

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning October 20 20 15 ; ending June 30 20 16

TO THE GOVERNING BODY of the: [] Town of [] Village of [] City of Wisconsin Dells

County of Columbia Aldermanic Dist. No. (if required by ordinance)

Table with columns: LICENSE REQUESTED, TYPE, FEE. Includes checkboxes for Class A beer, Class B beer, Class C wine, Class A liquor, Class A liquor (cider only), Class B liquor, Reserve Class B liquor, Class B (wine only) winery, Publication fee, and TOTAL FEE (\$177.28).

- 1. The named [X] INDIVIDUAL [] PARTNERSHIP [] LIMITED LIABILITY COMPANY [] CORPORATION/NONPROFIT ORGANIZATION

hereby makes application for the alcohol beverage license(s) checked above.

- 2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Wesley W. Johnson

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

Table with columns: Title, Name, Home Address, Post Office & Zip Code. Entry: President/Member, OWNER, Wesley W. Johnson, 225 N. Grove Street, Mt Horeb, WI 53572

- 3. Trade Name True Music/Forte Entertainment Business Phone Number 608-554-3128
- 4. Address of Premises 714 Oak Street Wisconsin Dells, WI Post Office & Zip Code 53965

- 5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? [] Yes [X] No
- 6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? [] Yes [X] No
- 7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? [] Yes [X] No
- 8. (a) Corporate/limited liability company applicants only: Insert state and date of registration. (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? [] Yes [X] No (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? [] Yes [X] No

(NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.)

- 10. Legal description (omit if street address is given above):
- 11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? [] Yes [X] No (b) If yes, under what name was license issued?
- 12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] [X] Yes [] No
- 13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776]. [X] Yes [] No
- 14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? [X] Yes [] No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this day of , 20

Signature of Wesley W. Johnson (Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)

(Clerk/Notary Public)

(Officer of Corporation/Member/Manager of Limited Liability Company/Partner)

My commission expires

(Additional Partner(s)/Member/Manager of Limited Liability Company if Any)

TO BE COMPLETED BY CLERK

Table with 4 columns: Date received and filed with municipal clerk, Date reported to council/board, Date provisional license issued, Signature of Clerk / Deputy Clerk. Row 2: Date license granted, Date license issued, License number issued.

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name)		(first name)		(middle name)	
Johnson		Wesley		Wade	
Home Address (street/route)		Post Office		City	
225 North Grove St		53572		Mt Horeb	
Home Phone Number		Age		Date of Birth	
608-556-3138		46		8/20/1969	
				State	
				WI	
				Zip Code	
				53572	
				Place of Birth	
				Indianapolis, IN	

The above named individual provides the following information as a person who is (check one):

Applying for an alcohol beverage license as an **individual**.

A member of a **partnership** which is making application for an alcohol beverage license.

_____ of _____
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 10 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
If yes, identify. _____
(Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify. _____
(Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers: I am currently self employed - I own a performing arts school.

Employer's Name	Employer's Address	Employed From	To
Alabama Theater	4750 Hwy 17 S. North Myrtle Beach 28532	2004	2006
Gary music productions	885 Elm Hill Pike Nashville TN 37210	1993	2004

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this _____ day of _____, 20____

(Clerk/Notary Public)

Wesley W. Johnson
(Signature of Named Individual)

My commission expires _____



Printed on Recycled Paper

Wisconsin Department of Revenue

ORIGINAL ALCOHOL BEVERAGE RETAIL LICENSE APPLICATION

Submit to municipal clerk.

For the license period beginning November 17 20 15 ;
 ending June 30 20 16 ;

TO THE GOVERNING BODY of the: Town of
 Village of } Wisconsin Dells
 City of

County of Columbia Aldermanic Dist. No. _____ (if required by ordinance)

Applicant's WI Seller's Permit No.:		FEIN Number:	
LICENSE REQUESTED ▶			
TYPE	FEE		
<input type="checkbox"/> Class A beer	\$		
<input checked="" type="checkbox"/> Class B beer	\$ <u>58.31</u>		
<input checked="" type="checkbox"/> Class C wine	\$ <u>58.31</u>		
<input type="checkbox"/> Class A liquor	\$		
<input type="checkbox"/> Class A liquor (cider only)	\$ N/A		
<input type="checkbox"/> Class B liquor	\$		
<input type="checkbox"/> Reserve Class B liquor	\$		
<input type="checkbox"/> Class B (wine only) winery	\$		
Publication fee	\$ <u>14.00</u>		
TOTAL FEE	\$ <u>130.62</u>		

1. The named INDIVIDUAL PARTNERSHIP LIMITED LIABILITY COMPANY
 CORPORATION/NONPROFIT ORGANIZATION
 hereby makes application for the alcohol beverage license(s) checked above.

2. Name (individual/partners give last name, first, middle; corporations/limited liability companies give registered name): Myrt and Lucy's Chat & Chew LLC

An "Auxiliary Questionnaire," Form AT-103, must be completed and attached to this application by each individual applicant, by each member of a partnership, and by each officer, director and agent of a corporation or nonprofit organization, and by each member/manager and agent of a limited liability company. List the name, title, and place of residence of each person.

	Name	Home Address	Post Office & Zip Code
President/Member ^{MEM}	<u>Manjo J. Zetlow</u>	<u>1017 Race St Wisconsin Dells WI 53965</u>	<u>53965</u>
Vice President/Member	<u>Matthew D. Zetlow</u>	<u>1017 Race St Wisconsin Dells WI 53965</u>	<u>53965</u>
Secretary/Member			
Treasurer/Member			
Agent ▶	<u>Manjo J. Zetlow</u>		
Directors/Managers			

3. Trade Name ▶ Myrt and Lucy's Chat & Chew Business Phone Number _____
 4. Address of Premises ▶ 414 Broadway St Post Office & Zip Code ▶ 53965

5. Is individual, partners or agent of corporation/limited liability company subject to completion of the responsible beverage server training course for this license period? Yes No
6. Is the applicant an employe or agent of, or acting on behalf of anyone except the named applicant? Yes No
7. Does any other alcohol beverage retail licensee or wholesale permittee have any interest in or control of this business? Yes No
8. (a) **Corporate/limited liability company applicants only:** Insert state Wisconsin and date _____ of registration.
 (b) Is applicant corporation/limited liability company a subsidiary of any other corporation or limited liability company? Yes No
 (c) Does the corporation, or any officer, director, stockholder or agent or limited liability company, or any member/manager or agent hold any interest in any other alcohol beverage license or permit in Wisconsin? Yes No
- (NOTE: All applicants explain fully on reverse side of this form every YES answer in sections 5, 6, 7 and 8 above.)

9. Premises description: Describe building or buildings where alcohol beverages are to be sold and stored. The applicant must include all rooms including living quarters, if used, for the sales, service, consumption, and/or storage of alcohol beverages and records. (Alcohol beverages may be sold and stored only on the premises described.) 414 Broadway St - Walk in Cooler, office,

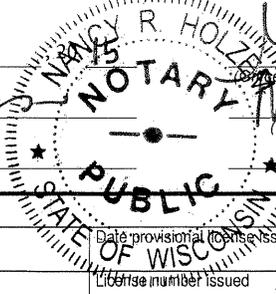
10. Legal description (omit if street address is given above): Restaurant, patio, plaza

11. (a) Was this premises licensed for the sale of liquor or beer during the past license year? Yes No
 (b) If yes, under what name was license issued? Alabama Dixie Land BBQ
12. Does the applicant understand they must file a Special Occupational Tax return (TTB form 5630.5) before beginning business? [phone 1-800-937-8864] Yes No
13. Does the applicant understand they must hold a Wisconsin Seller's Permit? [phone (608) 266-2776]. Yes No
14. Does the applicant understand that they must purchase alcohol beverages only from Wisconsin wholesalers, breweries and brewpubs? Yes No

READ CAREFULLY BEFORE SIGNING: Under penalty provided by law, the applicant states that each of the above questions has been truthfully answered to the best of the knowledge of the signers. Signers agree to operate this business according to law and that the rights and responsibilities conferred by the license(s), if granted, will not be assigned to another. (Individual applicants and each member of a partnership applicant must sign; corporate officer(s), members/managers of Limited Liability Companies must sign.) Any lack of access to any portion of a licensed premises during inspection will be deemed a refusal to permit inspection. Such refusal is a misdemeanor and grounds for revocation of this license.

