

ORDINANCE No. 5-1-17

Town of Carlton, Kewaunee County, Wisconsin

Building Demolition Information Permit Ordinance

SECTION I - TITLE AND PURPOSE

The title of this ordinance is the Town of Carlton Building Demolition Information Permit Ordinance. The purpose of this ordinance is for the town to have information regarding the type, size, and location of all buildings and structures removed, partially removed, or demolished after the effective date of this ordinance.

SECTION II - ADOPTION OF ORDINANCE

This ordinance, adopted by a majority of the town board on a roll call vote with a quorum present and voting and proper notice having been given, requires a town demolition information permit for all buildings removed or partially removed or demolished as provided in this ordinance.

SECTION III - DEFINITIONS

In this ordinance:

- A. "Building" means any building or structure removed or demolished for any use within the town.
- B. "Owner" means any person having a legal or equitable interest in a building. "Owner" does not include any person whose legal or equitable interest in a building is a security interest derived solely from the extension of credit to permit construction or remodeling of the building or purchase of the building by a third party.
- C. "Town" means the Town of Carlton, Kewaunee County, Wisconsin, and includes the town's officers, employees, and agents when appropriate.
- D. "Town board" means the Board of Supervisors for the Town of Carlton, or any person designated to act for the town board.
- E. "Town clerk" means the Clerk of the Town of Carlton or his or her deputy or agent.

SECTION IV - REQUIREMENT FOR BUILDING DEMOLITION INFORMATION PERMIT

The owner of any building or structure in the town, unless exempt under this ordinance, who removes, partially removes or demolishes any building or structure within the town shall seek and obtain from the town a Town Building Demolition Information Permit prior to commencing, or causing the commencement of removing or demolishing all or part of any building or structure.

SECTION V - EXEMPTIONS FROM PERMIT REQUIREMENT

The requirement to obtain a Town Building Demolition Information Permit shall not apply to any of the following:

- A. Buildings or structures owned by the town.
- B. Residential and agricultural buildings and structures under 800 square feet.
- C. Commercial buildings and structures under 400 square feet.

SECTION VI - OTHER REQUIREMENTS REMAIN APPLICABLE

The issuance of this Town Demolition Information Permit does not relieve the owner from any of the following:

- A. Obtaining any permit that may be required by any other state law or local ordinance, including but not limited to any of the following:
 - 1. Any other applicable permit under town or county ordinance or state law.
- B. Complying with any other requirement, ordinance, or law, including, but not limited to, those pertaining to building removal or demolition.

SECTION VII - TOWN BUILDING PERMIT FORM, ISSUANCE, AND FEE

The town board is authorized to approve by resolution a Town Building Demolition Information Permit form, designate the person or persons authorized to issue the permits, and establish a fee for issuance of the permits.

SECTION VIII – PENALTIES

- A. Any person that fails to comply with the provisions of this ordinance shall, upon conviction, pay a forfeiture of not less than \$10 nor more than \$500, plus the applicable surcharges, assessments and costs for each violation.
- B. Each day a violation exists or continues constitutes a separate offense under this ordinance. In addition, the town board may seek injunctive relief from a court of record to enjoin further violations.
- C. If demolition work is commenced before a permit is issued, the permit fee shall be doubled in addition to any forfeitures imposed.

SECTION IX - SEVERABILITY

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION X - EFFECTIVE DATE

This ordinance is effective on publication or posting.

Adopted this 9 day of MAY, 2017.

APPROVED:



David Hardtke, Town Chair

ATTEST:



Linda Sinkula, Town Clerk