

ORDINANCE NO. _____
(City Plan Commission Quorum)

ITEM 3

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

This ordinance modifies the City Plan Commission quorum number.

SECTION II: PROVISIONS AMENDED:

Wisconsin Dells Code sec. 19.208(1) is amended.

SECTION III: PROVISION AS AMENDED:

19.208(1) Requirement for quorum. A quorum shall consist of a majority of the commission members.

SECTION IV: VALIDITY

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

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 19.

Brian L. Landers, Mayor

Nancy R. Holzem, Clerk/Coordinator

First Reading Approved:
Second Reading Approved:
Published:

ORDINANCE NO. _____
(Eliminates the Cemetery Commission)

ITEM 4

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

This ordinance eliminates the Cemetery Commission since the cemetery is operated under the Department of Public Works.

SECTION II: PROVISIONS REPEALED

Wisconsin Dells Code sec. 1.04(d)
Wisconsin Dells Code sec. 1.04(5)
Wisconsin Dells Code sec. 8.01

SECTION III: PROVISION AS REPEALED

1.04 BOARDS AND COMMISSIONS.

- (1) Designation. The City shall have the following boards and commissions:
(d) ~~Spring Grove Cemetery Commission~~
- (5) ~~Spring Grove Cemetery Commission.~~ The Spring Grove Cemetery Commission shall consist of the Mayor, one member of the Common Council appointed annually by the Mayor and approved by the Common Council and three (3) members appointed by the Mayor for staggered terms of three years and approved by the Common Council. The commission shall have the powers and responsibilities set forth at Code sec. 8.01(2).

~~8.01 SPRING GROVE CEMETERY~~

- (1) ~~Spring Grove Cemetery Established.~~ The City of Wisconsin Dells does hereby determine to accept and operate a municipal cemetery which shall be called Spring Grove Cemetery.
- (2) ~~Commission Organization.~~ The Commission shall elect a President and a Secretary. The President shall be a member of said Commission. The terms of said officers shall be for one [1] year and until their successors are elected and qualified.
- (3) ~~Powers.~~
- (a) ~~The Spring Grove Cemetery Commission shall have full authority to operate the Spring Grove Cemetery, subject to such limitations as are contained in this chapter. The Commission may establish a compensation to be paid to its Secretary, subject to the approval of the Common Council, but all other members shall serve without pay. The Secretary shall be charged with the duty of keeping and maintaining an accurate record of the owners of lots in said cemetery and such other data as the Commission may from time to time require.~~
- (b) ~~The Spring Grove Cemetery Commission shall from time to time make such rules or regulations for the general operation and care of Spring Grove~~

~~Cemetery as it deems necessary or advisable, provided that said rules and regulations shall not conflict with any provision of this chapter, and further~~

~~provided that no such rule shall take effect until it has been published in the official city newspaper of the City of Wisconsin Dells.~~

~~(e) — The Commission may employ a sexton and such other employees as it may deem necessary for the proper operation of said cemetery, establish the salary of said employees and the terms and conditions of employment.~~

~~(4) — Finance:~~

~~(a) — The Spring Grove Cemetery Commission shall annually prepare a budget showing its estimated receipts and expenditures for the ensuing year, which budget shall be submitted to the Common Council for its approval. The action of the Common Council thereon shall be final and binding upon said Commission.~~

~~(b) — The Commission shall not expend upon any project, or for the purchase of materials for a project, to exceed \$2,500.00 without permission from the Common Council. Improvements and purchases of materials for a lesser amount may be made from time to time by the Commission without the approval of the Common Council. No payments shall be made by said Commission to anyone except upon written voucher and after allowance by the Commission at a meeting thereof, excepting only duly established salaries of employees.~~

~~(c) — All funds of said Commission shall be held by the City Clerk/Treasurer and all funds collected shall be paid promptly to the City Clerk/Treasurer.~~

SECTION IV: VALIDITY

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

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 1 and 8.

Brian L. Landers, Mayor

Nancy R. Holzem, Clerk/Coordinator

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.** Discarded household furnishings and 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) Lawful City Inspectors are 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 a lawful 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.
- (7) **Vehicles.** Motor vehicles, personal, recreational and commercial, including trailers, boats, campers and motor homes shall not be parked or stored on unpaved public right of way areas.

