupant thereof and at least 100 additional square feet of floor space for every additional occupant thereof, the floor space to be calculated on the basis of total habitable room area.
- (3) *Minimum floor area for sleeping purposes.* Every room occupied by one person for sleeping purposes shall contain at least 70 square feet of floor space and 490 cubic feet of air space, and every room occupied by more than one person for sleeping purposes shall contain at least 60 square feet of floor space and 400 cubic feet of air space for each occupant thereof, provided these requirements shall be reduced by one-half for children under 12 years of age.
- (4) *Arrangement of sleeping, bath, and toilet rooms.* No dwelling or dwelling unit containing two or more sleeping rooms shall be so arranged that access to a bathroom or toilet room intended for use by the 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 or a bathroom or toilet room.
- (5) *When basement space may be habitable.* No basement space shall be used as a sleeping room or dwelling unit unless such sleeping room or dwelling unit is in conformity with existing City or State Building Codes and complies with the following requirements:
 - a. The total window area in each room shall be at least equal to the minimum window area required in Section 8-594(a).
 - b. Such required minimum window area shall be located entirely above the grade of the adjoining ground.
 - c. The total openable window area in each room shall be at least equal to the minimum required under Section 8-594(a), unless there is supplied some other approved ventilating device.
 - d. Every habitable room in a basement shall be at least seven feet, six inches high from the floor to the ceiling; and the ceiling shall be at least four feet above the outside ground grade level. The walls and floors shall be damp-proof and waterproof.
- (6) *Occupants to have access to sanitary facilities.* Every occupant of every dwelling or dwelling unit shall have unrestricted access to a toilet and bath and to a kitchen sink or lavatory located within that dwelling or dwelling unit.
- (7) *Ceiling height with respect to floor area.* At least one-half of the floor area of every habitable room shall have a ceiling height of at least seven feet, and the floor area of that part of any room where the

ceiling height is less than five feet shall not be considered in computing the total floor area of the room for the purpose of determining the maximum permissible occupancy thereof.

- (a) *Exemption.* Any one- or two-family dwelling unit built prior to the State of Wisconsin's adoption of the Uniform Dwelling Code on June 1, 1980 is exempt from the basement room height requirement in Wis. Admin. Code SPS Ch. 321.

Sec. 8-596. Maintenance of dwellings, dwelling units, and rooming units.

- (a) *Owner's responsibility.* No person shall occupy as owner-occupant or let to another for occupancy any dwelling, dwelling unit, or rooming unit for the purpose of living therein which does not comply with the following requirements:
 - (1) *Maintenance of foundations, exterior walls, roofs.* Every foundation, exterior wall, and roof shall be weather-tight, water-tight, and insect-proof, shall be rodent-proof in accordance with the terms of Section 6-7 (Rat Prevention), and shall be well-maintained and kept in a state of good repair. The exterior walls of dwellings, dwelling units, and rooming houses shall be either prefinished material, brick, stone, stucco, exterior plaster, stained or painted wood, water-proof shingles, or other material designed and advertised to be used as permanent exterior siding and capable of being painted, stained, or weatherproofed if not prefinished. Materials designed and advertised for insulation, sub-siding, or structural uses other than exterior walls shall not be allowed as exterior siding. Roofing materials shall be kept in a state of good repair and shall have no significant signs of wear, weathering, or other forms of deterioration.
 - (2) *Maintenance of interior walls, doors, floors, ceilings, countertops, cabinets.* Every interior partition, wall, door, floor, ceiling, countertop, and cabinet shall be capable of affording privacy, kept in a state of good repair, and so maintained as to permit it to be kept clean and sanitary.
 - (3) *Rainwater drains.* Rainwater shall be so drained and conveyed from every roof so as not to cause dampness in the basement, walls, ceilings, or floors of any room. Drains shall be kept clean and free of debris, and shall allow for the proper flow of water. No downspout located within six feet of adjoining property shall be pointed toward such property.
 - (4) *Windows, doors, hatchways.* Every window, exterior door, and basement hatchway shall be weather-tight and shall be kept in a good working condition, well-maintained, and repaired. All windows and exterior doors shall open and close properly with all hardware in-tact and operational.
 - (5) *Protection of exterior surfaces.* All exterior surfaces shall be protected from the elements and against decay by paint or other approved protective coating applied in a workmanlike manner. Painted surfaces must be properly maintained and repaired, including, but not limited to, scraping, priming, and applying finishing coats to said surfaces.
 - (6) *Stairways and porches.* Every inside and outside stairway, every porch, and every appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the load that normal use may cause to be placed thereon and shall be kept in sound condition and maintained in a state of good repair.
 - (7) *Supplied plumbing fixtures.* Every supplied plumbing fixture and water and waste pipe shall be properly installed and maintained in good sanitary working condition and in accordance with the Plumbing Codes of the City and the State.
 - (8) *Chimney and supplied smoke pipes.* Every chimney and every supplied smoke pipe shall be adequately supported, reasonably clean, and maintained in a state of good repair and in accordance with the City Building and Heating and Air Conditioning Codes and the State Building and Heating, Ventilating, and Air Conditioning Codes, as applicable.
 - (9) *Bathroom and toilet room floors.* Every bathroom and toilet room floor shall be so maintained as to be reasonably impervious to water and as to permit such floor to be kept in a clean and sanitary condition.

