

TITLE 15
Building Code

Chapter 1	Building, Plumbing, Electrical and Heating and Ventilation Code
Chapter 2	Housing Code
Chapter 3	Fair Housing
Chapter 4	Grievances Regarding Access to Public Buildings by Handicapped Persons
Chapter 5	Property Maintenance Code

CHAPTER 1

**Building, Plumbing, Electrical
and Heating and Ventilation Code**

15-1-1	Building Code Established
15-1-2	Building Permits and Inspection
15-1-3	State Uniform Dwelling Code Adopted
15-1-4	Construction Standards; Codes Adopted
15-1-5	Plumbing Permits
15-1-6	Unsafe Buildings
15-1-7	Disclaimer on Inspections
15-1-8	Garages
15-1-9	Regulation and Permit for Razing Buildings
15-1-10	Basements; Excavations
15-1-11	Discharge of Clear Waters
15-1-12	Regulations for Moving Buildings
15-1-13	Fire District Regulations
15-1-14	Fees
15-1-15	Severability
15-1-16	Penalties and Violations

SEC. 15-1-1 BUILDING CODE ESTABLISHED.

- (a) **Title.** This Chapter shall be known as the "Building Code of the City of Park Falls" and will be referred to in this Chapter as "this Code," "this Chapter" or "this Ordinance."
- (b) **Purpose.** This Chapter provides certain minimum standards, provisions and requirements for safe and stable design, methods of construction and uses of materials in buildings and/or structures hereafter erected, constructed, enlarged, altered, repaired, moved, converted to other uses or demolished and regulates the equipment, maintenance, use and occupancy of all such buildings and/or structures. Its purpose is to protect and foster the health, safety and well-being of persons occupying or using such buildings and the general public.
- (c) **Scope.** New buildings hereafter erected in, or any building hereafter moved within or into the City, shall conform to all the requirements of this Chapter except as they are

herein specifically exempted from part or all of its provisions. Any alteration, enlargement or demolition of an existing building and any installation therein of electrical, gas, heating, plumbing or ventilating equipment which affects the health or safety of the users thereof or any other persons is a "new building" to the extent of such change. Any existing building shall be considered a "new building" for the purposes of this Chapter whenever it is used for dwelling, commercial or industrial purposes, unless it was being used for such purpose at the time this Chapter was enacted. The provisions of this Chapter supplement the laws of the State of Wisconsin pertaining to construction and use and the Zoning Code of the City and amendments thereto to the date this Chapter was adopted and in no way supersede or nullify such laws and the said Zoning Code.

SEC. 15-1-2 BUILDING PERMITS AND INSPECTION.

(a) Permit Required.

- (1) General Permit Requirement. No building of any kind shall be moved within or into the City and no new building or structure, or any part thereof, shall hereafter be erected, or ground broken for the same, or enlarged, altered, moved, demolished, razed or used within the City, except as herein provided, until a permit therefore shall first have been obtained by the owner, or his authorized agent, from the Assessor/Building Inspector.
- (2) Alterations and Repairs. The following provisions shall apply to buildings altered or repaired:
 - a. Alterations. When not in conflict with any regulations, alterations to any existing building or structure accommodating a legal occupancy and use but of substandard type of construction, which involves either beams, girders, columns, bearing or other walls, room, heating and air condition systems, arrangement, light and ventilation, changes in location of exit stairways or exits, or any or all of the above, then such existing construction shall be made to conform to the minimum requirements of this Chapter applicable to such occupancy and use and given type of construction.
 - b. Repairs. Repairs for purposes of maintenance, or replacements in any existing building or structure which do not involve the structural portions of the building or structure or which do not affect room arrangement, light and ventilation, access to or efficiency of any exist stairways, or exits, fire protection, or exterior aesthetic appearance and which do not increase a given occupancy or use, shall be deemed minor repairs.
 - c. Alterations and Repairs Required. When any of the structural members of any building or structure have deteriorated from any cause whatsoever to less than their required strength, the owner of such a building or structure shall cause such structural members to be restored to their required strength; failing in which the building or structure hall be considered a menace to public safety and shall be vacated and

thereafter no further occupancy or use of the same shall be permitted until the regulations of this Chapter are complied with.

- d. Extent of Deterioration. The amount and extent of deterioration of any existing building or structure shall be determined by the Assessor/Building Inspector, with the assistance of an engineer, if necessary.

- (b) **Application.** Application for a building permit shall be made in writing upon a form furnished by the Assessor/Building Inspector or his designee and shall state the name and address of the owner of the land and also the owner of the building if different, the legal description of the land upon which the building is to be located, the name and address of the designer, the use to which said building is to be put and such other information as the Assessor/Building Inspector may require.

(c) **Site Plan Approval.**

- (1) Site Plan Approval. All applications for building permits for any construction, reconstruction, expansion or conversion, except for one (1) and two (2) family residences in residentially zoned districts shall require site plan approval by the Plan Commission in accordance with the requirements of this Section. The applicant shall submit a site plan and sufficient plans and specifications of proposed buildings, machinery and operations to enable the Plan Commission or its expert consultants to determine whether the proposed application meets all the requirements applicable thereto in this
- (2) Administration. The Assessor/Building Inspector shall make a preliminary review of the application and plans requiring site plan review and refer them along with a report of his findings to the Plan Commission. The Plan Commission shall review the application and may refer the application and determine whether the application and plans meet all the requirements applicable thereto in this Chapter. Within thirty (30) days of its receipt of the application, the Plan Commission shall authorize the Assessor/Building Inspector to issue or refuse a building permit.
- (3) Requirements. In acting on any site plan, the Plan Commission shall consider the following:
- a. The appropriateness of the site plan and buildings in relation to the physical character of the site and the usage of adjoining land areas
 - b. The layout of the site with regard to entrances and exits to public streets; the arrangement and improvement of interior roadways; the location, adequacy and improvement of areas for parking and for loading and unloading; and shall, in this connection, satisfy itself that the traffic pattern generated by the proposed construction or use shall be developed in a manner consistent with the safety of residents and the community, and the applicant shall so design the construction or use as to minimize any traffic hazard created thereby.
 - c. The adequacy of the proposed water supply, drainage facilities and sanitary and waste disposal.
 - d. The landscaping and appearance of the completed site. The Plan Commission may require that those portions of all front, rear and side yards not used for off-street parking shall be attractively planted with

trees, shrubs, plants or grass lawns, and that the site be effectively screened so as not to impair the value of adjacent properties nor impair the intent of purposes of this Section.

- (4) **Effect on Municipal Services.** Before granting any site approval, the Plan Commission may, besides obtaining advice from consultants, secure such advice as may be deemed necessary from the Assessor/Building Inspector or other municipal officials, with special attention to the effect of such approval upon existing municipal services and utilities. Should additional facilities be needed, the Plan Commission shall not issue the final approval until the City has entered into an agreement with the applicant regarding the development of such facilities.
- (5) **Appeals.** Denials of building permits contingent upon site plan approval may be appealed to the Board of Appeals by filing a notice of appeal with the City Clerk-Treasurer within seven (7) days of the denial.
- (d) **Dedicated Street and Approved Subdivision Required.** Unless a waiver is granted by the Common Council, following a recommendation from the Assessor/Building Inspector, no building permit shall be issued unless the property on which the building is proposed to be built abuts a street that has been dedicated for street purposes. No building permits shall be issued until the subdivision and/or certified survey and required improvements are accepted by the Common Council.
- (e) **Utilities Required.**
 - (1) **Residential Buildings.** No building permit shall be issued for the construction of any residential building until sewer, water, grading and graveling are installed in the streets necessary to service the property for which the permit is required.
 - (2) **Non-Residential Building.** No building permit shall be issued for the construction of any building other than residential until contracts have been let for the installation of sewer, water, grading and graveling in the streets necessary to service the property for which the permit is requested.
 - (3) **Occupancy.** No person shall occupy any building until sewer, water, grading and graveling are installed in the streets necessary to service the property.
- (f) **Plans.** With applications for new detached structures or additions, there shall be submitted two (2) complete sets of plans and specifications, including a plot plan showing the location and dimensions of all buildings and improvements on the lot, both existing and proposed, dimensions of the lot, dimensions showing all setbacks of all buildings on the lot. Plans, specifications and plot plans shall be drawn to a minimum scale of one-quarter (1/4) inch to one (1) foot [fireplace details to three-quarters (3/4) inch to one (1) foot]. One (1) set of plans shall be returned after approval as provided in this Chapter. The second set shall be filed in the office of the Assessor/Building Inspector. Plans for buildings involving the State Building Code shall bear the stamp of approval of the State Department of Industry, Labor and Human Relations. One (1) plan shall be submitted which shall remain on file in the office of the Assessor/ Building Inspector. All plans and specifications shall be signed by the designer.

(g) **Waiver of Plans; Minor Repairs.**

- (1) Waiver. If the Assessor/Building Inspector finds that the character of the work is sufficiently described in the application, he may waive the filing of plans for alterations, repairs or moving, provided the cost of such work does not exceed Five Thousand Dollars (\$5,000.00).
- (2) Minor Repairs. The Assessor/Building Inspector may authorize minor repairs or maintenance work on any structure or to heating, ventilating or air conditioning systems installed which, in the opinion of the Assessor/Building Inspector, are valued at less than Five Hundred Dollars (\$500.00) which do not change the occupancy area, exterior aesthetic appearance, structural strength, fire protection, exits, light or ventilation of the building or structure without issuance of a building permit.

(h) **Approval of Plans.**

- (1) If the Assessor/Building Inspector determines that the building will comply with this Building Code and with other applicable ordinances and orders of the City, he shall issue a building permit which shall state the use to which said building is to be put, which shall be kept at the site of the proposed building. After being approved, the plans and specifications shall not be altered in any respect which involves any of the above-mentioned Ordinances, laws or orders, or which involves the safety of the building or the occupants, except with the written consent of the Assessor/Building Inspector.
- (2) In case adequate plans are presented for part of the building only, the Assessor/Building Inspector, at his discretion, may issue a permit for that part of the building before receiving the plans and specifications for the entire building.

(i) **Inspection of Work.** The builder shall notify the Assessor/Building Inspector when ready for inspections and the Assessor/Building Inspector may inspect after notification all buildings at the following states of construction:

- (1) Footings and foundation. Prior to pouring of the foundation, the builder shall supply an adequate site plan;
- (2) General framing, rough electrical, plumbing and heating;
- (3) Insulation; and
- (4) Completion of the structure.

If he finds that the work conforms to the provisions of this Chapter, he shall issue a certification of occupancy which shall contain the date and the result of such inspection, a duplicate of which shall be filed in the office of the Assessor/Building Inspector.

(j) **Permit Lapses.** A building permit shall lapse and be void unless building operations are commenced within six (6) months or, in the case of residential permits, if construction has not been completed within nine (9) months from the date of issuance thereof. The building inspector may provide building permit extensions not to exceed nine (9) months provided there has been substantial work on the project within six (6) months prior to the request for the extension.

(k) **Revocation of Permits.**

- (1) The Assessor/Building Inspector may revoke any building or plumbing permit, or approval issued under the regulations of this Chapter and may stop construction or use of approved new materials, equipment, methods of construction, devices or appliances for any of the following reasons:

- a. Whenever the Assessor/Building Inspector shall find at any time that applicable ordinances, laws, orders, plans and specifications are not being complied with and that the holder of the permit refused to conform after written warning or construction has been issued to him.
 - b. Whenever the continuance of any construction becomes dangerous to life or property.
 - c. Whenever there is any violation of any condition or provisions of the application for permit or of the permit.
 - d. Whenever, in the opinion of the Assessor/Building Inspector, there is inadequate supervision provided on the job site.
 - e. Whenever any false statement or misrepresentation has been made in the application for permit, plans, drawings, data specifications or certified lot or plot plan on which the issuance of the permit or approval was based.
 - f. Whenever there is a violation of any of the conditions of an approval or occupancy given by the Assessor/Building Inspector for the use of all new materials, equipment, methods or construction devices or appliances.
- (2) The notice revoking a building or plumbing permit shall be in writing and may be served upon the applicant of the permit, owner of the premises and his agent, if any, and on the person having charge of construction.
 - (3) A revocation placard shall also be posted upon the building, structure, equipment or premises in question by the Assessor/Building Inspector.
 - (4) After the notice is served upon the persons as aforesaid and posted, it shall be unlawful for any person to proceed thereafter with any construction operation whatsoever on the premises, and the permit which has been so revoked shall be null and void, and before any construction or operation is again resumed, a new permit, as required by this Chapter, shall be procured and fees paid therefore, and thereafter the resumption of any construction or operation shall be in compliance with the regulation of this Chapter. However, such work as the Assessor/Building Inspector may order as a condition precedent to the reissuance of the building permit may be performed, or such work as he may require for the preservation of life and safety.
- (l) **Report of Violations.** City officers shall report at once to the Assessor/Building Inspector any building which is being carried on without a permit as required by this Chapter.
 - (m) **Display of Permit.** Building permits shall be available at the premises where the authorized building or work is in progress at all times during construction or work thereon.

SEC. 15-1-3 STATE UNIFORM DWELLING CODE ADOPTED.

- (a) **State Code Adopted.** The administrative code provisions describing and defining regulations with respect to one (1) and two (2) family dwellings in Chapters ILHR 20 through 25 of the Wisconsin Administrative Code are hereby adopted and by reference made a part of this Chapter as if fully set forth herein. Any act required to

be performed or prohibited by an Administrative Code provision incorporated herein by reference is required or prohibited by this Chapter. Any future amendments, revisions or modifications of the Administrative Code provisions incorporated herein are intended to be made part of this Chapter to secure uniform statewide regulation of one (1) and two (2) family dwellings in the City of Park Falls. A copy of these administrative code provisions and any future amendments shall be kept on file in the City Clerk-Treasurer's Office.

- (b) **Inspection Powers.** The Building Inspector or an authorized certified agent may at all reasonable hours enter upon any public or private premises for inspection purposes and may require the production of the permit for any building, plumbing, or heating work. No person shall interfere with or refuse to permit access to any such premises to the Building Inspector or his agent while in performance of his duties.

SEC. 15-1-4 CONSTRUCTION STANDARDS; CODES ADOPTED.

- (a) **Portions of State Building Code Adopted.** Chapters ILHR 50 through ILHR 64, Wis. Adm. Code (Wisconsin State Building Code) are hereby adopted and made a part of this Chapter with respect to those classes of buildings to which this Building Code specifically applies. Any future amendments, revisions and modifications of said Chs. 50 to 64 incorporated herein are intended to be made a part of this Code. A copy of said Chs. 50 to 64 and amendments thereto shall be kept on file in the office of the Assessor/Building Inspector.
- (b) **State Plumbing Code Adopted.** The provisions and regulations of Ch. 145, Wis. Stats., and Wis. Adm. Code Chs. H 81, H 82, H 83 and ILHR 25 are hereby made a part of this Chapter by reference and shall extend over and govern the installation of all plumbing installed, altered or repaired in the City. Any further amendments, revisions and modifications of said Wisconsin Statutes and Administrative Code herein are intended to be made part of this Chapter.
- (c) **Conflicts.** If, in the opinion of the Assessor/Building Inspector and the Common Council, the provisions of the State Building Code adopted by Subsection (a) of this Section shall conflict with the provisions of the Federal Housing Administration standards in their application to any proposed building or structure, the Inspector and/or the City shall apply the most stringent provisions in determining whether or not the proposed building meets the requirements of this Section.

SEC. 15-1-5 PLUMBING PERMITS.

- (a) **Plumbing Permits.** No plumbing or drainage of any kind shall be installed or altered, except that leakage or stoppage repairs may be made, without first securing a permit therefore from the Assessor/Building Inspector. The application for such permit shall be on a form furnished by the Assessor/Building Inspector and shall state clearly the work planned, alterations to be made, and equipment and materials to be used. All later deviations from such plan must be submitted to and approved by the Assessor/Building Inspector.
- (b) **Licensed Plumber Required.** All plumbing work shall be done only by a plumber licensed by the State Board of Health, except that a property owner may make repairs

or installations in a single-family building owned and occupied by him as his home, provided that a permit is issued and the work is done in compliance with the provisions of this Chapter.

SEC. 15-1-6 UNSAFE BUILDINGS.

Whenever the Common Council, upon the inspection and report of the Assessor/ Building Inspector, finds any building or part thereof within the City to be, in its judgment, so old, dilapidated or out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human occupancy or use and so that it would be unreasonable to repair the same, the Council may order the owner to raze and remove such building or part thereof or, if it can be made safe by repairs, to repair and make safe and sanitary, or to raze and remove at the owner's option. The Council shall give specific reasons for its determination. Such order and proceedings shall be as provided in Sec. 66.05, Wis. Stats.

SEC. 15-1-7 DISCLAIMER ON INSPECTIONS.

The purpose of the inspections under this Chapter is to improve the quality of housing in the City. The inspections and the reports and findings issued after the inspections are not intended as, nor are they to be construed, as a guarantee. In order to so advise owners and other interested persons the following disclaimer shall be applicable to all inspections: "These findings of inspection contained herein are intended to report conditions of noncompliance with code standards that are readily apparent at the time of inspection. The inspection does not involve a detailed examination of the mechanical systems or the closed structural and nonstructural elements of the building and premises. No warranty of the operation, use or durability of equipment and materials not specifically cited herein is expressed or implied."

SEC. 15-1-8 GARAGES.

Private garages shall be built in accordance with the general construction standards established in the Wisconsin Uniform Dwelling Code.

SEC. 15-1-9 REGULATION AND PERMIT FOR RAZING BUILDINGS.

- (a) No building within the City of Park Falls shall be razed without a permit from the Assessor/Building Inspector. A snow fence or other approved barricade shall be provided as soon as any portion of the building is removed and shall remain during razing operations. After all razing operations have been completed, the foundation shall be filled at least one (1) foot above the adjacent grade, the property raked clean, and all debris hauled away. Razing Permits shall lapse and be void unless the work authorized thereby is commenced within six (6) months from the date thereof or completed within thirty (30) days from the date of commencement of said work. Any unfinished portion of work remaining beyond the required thirty (30) days must have special approval from the Assessor/Building Inspector.
- (b) All debris must be hauled away at the end of each week for the work that was done that week. No combustible material shall be used for backfill, but shall be hauled

away. There shall not be any burning of materials on the site of the razed building. If any razing or removal operation under this Section results in, or would likely result in, an excessive amount of dust particles in the air creating a nuisance in the vicinity thereof, the permittee shall take all necessary steps, by use of water spraying or other appropriate means, to eliminate such nuisance. The permittee shall take all necessary steps, prior to the razing of a building, through the employment of a qualified person in the field of pest control or by other appropriate means, to treat the building as to prevent the spread and migration of rodents and insects therefrom during and after the razing operations.

SEC. 15-1-10 BASEMENTS; EXCAVATIONS.

- (a) **Fencing of Excavations.** The owner of any premises on which there exists an opening or excavation which is located in close proximity to a public sidewalk or street right-of-way as to constitute a hazard to pedestrian or vehicular traffic shall erect a fence, wall or railing at least four (4) feet high between such opening or excavation and the public right-of-way.
- (b) **Closing of Abandoned Excavations.** Any excavation for building purposes or any uncovered foundation which shall remain open for more than three (3) months shall be deemed abandoned and a nuisance and the Assessor/Building Inspector shall order that unless the erection of the building or structure on the excavation or foundation shall commence or continue forthwith suitable safeguards shall be provided to prevent accidental injury to children or other frequenters or that the excavation or foundation be filled to grade. Such order shall be served upon the owner of record or the owner's agent, where an agent is in charge of the premises, and upon the holder of an encumbrance of record in the manner provided for service of a summons in the circuit court. If the owner or the holder of an encumbrance of record cannot be found, the order may be served by posting it on the premises and make publication in the official newspaper for two (2) consecutive publications at least ten (10) days before the time for compliance stated in the order commences to run. Such time shall be not less than fourteen (14) nor more than twenty (20) days after service. If the owner of the land fails to comply with the order within the time required, the Assessor/Building Inspector shall cause the excavation or foundation to be filled to grade. The cost of such abatement shall be charged against the real estate and entered on the next succeeding tax roll as a special charge and shall bear interest at a rate established by the Common Council from the date of the report by the Assessor/Building Inspector on the cost thereof, pursuant to the provisions of Sec. 66.60, Wis. Stats.
- (c) **Vacant Buildings.** Whenever any building or structure is vacant and the doors and windows or any part thereof have been removed or opened, leaving the interior of such building or structure exposed to the elements and accessible to trespassers, then such building or structure shall be deemed to be dangerous, unsafe, and a menace to public safety. The Assessor/Building Inspector shall give the owner thereof written notice to secure said building or structure and comply with City Code requirements within thirty (30) days of the date of said notice. Failure to comply with said written notice shall be sufficient grounds for the Common Council to condemn and raze said

building or structure in accordance with the applicable provisions of Sec. 66.05(2)(a), Wis. Stats.

SEC. 15-1-11 DISCHARGE OF CLEAR WATERS.

- (a) **Discharge.** No person shall cause, allow or permit any roof drain, surface drain, subsoil drain, drain from any mechanical device, gutter, ditch, pipe, conduit, sump pump or any other object or thing used for the purposes of collecting, conducting, transporting, diverting, draining or discharging clear water from any part of any private premises owned or occupied by said person to discharge into a sanitary sewer.
- (b) **Nuisance.** The discharge into a sanitary sewer from any roof drain, surface drain, subsoil drain, drain from any mechanical device, gutter, ditch, pipe, conduit, sump pump or any other object or thing used for the purposes of collecting, conducting, transporting, diverting, draining or discharging clear water from any part of any private premises is hereby declared to be a public nuisance and a hazard to the health, safety and well-being of the residents of the City and to the protection of the property.
- (c) **Groundwater.** Where deemed necessary by the Assessor/Building Inspector, every house shall have a sump pump installed for the purpose of discharging clear waters from foundation drains and ground infiltration and where the building is not serviced by a storm sewer shall either discharge into an underground conduit leading to a drainage ditch, gutter, dry well or shall discharge onto the ground surface in such other manner as will not constitute a nuisance as defined herein.
- (d) **Storm Water.** All roof drains, surface drains, drains from any mechanical device, gutters, pipe, conduits or any other objects or things used for the purpose of collecting, conducting, transporting, diverting, draining or discharging storm waters shall be discharged either to a storm sewer, a dry well, an underground conduit leading to a drainage ditch or onto the ground surface in such other manner as will not constitute a nuisance as defined herein.
- (e) **Storm Sewer Lateral.** Where municipal storm sewers are provided and it is deemed necessary by the property owner and/or the City to discharge clear waters from a parcel of land, a storm sewer lateral shall be installed and connected to the storm sewer main at the expense of the owner.
- (f) **Conducting Tests.** If the Assessor/Building Inspector or his designated agent suspects an illegal clear water discharge as defined by this Chapter or by any other applicable provision of the Wisconsin Administrative Code as it may, from time to time, be amended, he may, upon reasonable notice and at reasonable times, enter the private premises where such illegal clear water discharge is suspected and conduct appropriate tests to determine whether such suspected illegal clear water discharge actually exists.

SEC. 15-1-12 REGULATIONS FOR MOVING BUILDINGS.

- (a) **General Requirements.**
 - (1) No person shall move any building or structure upon any of the public ways of the City of Park Falls without first obtaining a permit therefore from the

- Police Department and upon the payment of the required fee. Every such permit issued by the Police Department for the moving of a building shall designate the route to be taken, the conditions to be complied with and shall limit the time during which said moving operations shall be continued.
- (2) A report shall be made by City employees with regard to possible damage to trees. The estimated cost of trimming, removal and replacement of public trees, as determined by the City, shall be paid to the Police Department prior to issuance of the moving permit.
 - (3) Issuance of moving permit shall further be conditioned on approval of the moving route by the Police Department.
- (b) **Continuous Movement.** The movement of buildings shall be a continuous operation during all the hours of the day and at night, until such movement is fully completed. All such operations shall be performed with the least possible obstruction to thoroughfares. No building shall be allowed to remain overnight upon any street crossing or intersection or so near thereto as to prevent easy access to any fire hydrant or any other public facility. Lights shall be kept in conspicuous places at each end of the building during the night.
- (c) **Street Repair.** Every person receiving a permit to move a building shall, within one (1) day after said building reaches its destination, report that fact to the Police Department, inspect the streets, highways and curbs and gutters over which said building has been moved and ascertain their condition. If the removal of said building has caused any damage to any street or highway, the person to whom the permit was issued shall forthwith place them in as good repair as they were before the permit was granted. On the failure of the said permittee to do so within ten (10) days thereafter to the satisfaction of the Common Council, the City shall repair the damage done to such streets and hold the person obtaining such permit and the sureties on his bond responsible for the payment of same.
- (d) **Conformance with Code.** No permit shall be issued to move a building within or into the City and to establish it upon a location within the said City until the Assessor/Building Inspector has made an investigation of such building at the location from which it is to be moved and is satisfied from such investigation that said building is in a sound and stable condition and of such construction that it will meet the requirements of this Building Code in all respects. A complete plan of all further repairs, improvements and remodeling with reference to such building shall be submitted to the Assessor/Building Inspector, and he shall make a finding of fact to the effect that all such repairs, improvements and remodeling are in conformity with the requirements of this Building Code and that, when the same are completed, the building as such will so comply with said Building Code. In the event a building is to be moved from the City to some point outside the boundaries thereof, the provisions with respect to the furnishing of plans and specifications for proposed alterations to such building may be disregarded.
- (e) **Insurance.** The City shall require, in addition to said the said bond above indicated, public liability insurance covering injury to one (1) person in the sum of not less than One Hundred Thousand Dollars (\$100,000.00) and for one (1) accident in a sum not less than Two Hundred Thousand Dollars (\$200,000.00), together with property

damage insurance in a sum not less than Fifty Thousand Dollars (\$50,000.00), or such other coverage as deemed necessary.

SEC. 15-1-13 FIRE DISTRICT REGULATIONS.

- (a) **Fire District.** All that part of the City of Park Falls included within the following described territory shall be known as the fire district:

All of Blocks 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20 of the Park Falls Lumber Company's plat of the City of Park Falls, and generally bounded on the North by First Street North, and the West by Fifth Avenue, on the South by First Street South, and on the East by the Flambeau River.

- (b) **Definitions.** The terms "fire-resistive construction," "mill construction," "ordinary construction," "frame construction" and "fire-retardant roof coverings" shall have the meaning as defined in the Wis. Adm. Code, Section ILHR 51.001, 51.01, 51.02, 51.03 and 51.07 of the Wisconsin State Building Code.

- (c) **Regulations Within Fire Districts.**

- (1) Requirements. Every building hereafter erected, enlarged or moved within or into the fire district shall be of fire-resistive, mill, or ordinary construction, except as otherwise provided by this Section. Enclosing walls, division walls, and party walls shall be of four (4) hour, fire-resistive walls of a construction as provided in Section ILHR 51.05, Wis. Adm. Code, which is hereby by reference made a part of this Section with respect to all buildings and structures within the fire district.
- (2) Exceptions. No building of frame construction shall be constructed within or moved within or into the fire district except one following:
- a. Buildings occupied as a private garage, not more than one (1) story in height nor more than seven hundred fifty (750) square feet in area, located on the same lot with a dwelling, provided that any such building shall be placed at least five (5) feet from the lot lines of adjoining property.
 - b. Buildings of frame construction, except when used for a high hazard occupancy, not exceeding five hundred (500) square feet in area when used for a business occupancy, nor more than one (1) story in height, and having a horizontal separation of not less than ten (10) feet on all sides. Walls having a horizontal separation of less than ten (10) feet shall have a fire-resistive rating of not less than one (1) hour.
 - c. Buildings of frame construction, not to exceed two thousand (2,000) square feet in area when used as up to a two (2) family private residence dwelling, nor more than one (1) story in height, and having a horizontal separation of not less than ten (10) feet on all sides, and only with approval of the Common Council. Walls having a horizontal separation of less than ten (10) feet shall have a fire-resistive rating of not less than one (1) hour.
 - d. Greenhouses not more than fifteen (15) feet in height.

- e. Builders' shanties for use only in connection with a duly authorized building operation.
- (d) **Bulk Oil Tanks Prohibited.** The storage of Class I and Class II flammable liquids as defined in IND 8.01, Wis. Adm. Code, in aboveground tanks outside of buildings is prohibited within the fire district
- (e) **Razing Old or Damaged Buildings.** Any existing building within the fire limits which may hereafter be damaged by fire, or which has deteriorated to an amount greater than one-half (1/2) of its value, exclusive of the foundation, as determined by the Assessor/Building Inspector shall not be repaired or rebuilt but shall be ordered removed by the Assessor/Building Inspector under the provisions of Sec. 66.05, Wis. Stats. The Assessor/Building Inspector may employ the services of a professional engineer to make such determination.
- (f) **Fire-Retardant Roofing.**
 - (1) Every roof hereafter constructed within the fire district, including buildings listed in Subsection (c)(2), shall be covered with a roofing having a fire-resistive rating equivalent to Class "B" or better of the Underwriters' Laboratories, Inc., classification in their "List of Inspected Materials," which is hereby adopted by reference and incorporated in this Section as if fully set forth herein.
 - (2) No roofing on an existing roof shall be renewed or repaired to a greater extent than one-tenth (1/10) of the roof surface, except in conformity with the requirements of Subsection (f)(1)
- (g) The Assessor/Building Inspector, or Fire Chief or other designated person, is hereby authorized and it shall be his duty to enforce the provisions of this Chapter.

SEC. 15-1-14 FEES.

- (a) Building permit fees shall be established by resolution of the Common Council.
- (b) If a building permit is not obtained prior to commencement of construction, the above fees shall be doubled.

SEC. 15-1-15 SEVERABILITY.

If any section, clause, provision or portion of this Chapter, or of the Wisconsin Administrative Code adopted by reference, is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remaining provisions shall not be affected.

SEC. 15-1-16 PENALTIES AND VIOLATIONS.

- (a) Any building or structure hereafter erected, enlarged, altered or repaired or any use hereafter established in violation of the provisions of this Chapter shall be deemed an unlawful building, structure or use. The Assessor/Building Inspector shall promptly report all such violations to the Common Council and City Attorney who shall bring an action to enjoin the erection, enlargement, alteration, repair or moving of such building or structure or the establishment of such use of buildings in violation of this Chapter or to cause such building, structure or use to be removed and may also be

- subject to a penalty as provided in general penalty provisions of the Code of Ordinances. In any such action, the fact that a permit was issued shall not constitute a defense, nor shall any error, oversight or dereliction of duty on the part of the Assessor/Building Inspector or other City officials constitute a defense. Compliance with the provisions of this Chapter may also be enforced by injunctive order at the suit of the owner or owners of any real estate within the jurisdiction of this Chapter.
- (b)
 - (1) If an inspection reveals a noncompliance with this Chapter or the Uniform Dwelling Code, the Assessor/Building Inspector shall notify the applicant and the owner, in writing, of the violation to be corrected. All cited violations shall be corrected within thirty (30) days after written notification unless an extension of time is granted pursuant to Sec. ILHR 20.10(1)(c), Wis. Adm. Code.
 - (2) If, after written notification, the violation is not corrected within thirty (30) days, a stop-work order may be served on the owner or his or her representative and a copy thereof shall be posted at the construction site. Such stop-work order shall not be removed except by written notice of the Assessor/Building Inspector after satisfactory evidence has been supplied that the cited violation has been corrected.
 - (3) Each day each violation continues after the thirty (30) day written notice period has run shall constitute a separate offense. Nothing in this Chapter shall preclude the City from maintaining and appropriate action to prevent or remove a violation of any provision of this Chapter or the Uniform Dwelling Code.
 - (4) If any construction or work governed by the provisions of this Chapter or the Uniform Dwelling Code is commenced prior to the issuance of a permit, double fees shall be charged.
 - (c) Any person feeling aggrieved by an order or a determination of the Assessor/ Building Inspector may appeal from such order or determination to the Board of Appeals. Those procedures customarily used to effectuate an appeal to the Board of Appeals shall apply.
 - (d) Except as may otherwise be provided by the Statute or Ordinance, no officer, agent or employee of the City of Park Falls charged with the enforcement of this Chapter shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this Chapter. Any suit brought against any officer, agent or employee of the City as a result of any act required or permitted in the discharge of his duties under this Chapter shall be defended by the legal representative of the City until the final determination of the proceedings therein.

CHAPTER 2

Housing Code

Article A Scope

- 15-2-1 Title
- 15-2-2 Purpose
- 15-2-3 Matters Covered
- 15-2-4 Travel Trailers and Mobile Homes
- 15-2-5 Application of Building Code
- 15-2-6 Conflict with Other Ordinances
- 15-2-7 Existing Buildings
- 15-2-8 Existing Remedies

Article B Enforcement Authority

- 15-2-9 Enforcement Officer
- 15-2-10 Coordination of Enforcement
- 15-2-11 Administrative Liability
- 15-2-12 Inspections
- 15-2-13 Access by Owner or Operator
- 15-2-14 thru
- 15-2-18 Reserved for Future Use

Article C Condemnation; Violations; Appeals

- 15-2-19 Dangerous Structures
- 15-2-20 Structures Unfit for Human Occupancy
- 15-2-21 Occupancy of Building
- 15-2-22 Violations
- 15-2-23 Right of Appeal
- 15-2-24 thru
- 15-2-28 Reserved for Future Use

Article D Definitions

- 15-2-29 Definitions
- 15-2-30 thru
- 15-2-38 Reserved for Future Use

Article E Environmental Requirements

- 15-2-39 Scope of Requirements
- 15-2-40 Exterior Property Areas
- 15-2-41 Exterior Structure Requirements
- 15-2-42 Interior Structure Requirements
- 15-2-43 thru
- 15-2-48 Reserved for Future Use

Article F Space and Occupancy Requirements

- 15-2-49 Basic Facilities
- 15-2-50 Installation and Maintenance
- 15-2-51 Light and Ventilation
- 15-2-52 Minimum Requirements for Safety from Fire
- 15-2-53 thru
- 15-2-58 Reserved for Future Use

Article G Responsibilities of Persons

- 15-2-59 Scope of Article
- 15-2-60 Rooming Houses

ARTICLE A

Scope

SEC. 15-2-1 TITLE.

This Chapter shall be known as the Minimum Housing Standards Code for dwellings and multi-family dwellings and is herein referred to as the Housing Code or "this

SEC. 15-2-2 PURPOSE.

The purpose of this Chapter is to protect the public health, safety, and welfare in buildings used for dwelling purposes as hereinafter provided:

- (a) Establishing minimum standards for basic equipment and facilities for light, ventilation, space heating and sanitation; for safety from fire; for space, use and location; and for safe and sanitary maintenance; for cooking equipment in all dwellings and multi-family dwellings now in existence;
- (b) Fixing the responsibilities of owners, operators and occupants of dwellings and multi-family dwellings;
- (c) Providing for administration, enforcement, and penalties.

SEC. 15-2-3 MATTERS COVERED.

The provisions of the Housing Code shall apply to all structures used for human habitation which are now, or may become in the future, substandard with respect to structure, protection against fire hazard, equipment or maintenance, inadequate provisions for light and air, lack of proper heating, unsanitary conditions, and overcrowding, or otherwise may be deemed to constitute a menace to the safety, health, or welfare of their occupants, except as provided in Section 15-2-8. The existence of such conditions, factors, or characteristics adversely affects public safety, health, and welfare and leads to the continuation, extension, and aggravation of urban blight. Adequate protection of the public, therefore, requires the establishment and enforcement of these minimum housing standards. This Chapter shall be applicable to, but not limited to, one (1) and two (2) family dwellings after June 1, 1980.

SEC. 15-2-4 TRAVEL TRAILERS AND MOBILE HOMES.

- (a) All movable units used for human habitation and the areas, grounds, or parcels on which they are located or such other codes, laws or ordinances of the municipality applicable thereto, shall comply with the requirements of this Housing Code.
- (b) Every portion of a building or premises used or intended to be used for residential purposes, except hotels and motels serving transient guests only, rest homes, convalescent homes, and nursing homes shall comply with the provisions of this Chapter, irrespective of when such building shall have been constructed, altered, or repaired, except as hereinafter provided.

SEC. 15-2-5 APPLICATION OF BUILDING CODE.

Any alterations to buildings or changes of use therein which may be caused directly or indirectly by the enforcement of this Chapter shall be done in accordance with applicable sections of the Building Code of the City.

SEC. 15-2-6 CONFLICT WITH OTHER ORDINANCES.

Except as provided in Section 15-2-8, in any case where a provision of this Chapter is found to be in conflict with a provision of any zoning, building, fire, safety, or health ordinance or code of this Chapter existing on the effective date of this Chapter, the provision which establishes the higher standard for the promotion and protection of the safety and health of the people shall prevail. In any case where a provision of this Chapter is found to be in conflict with a provision of any other ordinance or code of this City existing on the effective date of this Chapter which establishes a lower standard for the promotion and protection of the safety and health of the people, the provisions of this Chapter shall prevail, and such other ordinances or codes are hereby declared to be repealed to the extent that they may be found in conflict with this Chapter.

SEC. 15-2-7 EXISTING BUILDINGS.

This Chapter establishes minimum requirements for the initial and continued occupancy of all buildings used for human habitation and does not replace or modify requirements otherwise established for the construction, repair, alteration, or use of buildings, equipment, or facilities, except as provided in this Article.

SEC. 15-2-8 EXISTING REMEDIES.

Nothing in this Chapter shall be deemed to abolish or impair existing remedies of the City or its officers or agencies relating to the removal or demolition of any buildings which are deemed to be dangerous, unsafe, or unsanitary.

ARTICLE B

SEC. 15-2-9 ENFORCEMENT OFFICER.

It shall be the duty and responsibility of the Assessor/Building Inspector to enforce the provisions of the Housing Code as herein provided.

SEC. 15-2-10 COORDINATION OF ENFORCEMENT.

Inspection of premises and the issuing of orders in connection therewith under the provisions of this Chapter shall be the exclusive responsibility of the Assessor/Building Inspector. Wherever, in the opinion of the Assessor/Building Inspector, it is necessary or desirable to have inspections of any condition by any other department, he shall arrange for this to be done in such manner that the owners or occupants of buildings shall not be subjected to visits by numerous inspectors nor to multiple or conflicting orders. No order for correction of any violation under this Chapter shall be issued without the approval of the Assessor/Building Inspector, and it shall be the responsibility of that official before issuing any such order to determine that it has the concurrence of any other department or official concerned with any matter involved on the case in question.

SEC. 15-2-11 ADMINISTRATIVE LIABILITY.

Except as may otherwise be provided by statute or local law or ordinance, no officer, agent, or employee of the City charged with the enforcement of the Housing Code shall render himself personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties under this Chapter. No person who institutes or assists in the prosecution of a criminal proceeding under this Chapter shall be liable to damages hereunder unless he acted with actual malice and without reasonable grounds for believing that the person accused or prosecuted was guilty of an unlawful act or omission. Any suit brought against any officer, agent, or employee of the City as a result of any act required or permitted in the discharge of his duties under this Chapter shall be defended by the legal representative of the City until the final determination of the proceeding therein.

SEC. 15-2-12 INSPECTIONS.

- (a) The Building Inspector shall make or cause to be made inspections to determine the conditions of dwellings, multi-family dwellings, dwelling units, rooming houses, rooming units, and premises in order to safeguard the safety, morals, and welfare of the public under the provisions of this Chapter. The Building Inspector is authorized to enter any dwelling, dwelling unit, multi-family dwelling, rooming house, or premises at any reasonable time for the purpose of performing his duties under this Chapter. The owner, operator, or occupant of every dwelling, multi-family dwelling, dwelling unit, rooming unit, or the person in charge thereof shall give the Building Inspector free access thereto and to all parts thereof and to the premises on which it is located at all reasonable times for the purpose of such inspection, examination and survey.

- (b) It shall be unlawful for any person to refuse entrance or impede an inspector or officer authorized under this Code in the performance of his duties and every such inspector or officer shall have the right to enter, examine, and survey all premises, grounds, structures, dwellings, and multi-family dwellings and every part thereof at all reasonable times upon display of proper identification.

SEC. 15-2-13 ACCESS BY OWNER OR OPERATOR.

Every occupant of a dwelling unit or rooming unit shall give the owner or operator thereof or his agent or employee access to any part of such dwelling unit, rooming unit, or its premises at reasonable times for the purpose of making such inspections, maintenance, repairs, or alterations as are necessary to comply with the provisions of this Chapter.

SEC. 15-2-14 THROUGH SEC. 15-2-18 RESERVED FOR FUTURE USE.

posting a copy thereof in a conspicuous place in or about the dwelling affected by the notice.

- (b) **Service of Notice.** Whenever the Assessor/Building Inspector determines that there has been or is a violation or that there are reasonable grounds to believe that there has been or is a violation of any provision of this Chapter, he shall give notice of such violation or alleged violation to the person or persons responsible therefore. Such notice shall:
- (1) Be in writing;
 - (2) Include a description of the real estate sufficient for identification;
 - (3) Specify the violation which exists and the remedial action required;
 - (4) Allow a reasonable time for the performance of any act it requires.
- (c) **Prosecution of Violation.** In case any violation order is not promptly complied with, the Assessor/Building Inspector may request the legal representative to institute an appropriate action or proceeding at law or in equity against the person responsible for the violation, ordering him:
- (1) To restrain, correct, or remove the violation or refrain from any further execution of work;
 - (2) To restrain or correct the erection, installation, or alteration of such building;
 - (3) To require the removal of work in violation;
 - (4) To prevent the occupation or use of the building, structure, or part thereof erected, constructed, installed or altered in violation of, or not in compliance with, the provisions of this Code or in violation of a plan or specification under which an approval, permit or certificate was issued; or
 - (5) To enforce the penalty provisions of this Chapter.
- (d) **Penalty for Violations.** Every person, firm, or corporation who shall violate any provision of this Chapter shall be guilty of a misdemeanor and, upon conviction hereof, shall be subject to a forfeiture pursuant to Section 1-1-7. Each day that a violation continues after due notice has been served in accordance with the terms and provisions hereof shall be deemed a separate offense.

SEC. 15-2-23 RIGHT OF APPEAL.

- (a) Any owner or person who is aggrieved with the ruling or decision of the enforcing officer in any matter relative to the interpretation or enforcement of any of the provisions of the Housing Code may appeal the decision or interpretation.
- (b) This appeal must be filed with the appropriate authority, in writing, within thirty (30) days of the date of the rendition of the decision or interpretation.
- (c) This appeal may be decided by one (1) of the following methods of procedure:
- (1) The City may appoint and establish an appeal board of five (5) persons, qualified by education and experience in the building profession, who shall have the duty, responsibility, and authority to decide the matter referred to them.
 - (2) The matter may be resolved by the normal procedure for appeals by the appropriate courts of the various governmental units.
 - (3) The decisions of either body shall be subject to the appeal provisions as established by the appropriate courts of the various governmental units.

ARTICLE C

Condemnation; Violations; Appeals

SEC. 15-2-19 DANGEROUS STRUCTURES.

If all or part of any building or structure (including among others a fence, billboard or sign) or the equipment for the operation thereof (including among others the heating plant, plumbing, electric wiring, moving stairways, elevators and fire extinguishing apparatus) shall be found in the opinion of the Assessor/Building Inspector, to be in an unsafe condition -- dangerous to life, limb or property, he shall proceed to have the same condemned pursuant to the applicable provisions of the Wisconsin Statutes.

SEC. 15-2-20 STRUCTURES UNFIT FOR HUMAN OCCUPANCY.

- (a) Whenever the Assessor/Building Inspector finds that any dwelling or multi-family dwelling constitutes a hazard to the safety, health, or welfare of the occupants or to the public because it lacks maintenance or is in disrepair, unsanitary, vermin-infested or rodent-infested, or because it lacks the sanitary facilities or equipment or otherwise fails to comply with the minimum provisions of this Chapter but has not yet reached such state of complete disrepair as to be condemned as a dangerous structure as hereinbefore provided, he may declare such dwelling or multi-family dwelling as "Unfit for Human Habitation" and order it to be vacated pursuant to state law.
- (b) If any dwelling or multi-family dwelling or any part thereof is occupied by more occupants than permitted under this Chapter or was erected, altered or occupied contrary to law, such dwelling or multi-family dwelling shall be deemed an unlawful structure and the Assessor/Building Inspector may cause such dwelling to be vacated. It shall be unlawful to again occupy such dwelling until it or its occupation, as the case may be, has been made to conform to the law.

SEC. 15-2-21 OCCUPANCY OF BUILDING.

No dwelling or multi-family dwelling which has been declared or placarded as unfit for human habitation shall again be used for human habitation until written approval is secured from the Assessor/Building Inspector. The Assessor/Building Inspector shall remove such placard whenever the defect or defects upon which the declaration and placarding action were based have been eliminated.

SEC. 15-2-22 VIOLATIONS.

- (a) **Notice.** Notice of violation shall be served upon the owner of record, provided that such notice shall be deemed to be properly served upon such owner if a copy thereof is delivered to him personally or, if not found, by leaving a copy thereof at his usual place of abode with a person of suitable age and discretion who shall be informed of the contents thereof, or by sending a copy thereof by mail to his last-known address or, if the letter with the copy is returned showing it has not been delivered to him, by

SEC. 15-2-24 THROUGH SEC. 15-2-28 RESERVED FOR FUTURE USE.