SUBSCRIBED AND SWORN TO BEFORE ME

this 26th day of October
Nancy R. Holzer (Clerk/Notary Public)
Manjo J. Zetlow (Officer of Corporation/Member/Manager of Limited Liability Company/Partner/Individual)
 My commission expires 10-18-19
 _____ (Additional Partner(s)/Member/Manager of Limited Liability Company if Any)



TO BE COMPLETED BY CLERK

Date received and filed with municipal clerk <u>10-26-15</u>	Date reported to council/board <u>11-16-15</u>	Date provisional license issued	Signature of Clerk / Deputy Clerk <u>N. Holzer</u>
Date license granted	Date license issued	License number issued	

SCHEDULE FOR APPOINTMENT OF AGENT BY CORPORATION/NONPROFIT ORGANIZATION OR LIMITED LIABILITY COMPANY

Submit to municipal clerk.

All corporations/organizations or limited liability companies applying for a license to sell fermented malt beverages and/or intoxicating liquor must appoint an agent. The following questions must be answered by the agent. The appointment must be signed by the officer(s) of the corporation/organization or members/managers of a limited liability company and the recommendation made by the proper local official.

To the governing body of: Town Village City of Wisconsin Dells County of Columbia

The undersigned duly authorized officer(s)/members/managers of Myrt and Lucy's Chat & Chew
(registered name of corporation/organization or limited liability company)

a corporation/organization or limited liability company making application for an alcohol beverage license for a premises known as Myrt and Lucy's Chat & Chew
(trade name)

located at 414 Broadway St, Wisconsin Dells WI 53965

appoints Marijo Zietlow
(name of appointed agent)

1017 Race St Wisconsin Dells WI 53965
(home address of appointed agent)

to act for the corporation/organization/limited liability company with full authority and control of the premises and of all business relative to alcohol beverages conducted therein. Is applicant agent presently acting in that capacity or requesting approval for any corporation/organization/limited liability company having or applying for a beer and/or liquor license for any other location in Wisconsin?

Yes No If so, indicate the corporate name(s)/limited liability company(ies) and municipality(ies).

Is applicant agent subject to completion of the responsible beverage server training course? Yes No

How long immediately prior to making this application has the applicant agent resided continuously in Wisconsin? 29 years

Place of residence last year 1017 Race St, Wisconsin Dells WI 53965

For: Myrt and Lucy's Chat & Chew
(name of corporation/organization/limited liability company)

By: _____
(signature of Officer/Member/Manager)

And: _____
(signature of Officer/Member/Manager)

ACCEPTANCE BY AGENT

I, Marijo J. Zietlow, hereby accept this appointment as agent for the

(print/type agent's name)

corporation/organization/limited liability company and assume full responsibility for the conduct of all business relative to alcohol beverages conducted on the premises for the corporation/organization/limited liability company.

Marijo Zietlow 10/26/15 Agent's age 29
(signature of agent) (date)

1017 Race St, Wisconsin Dells WI 53965 Date of birth 05/30/86
(home address of agent)

**APPROVAL OF AGENT BY MUNICIPAL AUTHORITY
(Clerk cannot sign on behalf of Municipal Official)**

I hereby certify that I have checked municipal and state criminal records. To the best of my knowledge, with the available information, the character, record and reputation are satisfactory and I have no objection to the agent appointed.

Approved on _____ by _____ Title _____
(date) (signature of proper local official) (town chair, village president, police chief)

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) Zietlow		(first name) Marijo		(middle name) Jean	
Home Address (street/route) 1017 Race St		Post Office		City Wisconsin Dells	State WI
Home Phone Number 608-432-1317		Age 29	Date of Birth 05/30/1986		Zip Code 53965
Place of Birth Rhineland WI					

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an **individual**.
- A member of a **partnership** which is making application for an alcohol beverage license.
- Member** of **Myrt and Lucy's Chat's Chew**
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

- How long have you continuously resided in Wisconsin prior to this date? 30 years
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
If yes, identify. (Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify. (Name of Wholesale Licensee or Permittee) (Address By City and County)

6. Named individual must list in chronological order last two employers.

Employer's Name Taste of New Orleans	Employer's Address Wisconsin Dells	Employed From 2011	To 2014
Employer's Name Mt. Olympus	Employer's Address Wisconsin Dells	Employed From 2010	To 2011

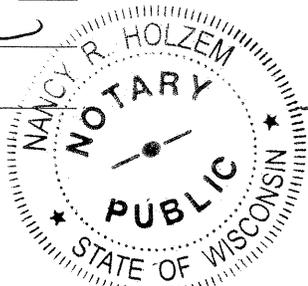
The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this 26th day of October, 2015

Nancy Rofaber
(Clerk/Notary Public)

My commission expires 10-18-19



Marijo Zietlow
(Signature of Named Individual)



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Wisconsin Department of Revenue

AUXILIARY QUESTIONNAIRE ALCOHOL BEVERAGE LICENSE APPLICATION

Submit to municipal clerk.

Individual's Full Name (please print) (last name) Zietlow		(first name) Matthew		(middle name) Duane	
Home Address (street/route) 1017 Race St		Post Office —		City Wisconsin Dells	
Home Phone Number 608-432-1918		Age 31 30		Date of Birth 11/18/1983	
				State WI	
				Zip Code 53965	
				Place of Birth Reedsburg WI	

The above named individual provides the following information as a person who is (check one):

- Applying for an alcohol beverage license as an **individual**.
- A member of a **partnership** which is making application for an alcohol beverage license.
- Member** of **Myrt and Lucy's Chat & Chew, LLC**
(Officer/Director/Member/Manager/Agent) (Name of Corporation, Limited Liability Company or Nonprofit Organization)

which is making application for an alcohol beverage license.

The above named individual provides the following information to the licensing authority:

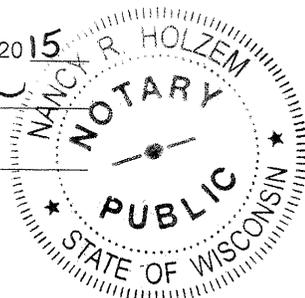
- How long have you continuously resided in Wisconsin prior to this date? **31 years**
- Have you ever been convicted of any offenses (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of any other states or ordinances of any county or municipality? Yes No
If yes, give law or ordinance violated, trial court, trial date and penalty imposed, and/or date, description and status of charges pending. (If more room is needed, continue on reverse side of this form.)
- Are charges for any offenses presently pending against you (other than traffic unrelated to alcohol beverages) for violation of any federal laws, any Wisconsin laws, any laws of other states or ordinances of any county or municipality? Yes No
If yes, describe status of charges pending.
- Do you hold, are you making application for or are you an officer, director or agent of a corporation/nonprofit organization or member/manager/agent of a limited liability company holding or applying for any other alcohol beverage license or permit? Yes No
If yes, identify. (Name, Location and Type of License/Permit)
- Do you hold and/or are you an officer, director, stockholder, agent or employe of any person or corporation or member/manager/agent of a limited liability company holding or applying for a wholesale beer permit, brewery/winery permit or wholesale liquor, manufacturer or rectifier permit in the State of Wisconsin? Yes No
If yes, identify. (Name of Wholesale Licensee or Permittee) (Address By City and County)
- Named individual must list in chronological order last two employers.

