

AN ORDINANCE REPEALING AND RECREATING ARTICLE V. OF CHAPTER 4 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON, RELATING TO PLUMBING.
(Utilities Committee – 8-12-2022)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Article V. of Chapter 4 of the Municipal Code of the City of Appleton, relating to plumbing, is hereby repealed and recreated as follows:

ARTICLE V. PLUMBING*

DIVISION 1. GENERALLY

Sec. 4-261. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

A-E shall mean the Wisconsin Examining Board of Architects, Landscape Architects, Professional Engineers, Designers, Professional Land Surveyors, and Registered Interior.

Clay dam shall mean a deposit of soil, normally clay or a mix of clay and other soils, that is placed somewhere on a sanitary lateral leading to a building with a basement to help prevent stormwater collected by the sewer mains from following the lateral into a basement and creating potential for water damage

Clearwater shall mean storm water, ground water and wastewater having no impurities or where impurities are below a minimum concentration considered harmful by SPS, including, but not limited to: non-contact cooling water, condensate drainage from refrigeration compressors and air conditioning equipment, drainage of water used for equipment chilling purposes and cooled condensate from steam heating systems.

Curb thimble shall mean a conduit that is run underground from a building through the curb that conveys storm water onto the street.

Discharge shall mean water that is directed in such a manner that it flows onto the ground or into a storm sewer system. Discharge includes but is not limited to clearwater, water from sump pumps, and water and snow melt from downspouts and roofs.

Drywell shall mean a structure or excavation installed in the ground designed to collect storm water from downspouts, sump pumps, or other sources of storm water.

Groundwater shall mean any of the waters of the state, as designated in W.S.A. §281.01(18), as amended from time to time, occurring in a saturated subsurface geological formation of rock or soil.

Inspections Supervisor shall mean the City of Appleton Inspections Supervisor or designee.

Plumbing has the meaning designated in W.S.A. §145.01(10), as amended from time to time.

POWTS shall mean private onsite waste treatment system.

Private sanitary lateral shall mean the portion of the sanitary sewer that extends from just inside a building to the connection at the main as defined in the City of Appleton Sanitary Lateral Repair Policy, as amended from time to time.

Run off shall mean storm water and precipitation, including rain, snow or ice melt, or similar water that moves on land surface via sheet or channelized flow.

Sewer service lateral means that part of the drainage system extending from the property line to the connection with the main sewer.

Single-family owner-occupied shall mean a single-family dwelling that is owned and occupied by the permit applicant. Single Family owner-occupied does not include condominiums, owner-occupied duplexes, or owner-occupied two-family buildings.

Spring line shall mean the point at which a dry vent connects to a drain branch.

SPS shall mean the Wisconsin Department of Safety and Professional Services.

State Plumbing Code shall mean Wisconsin Administrative Code SPS chapters 380 through 387, as amended from time to time.

Storm water shall mean water that originates from rain or snow and includes ice melt. (Code 1965, §16.02)

Cross reference(s)--Definitions and rules of construction generally, §1-2, Utilities, ch. 20.

State law reference(s)--Plumbing, W.S.A. §145.01 et seq.; state licensing of plumbers, W.S.A. §145.04(2).

Sec. 4-262. State Plumbing Code adopted.

The Wisconsin Administrative Code SPS chapters 380 through 387 and W.S.A. chapter 145, as amended from time to time, are hereby adopted by reference and made a part of this article. The provisions thereof and of this article shall govern all plumbing, private sewage disposal, and drainage work and no plumbing, private sewage disposal, or drainage work shall be done except in accordance with the adopted codes and this article.

(Code 1965, §16.01; Ord 85-97, §1, 10-15-97)

Sec. 4-263. Inspection of new work.

The Inspections Supervisor shall be notified to allow for inspection of work regulated under this article in accordance with requirements of Article II of this chapter. Notification shall include the owner's name, correct address of the property, and name of the master plumber responsible for the installation. Upon approval of the underground piping, the Inspections Supervisor shall identify the approved underground piping with a notice in a visible location. When rough-in work is approved, a tag indicating such approval will be placed on each floor level where plumbing is installed. No work shall be covered without approval from the Inspections Supervisor. Such inspection and approval shall not in any case constitute a guarantee against imperfection by either the City or the Inspections Supervisor.

(Code 1965, §16.11; Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96)

Sec. 4-264. Inspection of rental properties, relocated buildings.

(a) All rentable properties, upon becoming vacant, may be inspected by the Inspections Supervisor and their sanitary condition determined. If the plumbing or any work covered by this article is in an unsanitary condition or a menace to health or safety, the premises shall be repaired and put in a sanitary condition before a new occupant takes possession.

(b) The plumbing in buildings moved from one lot or location to another shall be inspected by the Inspections Supervisor and, when found necessary, tested in a manner satisfactory to the Inspections Supervisor at the expense of the owner. If plumbing is found unsafe or unsanitary, the plumbing shall be repaired or remodeled and made to reasonably comply with this article.