- (10) *Supplied facilities.* Every supplied facility, piece of equipment, or utility which is required under this article shall be so constructed or installed that it will function properly and shall be maintained in good working condition.
 - (11) *Discontinuance of required services, facilities, equipment, or utilities.* No owner or operator shall cause any service, facility, equipment, or utility which is required to be supplied under the provisions of this article to be removed from, shut off from, or discontinued from any occupied dwelling or dwelling unit let or occupied by said owner or operator, except for such temporary interruption as may be necessary while actual repairs, replacements, or alterations are being made.
 - (12) *Pest extermination.* Whenever infestation exists in any dwelling or dwelling unit or part thereof, or in the shared or public parts of any dwelling or part thereof containing two or more dwelling units, or whenever infestation is caused by failure of the owner to maintain the dwelling or part thereof in a rat-proof or insect-proof condition, extermination thereof shall be the responsibility of the owner. The owner shall hire a pest management professional to inspect and treat, as necessary, all dwelling units sharing a common wall, floor, or ceiling with the dwelling unit containing the infestation. The pest management professional must provide documentation that the affected dwelling unit and surrounding units are clear and free of infestation and live activity.
 - (13) *Cleanliness of public areas of dwellings.* Every owner of a dwelling containing two or more dwelling units shall be responsible for maintaining in a clean and sanitary condition in all communal, shared, or public areas of the dwelling and premises or parts thereof which are used or shared by the occupants of two or more dwelling units.
 - (14) *Vacant dwelling units to be clean and sanitary before being let for occupancy.* No owner shall occupy or rent to any other person for occupancy or allow any other person to occupy any vacant dwelling unit or part thereof unless it is clean, sanitary, free of infestation, and complies with all provisions of this article and all rules and regulations adopted pursuant thereto.
 - (15) *Hanging screens.* The owner of a dwelling or dwelling unit shall be responsible for hanging all screens whenever the same are required under the provisions of this chapter or any rule or regulation adopted pursuant hereto. Screens shall be hung at all times except as otherwise provided in this article. If windows are designed to have screens installed, one must be installed and in a state of good repair as required by Section 8-594.
- (b) *Responsibility of occupants.*
- (1) *Cleanliness.* Every occupant of a dwelling or dwelling unit or part thereof shall keep in a clean and sanitary condition that part of the dwelling, dwelling unit, and premises thereof which is occupied or controlled.
 - (2) *Disposal of garbage and recyclables.* Every occupant of a dwelling or dwelling unit or part thereof shall dispose of all garbage and recyclables in a clean and sanitary manner by placing it in the garbage or recyclables containers as required by Chapter 32.
 - (3) *Extermination of pests.* Every occupant of a dwelling or part thereof or dwelling unit or part thereof shall assist the owner of the dwelling with the extermination of any pests, including, but not limited to, maintaining unit cleanliness, notifying the owner of any infestation, cooperating with extermination efforts, and preparing the unit for treatment.
 - (4) *Use and operation of supplied plumbing fixtures.* Every occupant of a dwelling unit shall keep all supplied plumbing fixtures therein in a clean and sanitary condition and shall be responsible for the exercise of reasonable care in the proper use and operation thereof.

