



CITY OF APPLETON

MEMORANDUM

Date: October 9, 2024
To: Community Development Committee
From: Kurt Craanen, Inspections Supervisor
Subject: Proposed Municipal Code Text Amendments – Chapter 4 Buildings: Sec. 4-241

GENERAL INFORMATION

The Community Development Department staff collaborated with the City Attorney's Office on the following proposed draft Chapter 4 Buildings text amendments.

This item will appear at the November 6, 2024 Common Council meeting to coincide with other text amendments requiring a public hearing at City Plan Commission and Common Council.

PURPOSE OF MUNICIPAL CODE TEXT AMENDMENTS

Staff proposes to update language to Section 4-241(a) of the Municipal Code to require fences to be anchored at least forty-eight (48) inches in the ground and to move the Department of Public Works Driveway Installation Policy into Section 4-241(d) of the Municipal Code.

BACKGROUND

Building construction standards require sub-grade foundations to be below the frost line, which in this part of the country is forty-eight (48) inches, to prevent frost from heaving structures up out of the ground. Building Inspections staff requires fence posts to be anchored four (4) feet on fence permits. Staff would prefer this requirement to be codified.

Staff has determined that parking of vehicles on residential property should be regulated in the Zoning Code and the installation of driveways in the Building Code. As the City Plan Commission will review these recommended changes to the Zoning Code, we ask that the Community Development Committee review the recommended addition of the Driveway Installation Policy to Section 4-241(d) of the Building Code. No standards have changed.

PROPOSED DRAFT TEXT AMENDMENTS

The text recommended to be added is underlined. The text recommended for deletion is identified by ~~strikethrough~~.

Sec. 4-241. Non-dwelling structures, fences, and drainage.

(a) No owner shall permit any non-dwelling structure ~~or~~ , including fences, to rest on any premises which does not comply with the following requirements:

- (1) Every foundation, exterior wall, roof, window, exterior door or basement hatchway, and every other entranceway of every non-dwelling structure, shall be so maintained as to prevent the structure from becoming a harborage for rats, and shall be kept in a reasonably good state of maintenance and repair.
- (2) All exterior surfaces of non-dwelling structures shall be properly protected from the elements and against decay and decomposition by paint or other approved protective coating applied in a workmanlike manner.
- (3) Every fence shall be kept in a good state of maintenance ~~and repair and shall be securely mounted in the ground to resist lateral wind forces or shall be removed.~~
- (4) All fence posts shall be anchored at least forty-eight (48) inches into the ground.

(b) Every premise shall be graded and maintained so that no stagnant water shall accumulate or stand on the premises or within any building or structure located on the premises.

(c) For all non-dwelling structures, no more than two (2) layers of shingles, or other similar roofing materials, may be installed onto a roof.

(d) Driveways - One and Two Family

- (1) Material. Driveways shall be paved with concrete, asphalt, or brick pavers. Concrete shall be finished to a minimum thickness of 4.5 inches and minimum 3/8" diameter reinforcing rods spaced at 24 inches on center shall be installed. Asphalt shall be paved to a finished thickness of no less than 2 inches. Paving bricks shall be no less than 2-1/4" thick and shall be installed upon a properly compacted and leveled base in a manner that is consistent with standard installation practices. Other or similar "hard surfaces", as referenced by the Municipal Code, shall only include items approved by the Director of Community Development, prior to installation, as acceptable paving materials. Such materials shall be installed in a manner that is consistent with professional installation practices.
- (2) Any other areas, beyond the minimum requirements, considered to be parking surfaces, must either be paved or converted to a grass/lawn surface by completely removing any gravel or non-conforming driveway surface and installing a minimum of 2" of topsoil prior to seeding.

(3) If a driveway is to be completely removed, the driveway apron shall also be completely removed and the area restored to grass/lawn area as stated above, and the curb section reinstalled. Replacing the curb requires a permit and must be performed in accordance with City specifications by a contractor licensed with the City to perform such work.

(4) Repairs to existing hard surfaced driveways shall be made with materials of the same type as the existing hard surface unless the entire driveway is being replaced.

RECOMMENDATION

Staff recommends the proposed text amendments to Chapter 4 Buildings of the Municipal Code, **BE APPROVED** for Sec. 4-241(a) to require fence posts to be anchored forty-eight (48) inches in the ground and Sec. 4-241(d) be created to regulate driveway installations on residential properties.