ARTICLE D

Definitions

SEC. 15-2-29 DEFINITIONS.

(a) **General Rules of Construction.**

- (1) Interchangeability. Words used in the present tense include the future; words in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural the singular.
- (2) Terms Defined in Building Code. Where terms are not defined in this Section and are defined in the City Building Code, they shall have the meanings ascribed to them as in the Building Code.
- (3) Terms Not Defined. Where terms are not defined under the provisions of this Chapter or under the provisions of the Building Code, they shall have ascribed to them their ordinarily accepted meanings or such as the context herein may imply.

(b) **Applied Meaning of Words and Terms.** Unless otherwise expressly stated, the following terms shall, for the purpose of this Chapter, have the meanings indicated in this Section:

- (1) Approved. Approved as applied to a material, device, or method of construction shall mean approved by the building official under the provisions of this Chapter or approved by other authority designated by law to give approval in the matter in question.
- (2) Basement. A portion of the building partly underground, but having less than half its clear height below the average grade of the adjoining ground. (See Cellar.)
- (3) Boarding House, Lodging House, Tourist House. See Dwellings.
- (4) Building Code. The Building Code, latest edition and current accumulative supplement officially adopted by the City; or such other code as may be officially designated by the Common Council for the regulation of construction, alteration, addition, repair, removal, demolition, use, location, occupancy and maintenance of buildings and structures.
- (5) Building Inspector. The official designated by the City to enforce building, zoning or similar laws of this Chapter or his duly authorized representative.
- (6) Cellar. The portion of the building partly underground, having half or more than half of its clear height below the average grade of the adjoining ground.
- (7) Dwellings.
 - a. One (1) Family Dwelling. A building containing one (1) dwelling unit with not more than five (5) lodgers or boarders.
 - b. Two (2) Family Dwelling. A building containing two (2) dwelling units with not more than five (5) lodgers or boarders per family but not more than twenty (20) individuals.
 - c. Multi-family -- Apartment House. A building containing more than two (2) dwelling units.*

- d. Boarding House, Lodging House, Tourist House. A building arranged or used for lodging with or without meals, for compensation, more than five (5) and not more than twenty (20) individuals.
 - e. Dormitory. A building arranged or used for lodging six (6) but not more than twenty (20) individuals and having common toilet and bathroom facilities.
 - f. Hotel. A building arranged or used for sheltering, sleeping or feeding, for compensation of more than twenty (20) individuals.
- (8) Dwelling Unit. One (1) or more rooms arranged for the use of one (1) or more individuals living together as a single housekeeping unit, with cooking, living, sanitary, and sleeping facilities. *
 - (9) Enforcement Officer. The official designated herein or otherwise charged with the responsibilities of administering this Chapter, or his authorized representatives.
 - (10) Exterior Property Areas. The open space on the premises and on adjoining property under the control of owners or operators of such premises.
 - (11) Extermination. The control and elimination of insects, rodents, or other pests by eliminating their harborage places; by removing or making inaccessible materials that may serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.
 - (12) Family. A group of persons related by blood, marriage, or adoption within and including the degree of first cousins.
 - (13) Garbage. The animal and vegetable waste resulting from the handling, preparation, cooking, and consumption of food.
 - (14) Gross Floor Area. The total area of all habitable space in a building or structure.
 - (15) Habitable Room. A room or enclosed floor space arranged for living, eating, and sleeping purposes (not including bathrooms, water closet compartment, laundries, pantries, foyers, hallways, and other accessory floor spaces.)
 - (16) Hotels. See Dwellings.
 - (17) Infestation. The presence, within or contiguous to a multi-family dwelling, dwelling unit, rooming house, rooming unit, or premises, of insects, rodents, vermin, or other pests.
 - (18) Motels. For purposes of this Chapter, a motel shall be defined the same as a hotel.
 - (19) Multi-Family (Multiple) Dwelling. See Dwellings.
 - (20) Occupant. Any person over one (1) year of age (including owner or operator) living and sleeping in a dwelling unit or having actual possession of said dwelling or rooming unit.
 - (21) Openable Area. That part of a window or door which is available for unobstructed ventilation and which opens directly to the outdoors.
 - (22) Operator. Any person who has charge, care or control of a multi-family dwelling or rooming house, in which dwelling units or rooming units are let or offered for occupancy.
 - (23) Owner. The owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possessions, assignee of rents, receiver,

executor, trustee, lessee or other person, firm or corporation in control of a building, or their duly authorized agents.

- (24) Person. An individual, firm, corporation, association, or partnership.
- (25) Plumbing or Plumbing Fixtures. Water heating facilities, water pipes, gas pipes, garbage and disposal units, waste lavatories, bathtubs, shower baths, installed clothes washing machines, or other similar equipment, catch basins, drains, vents or other similarly supplied fixtures, together with all connections to water, gas, sewer or vent lines.
- (26) Premises. A lot, plot or parcel of land including the buildings or structures thereon.*
- (27) Residence Building. A building in which sleeping accommodations or sleeping accommodations and cooking facilities as a unit are provided, except when classified as an institution under the Building Code.*
- (28) Rooming House. Any residence building, or any part thereof, containing one (1) or more rooming units in which space is let by the owner or operator to more than five (5) persons who are not members of the family. (See Dwellings -- Boarding House.)*
- (29) Rooming Unit. Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes.*
- (30) Rubbish. Combustible and noncombustible waste materials, except garbage; and the term shall include the residue from the burning of wood, coal, coke, and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar material.
- (31) Supplied. Installed, furnished, or provided by the owner or operator.
- (32) Ventilation. The process of supplying and removing air by natural or mechanical means to or from any space.
 - a. Mechanical -- Ventilation by power-driven devices.
 - b. Natural -- Ventilation by opening to outer air through windows, skylights, doors, louvers, or stacks without wind-driven devices.
- (33) Workmanlike. Whenever the words "workmanlike state of maintenance and repair" are used in this Chapter, they shall mean that such maintenance and repair shall be made in a reasonably skillful manner.
- (34) Yard. An open unoccupied space on the same lot with a building extending along the entire length of a street, or rear, or interior lot line.

* Whenever the words "multi-family dwelling," "residence building," "dwelling unit," "rooming house," "rooming unit," or "premises" are used in this Chapter, they shall be construed as though they were followed by the words "or any part thereof."

SEC. 15-2-30 THROUGH SEC. 15-2-38 RESERVED FOR FUTURE USE.

ARTICLE E

Environmental Requirements

SEC. 15-2-39 SCOPE OF REQUIREMENTS.

The provisions of this Article shall govern the minimum conditions of property and buildings to be used for human occupancy. Every building or structure occupied by humans, except as exempted by Section 15-2-8, and the premises on which it stands, shall comply with the conditions herein prescribed as they may apply thereto.

SEC. 15-2-40 EXTERIOR PROPERTY AREAS.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling unit for the purpose of living therein or premises which does not comply with the following requirements. The building official of the City shall cause periodic inspections to be made of dwelling premises to secure compliance with these requirements:

- (a) **Sanitation.** All exterior property areas shall be maintained in a clean and sanitary condition free from any accumulation of rubbish or garbage.
- (b) **Grading and Drainage.** All premises shall be graded and maintained so as to prevent the accumulation of stagnant water thereon or within any building or structure located thereon.
- (c) **Noxious Weeds.** All exterior property areas shall be kept free from species of weeds or plant growth which are noxious or detrimental to the public health.
- (d) **Insect and Rodent Harborage.** Every owner of a dwelling or multi-family dwelling shall be responsible for the extermination of insects, rodents, vermin, or other pests in all exterior areas of the premises, except that the occupant shall be responsible for such extermination in the exterior areas of the premises of a single-family dwelling. Whenever infestation exists in the shared or public parts of the premises of other than a single-family dwelling, extermination shall be the responsibility of the owner.
- (e) **Accessory Structures.** All accessory structures, including detached garages, shall be maintained structurally sound and in good repair.

SEC. 15-2-41 EXTERIOR STRUCTURE REQUIREMENTS.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling or multi-family dwelling, dwelling unit, rooming house, rooming unit or portion thereof for the purpose of living therein which does not comply with the following requirements:

- (a) **Foundations, Walls, and Roof.** Every foundation, exterior wall, roof and all other exterior surfaces shall be maintained in a workmanlike state of maintenance and repair and shall be kept in such condition as to exclude rodents.
- (b) **Foundations.** The foundation elements shall adequately support the building at all points.
- (c) **Exterior Walls.** Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers and any other conditions which might admit rain or dampness to the interior portions of the walls or to the occupied spaces of the building.

- (d) **Roofing.** The roof shall be structurally sound, tight, and have no defects which might admit rain; and roof drainage shall be adequate to prevent rain water from causing dampness in the walls or interior portion of the building.
- (e) **Stairs, Porches, and Railing.** Stairs and other exit facilities shall be adequate for safety and shall comply with the following subsections:
- (1) **Structural Safety.** Every outside stair, every porch, and every appurtenance attached thereto shall be so constructed as to be safe to use and capable of supporting the loads to which it is subjected as required by the Building Code and shall be kept in sound condition and good repair.
 - (2) **Handrails.** Where the building official deems it necessary for safety, every flight of stairs which is more than two (2) risers high shall have handrails which shall be located as required by the Building Code, and every porch which is more than two (2) risers high shall have handrails so located and of such design as required by the Building Code. Every handrail and balustrade shall be firmly fastened and shall be maintained in good condition.
- (f) **Windows, Doors, and Hatchways.**
- (1) **Sound Repair.** Every window, exterior door, and basement hatchway shall be substantially tight and shall be kept in sound condition and repair.
 - (2) **Windows to be Glazed.** Every window sash shall be fully supplied with glass window panes or an approved substitute which are without open cracks or holes.
 - (3) **Windows to be Tight.** Every window sash shall be in good condition and fit reasonably tight within its frame.
 - (4) **Windows to be Openable.** Every window, other than a fixed window, shall be capable of being easily opened and shall be held in position by window hardware.
 - (5) **Door Hardware.** Every exterior door, door hinge, and door latch shall be maintained in good condition.
 - (6) **Doors to Fit in Frame.** Every exterior door, when closed, shall fit reasonably well within its frame.
 - (7) **Window and Door Frames to Fit in Wall.** Every window, door, and frame shall be constructed and maintained in such relation to the adjacent wall construction so as to exclude rain as completely as possible and to substantially exclude wind from entering the dwelling or multi-family dwelling.
 - (8) **Basement Hatchways.** Every basement hatchway shall be so constructed and maintained so as to prevent the entrance of rodents, rain, and surface drainage water into the dwelling or multi-family dwelling.
 - (9) **Exit Doors.** Every door available as an exit shall be capable of being opened from the inside, easily and without the use of a key.
- (g) **Screening.** Guards and screens shall be supplied for protection against rodents and insects in accordance with the following requirements:
- (1) **Guards for Basement Windows.** Every basement or cellar window which is openable shall be supplied with corrosion-resistive rodentproof shields of not less than No. 22 U.S. gage perforated steel sheets, or No. 20 B&S gage aluminum, or No. 16 U.S. gauge expanded metal or wire mesh screens, with not more than one-half (1/2) inch mesh openings, or with other material

affording equivalent protection against the entry of rodents, including storm windows.

