

TOWN OF LA POINTE ORDINANCE TO RAZE BUILDINGS & REMOVE PERSONAL PROPERTY

ORDINANCE #1-2010

Pursuant to Sec. 61.34(1) and 61.34(5) of the Wisconsin Statutes, the Town of La Pointe does ordain as follows:

Town of La Pointe Ordinance for Razing of Buildings

1. Authority and Enforcement. This ordinance shall be administered by the Designated Building Inspector of the Town of La Pointe, which shall issue raze orders and permits, provided, however that an order to raze a building will be subject to final approval of the Town Board and in accordance with Sec. 66.0413 of the Wisconsin Statutes, or its successor statute.

2. Permit Required. A Demolition/Raze Permit is required from the Town of La Pointe Building Inspections before a building is razed. Application will provide time schedule, site plan, soil erosion control plan, and DNR Notification Form 4500-113. All building debris shall be disposed of in a licensed landfill, except for salvaged materials, and hauled by a licensed waste hauler. At any time requested, the license holder and/or property owner shall provide to the Building Inspector receipts and/or an itemized list of debris disposed of by dumping or salvage. Equipment used for hauling debris shall be licensed for such use.

3. Term for Building(s) under Order. The razing of a building shall be completed within the time prescribed in the issued Order. If the owner fails or refuses to comply within the time prescribed, the La Pointe Town Board of Supervisors may proceed to raze the building through any available public agency or by contract or arrangement with private persons, or to secure the building and, if necessary, the property on which the building is located if unfit for human habitation, occupancy or use.

4. Inspection of Work. Work done under a Raze Order and/or Demolition/Raze Permit is subject to inspection by the Designated Building Inspector and/or designated inspector who shall have the authority to order corrective work. Failure to follow the orders of the Designated Building Inspector, or to complete the raze/demolition in accordance with this Ordinance, shall give the La Pointe Town Board of Supervisors authority to seek restitution or pursue any others applicable legal remedy. In addition, a violation of this ordinance or any part of Sec. 66.0413 of the Wisconsin Statutes, or its successor as adopted by this ordinance, shall subject the violator to a forfeiture of \$100 for each day of violation.

5. Foundation of Razed Building. Whenever a building has been razed, the foundation thereof, if any, shall be removed and filled with non-combustible material. Concrete/masonry materials may be crushed to a compactable aggregate size and used for excavation fill.

6. Site Grading. Whenever a building has been razed, the site shall be graded with a minimum of three inches (3") of topsoil, with indigenous plantings, seed, sod, and/or mulch to cover the entire disturbed area. For disturbance of one or more acres of soil, the property owner shall obtain required WI Department of Natural Resources permit(s) in compliance with Ch. NR 151.

7. Driveway Approaches. Any damage to curb and sidewalk shall be replaced at the property owner's expense. See Town of La Pointe Roads Foreman for construction standards.

8. Site safety and Security. The permit holder shall, during the razing process, maintain the razing site in a safe and secure condition, and the property owner shall promptly report any personal injury and property damage to the Building Inspector. The Building Inspector may require additional safety and security methods, including fencing and gating, as deemed necessary to protect the site and restrict access to the public.

9. Inspection Approvals Required. All plumbing, electrical, and HVAC work shall be done by Wisconsin registered/licensed contractors. The following inspections and approvals are required:

- a. Public Sewer abandonment by State of WI licensed Master Plumber. (prior to commencement of razing structure) Approval and inspection through Madeline Sanitary District.
- b. Septic system/holding tank abandonment by State of WI licensed Master Plumber. (prior to commencement of razing structure) Inspection and approval through Ashland County Zoning.
- c. Electric meter(s) and service(s) removed by State of WI licensed Electrician/Utility Contractor (prior to razing structure). Inspection and approval through Town of La Pointe designated Building Inspector.
- d. Foundation excavation approval and inspection prior to backfilling by Town of La Pointe designated Building Inspector .
- e. Well abandonment (prior to covering). Approval and inspection by Wisconsin licensed well/pump installer.
- f. Final inspection and approval by Town of La Pointe designated Building Inspector (after grading, seeding and mulching, planting, and/or sodding is completed)

10. Permit Expiration. Work shall be started within thirty (30) days of issue date or permit becomes **expired**. Permit expires **six months** after issue date. The Building Inspector may at his/her discretion, extend the permit term for

cause. "Cause" shall mean the inability of the permittee to act due to circumstances beyond permittee's reasonable control upon exercise of due diligence. The Razing of a Building under Order shall be completed within the time prescribed in the issued Order.

11. Exemption. This Ordinance shall not apply to demolition of detached accessory buildings not used for human habitation not greater than five hundred (500) square feet.

12. Special Assessment. The La Pointe Town Board of Supervisors shall recover costs of enforcement under a Raze and Repair Order through special assessments to be levied and collected as a delinquent tax against the real estate upon which the building is located. Such special assessment shall be a lien upon the real estate as soon as the assessment is made or levied, regardless of whether such assessment or lien is recorded in the Register of Deeds office. A One Hundred (\$100.00) Dollar Administrative fee shall be added to the special assessment against the benefited property.

Dated this _____ day of May, 2010

Greg Nelson, Chair

Beth Fischlowitz, Supervisor

Jim Patterson, Supervisor

Hamilton Ross, Supervisor

Larry Whalen, Supervisor

Attest: _____
Patty Hobin, Clerk

Date posted _____

Date published _____