Sec. 8-597. Maintenance of non-dwelling structures, fences, and premises.

No owner shall permit any non-dwelling structure or fence to exist on any premises which does not comply with the following requirements:

- (1) *Maintenance of non-dwelling structures.* Every foundation, retaining wall, exterior wall, roof, window, exterior door, basement hatchway, and every other entrance way of every non-dwelling structure shall be weather-tight, water-tight, and insect-proof; shall be rodent-proof in accordance with the terms of Section 6-7; shall be well maintained and kept in a state of good repair; and shall have no significant signs of wear, weathering, or other forms of deterioration.
- (2) *Protection of exterior surfaces.* All exterior wood and other surfaces of all non-dwelling structures shall be properly protected from the elements and against decay by paint or other approved protective coating applied in a workmanlike manner. Painted surfaces must be properly maintained and repaired, including, but not limited to, scraping, priming, and applying finishing coats to said surfaces. Exterior walls of structures shall be prefinished material, brick, stone, stucco, exterior plaster, stained or painted wood, water-proof shingles, or a similar material designed and advertised to be used as permanent exterior siding and capable of being painted, stained, or weatherproofed if not prefinished. Materials designed and advertised for insulation, sub-siding, or structural uses other than exterior walls shall not be allowed as exterior siding.
- (3) *Maintenance of fences.* Every fence either shall be reasonably maintained and kept in a state of good repair or shall be removed. All components of fencing material shall be installed as designed or completely removed. Fences shall consist only of materials approved in Chapter 44. Nothing in this subsection shall permit fence removal where the fence is otherwise required by this Code.
- (4) *Grading and drainage of premises.* All premises or part thereof shall be so graded and maintained that no stagnant water will accumulate or stand on the premises or part thereof or within any building or structure located on the premises or part thereof.

Secs. 8-598—8-627. Reserved.

DIVISION 5. ROOMING HOUSE/SHELTER FACILITY REGULATIONS

Sec. 8-628. Compliance required.

No person shall operate a rooming house or shelter facility or occupy or let to another for occupancy any rooming unit in any rooming house or shelter facility except in compliance with the requirements of this division and any other applicable section within this Code.

Sec. 8-629. Permits.

- (a) *Required.* No person shall operate a rooming house or shelter facility without a valid rooming house/shelter facility permit issued by the Director in the name of the operator and for the specific dwelling or dwelling unit within which the rooming house or shelter facility is contained, provided the provisions of this subsection shall not apply to dormitories associated with and run in connection with licensed educational institutions, hotels, motels, bed and breakfast establishments, and community living arrangements which are licensed by an agency of the State of Wisconsin.
- (b) *Application.* The operator shall file the application for a rooming house/shelter facility permit and a site plan according to Sections 44-83 and 44-1581 in the office of the Director on forms prepared by the Director.
- (c) *Issuance of permit and fees.* When all applicable provisions of this division and any rules and regulations adopted pursuant hereto have been complied with by the operator, the Director shall issue a rooming house/shelter facility permit upon the payment of the fee, which shall be as provided in the City Fee Schedule. Shelter facilities shall be exempt from the fees. All rooming house/shelter facility permits so issued shall expire on July 1 following the date of issuance unless sooner suspended or revoked as herein provided. Occupancy shall not exceed the capacity specified in Section 8-632(d) or in Wis. Admin. Code SPS § 362.0400 or sections referenced therein.