- (2) **Insect Screens.** From June 1st to October 15th of each year, every door opening directly from any dwelling or multi-family dwelling to the outdoors and every window or other outside opening used for ventilation purposes shall be supplied with a screen of not less than sixteen (16) mesh per inch, and every swinging screen door shall have a self-closing device in good working condition, except that no such screens shall be required for a dwelling unit on a floor above the fifth (5th) floor.

SEC. 15-2-42 INTERIOR STRUCTURE REQUIREMENTS.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling, multi-family dwelling, dwelling unit, rooming house, rooming unit or portion thereof for the purpose of living therein which does not comply with the following requirements:

- (a) **Free From Dampness.** In every dwelling, multi-family dwelling, dwelling unit, rooming house and rooming unit, cellars, basements and crawl spaces shall be maintained reasonably free from dampness to prevent conditions conducive to decay or deterioration of the structure as required by the Building Code.
- (b) **Structural Members.** The supporting structural members of every dwelling and multi-family dwelling used for human habitation shall be maintained structurally sound, showing no evidence of deterioration which would render them incapable of carrying the imposed loads in accordance with the provisions of the Building Code.
- (c) **Interior Stairs and Railings.** Stairs shall be provided in every dwelling, multi-family dwelling, rooming and boarding house as required by the Building Code and as follows:
 - (1) **Maintained in Good Repair.** All interior stairs of every structure used for human habitation shall be maintained in sound condition and good repair by replacing treads and risers that evidence excessive wear or are broken, warped, or loose. Every inside stair shall be so constructed and maintained as to be safe to use and capable of supporting a load as required by the provisions of the Building Code.
 - (2) **Handrails.** Every stairwell and every flight of stairs which is more than two (2) risers high shall have handrails or railings located in accordance with the provisions of the Building Code. Every handrail or railing shall be firmly fastened and must be maintained in good condition. Properly balustraded railings, capable of bearing normally imposed loads as required by the Building Code, shall be placed on the open portions of stairs, balconies, landings, and stairwells.
- (d) **Bathroom Floors.** Every toilet and bathroom floor surface shall be constructed and maintained so as to be substantially impervious to water and so as to permit such floor to be easily kept in a clean and sanitary condition.
- (e) **Sanitation.** The interior of every dwelling and multi-family dwelling used for human habitation shall be maintained in a clean and sanitary condition free from any accumulation of rubbish or garbage. Rubbish, garbage and other refuse shall be

properly kept inside temporary storage facilities as required under Section 15-2-50(f) and (g) of this Chapter.

(f) **Insect and Rodent Harborage.** Buildings used for human habitation shall be kept free from insect and rodent infestation; and where insects or rodents are found, they shall be promptly exterminated by acceptable processes which will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

- (1) Extermination from Buildings. Every owner of a dwelling or multi-family dwelling shall be responsible for the extermination of insects, rodents, vermin, or other pests whenever infestation exists in two (2) or more of the dwelling units or in the shared or public parts of the structure.
- (2) Extermination from Single Dwelling Units. The occupant of a dwelling unit in a dwelling or multi-family dwelling shall be responsible for such extermination within the unit occupied by him whenever his dwelling unit is the only unit in the building that is infested.
- (3) Responsibility of Owner. Notwithstanding the foregoing provisions, whenever infestation of rodents is caused by failure of the owner to maintain any dwelling or multi-family dwelling in a rodentproof condition, extermination of such rodents shall be the responsibility of the owner.

SEC. 15-2-43 THROUGH SEC. 15-2-48 RESERVED FOR FUTURE USE.

ARTICLE F

Space and Occupancy Requirements

SEC. 15-2-49 BASIC FACILITIES.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling unit for the purpose of living, sleeping, cooking or eating therein which does not comply with the following requirements:

- (a) **Sanitary Facilities.** The following minimum sanitary facilities shall be supplied and maintained in a sanitary, safe working condition:
 - (1) Water Closet. Every dwelling unit shall contain within its walls a room, separate from the habitable rooms, which affords privacy and which is equipped with a water closet.
 - (2) Lavatory. Every dwelling unit shall contain a lavatory which, when a closet is required, shall be in the same room with said water closet.
 - (3) Bathtub or Shower. Every dwelling unit shall contain a room which affords privacy to a person in said room and which is equipped with a bathtub or shower.
 - (4) Kitchen Sink. Every dwelling unit shall contain a kitchen sink apart from the lavatory required under Subsection (a)(2).
- (b) **Water and Sewer System.** Every kitchen sink, lavatory basin, bathtub or shower and water closet required under the provisions of Subsection (a) shall be properly connected to either a public water and sewer system or to an approved private water and sewer system. All sinks, lavatories, bathtubs, and showers shall be supplied with hot and cold running water.
- (c) **Water Heating Facilities.** Every dwelling unit shall be supplied with water heating facilities which are installed in an approved manner, properly maintained and properly connected with hot water lines to the fixtures required to be supplied with hot water under Subsection (b). Water heating facilities shall be capable of heating water to such a temperature as to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub, shower, and laundry facility or other similar units at a temperature of not less than one hundred thirty (130) degrees Fahrenheit at any time needed.
- (d) **Heating Facilities.** Every dwelling and multi-family dwelling shall have heating facilities and the owner of the heating facilities shall be required to see that they are properly installed, safely maintained and in good working condition and that they are capable of safely and adequately heating all habitable rooms, bathrooms and toilet rooms located therein to a temperature of at least an average of seventy (70) degrees Fahrenheit with an outside temperature of ten (10) degrees below zero (0).
- (e) **Operation of Heating Facilities and Incinerators.** Every heating or water heating facility and incinerator shall be installed and shall operate in accordance with the requirements of the Building Code or the air pollution control ordinances of the municipality.
- (f) **Rubbish Storage Facilities.** Every dwelling, multi-family dwelling, and dwelling unit shall be supplied with approved containers and covers for storage for rubbish; and the

owner, operator, or agent in control of such dwelling or multi-family dwelling shall be responsible for the removal of such rubbish.

- (g) **Garbage Storage or Disposal Facilities.** Every dwelling or multi-family dwelling and every dwelling unit shall be supplied with an approved garbage disposal facility, which may be an adequate mechanical garbage disposal unit (mechanical sink grinder) in each dwelling unit; or an incinerator unit, to be approved by the building official, in the structure for the use of the occupants of each dwelling unit; or an approved outside garbage can.

SEC. 15-2-50 INSTALLATION AND MAINTENANCE.

No person shall occupy as owner-occupant or let to another for occupancy any dwelling, multi-family dwelling, dwelling unit, rooming house, or rooming unit for the purpose of living, sleeping, cooking, or eating therein which does not comply with the following requirements:

- (a) **Facilities and Equipment.** All required equipment and all building space and parts in every dwelling and multi-family dwelling shall be constructed and maintained so as to properly and safely perform their intended function in accordance with the provisions of the Building Code.
- (b) **Maintained Cleaned and Sanitary.** All housing facilities shall be maintained in a clean and sanitary condition by the occupant so as not to breed insects and rodents or produce dangerous or offensive gases or odors.
- (c) **Plumbing Fixtures.** In buildings and structures used for human habitation, water lines, plumbing fixtures, vents, and drains shall be properly installed, connected, and maintained in working order and shall be kept free from obstructions, leaks, and defects and capable of performing the function for which they are designed. All repairs and installations shall be made in accordance with the provisions of the Building Code or Plumbing Code of the City.
- (d) **Plumbing Systems.** In buildings and structures used for human habitation, every plumbing stack, waste, and sewer line shall be so installed and maintained as to function properly and shall be kept free from obstructions, leaks, and defects to prevent structural deterioration or health hazards. All repairs and installations shall be made in accordance with the provisions of the Building Code or Plumbing Code of the City.
- (e) **Heating Equipment.** Every space heating, cooking, and water heating device located in a dwelling or multi-family dwelling shall be properly installed, connected, and maintained and shall be capable of performing the function for which it was designed in accordance with the provisions of the Building Code.
- (f) **Electrical Outlets and Fixtures.** Every electrical outlet and fixture, as required in Section 15-2-53 shall be installed, maintained and connected to the source of electric power in accordance with the provisions of the Building Code or Electrical Code of the City.
- (g) **Correction of Defective System.** Where it is found, in the opinion of the building official, that the electrical system in a building constitutes a hazard to the occupants or the building by reason of inadequate service, improper fusing, insufficient outlets,

improper wiring or installation, deterioration or damage, or for similar reasons, he shall require the defects to be corrected to eliminate the hazard.

SEC. 15-2-51 LIGHT AND VENTILATION.

No person shall occupy as owner-occupant, or let to another for occupancy, any dwelling, multi-family dwelling, dwelling unit, rooming house or rooming unit for the purpose of living therein which does not comply with the following requirements:

- (a) **Natural Light in Habitable Rooms.** Every habitable room shall have at least one (1) window of approved size facing directly to the outdoors or to a court. The minimum total window area, measured between stops, for every habitable room shall be ten percent (10%) of the floor area of such room, except in kitchens when artificial light may be provided in accordance with the provisions of the City Building Code. Whenever walls or other portions of a structure face a window of any room and when such obstructions are located less than three (3) feet from the window and extend to a level above that of the ceiling of the room, such a window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.
- (b) **Light in Nonhabitable Work Space.** Every laundry, furnace room, and all similar nonhabitable work spaces located in a dwelling or multi-family dwelling shall have one (1) supplied electric light fixture available at all times
- (c) **Light in Public Halls and Stairways.** Every Public hall and inside stairway in every dwelling or multi-family dwelling shall be adequately lighted at all times with an illumination of at least five (5) lumens per square foot in the darkest portion of the normally traveled stairs and passageways
- (d) **Electric Outlets Required.** Where there is electric service available to the building or structure, every habitable room of a dwelling or multi-family dwelling shall contain at least two (2) separate and remote outlets, one (1) of which may be a ceiling or wall-type electric light fixture. In kitchens, three (3) separate and remote wall-type electric convenience outlets or two (2) such convenience outlets and one (1) ceiling or wall-type electric light fixture shall be provided. Every public hall, water close compartment, bathroom, laundry room or furnace room shall contain at least one (1) electric light fixture. In addition to the electric light fixture in every bathroom and laundry room, there shall be provided at least one (1) electric outlet.
- (e) **Adequate Ventilation.** Every habitable room shall have at least one (1) window which can be easily opened or such other device as will adequately ventilate the room. The total openable window area in every habitable room shall be equal to at least forty-five percent (45%) of the minimum window area size required in Subsection (a), except where mechanical ventilation is provided in accordance with the provisions of the City Building Code
- (f) **Ventilation and Light in Bathroom and Water Closet.** Every bathroom and water closet compartment shall comply with the light and ventilation requirements for habitable rooms as required by Subsections (a) and (d), except that no window shall be required in bathrooms or water closet compartments equipped with an approved ventilation system.

SEC. 15-2-52 MINIMUM REQUIREMENTS FOR SAFETY FROM FIRE.

No person shall occupy as owner-occupant or shall let to another for occupancy any dwelling, multi-family dwelling, dwelling unit, rooming house, rooming unit, lodging house or lodging unit which does not comply with the applicable provisions of the fire prevention sections of the City Building Code and the following additional requirements for safety from fire:

- (a) **Storage of Flammable Liquids Prohibited.** No dwelling, multi-family dwelling, dwelling unit, or rooming unit shall be located within a building containing any establishment handling, dispensing or storing flammable liquids with a flash point of one hundred ten (110) degrees Fahrenheit or lower
- (b) **Cooking and Heating Equipment.** All cooking and heating equipment, components, and accessories in every heating, cooking and water heating device shall be maintained free from leaks and obstructions and kept functionally proper so as to be free from fire, health, and accident hazards. All installations and repairs shall be made in accordance with the provisions of the Building Code or other laws or ordinances of the municipality applicable thereto. Portable cooking equipment employing flame is prohibited.