Employer's Name Taste of New Orleans	Employer's Address Wisconsin Dells	Employed From 08/2011	To 09/14
Employer's Name Stuffs	Employer's Address Wisconsin Dells	Employed From 2009	To 2011

The undersigned, being first duly sworn on oath, deposes and says that he/she is the person named in the foregoing application; that the applicant has read and made a complete answer to each question, and that the answers in each instance are true and correct. The undersigned further understands that any license issued contrary to Chapter 125 of the Wisconsin Statutes shall be void, and under penalty of state law, the applicant may be prosecuted for submitting false statements and affidavits in connection with this application.

Subscribed and sworn to before me

this **26th** day of **October**, 2015
Nancy R. Holzem
(Clerk/Notary Public)



[Signature]
(Signature of Named Individual)

My commission expires **10-18-19**



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City of Wisconsin Dells

“Class B” Quota Plus Liquor License Supplemental Form

<input type="checkbox"/> Seller's Permit Number <input type="checkbox"/> Federal Employer ID Number <input type="checkbox"/> Notarized Original Application Form <input type="checkbox"/> Notarized Supplemental Form	<input type="checkbox"/> Description of Licensed Premise <input type="checkbox"/> Background Investigation Form(s) <input type="checkbox"/> Notarized Transfer of Ownership <input type="checkbox"/> *Articles of Incorporation <input type="checkbox"/> *Notarized Appointment of Agent * Corporation/LLC only	<input type="checkbox"/> Floor Plans <input type="checkbox"/> Lease <input type="checkbox"/> Sample Menu <input type="checkbox"/> Business Plan
--	--	--

1. Name of Applicant/Partner/Corporation/LLC: Marijo Zietlow
2. Address of Licensed Premise: 414 Broadway St
3. Telephone Number: _____ Cell Phone Number: 608-432-1317
4. Anticipated opening date: _____
5. Mailing address if not opening immediately: 1017 Race St Wisconsin Dells
6. Business Description, including hours of operation: _____
Restaurant Bar
7am - 12pm
7. Do you plan to have entertainment? No Yes—What kind and what effect will it have on the surrounding businesses or residential areas: Inside, patio, plaza
8. **Attach** a detailed written description of building, including overall dimensions, seating arrangements, capacity, kitchen, bar size and all areas where alcohol beverages are to be sold and stored. The licensed premise described cannot be expanded or changed without the approval of the Common Council.
9. Describe existing parking: Broadway St, Cedar St, City Parking
10. Are you operating under a lease or franchise agreement? Yes (attach a copy) No
11. Owner of building where establishment is located: Bud Gusse
 Address of Owner: Holiday Whole Sale Phone Number: 608-254-8321
12. What type of establishment are you? (Check all that apply) Nightclub Restaurant Other
 Please Explain: _____

13. Please submit a sample menu with your application, if possible. What might eventually be included on your operational menu when you open?

- Appetizers
- Salads
- Soups
- Sandwiches
- Entrees
- Desserts
- Pizza
- Full Dinners

14. During what hours of your operation do you plan to serve food and what hours, if any, will food service not be available? 7 am - 12 pm

15. Indicate any other product/service offered. Food always available
Gift Shop, restaurant, private parties, banquet, dancing.

16. Do you plan to have hosts or hostesses seating customers? Yes No

17. Do your plans call for a full-service bar? Yes No
If yes, how many bar stools do you anticipate having at your bar? 20

How many bartenders do you anticipate you would have working at one time on a busy night? 2

18. Will there be a kitchen facility separate from the bar? Yes No

19. Will there be a separate and specific area for eating only? Yes No

If yes, what will be the seating capacity for that area? outside 60, inside 250

20. What type of cooking equipment will you have? Stove Oven Fryers Grill Microwave

Provide a description of cooking equipment and kitchen layout:

kitchen is in the back of building with stove oven, steam table
walk in cooler & freezer

21. What is your estimated capacity? 300+

22. Restaurants serving alcohol under a Quota Plus License shall substantiate their gross receipts for food and beverage sales broken down by percentage. For new establishments, the percentage will be an estimate:

Gross Receipts from Alcoholic Beverages:	<u>15</u> %
Gross Receipts from Food & Non-Alcoholic Beverages:	<u>80</u> %
Gross Receipts from Other Sales:	<u>5</u> %
Total Gross Receipts:	<u>100</u> %

23. Do you have written records to document the percentages shown? Yes No
You may be required to submit documentation verifying the percentages you've indicated.

Read carefully before signing.

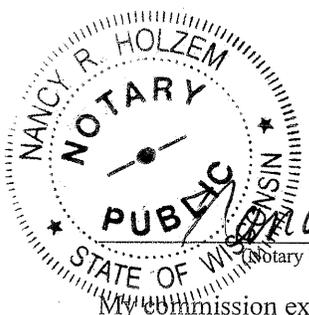
This is an application for a special form of "Class B" License to sell alcohol beverages for on premises consumption. The City of Wisconsin Dells refers to these special licenses as "Quota Plus Licenses". They are issued to applicants who meet certain statutory and city criteria in special circumstances. In seeking this license, the applicant has made representations regarding the type of establishment which will be operated pursuant to this license including, without limitation, seating capacity, theme, menu, décor, service level and entertainment. The city may approve this application based upon the unique characteristics of the venue as described and proposed. Absent those unique characteristics, the license may not have been approved and issued.

The city may suspend, revoke or non-renew this Quota Plus "Class B" License if it determines that the licensed premises are not being operated in a manner consistent with the application; or for any other reason pursuant to state law or city code. This license may not be transferred or assigned without the consent of the city.

Subscribed and Sworn to before me:

this 26 day of Oct, 2015

Marijo Bello
(SIGNATURE OF APPLICANT)
Marijo J Zietlow
(PRINTED NAME OF APPLICANT)



Nancy R. Holzem
(Notary Public)

My commission expires 10-18-19

CHAPTER 14
Building and Mechanical Code

14.01 General Provisions.

- (1) Title. This chapter shall be known as the “Building Code of the City of Wisconsin Dells” and is referred to in this Chapter as “this Code,” “this Chapter” or “this Ordinance”.
- (2) Authority. This chapter is adopted under the authority granted, without limitation, by Wis. Stat. secs. 62.17, 66.0103, 66.0413, 66.0435, 66.1019, 101.12, 101.65, 101.76 and 101.86, as may be amended from time to time.
- (3) 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 the buildings and the general public.
- (4) Scope. This chapter applies to the construction, addition, enlargement, alteration, modification, improvement, conversion, repair, demolition, relocation, or change of use of new or existing residential, commercial, agricultural, recreational or related accessory buildings and structures with the City of Wisconsin Dells (the “City”). In addition, this chapter applies to any structural changes; changes to mechanical systems, including plumbing, electrical and heating, air conditioning and ventilation; and, restoration or repair of an installation to its previous code-compliant condition, as determined by the City.
- (5) New Buildings. The construction requirements of this Chapter shall apply to one and two-family dwellings, to their accessory structures, and to parts thereof, which are hereafter erected. This Chapter shall also apply to public buildings and places of employment pursuant to Wis. Admin. Code sec. SPS 361.02.
- (6) Existing Buildings. This Chapter shall also apply to buildings and conditions described in this Section:
 - (a) An existing building to be occupied as a one or two-family dwelling, which building was not previously so occupied.
 - (b) An existing structure that is altered or repaired, when the cost of such alterations or repair during the life of the structure exceeds fifty percent

- (50%) of the equalized value of the structure. The value to be determined by the building inspector, in consultation with the city assessor.
- (c) Additions and alterations, regardless of cost, made to an existing building, when deemed necessary in the opinion of the building inspector, shall comply with the requirements of this Code for new buildings.
 - (d) Whenever more than twenty-five percent (25%) of the roof covering of a building is replaced in any twelve (12) month period, all roof covering shall be in conformity with applicable sections of this Chapter.
 - (e) Any addition or alteration, regardless of cost, made to a building, shall be made in conformity with applicable sections of this Chapter.
- (7) Exclusions of Manufactured Homes. This Chapter shall not apply to manufactured homes [defined as a structure, transportable in one or more sections, which, in traveling mode, is eight (8) body feet more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein] manufactured in accordance with standards established by the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 USC 5401 et seq) as approved and administered by the United States Department of Housing and Urban Development (HUD).

14.02 State Codes Adopted.

The following provisions of the Wisconsin Administrative Code, as amended, are adopted and incorporated by reference:

- (1) Flammable, Combustible and Hazardous Liquids, Ch. SPS 310
- (2) Electrical Code, Ch. SPS 316.
- (3) Uniform Dwelling Code, Chs. SPS 320-325.
- (4) Smoke Detectors and Carbon Monoxide Detectors, Ch. SPS 328.
- (5) Heating, Ventilating and Air Conditioning Code, Ch. SPS 364.
- (6) Existing Building Code, Ch. SPS 366.
- (7) Commercial Building Code, Chs. SPS 361-366.
- (8) Historic Buildings, Chs. SPS 375-379.

- (9) Existing Buildings, Chs. SPS 366.
- (10) Plumbing Code, Chs. SPS 381-387.

14.03 Administration.

- (1) This Code and other relevant state and local laws rules and regulations, shall be administered and enforced by the City building inspector or persons appointed or designated.
- (2) The building inspector 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, electrical or heating work, or any other permits which may be required. No person shall interfere with or refuse to permit access to any such premises.
- (3) The building inspector shall perform all administrative tasks required by City or state laws, rules and regulations regarding public health, safety and welfare pertaining to this chapter, including but not limited to the following:
 - (a) Administer and enforce the provisions of this chapter.
 - (b) Maintain records of all permits issued, inspections made, work approved and other official actions taken.
 - (c) Investigate all complaints made and violations found relating to the location, removal, construction or reconstruction of all structures or portions thereof.
 - (d) Assist the City Attorney in the prosecution of violations of this chapter.
 - (e) Permitted access to the properties and structures during reasonable business hours to make those inspections as deemed necessary to ensure compliance with this chapter; and, if necessary, procure a special inspection warrant.
 - (f) Prohibit the construction of any structures or modifications to any structures until the proper permits have been first applied for and issued by the City.
- (4) Under the direction of the building inspector, the City shall employ or contract with State certified inspectors for the inspection and implementation of this chapter. Nothing in this chapter, however, shall preclude the City from hiring or training persons to become fully certified for the building inspector positions. Inspectors shall have the authority to complete inspections for the following areas in which they are certified:

- (a) Single family and two family residential inspectors shall be certified as:
1. Certified Uniform Dwelling Code - construction inspector.
 2. Certified Uniform Dwelling Code - electrical inspector.
 3. Certified Uniform Dwelling Code - HVAC inspector.
 4. Certified Uniform Dwelling Code - plumbing inspector.
- (b) Commercial inspectors shall be certified as:
1. Commercial building inspector, which includes commercial HVAC.
 2. Commercial electrical inspector.
 3. Certified Plumbing Inspector.

14.04 Permits.

- (1) General Requirement. No person shall perform or authorize the performance of building, heating, ventilating, air conditioning, plumbing or electrical, whether initial or new construction or remodeling, alteration, additions or replacement, unless the required permit or license is issued by the building inspector.
- (3) Application. Application for a permit shall be made in writing upon a form furnished by the building inspector 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 contractor, the use to which said building is to be put, and such other information as the building inspector may require.
- (3) Plans. With the application there shall be submitted a complete set of plans and specifications, including a plot plan showing the location of the proposed building with respect to the adjoining roads, highways, streets, alleys, lot lines and buildings, and public and private utilities. Plans for buildings involving the state building code shall bear the stamp of approval of the Department of Safety and Professional Services. One plan shall be submitted which shall remain on file in the office of the Building Inspector. All plans and specifications shall be signed by the designer.
- (4) Approval of plans. If the building inspector determines that a building will comply in every respect with all the ordinances of the City and applicable laws and administrative rules, a building permit shall be issued which shall state the use to which the building is to be put. After being approved, the plans and specifications shall not be materially altered, except with the written consent of

the building inspector. If adequate plans are presented for part of the building only, the building inspector may issue a permit for that part of the building before receiving the plans and specifications for the entire building.

- (5) Grades. No work shall commence until the proper grades have been reviewed by the city engineer, including the grade for sidewalks, streets, sewer and general construction.
- (6) Posting of Permit. The permit shall be posted on the building site in plain view.
- (7) Fees.
 - (1) Fees for permits and inspections shall be established and made part of the city fee schedule.
 - (2) All permit fees shall be doubled if work commences before the required permits are obtained, and the proper fees are paid. The fees shall be doubled for each violation and every day a violation occurs or continues shall constitute a separate offense.
- (8) Waiver of Plans-Minor Repairs.
 - (1) Plan Waiver. If the building inspector finds that the character of the work is sufficiently described in the application, the filing of plans for alterations, repairs or moving, may be waived.
 - (2) Minor Repairs. The building inspector may authorize minor repairs or maintenance work on any structure or to electrical, heating, ventilating or air conditioning systems installed therein, valued at less than one thousand dollars (\$1,000.00) 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.
- (9) Lapsing Permit. A building permit shall lapse and be void unless building operations are commenced within 6 months, or no significant progress has been made within one year, from the date of issuance.
- (10) Stop Order. If the building inspector finds at any time that applicable ordinances, laws, orders, administrative rules, plans and specifications are not being complied with and that the holder of the permit refused to conform after written warning or instruction has been issued, the building inspector shall revoke the building, electrical or plumbing permit by written notice posted at the site of the work.

When any such permit is revoked, it shall be unlawful to do any further work thereunder until the permit is reissued, except such work as the building inspector may order to be done as a condition precedent to the re-issuance of the permit.

- (11) Report of Violations. The police or other City officers shall report at once to the building inspector any building which is being carried on without a permit required by this chapter.

14.05 Alterations and Repairs.

The following provisions shall apply to buildings altered or repaired:

- (1) Alterations. 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, when alterations are made to an existing building or structure, accommodating a legal occupancy and use but of substandard construction, which involves any or all of the following: beams, girders, columns, bearing, or other walls, room, heating and air conditioning systems, arrangement, light and ventilation, or changes in locations of exit stairways or exits.
- (2) Minor Repairs. Minor repairs are 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 exit stairways, or exits, fire protection, or exterior aesthetic appearance and which do not increase a given occupancy or use.
- (3) Alterations when not permitted. Alterations or moving a building or structure shall not be permitted when an existing building or structure does not conform to the regulations of this chapter, has deteriorated from any cause whatsoever to an extent greater than 50% of the equalized value of the building or structure. Such a building or structure shall be considered a hazard to public safety and welfare and shall be ordered vacated and thereafter may be ordered raised or removed.
- (4) Alterations and repairs required. When any of the structural components of any building or structure have deteriorated from any cause whatsoever to less than their required strength, the owner of the building or structure shall cause such structural components to be restored to their required strength; failing in which the building or structure shall be considered a hazard to public safety and shall be vacated and thereafter no further occupancy or use shall be permitted until the regulations of this chapter are satisfied.

14.06 Extent of Deterioration. The amount and extent of deterioration of any existing building or structure shall be determined by the building inspector.

14.07 Inspection and Occupancy Permit.

- (1) The owner or agent shall notify the building inspector when ready and the building inspector shall inspect all buildings upon the completion of the foundation forms, or before the foundation is laid, and again when ready for lath and plaster, or before paneling is applied. After completion, the building inspector shall make a final inspection of all new buildings, alterations, and existing buildings put to new uses. If the building inspector finds that the work conforms to the provisions of this code, a certificate of occupancy shall be issued which shall contain the date and result of such inspection, a duplicate of which shall be filed in the office of the building inspector.
- (2) If the building inspector determines that a building has been constructed in accordance with all applicable codes, the inspector shall issue an occupancy permit. If the building fails to comply with any applicable code in a minor respect which does not threaten the safety, health or welfare of the building's occupants, the building inspector may issue a temporary occupancy permit for thirty (30) days or other specified term. No person may have occupancy of a building until an occupancy permit is issued.

14.08 New Methods and Materials.

All materials, methods of construction and devices designed for use in buildings or structures covered by this code and not specifically mentioned in or permitted by this code shall not be used until approved in writing by the state Department of Safety and Professional Services. Such materials, methods of construction and devices when approved, must be installed or used in strict compliance with the manufacturer's specifications and any rules or conditions or use established by the state Department of Safety and Professional Services. The date, tests and other evidence necessary to prove the merits of such materials, method of construction or device shall be determined by the State Department of Safety and Professional Services.

14.09 Disclaimer on Inspections.

The purpose of the inspections under this chapter is to improve the quality of construction and structures 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, a disclaimer shall be included in each inspection report as follows: "The findings of inspection are intended to report conditions or 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.

14.10 Unsafe Buildings.

- (1) It shall be unlawful to occupy or use or permit the occupancy or use of any building or structure that is unsanitary or dilapidated, or deteriorated, or out of repair, thereby being unfit for human habitation, occupancy or use until the regulations of this Chapter have been complied with.
- (2) Whenever the Common Council, upon the inspection and report of the building inspector, finds any building or part hereof 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 Wis. Stat. Sec. 66.0413.
- (3) When the public safety requires immediate action, the building inspector shall enter upon the premises with such assistance as may be necessary and shall cause the building or structure to be made safe or to be removed, and the expenses of such work may be recovered by the City in an action against the owner or tenant.

14.11 Moving Buildings.

- (1) General Requirements.
 - (a) No person shall move any building or structure upon any of the public ways of the City without first obtaining a permit therefore from the Building Inspector and upon the payment of the required fee. Every such permit issued by the Building Inspector 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.
 - (b) 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 City Clerk-Treasurer prior to issuance of the moving permit.

- (2) Continuous Movement. The movement of buildings shall be a continuous operation during all 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 remain overnight upon any street crossing or intersection or to prevent easy access to any fire hydrant or any other public facility. Lights shall be kept in conspicuous places and east end of the building during the night.
- (3) Street Repair. Every person receiving a permit to move a building shall, within one (1) day after said building reaches its destination, report to the Building Inspector, who shall inspect the streets, highways and curbs and gutters over which the 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 place them in good repair as they were before the permit was granted. On the failure of 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 payment of the same.
- (4) 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 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 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 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 Codes. 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.
- (5) Bond.
 - (a) Before a permit is issued to move any building over any public way in the City, the party applying therefore shall give a bond to the City in a sum to be fixed by the Building Inspector and which shall not be less than Fifty Thousand Dollars (\$50,000.00), said bond to be executed by a corporate surety or two (2)

personal sureties to be approved by the City Attorney or designated agent conditioned upon, among other things, the indemnification to the City for any costs or expenses incurred by it in connection with any claims for damages to any persons or property, and the payment of any judgment together with costs and expenses incurred by the City in connection therewith arising out of the removal of the building for which the permit is issued.

(b) Unless the Building Inspector, upon investigation, shall find it to be a fact that the excavation exposed by the removal of such building from its foundation shall be not be so close to a public thoroughfare as to permit the accidental falling therein of travelers or the location, nature and physical characteristics of the premises and the exposed excavation, such as to make intrusion upon the premises and the following into such excavation of children under twelve (12) years of age unlikely, the bond required by Subsection (e)(1) shall be further conditioned upon the permittee erecting adequate barriers and within forty-eight (48) hours, filling in such excavation or adopting and employing such other means, devices or methods approved by the Building Inspector and reasonably adopted or calculated to prevent the occurrences set forth herein.

- (6) Insurance. The Building Inspector shall require, in addition to the said bond above indicated, public liability insurance covering personal injury and property damage in an amount of not less than One Million Dollars (\$1,000,000.00) from an insurance company licensed to do business in the State of Wisconsin.
- (7) Permit Fees. The City shall establish a building moving fee in the City fee schedule.

14.12 Contractor Registration.

- (1) All contractors whose work requires them to apply for building permits are required to obtain City contractor registration. Registration is for the calendar year, with a non-prorated registration fee of \$20.00. To be eligible for registration. The contractor must show proof of the required State of Wisconsin Contractor Licensing as required by the Department of Safety and Professional Services Ch. 305.
- (2) Failure to obtain the above registration will result in denial of building permits until the contractor has been properly registered.

14.13 Enforcement and Appeals.

- (1) Violations and Penalties.

- (a) Prohibitions. No person, entity, or firm may construct, remodel, demolish, or repair any building in a manner which violates any provision or provisions of this chapter.
 - (b) Every person, firm, or entity which violates this code shall, upon conviction, forfeit not less than twenty-five dollars (\$25.00) nor more than one thousand (\$1,000.00) for each day of non-compliance, together with the costs of prosecution.
 - (c) Violations discovered by the building inspector shall be corrected within thirty (30) days, or more if allowed by the inspector, after written notice is given. Violations involving life safety issues shall be corrected in a reasonable time frame established by the building inspector.
 - (d) Compliance with the requirements of this title is necessary to promote the safety, health and well-being of the community of the owners, occupants and frequenters of buildings. Violations of this title shall constitute a public nuisance that may be enjoined in a civil action.
- (2) Stop-work order. The building inspector may issue a stop-work order for a project to prevent further non-complying work. No person, firm or entity may continue a construction project after a stop-work order has been issued. The person, firm or entity that receives such a stop-work order may contest the validity of the same by requesting a hearing before the board of zoning appeals. The stop-work order shall remain in full force and effect until the board of zoning appeals has issued its determination. The appellant shall have the burden of proof at the board of zoning appeals.
- (3) Appeals.
- (a) Boarding of Zoning Appeals. The board of zoning appeals created pursuant to the city zoning ordinance pursuant to Wis. Stat. sec. 62.23(7)(e):
 - 1. Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination made by the city building inspector in administering this title;
 - 2. Upon appeal, may authorize variances from the provisions of this title which are not contrary to the public interest and where owing to special conditions a literal enforcement of the provisions of the chapter will result in unnecessary hardship; and

CHAPTER 15
Property Maintenance Code

15.01 Title, Purpose, Scope and Applicability.

- (1) Title. This chapter shall be known and cited as the "Property Maintenance Code" of the City of Wisconsin Dells.
- (2) Purpose.
 - (a) The purpose of this chapter is to prevent the deterioration of buildings and structures in the City. This chapter recognizes that such deterioration develops because of faulty design and/or construction, poor maintenance, lack of proper sanitary facilities, inadequate lighting and ventilation, inadequate heating facilities, or a combination of these factors.
 - (b) Dilapidated and neglected building and properties jeopardize and are detrimental to the health, safety, morals, general welfare or the economic values of adjoining properties.
 - (c) The adoption and enforcement of this Chapter is declared to be essential to the public interest. It shall be liberally construed to maintain a safe and healthful environment and to ensure the maintenance of property values within the City and to ensure public health, safety and welfare in so far as they are affected by the continued occupancy and maintenance of structures and premises.
- (3) Scope and Applicability.
 - (a) General. The provisions of this code apply to all residential and nonresidential, and commercial buildings and properties and establish:
 - (1) Minimum requirements and standards for premises, structures, equipment and facilities;
 - (2) Responsibilities of owners, operators and occupants; and
 - (3) Administration, enforcement and penalties.
 - (b) Most Restrictive Shall Govern. Where, in a specific case, different restrictions of this code specify different requirements, the most restrictive shall govern.

- (c) Application of Other Codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the building; and mechanical code of the City. Nothing in this code shall be construed to cancel, modify or supersede any provision of the zoning code.
- (d) Existing Remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the city or its officers or agencies related to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.

15.02 Definitions.

The following definitions apply in the interpretation and enforcement of this chapter.

- (1) Approved. Approved by or in accordance with regulations established by City ordinance or code and authority designated by law to enforce such ordinance or code.
- (2) Basement. That portion of a dwelling, not deemed as "first story," located partly underground, but having less than ½ of its clear floor-to-ceiling height below average finished grade of the adjoining ground.
- (3) Bath. Bathtub or shower stall properly connected with both hot and cold water lines.
- (4) Bathroom. A non-habitable room within a dwelling unit which is used, or intended to be used primarily for bathing and/or toilet purposes and which contains a toilet, lavatory and, in some cases, bathtub or shower facilities.
- (5) Bedroom. Any room or space used or intended to be used for sleeping purposes in a dwelling unit.
- (6) Cellar. That portion of a dwelling not deemed as "first story," located all or partly underground, but having more than ½ of its clear floor-to-ceiling height below average grade of the adjoining ground.
- (7) City. The City of Wisconsin Dells, Wisconsin.
- (8) Dwelling. 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) Extermination. The control and elimination of insects, rodents or other pests by elimination of their shelter places by removing or making inaccessible material

that may serve as their food by poisoning, spraying, trapping or by any other recognized and legal elimination methods.

- (10) Garbage. The animal and vegetable waste resulting from the preparation, handling, cooking and consumption of food.
- (11) Habitable Room. A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, laundries, pantries, foyer, communicating corridors, closets and storage spaces.
- (12) Infestation. The presence of insects, rodents or other pests within a dwelling or on a building or premises.
- (13) Kitchen. An area used or designed to be used for the preparation of food.
- (14) Occupant. Any person living, sleeping or eating in or having actual possession or use of a building or premises.
- (15) Openable Area. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.
- (16) Operator. Any person who has charge, care or control of a building or premises or part thereof which is let or offered for occupancy.
- (17) Owner. Any person who alone, jointly or severally with others shall be the legally recorded holder of the title with or without actual possession thereof; who has charge, care or control of any building or premises as agent or owner or as executor, administrator, trustee or guardian of the estate of the owner, including the legally recorded holder of a land contract vendee interest.
- (18) Person. Any individual, firm, corporation, partnership or association.
- (19) Plumbing. All of the following supplied facilities and equipment: gas pipes, gas burning equipment, water pipes, waste pipes, toilets, sinks, lavatories, bathtubs, shower baths, installed clothes washing machines, catch basins, drains, vents and any other similar supplied fixtures, together with all connections to water, sewer or gas lines.
- (20) Premises. A parcel of land including its buildings.
- (21) Property. Buildings, dwellings, structures or improvements, land, vacant or improved.
- (22) Rubbish. Household wastes, except garbage, including lawn rakings, tin cans, glass, metal, crockery and similar household wastes, papers, rags and other combustible refuse. 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 materials.

- (23) Supplied. Paid for, furnished or provided by or under the control of the owner or operator.
- (24) Temporary Housing. Any tent, trailer or other structure used for human shelter which is designated to be transportable and which is not attached to the ground, to another structure or to any utilities system on the same premises for more than 30 consecutive days.
- (25) Ventilation. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

15.03 Inspections.

- (1) The Building Inspector is authorized and directed to make inspections upon request, complaint, cause or when deemed necessary to determine the conditions of buildings or premises located within the City.
- (2) The owner, operator or occupant of every building or premises shall, upon the request of the Building Inspector and upon the showing of proper credentials, shall permit access to all parts of such building on premises at all reasonable times for the purpose of the inspection, examination and survey hereby authorized.
- (3) Every occupant of a building or premises shall give the owner, operator or employee thereof access at all reasonable times for the purpose of making such repairs as are necessary to effect compliance with the provisions of this section.

15.04 General Requirements.

- (1) Responsibility. The owner of a premises shall maintain the structures and premises and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling or rooming unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.
- (2) Equipment Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or

shut off from or discontinued for any occupied building, except for such temporary interruption as necessary while repairs or alterations are in progress.

15.05 Exterior Property Areas.

- (1) Sanitation. All exterior property areas shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.
- (2) Disposal of Rubbish and Garbage. Every premises shall have adequate receptacles or disposal equipment for garbage and for rubbish to hold all garbage and rubbish produced by each premises. Such receptacles shall comply with requirements and standards set by the City and shall include leakproof containers with close-fitting covers. Every occupant of a premises shall place all rubbish accumulating between times of collection or other satisfactory disposal in proper receptacles. Every occupant of a premises who does not otherwise provide for the disposal of garbage in a sanitary and inoffensive manner shall prepare all garbage for collection and place it, pending collection, in a proper receptacle as provided herein. The owner shall be responsible for supplying such facilities or receptacles for all units of a premises.
- (3) Grading and Drainage. No premises shall be graded or maintained so that stagnant water will accumulate or stand on the premises or adjacent premises or within any building or structure. No premises shall be graded or maintained so that surface runoff causes damage to any person or property. Yards shall be landscaped so that the visual character of the neighborhood is preserved.
- (4) Accessory Structures. All accessory structures shall be maintained in structurally sound condition and good repair.
- (5) Defacement of Property. No person shall intentionally damage, mutilate or deface any part of buildings, supplied fixtures, equipment and furnishings or any other property of another.
- (6) Retaining Walls. All retaining walls shall be structurally sound and shall be constructed and maintained in a reasonably good state of repair and in such a manner as not to allow or cause repeated flow of mud, gravel or debris upon any public sidewalks, street or alley.

15.06 Lawn Areas.

- (1) General. Lawns shall not be allowed to deteriorate to such a condition as to be a serious blighting influence on surrounding areas or adjoining premises. Lawns shall be kept free of unsightly debris, the accumulation of which has an adverse effect on the neighborhood or City property values, health, safety or general welfare.

- (2) Responsibility for Tree Bank. The owner, occupant or operator shall be responsible for maintaining the area between the curb and sidewalk
- (3) Height Restriction. Grass or weeds shall not exceed the height of 8" on any lawn area.
- (4) Natural Lawns.
 - (a) A natural lawn is any land managed to preserve or restore native Wisconsin grasses and forbes, native trees, shrubs, wild flowers and aquatic plants.
 - (b) Any owner or operator of a lot or parcel maintaining or desiring to maintain a natural lawn may register with the Building Inspector for a natural lawn if grasses exceed 8" in height.
- (5) Exceptions. The height requirements of sub. (3) shall not apply to the following:
 - (a) Where no lawns exist.
 - (b) Territory annexed or attached to the City which consists of unimproved real estate and which is not subject to development plans, site plans or building permits of the City.
 - (c) Where the height requirements set forth herein conflicts with other provisions of the Municipal Code.

15.07 Notice and Abatement.

- (1) Notice to Owner and/or Lessee to Abate. Upon a determination by the Building Inspector that any activity or condition exists which violates this chapter, the Building Inspector may send by certified mail to the address of the owner or occupant of the property concerned, a notice directing that the violation be corrected. The notice shall describe the violation and requirements of its abatement and order the property owner or occupant to abate the violation within a specified period not to exceed seven (7) calendar days. Notices issued pursuant to this section shall inform the recipient that failure to abate the violation within the specified periods shall result in abatement by the City.
- (2) Cost of Abatement. The Building Inspector shall keep account of the abatement costs and maintain a statement of abatement measures. A copy of such statement shall be mailed to the property owner and occupant. If the property owner is unknown, the statement will be published as a Class I Notice. The costs of abatement set forth in the statement shall be charged against the real estate upon

which the abatement action was taken, shall be a lien upon said real estate and shall be assessed and collected as a special charge as provided in Wis. Stat. § 66.0627.

15.08 Exterior Structure.

- (1) **General.** The exterior of a structure shall be maintained in a reasonably good state of repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.
- (2) **Protective Treatment.** All exterior surfaces, including but not limited to doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in a reasonably good state of repair and in a clean and sanitary condition. Exterior wood surfaces, other than decay-resistant woods, shall be reasonably protected from the elements and against decay by paint or other protective covering or treatment to prevent deterioration of the structure and a detriment to the visual character of the area. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors and skylights shall be maintained weather resistant and watertight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Surfaces designed for stabilization by oxidation are exempt from this requirement.
- (3) **Premises Identification.** Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property.
- (4) **Structural Components.** All structural components shall be maintained free from deterioration and shall be capable of supporting the imposed dead and live loads.
- (5) **Foundation Walls.** All foundation walls shall be maintained free from open cracks and breaks which jeopardize the health, welfare and safety of the building's occupants, and shall be kept in such condition so as to prevent the entry of rodents and other pests.
- (6) **Roofs and Drainage.** The roof and flashing of buildings shall be sound, tight and free from defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that causes damage to adjoining properties.
- (7) **Decorative Features and Overhangs.** All decorative features, including, but not limited to, cornices, belt courses, corbels, terra cotta trim, and wall facings, and all overhangs, including, but not limited to, fire escapes, standpipes and exhaust ducts, shall be maintained with proper fastening and in safe condition.

- (8) Stairways, Decks, Porches and Balconies. Every exterior stairway, deck, porch and balcony, and all attached appurtenances, including handrails and guards, shall be maintained structurally sound, in good repair, with proper fastening and capable of supporting the imposed loads.
- (9) Window, Skylight and Door Frames.
 - (a) Every window, skylight, door and frame shall be kept in reasonably good state of repair and weather tight. All glazing materials shall be maintained so as to prevent the window pane from coming loose from its frame.
 - (b) Window area: the minimum total window area in every sleeping room shall be 10% of the floor area of such room, but not less than twelve (12) feet.
 - (c) Boarded Windows Prohibited: Every window opening shall be fully supplied with glass window panes or an approved substitute which are without open cracks or holes. Subject to lawful orders of appropriate City or state officials, no windows may be boarded up for more than two (2) months.
- (10) Insect screens. Where evidence of flies or other pests exists on the premises, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with tightly fitting screens of not less than 16 mesh per inch (16 mesh per 26 mm).
- (11) Doors. All exterior doors, door assemblies and hardware shall be maintained in a reasonably good state of repair and in working condition. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort.

15.09 Interior Structure.

- (1) General responsibilities of owners and occupants. The interior of a building and equipment and fixtures shall be maintained in reasonably good state of repair, structurally sound and in sanitary condition. When in this Code the obligation for compliance is not otherwise clearly designated, the respective responsibility of owner, operator and occupant is as follows:
 - (a) Sanitary Responsibilities of Owner. Every owner of a building shall be responsible for maintaining in safe, clean and sanitary condition all communal, shared, or public areas of the dwelling or other premises thereof which are shared or used by the occupants of two (2) or more dwelling or rental units in nonresidential structures.

- (b) Sanitary Responsibilities of Occupant. Every occupant of a building shall maintain in a clean and sanitary condition that part of the building and yard which the occupant occupies and controls.
 - (c) Use and Operation of Plumbing Facilities. Every occupant shall keep all plumbing fixtures in a clean and sanitary condition and shall be responsible for the proper use and care.
 - (d) Use and Operation of Mechanical Systems. Every occupant shall be responsible for care in the proper use and operation of mechanical equipment.
- (2) Structural components. All structural components shall be maintained free from deterioration and shall be capable of supporting the imposed dead and live loads.
 - (3) Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in reasonably good state of repair and in sanitary condition. Peeling, chipping, flaking or abraded paint caused by water damage shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions, including, but not limited to, missing or damaged drywall that are caused by structural settling shall be corrected.
 - (4) Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface in the exterior of a building shall be maintained in sound condition and in reasonably good state of repair.
 - (5) Handrails and guards. Every handrail and guard in the exterior of a building shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in reasonably good state of repair.
 - (6) Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

15.10 Extermination.

- (1) Infestation. All premises and structures shall be kept free from insect and rodent infestation. All premises and structures in which an insect or rodent infestation is found shall be promptly exterminated by approved processes that will not be injurious to human health.
- (2) Extermination of pests; owners' responsibilities. Every owner or operator shall be responsible for extermination of any insects, rodents or other pests whenever infestation occurs in more than one dwelling unit or rental unit in nonresidential

structures or in the shared or public parts of a dwelling of two (2) or more units, or a building containing two (2) or more rental units in nonresidential structures.

- (3) Extermination of pests; occupants' responsibilities. Every occupant of a dwelling unit or rental unit in nonresidential structures where the building contains more than one (1) such unit shall be responsible for the extermination of any insects, rodents or other pests therein, whenever said occupant's unit is the only one infected; provided, when infestation is caused by failure of the owner to maintain the unit free from insect or rodent infestation, extermination shall be the responsibility of the owner. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

15.11 Light Standards.

- (1) Common areas. Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each two-hundred (200) square feet of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than thirty (30) feet. In nonresidential occupancies, means of egress, including stairways and exterior means of egress, shall be illuminated at all times with a minimum of one (1) footcandle (11 lux) at floors, landings and treads.
- (2) Other spaces. All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

15.12 Ventilation Standards.

- (1) Habitable spaces. Every habitable room shall have at least one window or skylight facing directly to the outdoors. No skylight shall be installed in lieu of a window where a skylight has not previously existed. Every window other than a fixed window shall be easily openable and capable of being held in an open position.
- (2) Bathroom. Every bathroom and toilet compartment shall have at least one openable window facing the outside, except where a mechanical ventilation system is supplied which discharges exhaust air to the exterior.
- (3) Clothes dryer exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions and the requirements of the applicable mechanical code.

