

## Chapter 214

### BUILDINGS, RAZING OF

**[HISTORY: Adopted by the Town Board of the Town of La Pointe 5-25-2010 by Ord. No. 2010-01. Amendments noted where applicable.]**

#### **§ 214-1. Administration.**

This chapter shall be administered by the designated Building Inspector of the Town of La Pointe, who 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 § 66.0413, Wis. Stats., or its successor statute.

#### **§ 214-2. Permit required; removal of debris.**

A demolition/raze permit is required from the Town of La Pointe Building Inspector before a building is razed. Application will provide time schedule, site plan, soil erosion control plan, and Department of Natural Resources (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 permit 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.

#### **§ 214-3. Time for completion of razing.**

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.

#### **§ 214-4. Inspections; violations and penalties.**

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 chapter shall give the La Pointe Town Board of Supervisors authority to seek restitution or pursue any other applicable legal remedy. In addition, a violation of this chapter or any part of § 66.0413, Wis. Stats., or its successor, as adopted by this chapter, shall subject the violator to a forfeiture of \$100 for each day of violation.

**§ 214-5. Foundation of razed building.**

Whenever a building has been razed, the foundation thereof, if any, shall be removed and filled with noncombustible material. Concrete/masonry materials may be crushed to a compactable aggregate size and used for excavation fill.

**§ 214-6. Site grading.**

Whenever a building has been razed, the site shall be graded with a minimum of three inches 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 Wisconsin Department of Natural Resources permit(s) in compliance with Ch. NR 151, Wis. Adm. Code.

**§ 214-7. Damage to curb or sidewalk.**

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.

**§ 214-8. 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.

**§ 214-9. Required inspections and approvals.**

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 Wisconsin 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 Wisconsin 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 Wisconsin 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).

**§ 214-10. Permit expiration.**

Work shall be started within 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 the 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.

**§ 214-11. Exemption.**

This chapter shall not apply to demolition of detached accessory buildings not used for human habitation not greater than 500 square feet.

**§ 214-12. Special assessment.**<sup>1</sup>

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. An administrative fee as set by the Town Board shall be added to the special assessment against the benefited property.

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<sup>1</sup>. Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. III).