(Code 1965, §16.08; Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96)

Sec. 4-265. Permit required for plumbing work in public right-of-way.

(a) No person shall engage in or work at plumbing in the public right-of-way without the following conditions first being met:

- (1) The applicant shall obtain a street excavation permit from the Department of Public Works.
- (2) The applicant shall file with the City Clerk proof of workers compensation, automobile and general liability insurance equal to or greater than that required by the City and approved by the City's Risk Manager, and it shall be kept in full force and effect for one (1) year after the work has been completed.
- (3) The applicant shall file with the Department of Public Works a permit bond

in the penal sum of five thousand dollars (\$5,000.00) executed by the applicant as principal and a surety company authorized to do business in the State of Wisconsin, running in favor of the City so that in the event the City should suffer any loss or damage by any negligence, malfeasance or misfeasance in the conduct of the work performed under this section shall have the right to institute an action for recovery against the applicant and the surety upon such bond. The bond must further state that the applicant shall fully comply with all provisions of State law and City ordinances as applicable and that the applicant will save and indemnify the City against any costs, expenses or damages which may in any way accrue against the City due to the work performed under this section, and will keep the City harmless against all liabilities, judgments, costs and expenses as a consequence of the work.

(Code 1965, §16.06; Ord 32-92, §1, 3-18-92; Ord 174-93, §1 10-19-93; Ord 53-94, §1, 4-20-94; Ord 118-96, §1, 12-18-96; Ord 101-16, §1, 12-13-16)

Sec. 4-266. Correction of unsanitary installations.

When complaints are received that work covered by this article is contrary to the ordinances of the city or is a menace to health, the Inspections Supervisor can investigate the cause for complaint on the premises. A report of the findings, suggesting such changes and corrections as are necessary to put the premises in proper sanitary condition shall be made. The Inspections Supervisor thereupon shall direct such changes and corrections to be made as deemed necessary, and set a time for having the changes and corrections done. Failure to comply may result in legal action against the property owner.

(Code 1965, §16.07; Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96)

Sec. 4-267. Inspection of sewer and water services.

All sewer service laterals and water service pipes installed on private property shall be inspected by the Inspections Supervisor. The portions of the sewer or water service laterals installed or repaired from the water main to the private property line, shall be inspected by the Inspections Supervisor. No service pipe shall be laid and no opening into or connection with a sewer service lateral, public sewer or water main shall be made, including the relaying, replacing or repairing of the lateral, sewer or water main, except under the observation of the Inspections Supervisor. All work involving sanitary, storm, or water mains and laterals shall be left uncovered until examined and approved.

(Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96)

Cross reference(s)--Water utility, §20-31 et seq.; sewers and waste water disposal, §20-66 et seq.

Sec. 4-268. Street openings.

(a) **Requirements.** Openings in any street, alley or public place shall be governed by Chapter 16 and by any specifications or policies on street openings adopted by the Common

Council.

(b) A street excavation permit must be obtained prior to any sewer permit being issued for proposed work in the public right-of-way.

(c) DPW staff shall be notified no later than one (1) business day prior to any lane closure or two (2) business days prior to a full road closure.

(d) Any person obtaining a permit to repair, replace, or install new sanitary, storm, or water laterals shall notify the Inspections Division whenever the work is ready for inspection. All work shall be left uncovered until examined and approved by the Department.

(Code 1965, §16.04; Ord 185-04, §1, 1-1-05)

Sec. 4-269. Connections to public sewer.

(a) **Record of sewers.** The Department of Public Works shall keep a record on file, for the purpose of showing the size and location of public sewers and the position of the branches, junctions, laterals, and appurtenances.

(b) **Location of branches; new connections.** Information concerning the location of wye branches in the public sewer or of sewer service laterals shall be furnished by the City Engineer or designee. All reasonable care will be taken to ensure the correctness of such information, but such correctness will not be guaranteed. When, in accordance with the measurement furnished, the junction is not found in the public sewer within a distance of three (3) feet from the flow side of the measurement, permission shall be given by the City Engineer or designee to the plumber applying therefore to make a new connection. All such connections shall be made in accordance with this Chapter and all other required specifications. No connection with any sewer or any part thereof shall be covered without approval of the Inspections Supervisor or the City Engineer or designee, but such inspection and approval shall not in any case constitute a guarantee against imperfection by either the City or the Director.

(c) **Record of connections.** The Inspections Supervisor or City Engineer shall make a record of all sewer connections, showing the location of the lot, the name of the installer, and the location of the connection. These records shall be entered into the GIS system.

(d) **Minimum depth.** A sewer service lateral or building or house sewer shall, where the depth of the main sewer permits, be installed at a minimum depth in residence districts of ten (10) feet below the established sidewalk grade and in commercial or industrial districts at a minimum depth of twelve (12) feet below the established sidewalk grade. Measurements shall be from the top of the sidewalk to the invert or flow line of the sewer. The grade of a sidewalk, where established, may be obtained from the Department of Public Works upon request.