- (d) *Posting of permit.* Every rooming house/shelter facility permit issued by the Director shall be conspicuously posted by the operator in the rooming house or shelter facility for which it is issued and shall remain so posted at all times unless removed by the order of the Director.
- (e) *Nontransferability of permit.* No rooming house/shelter facility permit issued under this division shall be transferable as to person or place. Every operator shall notify the Director in writing within 24 hours after having relinquished the operation of a rooming house or shelter facility and shall file in writing with the Director the name and address of the operator assuming the operation of the rooming house or shelter facility. Any operator so assuming operation must have obtained a valid rooming house/shelter facility permit in accordance with this section.
- (f) *Relationship of permit to other codes.* The issuance of a rooming house/shelter facility permit shall not relieve the owner or operator of responsibility for compliance with the Building and Zoning Codes and any other applicable laws of the City and County and applicable rules of the State Department of Health and Department of Safety and Professional Services.
- (g) *Hearing when permit is denied.* Any person whose application for a rooming house shelter facility permit has been denied may request and shall be granted a hearing on the matter before the Protection and Policy Committee under the procedure provided by Section 8-569.
- (h) *Suspension, revocation, and non-renewal of permit.*
 - (1) *Grounds.* Whenever, upon inspection of a rooming house or shelter facility, the Director finds that conditions or practices exist which are in violation of any provision of this article or any other provisions of this Code, or any rule or regulation adopted pursuant hereto, or if the operator keeps or maintains a disorderly house, the rooming house/shelter facility permit may be revoked, suspended for up to six months, or non-renewed.
 - (2) *Notice.* No permit issued under this section shall be revoked, suspended, or non-renewed except upon due notice and hearing to determine whether grounds for such action exist. The Director shall give written notice of the grounds for revocation, suspension, or nonrenewal to the operator of such rooming house or shelter facility, which shall constitute the complaint. The notice shall be served upon the licensee at least 15 days prior to the date of the hearing and shall state the time and place thereof.
 - (2) *Hearing.* The hearing on a complaint for suspension, revocation, or nonrenewal shall be held before the Protection and Policy Committee. The operator of the rooming house or shelter facility shall be entitled to be heard, to be represented by counsel, and to present and cross-examine witnesses. The operator may be provided a transcript of the hearing at their own expense.
 - (3) *Recommendation by Committee.* Following the hearing, the Protection and Policy Committee shall issue Findings of Fact and Conclusions of Law and shall make a recommendation to the Common Council whether the operator's rooming house/shelter facility permit should be suspended, revoked, or nonrenewed. The City Clerk shall provide the operator with a copy of the Committee's report.
 - (4) *Council action.* The Common Council shall consider the report and recommendation of the Protection and Policy Committee no later than the second regularly scheduled meeting following its receipt of the Committee's report. The Director or the operator may file an objection to the recommendation and have the opportunity to present arguments supporting their objection to the Common Council. Council shall determine whether arguments shall be presented orally, in writing, or both. Following arguments and deliberation, the Common Council shall adopt, modify, or reject the Findings of Fact, Conclusions of Law, and Recommendation of the Protection and Policy Committee. Notice of Council's decision shall be provided to the operator within 20 days.
 - (5) *Appeal.* An operator of a rooming house or shelter facility shall appeal the suspension, revocation, or nonrenewal of their rooming house/shelter facility permit to the Brown County Circuit Court within 30 days of receipt of notice of Common Council's action.

Sec. 8-630. Operator to control occupancy.

No operator shall at any time allow a larger number of persons to occupy any individual or group sleeping room than is permitted by this division.

Sec. 8-631. Applicability of other parts of this article.

No person shall operate a rooming house or shelter facility unless all of the requirements of Sections 8-594, 8-595, and 8-596 are complied with, provided for the purpose of interpreting the requirements of the designated sections applicable to the enforcement of this division, the term "dwelling" shall be interpreted to mean rooming house or shelter facility and the term "dwelling unit" shall be interpreted to mean rooming unit. Every dwelling unit located within a rooming house or shelter facility shall comply with all of the requirements for dwelling units as established in this article.

Sec. 8-632. Arrangement, equipping, maintenance, and use of facilities.

