

Chapter 17

Ancillary Building Permits

Section 1: Purpose. To promote the health, safety and welfare of all citizens.

Section 2: Definitions:

A. **Agricultural use** - means any beekeeping, commercial feed lots, dairying, egg production, floriculture, fish, or fur farming, forest and game management, grazing, livestock raising, orchards, plant greenhouses and nurseries, poultry raising, raising of grain, grass, mint and seed crops, raising of fruits, nuts, and berries, sod farming, placing land in federal programs in return for payments in kind, owning land, at least 35 acres of which is enrolled in the conservation reserve program under 16 USCS 3831 to 3836, participating in the milk production termination program under 7 USC 1446(d), and vegetable raising.

B. **Building** - A structure having a roof supported by columns or walls, and intended for the shelter, housing or enclosure of persons, animals or chattels; each portion of a building separated by a division of walls from the ground up, without openings in those walls, is a separate building for the purpose of this chapter.

C. **Cemented Poles** - A cemented pole is considered a “permanent foundation” for requiring a building permit and plot plan when part of a building or structure. This could include small and/or domesticated animal housing.

D. **Commercial** - Done primarily for sale or profit. From the view point of business. The practice or spirit of business. To put on a business basis. To make or do for money or profit. Designed for profit.

E. **Minor Structures** - Any small, movable accessory erection or construction, such as arbors, birdhouses, tool houses, pet-houses, play equipment, ice fishing shacks and walls and fences under four (4) feet in height.

F. **Structure** - means any building or structure, and any installation, constructed, reconstructed or, remodeled, enlarged, erected, altered, removed, or demolished for any use within the Town, including but not limited to, one and two family dwellings, manufactured homes, mobile homes, temporary or seasonal dwellings, garages, agricultural structures, outbuildings and commercial and industrial buildings.

G. **Utility Building** - Any building, (no human dwelling) and non commercial. It must be moveable (on skids) under 100 square feet. A plot plan or building permit is not required, however these buildings must abide by the set backs in Chapter 16

Section 3: New Construction. No person shall place, erect, build, construct, or otherwise cause or allow any building or structure that is 100 square feet or greater in size to be erected, built, constructed or placed upon any land in the Town unless a building permit is obtained from the Town.

A. Applications for Town building permits are to be obtained from the Town Official designated by the board, completed by the applicant or the applicant's agent, and returned to the Town Official or his/her designee.

B. If an application does not meet all requirements, the permit will not be immediately issued. The applicant may make necessary changes or request a variance. See Chapter 20, Variances.

C. A permit issued by the Town in compliance with the Uniform Dwelling Code complies with the permit requirements of this Chapter, but does not relieve any person of the duty to comply with county ordinances, state regulations, or other legal requirements.

D. The building permit fees shall be determined by resolution of the Town Board. A portion of the fee is to go for administrative costs.

E. This section does not apply to structures that are built or manufactured for the purpose of sale to the general public provided that the owner or tenant of the land on which the building, manufacturing and marketing occurs is the proprietor of the building, manufacturing and marketing business and provided that the structures are not permanently attached to the ground.

F. No building permit will be issued for circumstances where the land and the building are not owned by the same person. (Personal property for property tax purposes.) unless they have been approved by the Town Board. They may be sent to the plan commission.

G. Permits for commercial, industrial, and fifty (50) feet by one hundred (100) feet agricultural building need to be approved of by the Town Board.

H. All commercial undertakings will need a plot plan and building permit.

Section 4: Additions. No person shall erect, build, construct or otherwise cause any exterior addition to any existing building or structure over 100 square feet, unless a building permit is obtained from the Town.

Section 5: Soil disturbance. No person shall excavate, move or disturb any soil in preparation for the placement, construction or erection of any building or structure before a Town building permit is obtained.

Section 6: Setbacks. See Chapter 16, Plot Plan

Section 7: Visual Triangle. No building, structure, plants, fences other than wire fences shall be placed, planted or constructed within an intersection visual triangle which is described as follows:

A. In each quadrant of every public street intersection, there shall be a visual clearance triangle bounded by the street center lines and a line connecting points on them, 300 feet from a class A highway, 200 feet from a class B highway, and 125 feet from a class C highway. For purposes of this section, Class A highways are state trunk highways, Class B highways are county trunk highways and Class C highways are town highways.

Section 6: Penalties. See Chapter 2.