15.13 Standards for equipment and facilities.

- (1) Sinks. Every dwelling unit shall contain a sink which shall be located in the room where food is cooked or prepared.
- (2) Toilets and sinks. Every dwelling unit shall contain a bath, flush toilet and a sink, irrespective of the sink required as a kitchen facility.
- (3) Privacy. The room, in which the toilet, lavatory and bathtub or shower required under this section are installed, shall afford privacy to a person within. The bathtub or shower may be in a room separate from the room housing the toilet and lavatory basin, but shall afford privacy to a person within.
- (4) Multiple use. Occupants of two (2) or more dwelling units may not share a toilet or lavatory with the exception of hotels or rooming houses.
- (5) Water supply. Every kitchen sink, lavatory basin, bathtub and shower required by this Chapter shall be properly connected with both hot and cold water lines supplying water of safe, sanitary quality.
- (6) Water heating facilities. Every dwelling shall have supplied automatic or manually operated water heating facilities which are properly installed, are maintained in safe and good working condition and in reasonably good state of repair, are properly connected with hot water lines, are capable of heating water to a temperature of at least 120 degrees Fahrenheit and to permit an adequate amount of hot water to be drawn at every required sink, lavatory basin, bathtub or shower.
- (7) Exits. Each exit from a dwelling unit shall be kept in reasonably good state of repair. Required exits shall, in addition, comply with all provisions of the appropriate codes of the State of Wisconsin.
- (8) Stairways. All stairways in dwellings shall have at least one firmly constructed handrail at not less than two (2) feet six (6) inches vertically above the nose of the thread.
- (9) Plumbing systems and fixtures.

- (a) All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed.
 - (b) Where a plumbing system in a structure constitutes a hazard to the occupants or the structure because of inadequate service, inadequate venting, cross connection, backsiphonage, improper installation, deterioration or damage, the building inspector shall require the defects to be corrected to eliminate the hazard.
- (10) Mechanical equipment.
- (a) Mechanical appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.
 - (b) Removal of combustion products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.
 - (c) Clearances. All clearances to combustible materials required under the Building or Fire Codes shall be maintained.
 - (d) Safety controls. All safety controls on mechanical appliances, including but not limited to auto shutoff devices and pressure relief valves, shall be
 - (e) Combustion air. A supply of air for complete combustion of the fuel and for ventilation of any space containing fuel-burning equipment shall be provided for the fuel-burning equipment located therein.

15.14 Dwellings and Dwelling Units which may be occupied.

- (1) No building in the City may be occupied if the building has been inspected by the Building Inspector or Fire Inspector and it is determined that the building does not conform to the requirements of this chapter.
- (2) No person shall deface or remove a placard from any premises which has been determined unfit for human habitation and placarded.
- (3) Any dwelling declared structurally unsafe shall be restored or razed according to the provisions of Wis. Stat. §66.0413. The Building Inspector shall carry out the provisions thereof.

- (4) (a) If the Building Inspector determines that a building is in such condition that it constitutes a public nuisance and that there is great and immediate danger to public health, safety and welfare, or that a building or part thereof is unsanitary and unfit for human habitation, occupancy or use, the inspector shall post a notice on the premises containing the following words:

“THIS BUILDING CANNOT BE USED FOR HUMAN HABITATION, OCCUPANCY OR USE,”

- (b) The use of the building for human habitation, occupancy or use shall be prohibited immediately until the necessary repairs have been made.

15.15 Vacant Building Ownership Registration.

- (1) Purpose and Scope. The registration of residential buildings or any other building, including, but not limited to, buildings designed for manufacturing, industrial, storage or commercial uses is essential for the enforcement of the city's codes and to safeguard persons, property and general welfare. Residential condominium and rental units are excluded from this section provided the vacancy rate of the building they are situated in does not exceed 95%.
- (2) Definitions. In this section:
- (a) Owner. The person on whom is vested all or part of the legal title to the property of all or part of the beneficial ownership and right to present use and enjoyment of the premises.
- (b) Secured. A building that has a permanent door or window in each appropriate building opening that is secured to prevent unauthorized entry and has all its doors and window components, including frames, jambs, rails, stiles, muntins, mullions, panels, sashes, lights and panes intact and unbroken.
- (c) Vacant. A building which lacks habitual presence of human beings who have a legal right to be on the premises, or at which substantially all lawful business or construction operation or residential occupancy is at a level of at least 95% vacant.
- (d) Violation. An order has been issued by the department and the conditions forming the basis for the order have not been fully abated.
- (e) Unsecured. Any building that does not mean the definition of secured.

(3) Registration Required.

- (a) The owner of any building that is vacant, or has become vacant while owned by that person or entity, shall within 30 days after the building becomes vacant or within 30 days after assuming ownership, whichever is later, file a registration statement and pay a registration fee for each such building.
- (b) In addition to other information, the registration statement shall include the name, street address and telephone number of a person 21 years of age or older, designated by the owner or owners as the authorized agent for receiving notices of code violations and for receiving process, in any court proceeding or administrative enforcement proceeding, on behalf of the owner or owners in connection with the enforcement of this section. This person shall reside within Adams, Columbia, Sauk or Juneau's "four county" area.
- (c) The owner shall be required to renew the registration for successive 6-month periods as long as the building remains vacant and shall pay a registration renewal fee for each registered building, or a late registration renew fee for each registered building if required registration fee is paid untimely.

(4) Exemptions. The following are exempt from the provisions of this section.:

- (a) Property owned by governmental bodies.
- (b) Property that is vacant as a result of a natural disaster.
- (c) Property that is undergoing an active renovation or rehabilitation.
- (d) A single family home or owner-occupied 2-family dwelling residential property that has been used as a residence by the owner for a period of at least 3 months within the previous 9 months and the owner intends to resume residing at the property.
- (e) Residential Condominium and rental units in buildings whose vacancy rate does not exceed 95%.
- (f) Properties that are part of an estate that is in probate and are not subject to bankruptcy provided the personal representative resides in the four county area.

- (5) Owner Responsibilities. The owner of any building that has become vacant shall:
- (a) Enclose and secure the building as provided in the city's property maintenance code.
 - (b) Maintain the building in a secure and closed condition until the building is again occupied or demolished.
 - (c) Acquire or otherwise maintain liability insurance in an amount not less than \$300,000.00 for building designed primarily for residential and use and not less than \$1,000,000.00 for any other building, including, but not limited to, buildings designed for manufacturing, industrial, storage or commercial uses, covering any damage to any person or any property caused by any physical condition of or in the building. Evidence of this insurance shall be available at the request of the city.
- (6) Inspections. After filing a registration statement, the building owner shall provide access to the city, upon reasonable notice, to conduct exterior and interior inspections of the building to determine compliance with this section. In addition to any other applicable requirements, vacant buildings shall comply with all other requirements.
- (7) Rules and Regulations. The Building Inspector may issue rules for the administration of this section. These rules may specify additional board-up materials, which may be used to secure a building.
- (8) Penalty.
- (a) Failure to Register. Any property owner or entity functioning as a trustee of an owner, that fails to register a vacant building as required under sub. (3) shall, be subject to the penalty provisions of City Code Sec. 30.04.
 - (b) Failure to Secure and Maintain. Any property owner or entity functioning as a trustee of an owner that has a duty to register a vacant building that fails its duty to secure and maintain the property as required under subs. (5) through (8) shall, upon conviction, forfeit not less than \$250.00 nor more than \$1,500.00, together with the cost of the action, and in default of the payment of such forfeiture and costs, shall be imprisoned in the House of Correction or County Jail until the payment of such forfeiture and costs of prosecution, but not exceeding 90 days for each violation.
 - (c) In addition to any other penalty imposed under this section, failure to pay any fees for registration, renewal, or failure to allow inspection shall be assessed against the real estate as a special charge.

- (d) The registration shall be filed with the City Building Inspector on forms provided by the Building Inspector.
- (9) Fees. Fees related to the administration and enforcement of this section shall be established by a city resolution.

15.16 Enforcement.

- (1) Violations of this chapter shall be subject to penalties as provided at Wis. Code Sec. 30.04. Each violation and each day a violation continues or occurs shall constitute a separate offense. Nothing in this section shall preclude the City from commencing an action to prevent, remove or abate a violation of this section, including an action pursuant to Wis. Stats. Chapter 823.
- (2) The Building Inspector, upon inspection or discovery of any violation of this section may allow up to 30 days for corrections. In the case of extreme hardship, an additional 30 days may be permitted.