SEC. 15-2-53 THROUGH SEC. 15-2-58 RESERVED FOR FUTURE USE.

ARTICLE G

Responsibilities of Persons

SEC. 15-2-59 SCOPE OF ARTICLE.

- (a) **General Requirements.** Occupants of dwellings, multi-family dwellings and dwelling units and owners or operators of rooming houses shall be responsible for maintenance thereof as provided in this Article.
- (b) **Cleanliness.** Every occupant of a dwelling unit shall keep that part of the dwelling unit and premises thereof which he occupies, controls, or uses in a clean and sanitary condition.
- (c) **Disposal of Rubbish.** Every occupant of a dwelling unit shall dispose of all his rubbish in a clean and sanitary manner by placing it in the rubbish containers required by Section 15-2-50(f).
- (d) **Disposal of Garbage.** Every occupant of a dwelling unit shall dispose of his garbage in a clean and sanitary manner by placing it in the garbage disposal facilities or, if such facilities are not available, by removing all nonburnable matter and securely wrapping such garbage and placing it in tight metal garbage storage containers as required by Section 15-2-50(g) or by such other disposal method as may be required by applicable laws or ordinances of the municipality.
- (e) **Use and Operation of Supplied Plumbing Fixtures.** Every occupant of a dwelling unit shall keep the supplied plumbing fixtures therein clean and sanitary and shall be responsible for the exercise of reasonable care in their proper use and operation.
- (f) **Installation and Care of Plumbing Fixtures Furnished by Occupant.** Every plumbing fixture furnished by the occupant of a dwelling unit shall be properly installed and shall be maintained in good working condition, kept clean and sanitary, and free of defects, leaks or obstructions.

SEC. 15-2-60 ROOMING HOUSES.

Every person who operates a rooming house or who occupies or lets to another for occupancy any rooming unit in any rooming house shall comply with the provisions of every Section of this Chapter, except as provided in the following Sections:

- (a) **Water Closet, Hand Lavatory, and Bath Facilities.** At least one (1) water closet, lavatory basin, and bathtub or shower properly connected to an approved water and sewer system and in good working condition shall be supplied for each four (4) rooms within a rooming house wherever said facilities are shared. All such facilities shall be located within the residence building served and shall be directly accessible from a common hall or passageway and shall be not more than one (1) story removed from any of the persons sharing such facilities. Every lavatory basin and bathtub or shower shall be supplied with hot and cold water at all times. Such required facilities shall not be located in a cellar.
- (b) **Minimum Floor Area for Sleeping Purposes.** Every room occupied for sleeping purposes by one (1) occupant shall contain at least seventy (70) square feet of floor

area, and every room occupied for sleeping purposes by more than three (3) persons shall contain at least fifty (50) square feet of floor area for each occupant thereof.

- (c) **Bed Linen and Towels.** The operator of every rooming house shall supply bed linen and towels therein at least once each week, and prior to letting of any room to another occupant. The operator shall be responsible for the maintenance of all supplied bedding in a clean and sanitary manner.
- (d) **Shades, Drapes, Etc.** Every window of every rooming unit shall be supplied with shades, drawn drapes or other devices or material which, when properly used, will afford privacy to the occupant of the rooming unit.
- (e) **Sanitary Conditions.** The operator of every rooming house shall be responsible for the sanitary maintenance of all walls, floors and ceilings and for the sanitary maintenance of every other part of the rooming house; and he shall be further responsible for the sanitary maintenance of the entire premises where the entire structure or building within which the rooming house is contained is leased or occupied by the operator.
- (f) **Sanitary Facilities.** Every water closet, flush urinal, lavatory basin, and bathtub or shower required by Subsection (a) shall be located within the rooming house and within a room or rooms which:
 - (1) Afford privacy and are separate from the habitable rooms;
 - (2) Are accessible from a common hall and without going outside the rooming house or through any other room therein.

CHAPTER 3

Fair Housing

15-3-1	Statement on Fair Housing
15-3-2	Definitions as Used in This Chapter
15-3-3	Unlawful Practices
15-3-4	Exemptions
15-3-5	Enforcement

SEC. 15-3-1 STATEMENT ON FAIR HOUSING.

It is hereby declared to be the policy of the City of Park Falls to assure equal opportunity to all persons to live in adequate housing facilities regardless of race, color, religion, ancestry, national origin, sex, handicap, sexual preference, marital status of persons maintaining a household, lawful source of income, place of birth, or age, and, to that end, to prohibit discrimination in housing by any persons.

State Law Reference: Section 66.432, Wis. Stats.

SEC. 15-3-2 DEFINITIONS AS USED IN THIS CHAPTER.

- (a) **Dwelling.** Any building, structure, or portion thereof which is occupied as, or designed for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction thereof of any such buildings or structure.
- (b) **Family.** One or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy and receivers.
- (c) **Real Property.** Buildings, structures, lands, tenements, leaseholds, cooperatives and condominiums.
- (d) **Discrimination/Discriminatory Housing Practice.** Any difference in treatment based upon race, color, religion, sex, sexual preference, ancestry, handicap, marital status, place of birth or national origin; or any act that is unlawful under this Chapter.
- (e) **Person.** Individuals, children, firms, associations, joint ventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations and all other groups or combinations.
- (f) **Owner.** Lessee, sublessee, co-tenant, assignee, managing agent or other person having the right of ownership or possession, or the right to sell, rent or lease any housing accommodation.
- (g) **Financial Institution.** Any person as defined herein, engaged in the business of lending money or guaranteeing loans.
- (h) **Real Estate Broker/Real Estate Salesman.** Any individual qualified by law, who, for a fee, commission, salary or for other valuable consideration, or who with the intention or expectation of receiving or collecting same, lists, sells, purchases, rents or leases any housing accommodations, including options thereupon, or who

negotiates or attempts to negotiate a loan, secured by a mortgage or other encumbrance, upon transfer of any housing accommodation; or who is engaged in the business of charging an advance fee or contracting for collection of a fee in connection with a contract whereby he undertakes to promote the sale, purchase, rental or lease of any housing accommodation through its listing in a publication issued primarily for such purpose; or an individual employed by or acting on behalf of any of these.

- (i) **Housing Accommodation/Dwelling.** Any building, mobile home or trailer, structure, or portion thereof which is occupied as, or designed, or intended for occupancy as, a residence by one or more families, and any vacant land which is offered for sale or lease for the construction or location thereon of any real property, as defined herein, used or intended to be used for any of the purposes set forth in this Subsection.
- (j) **Mortgage Broker.** An individual who is engaged in or who performs the business or services of a mortgage broker as defined by Wisconsin Statutes.
- (k) **Open Market.** The market which is informed of the availability for sale, purchase, rental or lease of any housing accommodation, whether informed through a real estate broker or by advertising by publication, signs or by any other advertising methods directed to the public or any portion thereof, indicating that the property is available for sale, purchase, rental or lease.

SEC. 15-3-3 UNLAWFUL PRACTICES.

In connection with any of the transactions set forth in this Section which affect any housing accommodation on the open market, or in connection with any public sale, purchase, rental or lease of any accommodation, it shall be unlawful within the City for a person, owner, financial institution, real estate broker or real estate salesman, or any representative of the above, to:

- (a) Refuse to sell, purchase, rent or lease, or deny to or withhold any housing accommodation from a person because of his race, color, religion, ancestry, national origin, handicap, marital status, sexual preference, sex, age, or place of birth; or
- (b) To discriminate against a person in the terms, conditions or privileges of the sale, purchase, rental or lease of any housing accommodation, or in the furnishing of facilities or services in connection therewith; or
- (c) To refuse to receive or transmit a bona fide offer to sell, purchase, rent or lease any housing accommodation from or to a person because of his race, color, religion, ancestry, national origin, handicap, marital status, sexual preference, sex, age, or place of birth; or
- (d) To refuse to negotiate for the sale, purchase, rental or lease of any housing accommodation to a person because of his race, color, religion, ancestry, national origin, handicap, marital status, sexual preference, sex, age, or place of birth; or
- (e) To represent to a person that any housing accommodation is not available for inspection, sale, purchase, rental or lease when in fact it is so available, or to refuse to permit a person to inspect any housing accommodation, because of his race, color, religion, national origin, handicap, marital status, sexual preference, sex, age, or place of birth; or

- (f) To make, publish, print, circulate, post or mail, or cause to be made, published, printed, circulated, posted, or mailed, any notice, statement or advertisement, or to announce a policy or to sign or to use a form of application for the sale, purchase, rental, lease or financing of any housing accommodation, or to make a record of inquiry in connection with the prospective sale, purchase, rental, lease or financing of any housing accommodation, which indicates any discrimination or any intent to make a discrimination.
- (g) To offer, solicit, accept or use a list of any housing accommodation for sale, purchase, rental or lease with the understanding that a person may be subjected to discrimination in connection with such sale, purchase, rental or lease, or in the furnishing of facilities or services in connection therewith; or
- (h) To induce directly or indirectly, or attempt to induce directly or indirectly, the sale, purchase, rental or lease, or the listing for any of the above, of any housing accommodation by representing that the presence or anticipated presence of persons of any particular race, color, religion, ancestry, national origin, handicap, marital status, sexual preference, sex, age, or place of birth in the area to be affected by such sale, purchase, rental or lease will or may result in either:
 - (1) The lowering of property values in the area;
 - (2) An increase in criminal or antisocial behavior in the area; or
 - (3) A decline in the quality of schools serving the area.
- (i) To make any misrepresentations concerning the listing for sale, purchase, rental or lease, or the anticipated listing of any of the above, or the sale, purchase, rental or lease of any housing accommodation in any area in the City for the purpose of inducing or attempting to induce any such listing or any of the above transactions; or
- (j) To engage in or hire to be done, or to conspire with others to commit acts or activities of any nature, the purpose of which is to coerce, cause panic, incite unrest or create or play upon fear, with the purpose of either discouraging or inducing, or attempting to induce, the sale, purchase, rental or lease, or the listing for any of the above, of any housing accommodation; or
- (k) To retaliate or discriminate in any manner against a person because he has opposed a practice declared unlawful by this Chapter, or because he has filed a complaint, testified, assisted or participated in any manner in any investigation, proceeding, hearing or conference under this Chapter; or
- (l) To aid, abet, incite, compel or coerce any person to engage in any of the practices prohibited by this Chapter; or to obstruct or prevent any person from complying with the provisions of this Chapter; or any orders issued thereunder; or
- (m) By canvassing, to commit any unlawful practices prohibited by this Chapter; or
- (n) Otherwise to deny to, or withhold any housing accommodation from, a person because of his race, color, religion, ancestry, national origin, handicap, marital status, sexual preference, sex, age, or place of birth; or
- (o) For any bank, building and loan association, insurance company or other corporation, association, firm or enterprise whose business consists in whole or in part, in the making of commercial real estate loans, to deny a loan or other financial assistance to a person applying therefore for the purpose of purchasing, constructing, improving, repairing or maintaining a dwelling, or to discriminate against him in the fixing of the amount, interest rate, duration, or other terms or conditions of such loans or other

financial assistance because of the race, color, religion, ancestry, national origin, handicap, marital status, sexual preference, sex, age, or place of birth of such person or of any person associated with him in connection with such loan or other financial assistance or the purposes of such loan or other financial assistance which is to be made or given; or

- (p) To deny any qualified person access to or membership or participation in any multiple-listing service, real estate brokers organization, or other service, organization or facility relating to the business of selling or renting dwellings, or to discriminate against him in their terms or conditions of such access, membership, or participation, on account of race, color, religion, ancestry, national origin, handicap, marital status, sexual preference, sex, age, or place of birth.