- (8) Hazardous/Unsafe Items. Unsafe or hazardous items of personal property such as refrigerators, stoves, washers, dryers, televisions, electric and computer equipment and fixtures shall not be left unattended or discarded.

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 last known 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. 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; or create or contribute to neighborhood blight.
- (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. 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 shall be corrected. 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 8% of the floor area of such room, but not less than twelve (12) square 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.
- (7) Mold Growth. Interior surfaces shall be kept free from mold growth and other human health hazards.

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 shall be properly installed and maintained in clean and sanitary 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 plumbing systems or fixtures in a structure constitute 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) Electrical and Mechanical systems and equipment.
 - (a) Appliances and systems. All electrical and mechanical systems and 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 meet 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 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.

ORDINANCE NO. _____
(City Parking System)

ITEM 7

The City of Wisconsin Dells, Adams, Columbia, Juneau and Sauk Counties, Wisconsin, does hereby ordain as follows:

SECTION I: PURPOSE

This ordinance updates the City code section which creates and regulates the city parking system.

SECTION II: PROVISION REPEALED AND RECREATED

Wisconsin Dells Code Sec. 7.03 is repealed and recreated.

SECTION III: PROVISION AS REPEALED AND RECREATED

7.03 PARKING SYSTEM

- (1) General. The parking system of the City of Wisconsin Dells is a public utility operated pursuant to Wis. Stat. secs. 66.0805(6) and 66.0829.
- (2) Parking Board. The affairs of the system shall be managed by the Parking Board which shall have eight (8) members as follows: Mayor, Director of Public Works, Chief of Police, three (3) members of the common council and two (2) public members. The mayor shall appoint the public members, council members, and chair subject to the approval of the Common Council for terms of one (1) year. The public members shall be appointed by the Mayor and approved by the Common Council for staggered terms of three (3) years.
- (3) Authority of Parking Board. The Parking Board shall have general powers to construct, extend, improve, operate, manage and maintain the City parking system as provided by the Common Council and shall make reports and recommendations to the Common Council. Acquisition of real property shall be in the name of the City of Wisconsin Dells and may not be made without the approval of the Common Council.
- (4) Revenue from Parking System. All monies obtained from parking devices and enforcement of street parking lots and collections for violations of parking meter regulations, shall be recorded in a designated account. None of these monies may be pledged or hypothecated in any way without the consent of the Common Council. The Common Council may elect to issue mortgage revenue bonds pursuant to Wis. Stat. § 66.0829.

- (5) Mechanical and Electronic Parking Enforcement Systems. The Parking Board shall provide for the installation, regulation, control, operation and use of mechanical and electronic parking enforcement devices, and shall maintain the devices in good workable and serviceable condition. The Parking Board shall establish fees for parking enforcement subject to approval by the Common Council.
- (6) Payment. Vehicles parked in a City parking space shall pay the fee associated with that space. If the fee is not paid, a forfeiture citation may be issued. The City shall have the discretion to suspend parking enforcement.
- (7) Designation of Parking Places. The Parking Board, or such officers and employees of the City as it shall designate, shall place lines or marks on the curb or on the street about or alongside each meter, to designate the parking space for which the meter is to be used, and each vehicle parking alongside or next to any parking meter shall park within the established lines or markings. It shall be unlawful and an offense to park any vehicle across any such line or mark, or to park a vehicle in a way that it shall not be within the area designated by lines or markings.
- (8) Fraud/Tampering. No person may:
 - (a) Use fraudulent means or devices to avoid payment of parking fees;
or,
 - (b) Tamper or interfere with a City installed parking device.
- (9) Penalties. The default penalty provisions of code sec. 30.04 shall apply to violations of this section; except the penalties for parking violations shall be established and approved as part of the city fee schedule.

SECTION IV: VALIDITY

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

SECTION V: CONFLICTING PROVISIONS REPEALED

All ordinances in conflict with any provisions of this ordinance are hereby repealed.

SECTION VI: EFFECTIVE DATE

This ordinance shall be in force from and after its introduction and publication and as provided by statute.

SECTION VII: PART OF CODE

This ordinance becomes a part of Wisconsin Dells Code, Chapter 7.

Brian L. Landers, Mayor

Nancy R. Holzem, City Clerk

First Reading Passed:
Second Reading Passed:
Published: