

ORDINANCE 18- 2
TOWN OF DOVRE
BARRON COUNTY, WISCONSIN
AN ORDINANCE REGARDING
BUILDING AND MOBILE HOMES
CHAPTER 1

SECTION 1. TITLE/PURPOSE, AUTHORITY AND SCOPE

- a. The Town Board of the Town of Dovre, Barron County, Wisconsin, in order to provide for the orderly growth and development of the Town of Dovre, and the enhancement of health, safety and general welfare of the public, hereby ordains as follows:
- b. The title of this Ordinance is the Town of Dovre Ordinance Regarding Building and Mobile Homes.

SECTION 2 - DEFINITIONS

- a. Accessory Building/Auxiliary Structure. Means any building or any structure constructed or placed on a legally defined and recorded parcel in the Town of Dovre. Examples of an Accessory Building or an Auxiliary Structure include, but are not limited to, a garage, a pole building, a barn or a shed. An Accessory Building or an Auxiliary Structure is not designed for human habitation and shall not be used for such human habitation.
- b. Certificate of Occupancy. Means the Certificate issued by the Building Inspector following the completion of all inspections. The issuance of a Certificate of Occupancy authorizes human habitation of the building or structure under construction.
- c. Citation. Means a document which reflects a violation of the provisions of this Ordinance.
- d. Citation Fee. Means the fine or monetary fee due for a violation of the provisions of this Ordinance (see Section 12 for details).
- e. Clerk. Means the elected Clerk/Treasurer for the Town of Dovre, Barron County, Wisconsin.
- f. County. Means Barron County, Wisconsin.
- g. Dwelling. Means any building or structure located on a legally described and recorded parcel in the Town of Dovre which is specifically designed and constructed for the purpose of human habitation. Any such dwelling shall contain no more than two (2) dwelling units designed and constructed for human habitation. No dwelling shall be constructed on any legally described and recorded parcel which is less than two (2) acres.
- h. Dwelling Unit. Means a single building or structure located on a legally described and recorded parcel in the Town of Dovre which constructed for the habitation of one (1) family.

- i. Family. Any number of individuals, related by blood, adoption or marriage living together as a single housekeeping unit, including any domestic employees. A "Family" also includes not more than five (5) persons not so related living together on a legally described and recorded parcel as a single housekeeping unit, including any domestic employees.
- j. Housekeeping Unit. Means one or more persons who occupy a dwelling as a place of human habitation.
- k. Human Habitation. Means the act of occupying a building or structure as a dwelling unit. Such building or structure shall include adequate utilities including a properly functioning and safe water source and septic system.
 - l. Improved Parcel. Means a legally described and recorded parcel on which a building, mobile home or structure is constructed for human habitation and which includes adequate utilities including a properly functioning and safe water source and septic system. A dwelling as defined in the Town Building Ordinance.
- m. Inspector or Building Inspector. Means an individual retained by the Town to review, inspect, approve or disapprove the structure for human habitation. The Building Inspector shall be certified to conduct such inspections by the State of Wisconsin, Department of Safety and Professional Services. The Building Inspector shall annually provide the Town with proof of current certification.
- n. Land Division. Means the separation or division of a single parcel or lot into two (2) or more parcels or lots. All land divisions must comply with all provisions of this ordinance.
- o. Lot. Means the same as parcel.
- p. Manufactured Home. Means a structure, built after June 15, 1976, transportable in one or more sections, which in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet in length, or when erected on site, is three hundred twenty (320) or more square feet in area, 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 utilities.
- q. Multi-Family Dwelling. Means a single building or structure located on a legally described and recorded parcel in the Town of Dovre which was constructed for the habitation of two or more family units.
- r. Non-Permanent Structure. Means a physical shelter having form and substance, including, but not limited to, floor, walls, windows, doors and a roof, which is not permanently affixed to a foundation and whose supplies of potable water, sewage disposal and electrical current, among other utility services, are not permanently attached or incorporated into the design of the structure in accord with applicable state or local codes. This includes, but is not limited to, what are commonly referred to as tents and tent platforms.
- s. Occupant. Means a person residing in a single family or multi-family unit.
- t. Outbuilding. Means a structure or building which is not used for purposes of human habitation.
- u. Owner. Means any person or corporation possessing a legal or equitable interest in a parcel or lot.
- v. Premise, Parcel or Lot. Means any legally described and recorded land located in the Town of Dovre which has a described boundary.

- w. Person. Means a natural person, partnership, association, and all other bodies corporate or public.
- x. Residential Lot. Means a lot or parcel used for the purpose of human habitation.
- y. Septic System Means a system specifically designed to treat sewage.
- z. Sewage. Means all liquids and water wastes from sinks, bathing and toilet systems.
- aa. Single Family Dwelling. Means a single building or structure located on a legally described and recorded parcel in the Town of Dovre which was constructed for the habitation of one (1) family.
- bb. Special Event. Means a privately organized, not-for-profit, event wherein people congregate on private property to share and enjoy common interests of the group.
- cc. State of Wisconsin – Department of Safety and Professional Services. Means the State of Wisconsin, Department of Safety and Professional Services.
- dd. State of Wisconsin – Department of Revenue. Means the State of Wisconsin, Department of Revenue.
- ee. State of Wisconsin – Department of Natural Resources. Means the State of Wisconsin, Department of Natural Resources.
- ff. Subdivision. See “SECTION 3 – LAND DIVISIONS”.
- gg. Temporary Human Habitation Means the occupation of a camper vehicle of other non-permanent structure for a period time not to exceed the limits set forth in this Ordinance.

SECTION 3 - SUBDIVISIONS

Prior to the adoption of this ordinance, the Town shall have created a Town Planning Commission pursuant to Wis. Stat. s. 236.02(13).

No proposed subdivision which creates more than one new parcel or lot, shall be approved without a completed Developer’s Agreement which shall be subject to the Board’s approval. The requirement for a Developer’s also applies to all proposals for a new or expanded mobile home park. The Developer’s Agreement shall be designed to protect the Town and the general public, and to defray costs and expenses to the Town as a result of the proposed development.

The applicant for a subdivision shall provide information at the time of the application for subdivision. The information provided shall include, but not be limited to, the following items:

- A Certified Survey depicting the proposed layout of new residential parcels or lots;
- The detailed layout and specifications associated with all road construction within the subdivision, including both private and public roads and highways;
- An identification of all roads and/or highways which are to be dedicated to the Town;
- Sufficient street lighting to provide for the public safety and health;
- A map which identifies all access points to any parcel or lot from any public or private road or highway included in the subdivision.

- An identification of all sites or locations within the boundaries of the proposed subdivision which are considered to be sensitive or environmentally protected areas;
- An identification of all public spaces to be included in the subdivision including public parks, trails and recreation areas.
- An identification of the waste treatment systems which will be included in the subdivision.
- An identification of the potable water systems which will be included in the subdivision.
- Such other information as the Town may require.

All subdivisions within the Town of Dovre created after the effective date of this ordinance shall also comply with all of the following criteria:

- a. The minimum lot size for all residential lots, including residential lots for mobile homes and manufactured homes, shall be not less than two (2) acres.
- b. The minimum front and rear boundary lines shall be a minimum of 150 feet in length.
- c. The minimum side lot lines shall be a minimum of 100' in length.
- d. The setback from county trunk highways shall be fifty (50) feet from the right of way or eighty-three (83) feet from the centerline of such highway, whichever is greater.
- e. The setback from town roads or highways shall be fifty (50) feet from the right of way or eighty-three (83) feet from the centerline of such town roads or highways, whichever is greater.
- f. The dwelling setback from the boundary line of all adjoining properties shall be fifty (50) feet.

The person(s) submitting the application for subdivision shall be responsible for all costs and expenses associated with the development of any subdivision, parcel or lot. The Town Board may, from time to time, establish reasonable fees to pay the costs and expenses of the review of proposed subdivisions.

SECTION 4 – DWELLING ADDITIONS, PLACEMENTS, SMALL PARCELS AND TEMPORARY HABITATION

- a. No dwelling, including a manufactured or mobile home, shall hereinafter be erected, placed upon, converted, enlarged or structurally altered to the extent of increasing the square feet of the interior area of said dwelling without first obtaining a building permit.
- b. No building permit shall be approved and issued for the erection or placement of more than one dwelling on any parcel or lot. Except as provided in Section 3d.
- c. No dwelling shall be erected or placed upon any parcel or lot of less two (2) acres in size except nonconforming lots which were created prior to the Town's enacting the two (2) acre minimum lot size.
- d. A dwelling, structure, recreational, mobile home or manufactured home or other shelter may be used or occupied as a temporary principal dwelling for human habitation for a period of up to twelve (12) continuous months from the date of approval of the Building Permit while a dwelling or replacement dwelling is under construction on the same premise, parcel or lot.
- e. Such temporary dwelling, structure, recreational vehicle, mobile home, manufactured home or other shelter must have access on the same premise, parcel or lot to a continuous safe supply of water and an adequate private sewage disposal system. Such water and sewage disposal systems shall be reviewed and approved by the appropriate county officials prior to the initiation of any construction activity.

- f. A written request for the use and installation of a temporary principal dwelling must be made at the time of application for a Building Permit for any permanent building or structure.
- g. In the case that the temporary dwelling is a mobile home or manufactured home, such mobile home or manufactured home must be removed from the premise, parcel or lot at the end of the permitted time period.
- h. In the case that the temporary dwelling is a recreational vehicle, pole shed, storage building or other permanent structure of the like, such use of the recreational vehicle, pole shed, storage building or other permanent structure of the like, must cease to be used as a place of human habitation at the end of the permitted time period.
- i. Upon further written application to the Town Board, the person possessing the Building Permit may request that the temporary dwelling may be occupied for up to one additional time period, not to exceed six (6) continuous months following the initial twelve (12) month period. The written request for extension must be submitted to the Town Clerk/Treasurer at least thirty (30) days prior to the expiration of the permit for the temporary dwelling. The written request for extension must state sufficient reason for the extension. Nothing in this Section shall require the approval of an extension, except for good and sufficient reason(s).

SECTION 5 - PERMIT APPLICATION

All applications for building permits shall be made to the Town of Dovre through the Town Building Inspector on State of Wisconsin uniform building permit forms furnished by the Town. A copy of the building permit shall also be filed with the State of Wisconsin, Department of Safety and Professional Services. The application for a building permit shall include the following:

- a. The name and address of the applicant, the owner of the property, the builder or contractor or architect or engineer, as appropriate.
- b. The legal description of the proposed site for the dwelling,
- c. The size (in acres and square feet) of the premise, parcel or lot on which the dwelling is proposed to be built.
- d. A sketch showing the exact location of the proposed dwelling, size of the boundary parcel or lot, all property lines, location of existing or proposed sanitary system, location of the existing or proposed water supply well, all setback distances (in feet), existing public roadways and other access routes to the property, and the existing or proposed driveway location to the property.
- e. A floor plan of the proposed dwelling with the square footage of the proposed dwelling square footage calculated. The applicant shall provide a copy of the blueprint for the proposed dwelling if such a blueprint exists.
- f. A copy of the blueprint for the dwelling or structure.
- g. A copy of the application for driveway access to the highway or road adjoining the property.

SECTION 6 – PERMIT APPLICATIONS FEES, TIMING AND POSTING

- a. Applicants for a building permit must contact the Town Building Inspector to obtain an application for a building permit.
- b. A Building Permit is required for the construction of residential dwellings (including both new residential dwellings and additions or remodeling), construction of an accessory or auxiliary building (detached garages, barns, greenhouses, pole barns and sheds), construction projects that involve electrical installation or modification, construction projects that involve the installation of plumbing and sanitary systems.
- c. Ordinarily, all applications for a Building Permit shall be reviewed within 45 days of receipt provided that the application is complete.
- d. If the Building Inspector requests additional information related to the application for a Building Permit, the 45 day period for review shall be initiated when the additional information is received.
- e. All Building Permits shall be valid for a period of twenty four (24) months following approval.
- f. If the construction project is not completed within twenty four (24) months following approval, then the owner or the individual responsible for construction shall apply for an extension of the Building Permit and pay the additional fee required. The Building Inspector shall quarterly provide a list of all building permits which were in existence for more than twenty four (24) months without substantial completion or the issuance of an Occupancy Permit.
- g. Inspections of the building project are mandatory. The owner or individual responsible for constructing the structure subject to Building Permit must contact the State Certified Uniform Dwelling Code Inspector contracted for such services by the Town.
- h. The Building Permit shall be posted at the construction site in such a manner as to be in conspicuous view from the exterior of the dwelling.
- i. Any Building Permit approved or issued which is based on any false or misleading statements made in the application for the building permit shall result in the immediate voiding any Building Permit issued.

SECTION 7 – MINIMUM DWELLING SIZE, SETBACKS AND HEIGHT LIMITATIONS

- a. The setback from county trunk highways shall be fifty (50) feet from the right of way or eighty-three (83) feet from the centerline of such highway, whichever is greater.
- b. The setback from town roads or highways shall be fifty (50) feet from the right of way or eighty-three (83) feet from the centerline of such town roads or highways, whichever is greater.
- c. The dwelling setback from the boundary line of all adjoining properties shall be twenty (20) feet.
- d. Prior to the issuance of a building permit for any dwelling on property adjoining county trunk highway right of way, the Barron County or Chippewa County Highway Department must provide approval as provided in Section 4.1 to assure compliance with the applicable county ordinances.
- e. No dwelling covered by this ordinance shall exceed thirty-five (35) feet in height as measured by the vertical distance above ground level at the surface that has the maximum exposure to ground. An exception to this provision may be considered if the appropriate Town officials and the fire service agency serving the Town both determine that the dwelling's height poses no unreasonable safety risk(s).

SECTION 3 INSPECTIONS

- a. Any person owning a mobile or manufactured home, who makes improvements subject to this Ordinance, must contact the Town Building Inspector to schedule an inspection. The property owner or person responsible for the construction of the improvements shall make the property available for building inspections, subject to reasonable notice, during normal business hours, or such other time as may be mutually agreeable to the owner, builder and inspector. Refusal to allow an inspection shall be sufficient cause for the Town to seek an inspection warrant.
- b. All inspections of one and two family dwellings shall be conducted by a person holding proper certification under State Law, except that an inspector of one and two dwelling units does not have to be certified to the extent inspections are for Town requirements which are not required by State law.

Chapter 2

MOBILE OR MANUFACTURED HOME PARKS

SECTION 1 – GENERAL PROVISIONS

In addition to the foregoing provisions of this Ordinance, manufactured or mobile homes must comply with the following requirements:

- a. No person shall place or locate a mobile home on any legally described and recorded parcel or lot, or portion thereof, within the Town of Dovre without first obtaining a valid Uniform Dwelling Code Permit issued by a duly appointed representative of the Town of Dovre.
- b. Only mobile homes that are certified by HUD and labeled under the National Manufactured Home and Safety Act of 1974 (U.S.C. Title 42, Chapter 20) shall be permitted.
- c. No Uniform Dwelling Code Permit shall be issued for any mobile home more than twenty-five (25) years old as of the date of application for such permit.
- d. All mobile homes, approval of which siting is to be located on a legal and properly recorded parcel or lot (or portion thereof) shall have the wheels and chassis removed, if any, and shall be permanently affixed to a foundation.
- e. All mobile homes placed on any legally described and recorded parcel or lot, on or after the effective date of this ordinance, shall be permanently placed on one of the following structures:
 - i. A footing/frost wall combination consisting of an eight (8) foot deep by sixteen (16) foot wide footing with an eight (8) foot thick by forty-eight (48) on top as the minimum standard; or,
 - ii. A cement slab that must be at least five (5) inches thick with a twelve (12) inch deep by eighteen (18) inch wide haunch around the entire perimeter. The haunch must contain at least two (2) #5 or greater continuous rows of rebar spaced six (6) feet apart as the minimum standards; or,
 - iii. A basement that is compliance with all Building Codes and meets the minimum standards of the Uniform Dwelling Code.
- f. Mobile homes must be properly anchored to one of the structures identified in Item “e” above in accordance with the manufacturer’s instructions.
- g. All mobile homes placed on any legally described and recorded parcel or lot, on or after the effective date of this ordinance, shall include permanently connected and fully operational

utilities including, but not limited to, a private sanitary sewage system, a potable water system, a fully functional electrical system, and such other operational systems as may be required for human habitation.

- h. Mobile homes placed on legally recorded parcels or lots in the Town of Dovre (or portions thereof) shall not be placed on gravel or other forms of fill material. All mobile homes must be placed in accordance with item “e” above.
- i. No more than one (1) mobile home shall be placed on any legal and recorded parcel or lot in the Town of Dovre.
- j. All mobile homes placed in the Town of Dovre shall have an operational fire alarm and an operational carbon monoxide alarm.

SECTION 2 – MOBILE HOME PARKS

- a. No mobile or manufactured home parks shall be established in the Town of Dovre. In the event that this ban on mobile home parks or manufactured home parks shall be nullified by a court decision, the following provisions shall automatically take effect.
- b. No mobile home park or manufactured home park or court shall be established or enlarged in the Town of Dovre unless a permit is first approved by the Town Board authorizing the establishment or enlargement of such mobile home park or manufactured home park or court.
- c. An application for a permit to establish or enlarge a mobile home park or manufactured home park or court shall contain the same information as the Town Board requires for a Building Permit together with such additional information as the Town Board may require by the Town Board from time to time.
- d. A permit for the establishment or enlargement of a mobile home park or manufactured home park, or court, shall not be issued if the establishment or enlargement of such mobile home park or manufactured home park, or courts, would adversely affect the public health, safety or general welfare of the Town.
- e. All applications for the establishment or enlargement of a mobile home or manufactured home park, or courts, shall be accompanied by a fee to cover the cost of investigation and processing plus regular building permit fees for all buildings or structures to be erected within the mobile home park or manufactured home park, or courts, for all buildings or structures to be erected within the mobile home park or manufactured home park, or courts.
- f. All mobile home parks or manufactured home parks, or courts, modifications of, or additions or extensions to existing parks shall comply with the, Wisconsin Administrative Code, which is hereby made a part of this ordinance and incorporated herein by reference as is fully set forth, except that such regulations shall not be deemed to modify any requirement to this ordinance or any applicable law or ordinance of the Town which is more restrictive.
- g. All mobile home parks or manufactured home parks, or courts must provide an approved underground storm shelter of adequate size and construction to protect all residents of the park in severe weather. The operators of the park shall also submit an emergency plan that will specify measures to be taken to protect the safety of people in the park during a weather emergency. The Town Board will not issue a permit for a mobile home park or a manufactured home park, or court until it is fully satisfied that an emergency plan exists for the park.
- h. All mobile or manufactured home parks or courts shall be provided with safe and convenient vehicular access from abutting public roadways to each mobile home space. Entrances to parks

shall be designed to minimize congestion and traffic hazards and allow free movement of traffic on adjacent roadways.

SECTION 3 MOBILE OR MANUFACTURED HOMES AND DWELLINGS

- a. A mobile or manufactured home may installed as a dwelling or commercial structure only if a building permit is previously obtained. Permitting the use of such mobile or manufactured home shall be subject to the restrictions set forth herein.
- b. No mobile or manufactured home shall be authorized or permitted unless it complies with the terms, conditions and standards of the National Manufactured Home Construction and Safety Standards Act (42USC5401 to 5426). All mobile or manufactured homes shall be inspected for compliance with this Act prior to the issuance of a building permit.
- c. All mobile or manufactured homes shall comply with the pier installation requirements found in Wisconsin Administrative Code Chapter. It is the intent of this Ordinance that all new and old mobile or manufactured homes comply with industry standards for pier installation. A poured concrete slab at least four inches thick and the length and width of the mobile or manufactured home shall also be a suitable base.
- d. The building inspector must be notified a minimum of twenty four (24) hours prior to the pouring of said footings or slab so as to allow for an inspection of said footings or slab.
- e. All mobile or manufactured homes shall be tied down/anchored using devices specifically and manufactured for that purpose or such other devices that have been submitted in writing to the Town Board or designated inspector for approval. A six mil vapor barrier shall be placed under the mobile or manufactured home or under the slab is poured. Tie downs and anchors shall be designed and constructed to withstand a horizontal and uplift pressure of 20 pounds per square foot acting over the largest surface area.
- f. All mobile or manufactured homes shall be skirted. Skirting shall be material specifically manufactured for use as skirting or other material approved by the Town. No straw/hay bales, fiberboard, wafer board, or other type of building sheathing material is acceptable. Metal or vinyl siding materials as well as painted or stained exterior plywood siding is acceptable.

Chapter 3

OCCUPANCY PERMITS AND ADMINISTRATIVE MATTERS

SECTION 1 CERTIFICATE OF OCCUPANCY

- a. No dwelling, structure, mobile home or manufactured home or any additions thereto requiring a building permit by this Ordinance shall be approved for human habitation until the building is substantially complete and the building inspector has inspected and approved such structure for human habitation as witnessed by the issuance a Certificate of Occupancy for the structure.

- b. In instances wherein the Building Inspector retained by the Town Board has issued a Certificate of Occupancy for a mobile home, said mobile home shall be subject to the same ordinances, rules and regulations as are imposed on any building or structure in the Town of Dovre.

SECTION 2 PENALTIES FOR NON-COMPLIANCE

- a. Any person, firm or corporation who violates, disobeys, neglects, omits, or otherwise fails to comply with the provisions of this Ordinance, refuses to comply with this Ordinance, or resists enforcement of any of its provisions shall be subject to a written notice of violation.
- b. The Building Inspector, a law enforcement officer or any other authority authorized by the Town Board may require by written order any premises violating this Section to be put in compliance within thirty (30) or other time as specified in such order.
- c. Each written order shall be considered a new violation of this Ordinance.
- d. If the premises are not brought into compliance within the time specified in the written violation, then the Town Board, a law enforcement officer or any other authority authorized by the Town Board may issue citations or take any other enforcement action allowed by law, or as may from time to time be determined by the Town Board.

SECTION 3 SHORELAND AND FLOOD PLAIN

- a. Nothing in this ordinance shall contravene the State of Wisconsin, Department of Natural Resources or Barron County's ordinances, regulations and rulings applicable to lands located in shoreland zoning or FLOOD PLAIN overlay districts.

SECTION 4 SEVERABILITY

- a. Should any provision of this Ordinance be declared to be invalid or unconstitutional by a court of competent jurisdiction, such adjudication shall not affect the validity of this ordinance as a whole, but shall only affect the portion thereof declared to be invalid.

SECTION 5 EFFECTIVE DATE

- a. This ordinance shall take effect upon passage and proper notification as provided by law.

Adopted this 10th day of April, 2018.

TOWN OF DOVRE, BARRON COUNTY, WISCONSIN

TOWN BOARD CHAIRMAN

Dean Trowbridge

SUPERVISOR

Alan Nyhagen

SUPERVISOR

Dan North

SUPERVISOR

James Plummer

SUPERVISOR

Mitch Hanson