SEC. 15-3-4 EXEMPTIONS.

This Chapter shall not apply to:

- (a) A religious organization, association, or society or any nonprofit institution or organization operating, supervised, or controlled by or in conjunction with a religious organization, association, or society, which limits the sale, rental, or occupancy, of dwellings which it owns or operates for other than commercial purpose to persons of the same religion, or which gives preference to such persons, unless membership in such religion is restricted on account of race, color, religion, ancestry, national origin, handicap, marital status, sexual preference, sex, age, or place of birth.
- (b) A private club not in fact open to the public, which as an incident to its primary purpose or purposes, provides lodgings which it owns or operates for other than a commercial purpose, and which limits the rental or occupancy of such lodgings to its members or gives preference to its members.
- (c) Any single-family house sold or rented by an owner; provided, that such private individual owner does not own more than three such single-family houses at any one time; provided further, that in the case of the sale of any such single-family house by a private individual not residing in such house at the time of such sale or who was not the most recent resident of such house prior to such sale the exemption granted by this Subsection shall apply only with respect to one such sale within any twenty-four (24) month period; provided further, that such bona fide private individual owner does not own any interest in, nor is there owned or served on his behalf, under any express or voluntary agreement, title to or any right to all or a portion of the proceeds from the sale or rental of more than three (3) such single-family houses at any one time; provided further, the sale, or rental of any such single-family house shall be excepted from the application of this Chapter only if such house is sold or rented:
- (1) Without the use of any manner of the sales or rental facilities or the sales or rental services of any real estate broker, agent, or salesman or of such facilities or services of any person in the business of selling or renting dwellings, or of any employee or agent of any such broker, agent, salesman, or person; and
- (2) Without the publication, posting or mailing, after notice, of any advertisement or written notice in violation of the provisions of 42 United States Code Section 3604; and

- (3) Without the violation of Section 15-3-3 of this Chapter; but nothing in this provision shall prohibit the use of attorneys, escrow agents, abstractors, title companies, and other such professional assistance as necessary to perfect or transfer the title.
- (d) Rooms or units in dwellings containing living quarters occupied or intended to be occupied by no more than four (4) families living independently of each other, if the owner actually maintains and occupies one of such living quarters as his residence.

SEC. 15-3-5 ENFORCEMENT.

Any person aggrieved by an unlawful practice prohibited by this Chapter may file a complaint with the Common Council within thirty (30) days after the aggrieved person becomes aware of the alleged unlawful practice and in no event more than sixty (60) days after the alleged unlawful practice has occurred. The Common Council or duly authorized representative shall receive each complaint and attempt to resolve each complaint. Failure to achieve a resolution acceptable to both parties and compliance with this Chapter shall cause the Common Council to forward the complaint and findings to appropriate state and federal agencies.

CHAPTER 4

Grievances Regarding Access to Public Buildings by Handicapped Persons

15-4-1 Grievance Procedures Regarding Access to Public Buildings by Handicapped Persons

SEC. 15-4-1 GRIEVANCE PROCEDURES REGARDING ACCESS TO PUBLIC BUILDINGS BY HANDICAPPED PERSONS.

- (a) **Statement of Purpose.** The City of Park Falls is committed to providing adequate access by handicapped or visually impaired persons to City-owned public buildings. This Section provides for a grievance procedure providing for prompt and equitable resolution of complaints alleging any action prohibited by Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794); Section 504 states, in part, that "no otherwise qualified handicapped individual . . . shall, solely by reason of his handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance . . ."
- (b) **Complaint Procedure.**
- (1) Complaints should be filed with the City Clerk-Treasurer, who has been designated to coordinate Section 504 Compliance.
 - (2) A complaint should be filed in writing or verbally, contain the name and address of the person filing it, and briefly describe the alleged violation of the regulations.
 - (3) A complaint should be filed within thirty (30) days after the complainant becomes aware of the alleged violation. (Processing of allegations of discrimination occurring before this grievance procedure was in place will be considered on a case-by-case basis.)
 - (4) An investigation, as may be appropriate, shall follow a filing of a complaint. The investigation will be conducted by an appropriate person designated by the City Clerk-Treasurer who should review the handicapped Requirements Handbook published by the Federal Programs Advisory Service.
 - (5) A written determination as to the validity of the complaint and description of the resolution, if any, shall be issued by the designated person and a copy forwarded to the complainant no later than thirty (30) days after its filing.
 - (6) The Section 504 coordinator shall maintain the files and records of the City relating to the complaints filed.
- (c) **Appeals.**
- (1) The complainant may appeal the decision of the Section 504 coordinator where he or she is dissatisfied with the resolution. The appeal request shall be made within seven (7) days to the City Clerk-Treasurer.
 - (2) The grievance shall be heard by the Common Council within ten (10) working days after the filing of an appeals request. The grievance shall be heard at the City Hall at a convenient time fixed by the Common Council. The City Clerk-

Treasurer shall give at least three (3) days' written notice to the applicant by first class mail of any such grievance hearing.

- (3) Either party to the grievance may be represented, present evidence by testimony or otherwise, cross-examine witnesses and make argument either in person or by an agent of his or her choosing. Proceedings may, and, upon request of the applicant, shall, be recorded.
 - (4) The decision of the Common Council on the grievance appeal shall be in writing and shall state the reasons for the decision. The decision of the Council shall be rendered within three (3) working days of the close of the hearing and the Common Council shall immediately upon rendering the decision mail a copy thereof by first class mail to the applicant at the current post office address given in his or her application and record a copy of its determination with the City Clerk-Treasurer.
- (d) **Other Remedies.** The right of a person to a prompt and equitable resolution of the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of a Section 504 complaint with the Office of Revenue Sharing, U.S. Department of the Treasury. Utilization of this grievance procedure is not a prerequisite to the pursuit of other remedies. However, the City believes that resolution of the complaint will be more promptly achieved if the City is able to provide a remedy before the complaint is brought to an external organization.
- (e) **Due Process.** This Section shall be construed to protect to substantive rights of interested persons, to meet appropriate due process standards and to assure that the City complies with Section 504 regulations.

CHAPTER 5
Property Maintenance Code

15-5-1	Definitions
15-5-2	Blighted Property Prohibited
15-5-3	Blighted Property Abatement
15-5-4	Enforcement

15-5-1 DEFINITIONS

- (a) **Abandoned Building or Structure.** "Abandoned building or structure" means either of the following:
- (i) A building or structure that is not being inhabited, occupied, or used and which is unsecured. For the purpose of this chapter, a building or structure is unsecured when the public can gain entry into the building or structure without the consent of the owner.
 - (ii) A partially constructed, reconstructed, remodeled or demolished building or structure upon which work is abandoned. Work is deemed abandoned when there is no valid and current building or demolition permit or one there has not been any substantial work on the project for a period of six (6) months or more.
- (b) **Attractive Nuisance.** "Attractive nuisance" means a property that is in an unsecured state so as to potentially constitute an attraction to children, a harbor for vagrants, criminals or other unauthorized persons, or so as to enable persons to resort thereto for the purpose of committing a nuisance or unlawful act.
- (c) **Blighted Property.** "Blighted property" means a property in the residential or commercial zoning district on which there exists any one or more of the following conditions or activities:
- (i) Abandoned building or structure
 - (ii) Attractive nuisance
 - (iii) A building or structure in a state of disrepair
 - (iv) Inadequately maintained property
 - (v) Buildings or structures that have been damaged or destroyed by fire

(d) Building Or Structure That Is In A State Of Disrepair.

“Building or structure that is in a state of disrepair” means:_____

- (i) Exterior wall and/or roof coverings which have become deteriorated and do not provide adequate weather protection.
- (ii) Broken, missing windows or doors which constitute a hazardous condition or a potential attraction to trespassers.
- (iii) Boarded up windows or doors which reflect the appearance of an abandoned or blighted building.
- (iv) Building exteriors, walls, fences, signs, retaining walls, or other structures on the property which are broken, deteriorated, or substantially defaced, to the extent that the disrepair is visible from any public right of way or visually impacts neighboring public or private property or presents an endangerment to public safety.
- (v) Determined to be a fire hazard by the Fire Chief or as documented in Fire Department records.
- (vi) Is a factor that is creating substantial risk of interference with the lawful use and enjoyment of other space in the building or other properties within the neighborhood, as documented by neighborhood complaints.

(e) Inadequately Maintained Property.

“Inadequately maintained property” means:

- (i) Any swimming pool, pond or other body of water which is abandoned, unattended, unfiltered, or not otherwise maintained, resulting in the water becoming stagnant.
- (ii) Exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Peeling, flaking, and chipping paint shall be eliminated and surfaces repainted. All surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Paint and other protective coatings shall be applied in a workmanlike manner.

- (iii) All furniture, furnishings, appliances and household goods shall be stored within a completely enclosed structure or properly disposed of within seven (7) days, unless such furniture, furnishings, appliances and household goods are designed for outdoor use.
- (iv) All chimneys, towers, smoke stacks, antennas, and similar appurtenances shall be maintained structurally safe and in such condition as not to pose a hazard to health and safety.

15-5-2 BLIGHTED PROPERTY PROHIBITED.

Any property that is blighted property is hereby declared and determined to be a public nuisance and is hereby prohibited.

15-5-3 BUILDINGS THAT HAVE BEEN DAMAGED OR DESTROYED BY FIRE.

- (a) Whenever any building or structure is partially burned, the owner or person in control shall, within thirty (30) days after completion of the investigation by the Fire Department, remove from the premises all refuse, debris, charred and partially burned lumber and material.
- (b) If such structure is burned to such an extent that it is rendered incapable of being repaired, the owner or person in control shall, within sixty (60) days, after completion of the investigation by the Fire Department, remove from the premises all the remaining portion of the building or structure and fill the site with clean material to prevent the possibility of standing or stagnant water.
- (c) If the building or structure is to be repaired, work shall begin within sixty (60) days and progressively be completed within one hundred twenty (120) days.
- (d) Exceptions to these deadlines may be granted by the City.

15-5-4 BLIGHTED PROPERTY ABATEMENT.

The owner of blighted property shall cause the property blight to be abated within the time frame specified by the Zoning Administrator.

15-5-5 ENFORCEMENT.

- (a) The Zoning Administrator is charged with the responsibility for the enforcement of this Chapter. All City employees within enforcement responsibilities are authorized to make inspections and take actions on behalf of the Zoning Administrator as may be required to enforce the provisions of this Chapter.

- (b) Whenever the Zoning Administrator finds that a property is blighted, the Zoning Administrator may require or take necessary abatement action to cause the property blight to be abated in a professional manner in accordance with the provisions of this Code. Temporary corrective measures may be required prior to permanent abatement actions being commenced.
- (c) The Zoning Administrator or other employees with enforcement responsibilities may authorize a compliance schedule providing such schedule is reasonable in its time tables of corrections and to meet the intent of this Chapter.

15-5-6 PENALTY.

Penalties for non-compliance shall be assessed as in Section 1-1-7 of the City of Park Falls Code of Ordinances.