

Ordinance 0003-24 – Delegation of Commercial Building, HVAC,
Fire Alarm, Fire Sprinkler, and Plumbing Plan Reviews

An ordinance to amend Chapter 18 of the Municipal Code of the City of Racine, Wisconsin to be consistent with current Wisconsin State Statutes and allow for the delegation of Commercial Building, HVAC, Fire Alarm, Fire Sprinkler, and Plumbing plan reviews.

The Common Council of the City of Racine, Wisconsin, do ordain as follows:

Part 1: Sec. 18-26 – The definition of Department of the Municipal Code of the City of Racine is hereby repealed and recreated as follows:

“*Department* means the State of Wisconsin department of safety and professional services.”

Part 2: Sec. 18-30 of the Municipal Code of the City of Racine is repealed and recreated as follows:

Sec. 18-30. Adoption of state codes. The following state administrative codes and subsequent revisions are adopted for municipal enforcement:

- Wis. Admin. Code chs. SPS 316 – Electrical Code
- Wis. Admin. Code chs. SPS 320-325 – Uniform Dwelling Code
- Wis. Admin. Code chs. SPS 327 – Camping Code
- Wis. Admin. Code chs. SPS 328 – Smoke Detectors
- Wis. Admin. Code chs. SPS 361-366 – Wisconsin Commercial Building Code
- Wis. Admin. Code chs. SPS 375-379 – Historic Building Codes
- Wis. Admin. Code chs. SPS 380-387 – Plumbing Code

A copy of such codes is on file in the office of the chief building inspector.

Part 3: Sec. 18-31 and Sec. 18-32 of the Municipal Code of the City of Racine are hereby repealed.

Part 4: Sec. 18-41 – The title of “department of industry, labor and human relations” in subsections (a) and (c) of the Municipal Code of the City of Racine is hereby amended to read as follows:

“department of safety and professional services”

Part 5: Section 18-42(c) of the Municipal Code of the City of Racine is hereby created as follows:

(c) *Plan examination of commercial structures.* Drawings, specifications, and calculations for all the types of buildings and structures, except state-owned buildings and structures and other

structures exempted in SPS 361.30, to be constructed within the limits of the municipality shall be submitted for review in accordance with SPS 361, if the plans are for any of the following:

1. A new building or structure;
2. An addition to a building, structure, or building system such as a fire alarm, sprinkler, plumbing, or HVAC system;
3. An alteration of a building space, element, or structure. Including alteration of an existing fire alarm system, fire sprinkler system, plumbing system, HVAC system, or replacement of equipment or fixtures within those systems;
4. A certified or delegated municipality may waive its jurisdiction for the plan review of a specific project or types of projects, or components thereof, in which case plans and specifications shall be submitted to the Department for review and approval;
5. The Department may waive its jurisdiction for the plan review of a specific project, where agreed to by a certified or delegated municipality, in which case plans and specifications shall be submitted to the certified or delegated municipality for review and approval;
6. The Department may waive its jurisdiction for the review of a specific project if the nature of the project is minor in scope in the opinion of the Building Official in accordance with SPS 361.30(4). Note: all other code provisions as stated in the state statutes, these municipal ordinances, and state administrative building codes, as adopted, must still be adhered to for any project granted such exemption.

Part 6: Sec. 18-44 - The title of “department of industry, labor and human relations” and “safety and building division” of the Municipal Code of the City of Racine is hereby amended to read as follows:

“department of safety and professional services”

Part 7: Sec.18-84 of the Municipal Code of the City of Racine is hereby repealed and recreated as follows:

Sec. 18-84. Seal of registered engineer or architect.