- (a) *Toilets and lavatory basins.* At least one toilet and lavatory basin, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each ten persons or fraction thereof residing within a rooming house or shelter facility, including members of the operator's family wherever they share the use of such facilities.
- (b) *Baths.* At least one bath, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a rooming house or shelter facility, including members of the operator's family wherever they share the use of such facilities.
- (c) *Location of sanitary facilities.* Every toilet, lavatory basin, and bath shall be located within a room which affords privacy to a person within. All such facilities shall be so located within the rooming house or shelter facility as to be accessible to the occupants of each rooming unit sharing such facilities without going outside of the dwelling or part thereof and without going through another dwelling unit or part thereof or through a rooming unit or part thereof of another occupant.
- (d) *Minimum area for sleeping purposes.*
 - (1) The capacity of any room occupied for sleeping purposes shall be as follows:
 - a. 400 cubic feet for each occupant over 12 years of age; and
 - b. 200 cubic feet for each occupant 12 years of age or under.
 - (2) The operator of a shelter facility may allow homeless families on an emergency basis to occupy a sleeping room which does not meet the above minimum sleeping area requirements if the operator makes all reasonable attempts to place the family in another shelter which meets those requirements and so long as the family is placed in a room which complies with these regulations within 72 hours.
- (e) *Number of sleeping rooms.* Every sleeping room in every rooming house or shelter facility shall be numbered in a plain and conspicuous manner, the number to be placed on the outside of the door to such sleeping room. No two doors shall bear the same number. No number on any door of any sleeping room shall be changed to any other number without first securing the written approval of the Director.
- (f) *Preparation or eating of meals in rooming units prohibited.* No occupant of a sleeping room shall prepare meals or store perishable foods therein. The operator shall post in every sleeping room a sign on which shall be written or printed in letters not less than three-eighths-inch in height the following words: "NO COOKING OR STORING PERISHABLE FOODS PERMITTED IN THIS ROOM." Such sign shall remain posted at all times.
- (g) *Bed linens and towels.* The operator of every rooming house or shelter facility shall effect the change of supplied bed linens and towels therein at least once each week and prior to the letting of any room to any occupant. The operator shall maintain all supplied bedding in a reasonably clean and sanitary manner.

- (h) *Shades and drapes.* Every window of every sleeping room shall be supplied with shades, draw drapes, or other devices or materials which when properly used will afford privacy to the occupant of the room.
- (i) *Sanitary maintenance.* The operator of every rooming house or shelter facility shall maintain in a sanitary condition all walls, floors, and ceilings and every part of the rooming house or shelter facility, and the entire premises, where the entire structure or building within which the rooming house or shelter facility is contained is leased or occupied by the operator.
- (j) *Storage and disposal of garbage and recyclables.* Adequate garbage and recyclable storage containers, whose type and location are approved under Chapter 32, shall be supplied by the rooming house or shelter facility operator. The operator shall dispose of all garbage and recyclables in a clean and sanitary manner by placing them in the required containers.
- (k) *Hanging screens, storm doors, and storm windows.* The operator of a rooming house or shelter facility shall hang all screen and double storm doors and windows whenever the same are required under this article or any rule or regulation adopted pursuant hereto except where the owner has agreed to supply such service.
 - (1) *Exception.* During the cold weather period from November 1 to March 31 of each calendar year, having screens installed is optional. Any screens installed must be in a state of good repair.
- (l) *Pest extermination.* Whenever infestation exists in any dwelling or dwelling unit or part thereof, or in the shared or public parts of any dwelling or part thereof containing two or more dwelling units, or whenever infestation is caused by failure of the owner to maintain the dwelling or part thereof in a rat-proof or insect-proof condition, extermination thereof shall be the responsibility of the owner. The owner shall hire a pest management professional to inspect and treat, as necessary, all dwelling units sharing a common wall, floor, or ceiling with the dwelling unit containing the infestation. The pest management professional must provide documentation that the affected dwelling unit and surrounding units are clear and free of infestation and live activity.
- (m) *Exits.* Every sleeping room in every rooming house or shelter facility shall have exits which conform to the exit requirements of the City and State Building Codes, as applicable. In addition, every exit and passageway shall comply with the following:
 - (1) It shall be easily accessible from every sleeping room by passageway, without passing through any part of another sleeping room.
 - (2) It shall be kept in a reasonably good state of repair.
 - (3) It shall be unobstructed at all times.

Sec. 8-633. Reporting of communicable disease by operator.

The operator of a rooming house or shelter facility shall report to the Brown County Health Commissioner or any State of Wisconsin health care professional licensed under Wis. Stats. Ch. 441 (nurses) or Ch. 448 (medical practitioners) immediately upon discovery the name of any person living in the rooming house or shelter facility who is suffering from any communicable disease, as listed in Appendix A to Wis. Admin. Code DHS Ch. 145; and such report shall be made whenever there is reason to believe or suspect that any person in such rooming house or shelter facility may be afflicted with any communicable disease.

Secs. 8-634—8-646. Reserved.

DIVISION 6. DORMITORY FACILITY REGULATIONS

Sec. 8-647. Compliance required.

