

CHAPTER 759

BUFFALO COUNTY UNIFORM DWELLING CODE ORDINANCE

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759.01 TITLE

This chapter shall be referred to as the Buffalo County Uniform Dwelling Code Ordinance.

759.02 PURPOSE

The purpose of the Ordinance is to provide a regulatory scheme for the construction of 1 and 2 family dwellings and other habitable structures and the placement of manufactured homes in Buffalo County, subject to reasonable restrictions, which will preserve the public health, safety and general welfare.

759.03 AUTHORITY

This ordinance is adopted pursuant to authority granted by Wisconsin State Statutes Sections: 101.65 and 101.651. The County Board adopts the Uniform Dwelling Code for the construction of new 1 and 2 family dwellings, habitable structures and the placement of manufactured homes. This ordinance does not regulate additions or alterations to existing structures. This ordinance shall incorporate by reference WI Adm. Code Chapters Comm. 20-25 (Uniform Dwelling Code).

759.04 APPLICABILITY

This ordinance shall apply and be enforced in any city, village or town within the boundaries of Buffalo County, which has not enacted an ordinance pursuant to WI. SS 101.65 or 101.651 and has adopted this ordinance through resolution.

759.05 FUTURE STATUTORY AMENDMENTS/REVISIONS/MODIFICATIONS

Any future amendments, revisions, and/or modifications of any portion of the Wisconsin State Statutes or administrative codes referred to in this ordinance are incorporated herein and made part of this ordinance.

759.06 EFFECT OF REGULATIONS

No person shall build or cause to be built any structure or more any structure covered under this ordinance without first obtaining a building permit.

759.07 ADMINISTRATION

The Buffalo County Board shall designate an inspection agency to administer this ordinance through resolution. The Buffalo County Zoning Committee shall review the designated agency's performance at the end of each calendar year and may rescind its appointment through resolution. The agency currently providing inspection services shall be provided notification in writing at least 30 days prior to introduction of a resolution, which would discontinue the agency's services.

759.08 CREDENTIALS

The inspection agency designated by the county shall administer and enforce this ordinance and shall be certified by the Department of Commerce Safety and Buildings Division, as specified by Wisconsin Statutes, Section 101.66(2) in the category of Uniform Dwelling Code Construction Inspector. Additionally, the inspector shall possess the certification of UDC-HVAC Inspector, UDC-Electrical Inspector, and UDC-Plumbing Inspector. The inspection agency designated by the county shall be responsible for acquiring and maintaining all appropriate credentials necessary to fulfilling the requirements of this ordinance. The cost of credentials and continuing education shall be the responsibility of the designated agency.

759.09 INSURANCE OF INSPECTION AGENCY

The inspection agency responsibility for carrying out the provisions of this ordinance shall be fully responsible for acquiring and maintaining all necessary forms of insurance.

759.10 FEES

The inspection agency shall be responsible for collection of all building permit fees associated with this ordinance. The Buffalo County Board of Supervisors shall designate all fees associated with this ordinance through resolution.

759.11 RESPONSIBILITY CONSTRUED

This ordinance and all inspections and approvals hereunder shall not be construed as establishing any legal or financial responsibility on the part of the county or any of its agents or employees for the design or construction of any structure. The sole responsibility for code compliance and care in construction shall be vested in the property owner, building or contractor.

759.12 UNIFORM DWELLING CODE STANDARDS PREVAIL

In any case where a provision of this ordinance is found to be in conflict with any ordinance or code of any city, village or town within the boundaries of the county existing on the effective date of this ordinance, any provision that is in conformity with the Uniform Dwelling Code Comm. 20-25 shall prevail.

759.13 ENFORCEMENT AND PENALTIES

Any person, firm, company, or corporation who violates, disobeys, omits, neglects or refuses to comply with or resist the enforcement of any of the provisions of the ordinance shall be subject to a fine of not less than twenty-five (\$25.00) dollars nor more than five hundred (\$500.00) dollars, together with the cost of the action. Each day of continued violation shall constitute a separate offense. Compliance therewith may be enforced by injunctive order.

759.14 VALIDITY

Should any section, clause or provision of this ordinance be declared by the courts to be invalid, the same shall not affect the validity of the ordinance as a whole or any part thereof, other than the part so declared invalid.

759.15 DEFINITIONS

1. Dwelling: Any building that contains 1 or 2 dwelling units.
2. Dwelling Unit: A structure or that part of a structure which is used or intended to be used as a home, residence or sleeping place by one person or by two or more persons maintaining a common household, to the exclusion of others.
3. Habitable Structure: Any structure intended to be used as a sleeping place for one or more persons.
4. Inspection Agency: Shall mean an agency, firm, corporation, individual or other entity responsible for carrying out the requirements of this ordinance.
5. Manufactured Home: A structure that is designed to be used as a dwelling with or without a permanent foundation and that is certified by the Federal Department of Housing and Urban Development as complying with the standards established under 42 USC 5401 to 5425.
6. Mobile Home: A vehicle manufactured or assembled before June 15, 1976, designed to be towed as a single unit or in sections upon a highway by a motor vehicle and equipped and used, or intended to be used, primarily for human habitation, with walls of rigid uncollapsible construction, which has an overall length in excess of 45 feet. "Mobile Home" includes the mobile home structure, its plumbing, heating, air conditioning and

electrical systems, and all appliances and all other equipment carrying a manufacturer's warranty.

7. Modular Home: Any structure or component thereof which is intended for use as a dwelling and:
 - a. Is of closed construction and fabricated or assembled on-site or off-site in manufacturing facilities for installation, connection, or assembly and installation, at the building site; or
 - b. Is a building of open construction which is made or assembled in manufacturing facilities away from the building site for installation, connection, or assembly and installation, on the building site and for which certification is sought by the manufacturer.
8. Recreational Dwelling: Any structure intended to be used as a sleeping place in conjunction with recreational activities usually on or near the structure. Occupancy of such structures is seasonal or periodic in nature.

- Ordinance was adopted on March 30, 2010
- Ordinance was reprinted on May 18, 2015, with no language changes.