All plans, data and specifications for the construction of any building or structure or for any construction in connection with existing buildings and structures, other than one- and two-family residences, containing more than 50,000 cubic feet total volume, submitted with an application for permit shall bear the seal of the registered architect, professional engineer, or designer of engineering systems in accordance with Wisconsin state statute chapter 443 and SPS 361. The plans shall also be stamped as approved, as required by the state department of safety and professional services or by the delegated agent acting on behalf of the department. Such building or structure shall be constructed under the supervision of an architect, engineer or designer, who shall be responsible for its erection in accordance with the approved plans. No

permit shall be granted for such structure unless such construction will be under the supervision of an architect, engineer or designer of engineering systems, as required by Wisconsin state statutes chapter 443. A written statement to this effect shall be filed by the architect, engineer or designer of engineering systems with the chief building inspector along with the application for permit.

Part 8: Sec. 18-93 of the Municipal Code of the City of Racine is repealed and recreated as follows:

Sec. 18-93. Lapse of permit; completion of work.

- (a) Before any work is commenced or recommenced after a building permit has lapsed, a new permit shall be issued at the regular fee rate. In any event, all work shall be completed within 18 months from date of issuance of the permit.
- (b) A uniform dwelling code permit shall expire 24 months after issuance if the dwelling exterior has not been completed, per Wis. Admin. Code § SPS 320.09.

Part 9: Sec. 18-174(g) - The title of “department of industry, labor and human relations” of the Municipal Code of the City of Racine is hereby amended to read as follows:

“department of safety and professional services”

Part 10: Sec. 18-243(1) - The title of “department of industry, labor and human relations” of the Municipal Code of the City of Racine is hereby amended to read as follows:

“department of safety and professional services”

Part 11: Sec. 18-245(a) - The title of “department of industry, labor and human relations” of the Municipal Code of the City of Racine is hereby amended to read as follows:

“department of safety and professional Services”

Part 12: Sec. 18-250(5) – Two instances of the title of “department of industry, labor and human relations” of the Municipal Code of the City of Racine is hereby amended to read as follows:

“department of safety and professional services”

Part 13: Sec. 18-641(4) of the Municipal Code of the City of Racine is hereby created as follows:

“(4) All work provided under SPS 316.012(1)(a) shall be permitted, regardless of cost.”

Part 14: Sec. 18-646 of the Municipal Code of the City of Racine is hereby amended to read as follows:

“The electrical permit shall become void unless work under the permit is commenced within six months from the date thereof, or if the building or work authorized by such permit is suspended for a period of 60 days or more at any time after work is commenced. The permit may be extended by the chief electrical inspector if the delay was due to conditions beyond the control of the applicant. When the permit is voided, no work shall be resumed until the fees required in this article are paid, covering the entire electrical installation, and a new permit is issued.

A commercial electrical permit shall expire 12 months after the date of issuance, if installation of the electrical wiring has not commenced, per Wis. Admin. Code SPS § 316.012(3)(b).”

Part 15: Sec. 18-666 of the Municipal Code of the City of Racine is hereby repealed and recreated as follows:

Sec. 18-666. Inspection of work under permits; certificate of approval or notice of defects.

At regular intervals, the chief electrical inspector shall visit all premises where work may be done under permits and shall inspect all electrical equipment installed under such permits since the date of his or her last previous inspection, and shall issue a certificate of approval for such work as is found to be in conformity with the provisions of this article, after the fees required by this article have been paid. If, upon inspection, the installation is not found to be in full conformity with the provisions of this article, the chief electrical inspector shall at once give to the person making the installation a written notice stating the defects which have been found to exist. Failure to make such repairs within the time specified shall constitute a violation of this article.

Part 16: This ordinance shall take effect upon passage by a majority vote of the members-elect of the City Common Council and publication or posting as required by law.

Fiscal Note: N/A.

Pursuant to Wisconsin Statutes section 62.09(8)(c), the mayor shall have veto power as to all acts of the common council, except such as to which it is expressly or by necessary implication otherwise provided. All such acts shall be submitted to the mayor by the clerk and shall be in force upon approval evidenced by the mayor's signature, or upon failing to approve or disapprove within 5 days, which fact shall be certified thereon by the clerk. If the mayor disapproves the mayor's objections shall be filed with the clerk, who shall present them to the council at its next meeting. A two-thirds vote of all the members of the council shall then make the act effective notwithstanding the objections of the mayor.