No person shall operate a dormitory facility or occupy or let to another for occupancy any rooming unit in any dormitory facility except in compliance with the requirements of this division and any other applicable section of this Code.

Sec. 8-648. Permits.

- (a) *Required.* No person shall operate a dormitory facility without a valid dormitory facility conditional use permit issued by the City of Green Bay in the name of the operator and for the specific dwelling or dwelling unit or part thereof within which the dormitory facility is contained, provided the provisions of this section shall not apply to dormitories associated with and run in connection with hotels, motels, and bed and breakfast establishments which are licensed by an agency of the State of Wisconsin.
- (b) *Application.* The operator shall file the application for a dormitory facility conditional use permit and a site plan in accordance with Section 44-83.
- (c) *Issuance of permit.* When the operator has complied with all applicable provisions of this division and any rules and regulations adopted pursuant hereto, the Director shall process the conditional use permit request in accordance with Section 44-83.
- (d) *Nontransferability of permit.* No dormitory facility conditional use permit issued under this division shall be transferable as to person or place. Every operator shall notify the Director of Planning in writing within 24 hours after having relinquished the operation of a dormitory facility and shall file in writing with the Director the name and address of the operator assuming the operation of the dormitory facility. Any operator so assuming operation must have obtained a valid dormitory facility conditional use permit in accordance with this section.
- (e) *Relationship of permit to other codes.* The issuance of a dormitory facility conditional use permit shall not relieve the owner or operator of responsibility for compliance with the Building and Zoning Codes and any other applicable laws of the City and County and applicable rules of the State of Wisconsin.
- (f) *Revocation of permit.* Any dormitory facility conditional use permit that has been issued may be revoked in accordance with the provisions of Chapter 44.

Sec. 8-649. Operator to control occupancy.

No operator shall at any time allow a larger number of persons to occupy any individual or group sleeping room than is permitted by this division.

Sec. 8-650. Applicability of other parts of this article.

No person shall operate a dormitory facility unless all of the requirements of Sections 8-594, 8-595, and 8-596 are complied with, provided for the purpose of interpreting the requirements of the designated sections applicable to the enforcement of this division, the term "dwelling" shall be interpreted to mean dormitory facility and the term "dwelling unit" shall be interpreted to mean rooming unit or part thereof. Every dwelling unit located within a dormitory facility shall comply with all of the requirements for dwelling units as established in this article.

Sec. 8-651. Arrangement, equipping, maintenance, and use of facilities.

- (a) *Toilets and lavatory basins.* At least one toilet and lavatory basin, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a dormitory facility, including members of the operator's family wherever they share the use of such facilities.

- (b) *Baths.* At least one bath, properly connected to an approved water and sewer system and in good working condition, shall be supplied for each eight persons or fraction thereof residing within a dormitory facility, including members of the operator's family wherever they share the use of such facilities.
- (c) *Location of sanitary facilities.* Every toilet, lavatory basin, and bath shall be located within a room which affords privacy to a person within. All such facilities shall be so located within the dormitory facility as to be accessible to the occupants of each rooming unit sharing such facilities without going outside of the dwelling or part thereof and without going through another dwelling unit or part thereof or through a rooming unit or part thereof of another occupant.
- (d) *Minimum area for sleeping purposes.* The capacity of any room occupied for sleeping purposes shall be as follows:
 - (1) Sleeping areas of at least 50 square feet per person residing in the dormitory with no more than four individuals per room, except that more than four individuals may be allowed per room if all said individuals are related by blood, marriage, or adoption.
 - (2) Rooms shall consist of enclosed places having walls that extend from the ceiling to the floor and an entry door.
- (e) *Number of kitchens/dining areas.* Every dormitory shall have one kitchen and dining area for every ten individuals residing in the dormitory facility.
- (f) *Number of laundry facilities.* Every dormitory shall have one laundry facility consisting of a minimum of one clothes washer, one clothes dryer, and one washbasin for every ten individuals residing in the dormitory facility.
- (g) *Number and size of common area/lounge.* Every dormitory shall have one common use area/lounge of at least 600 square feet in size for every ten individuals residing in the dormitory facility for relaxation and recreation of the occupants.
- (h) *Sanitary maintenance.* The operator of every dormitory facility shall maintain in a sanitary condition all walls, floors, and ceilings and every part of the dormitory facility, and the entire premises, where the entire structure or building within which the dormitory facility is contained is leased or occupied by the operator.
- (i) *Storage and disposal of garbage and recyclables.* Adequate garbage and recyclable storage containers, whose type and location are approved under Chapter 32, shall be supplied by the dormitory facility operator. The operator shall dispose of all garbage and recyclables in a clean and sanitary manner by placing them in the required containers.
- (j) *Extermination of pests.* The operator of a dormitory facility shall cause the extermination of any insects, rodents, or other pests therein and on the entire premises where the entire structure or building within which the dormitory facility is contained is leased or occupied by the operator, except that whenever infestation of a dormitory facility is caused by a failure of the owner to maintain the dwelling within which the dormitory facility is contained in a rat-proof or reasonably insect-proof condition, extermination shall be the responsibility of the owner.
- (k) *Exits.* Every sleeping room in every dormitory facility shall have exits which conform to the exit requirements of the City and State Building Codes, as applicable. In addition, every exit and passageway shall comply with the following:
 - (1) It shall be easily accessible from every sleeping room by passageway, without passing through any part of another sleeping room.
 - (2) It shall be kept in a reasonably good state of repair.
 - (3) It shall be unobstructed at all times.

Secs. 8-652—8-668. Reserved.

ARTICLE VII. MANUFACTURED AND MOBILE HOMES

Sec. 8-669. State laws adopted.

Except as otherwise provided in this article, Wis. Stats. § 66.0435, all provisions of Wis. Stats. Ch. 101, and all provisions of Wis. Admin. Code SPS Ch. 326 describing and defining regulations relative to manufactured and mobile homes that the City may adopt as ordinances are hereby adopted and by reference made part of this article as if fully set forth herein. Any future amendments, revisions, or modifications of the statutes and regulations incorporated herein are intended to be made part of this Code in order to secure uniform statewide regulation of manufactured and mobile homes in the City of Green Bay. A copy of such code shall be on file in the office of the Inspection Division.

Sec. 8-670. Parking of manufactured and mobile homes restricted.

Except as provided in this article, no person shall park within the City any manufactured and mobile home on any street, alley, highway, or other public place or on any privately-owned land.

Sec. 8-671. Manufactured and mobile home park licenses.

- (a) *Required.* No person shall establish, operate, or maintain or permit to be established, operated, or maintained upon any property owned, leased, or controlled by said person a manufactured and mobile home park within the City without first securing a license therefor from the Director of the Department of Community and Economic Development (Director) or their designee, pursuant to this article. Operation in any fiscal year requires a license. Such license shall expire on 12:00 midnight on June 30 annually but may be renewed under the provisions of this article for additional maximum two-year periods.
- (b) *Location restricted.* An application for the construction of a manufactured and mobile home park shall be considered only when its proposed location is within a district zoned to permit such use.
- (c) *Application.* The application for a license or a renewal thereof shall be made on forms furnished by the City and shall include the name and address of the owner in fee of the tract or if the fee is vested in some person other than the applicant, a duly verified statement by such person that the applicant is authorized to construct or maintain the manufactured and mobile home park and make the application, and such legal description of the premises upon which the manufactured and mobile home park is or will be located as will readily identify and definitely locate the premises. The initial application for any existing, new, or revised manufactured and mobile home park shall contain a park plan showing the following, either as existing or as proposed:
 - (1) The area to be used for park purposes.
 - (2) Roadways and driveways.
 - (3) The location and designation of dependent and independent manufactured and mobile home spaces.
 - (4) The location of service buildings and the number of sanitary conveniences, including toilets, washrooms, laundries, and utility rooms, to be used by occupants of the manufactured and mobile home park.
 - (5) A complete layout of storm, sanitary, and water systems for the service building and spaces.
 - (6) The method and plan of garbage removal.
 - (7) A plan for electrical lighting of spaces.
- (d) *Issuance of license.*

- (1) *Approval and fee required.* The application for such license or renewal thereof shall be approved by the Inspection Division. Before a license is issued, the applicant shall pay an annual fee in accordance with Wis. Admin. Code SPS Ch. 326. The fee shall be as provided in the City Fee Schedule. A penalty fee, as provided in the City Fee Schedule, shall apply to renewal applications postmarked after June 30.
- (2) *Municipal sanitary facilities required.* No license shall be issued for a manufactured and mobile home park where municipal sanitary facilities are not available.
- (e) *Revocation and suspension.* A license may be suspended or revoked after a hearing held pursuant to Wis. Stats. § 66.0435. Any hearing for the suspension, revocation, or non-renewal of a license shall be conducted before the Protection and Policy Committee. At the conclusion of the hearing, the Protection and Policy Committee shall recommend to the Common Council that the license be suspended, revoked, or non-renewed if it finds that the licensee committed a violation. The Common Council shall consider and take action on the recommendation of the Protection and Policy Committee within 45 days after the committee adjourns the hearing. Appeal from a decision of the Common Council shall be by petition for writ of certiorari to the Brown County Circuit Court.

Sec. 8-672. Management of manufactured and mobile home parks.

- (a) *Office to be in park.* In every manufactured and mobile home park, there shall be located the office of the attendant or person in charge of such park. A copy of the park license and of this article shall be posted therein, and the park register shall at all times be kept in such office.
- (b) *Duties of attendant and licensee.* The attendant or person in charge, together with the licensee, shall:
 - (1) Keep a register of all occupants, which shall be open at all times to inspection by state, federal, and local officers and which shall show for all occupants of the manufactured and mobile home park the following information:
 - a. Names and addresses.
 - b. Number and ages of all children.
 - c. Number of public elementary school children.
 - d. Number of public secondary school children.
 - e. State of legal residence.
 - f. Dates of entrance and departure.
 - g. License numbers of all manufactured and mobile homes and towing or other vehicles, and states issuing such licenses.
 - h. Place of last location and length of stay.
 - i. Place of employment of each occupant.
 - (2) Maintain the park in a clean, orderly, and sanitary condition at all times.
 - (3) Ensure that the provisions of this article are complied with and enforced and report promptly to the proper authorities any violations of this article or any other violations of law which may come to attention.
 - (4) Collect the monthly parking permit fee and keep a record book showing the names of persons paying such fees and the amounts paid.
 - (5) Submit with the total monthly parking permit fees to the City Treasurer a monthly report showing the names of persons paying such fees and the amount paid if less than for a full month. Such report shall also indicate departure time for current tenants and arrival time for new tenants and departure time if occurring the same month as arrival.

Sec. 8-673. Applicability of plumbing, electrical, and building ordinances.

All plumbing, electrical, building, and other work on or at any park licensed under this article shall comply with City ordinances, the requirements of the State Plumbing, Electrical, and Building Codes, and the regulations of the State Department of Health. Licenses granted under this article grant no permission to erect or repair any structure or to do any plumbing or electrical work.

Sec. 8-674. Variances.

When, in the judgment of the Plan Commission or the Council, a provision of this article may not literally be applied due to unusual hardship, such provision may be altered as long as the basic intent of control herein stated is retained.



Report to the
Protection and Policy Committee
of the City of Green Bay

MEETING DATE

June 25, 2024

PREPARED BY

AGENDA ITEM # X.5

Consideration with possible action on General Ordinance No. 14-24, Creating Section 2-187, Green Bay Municipal Code, relating to Zoning Board of Appeals.

BACKGROUND

RECOMMENDATION

FISCAL IMPACT

ATTACHMENTS

- I. DRAFT GO 14-24 - Create 2-187 - Zoning Board of Appeals

GENERAL ORDINANCE NO. 14-24

AN ORDINANCE
CREATING SECTION 2-187,
GREEN BAY MUNICIPAL CODE,
RELATING TO ZONING BOARD OF APPEALS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 2-187, Green Bay Municipal Code, is hereby created to read:

Sec. 2-187. – Zoning Board of Appeals

- (a) The Zoning Board Of Appeals shall be composed and organized in accordance with Section 44-138.
- (b) The Board of Appeals shall have jurisdiction over appeals and other matters pursuant to Sec. 8-4 and Sec. 44-139, et seq.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3. Effective date. This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin, this _____ day of _____, 2024.

APPROVED:

Eric Genrich, Mayor

ATTEST:

Celestine Jeffreys, Clerk

jvl

June 25, 2024