(Code 1965, §16.05; Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96)

Sec. 4-270. Connection to public sewers and water mains required.

(a) Whenever public sewers and water mains are laid along and within any public street, alley or place in the City, the Inspections Supervisor may notify in writing all owners or their agents and occupants of all houses, tenements and other buildings used for human habitation situated on lots or parcels of land abutting upon such street, alley or place which is accessible to such sewer and water main, to connect therewith and to connect all interior plumbing upon their respective lots or parcels of land with the sewer in a sanitary manner in accordance with the State Plumbing Code within thirty (30) days after service of such a notice. Upon a failure to comply, the Inspections Supervisor may cause such connections to be made and the cost thereof to be levied and collected in the same manner as other taxes pursuant to W.S.A. §281.45.

(b) In a district zoned commercial, light manufacturing or heavy industrial all buildings other than those used for residential purposes shall be connected to storm sewers, where available, upon order of the Inspections Supervisor.

(c) Whenever public mini-storm sewers or storm laterals are laid along and within any public street, alley or place in the city and ready for use, property owners shall, upon notice from the City, connect to the lateral provided to their particular property.

(d) A sewer permit shall be obtained from the Inspections Division by a person licensed with the State to perform such work prior to any work being started. Failure of the property owner to connect within the specified time may result in a notice of noncompliance being issued. All connections shall be made in accordance with the requirements of the State Plumbing Code.

(e) If any such owner, agent or occupant fails to comply with such notice, the Inspections Supervisor shall cause such connections to be made and the cost thereof assessed as a special tax against the lots or parcels of land and the amount thereof shall be levied and collected in the same manner as other taxes, pursuant to W.S.A. §281.45.

(f) After connection to a water main and public sewer, no septic system shall be constructed or maintained upon any such lot or parcel and shall be abated upon thirty (30) days written notice for such abatement by the Inspections Supervisor. If not so abated, the Inspections Supervisor shall cause the same to be done and the cost thereof assessed as a special tax against the property and the amount shall be levied and collected in the same manner as other taxes, pursuant to W.S.A. §281.45. The abatement should be conducted pursuant to, Wisconsin Administrative Code SPS 383.33.

(g) At the time when the property is connected to City water, existing water wells shall either be abandoned or permitted for with the City of Appleton to remain in use. Such uses shall be limited to irrigation or similar non-potable uses and shall not be connected with the City water supply.

(h) At the time when the property is connected to the City sewer, the septic tank shall be abandoned per state requirements set forth in the Wisconsin Administrative Code SPS 383.33. Prior to abandoning the septic tank, a sewer permit shall be obtained from the Inspections Division. The abandonment process shall be inspected by the Inspections Supervisor.

(i) The City may extend the time for connection hereunder or may grant temporary relief where strict enforcement of this section would work as unnecessary hardship without corresponding public or private benefit.

(Code 1965, §7.04, § 7.04(1)-(4); Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96; Ord 15-97, §1, 3-5-97; Ord 85-97, §1, 10-15-97; Ord 25-12, §1, 3-7-12; Ord 14-13, §1, 7-8-13)

Sec. 4-271. Discharge of drains and sewers.

(a) ***Certain discharges prohibited.*** No person shall discharge domestic sewage, industrial wastes, septic tank effluent, or any other pollutant onto the surface of the ground, into any drainage ditch, into any river or stream or into any storm sewer or drain, or permit such materials to be so discharged.

(b) ***Discharges to storm sewers.*** Roof leaders, surface drains, groundwater drains, foundation footing drains and other clearwater drains shall be connected wherever possible with a storm sewer, but they shall not be connected to a building sewer which discharges into a sanitary sewer or private sewage treatment plant. Air conditioning and clearwater drains not described in this subsection shall also discharge to storm drains or sewers, unless special permission is obtained from the Inspections Supervisor in cases where an unnecessary hardship would result and where the spirit of this subsection would be observed. If stormwater or clearwater is being discharged into a sanitary sewer a notice of non-compliance shall be sent to the owner of the property to eliminate the cross-connection.

(c) ***Discharge to public streets.*** No person shall discharge any clearwater directly into a public street or alley from November 1 to March 31, inclusive. No person shall discharge any clearwater directly into a public street or alley from April 1 to October 31, inclusive, without first obtaining permission from the Public Works Director or an authorized representative.

(d) ***Discharge onto sidewalks.*** No person shall permit the regular discharge of water directly onto any sidewalk or other public area. Such discharge shall constitute a nuisance.

(e) ***Other Discharges:***

(1) **Generally.** Where a storm sewer is deemed available or suitable, the City of Appleton may require a property owner to have their sump pump, downspouts or other similar storm water discharges connected to said storm sewer. Such connections shall be installed as required by this Chapter. Otherwise, storm water may be discharged onto the ground surface a minimum of two (2) feet from the foundation. (Note: this shall include the discharge from downspouts.) Discharges or run offs shall not be directed so as to flow onto adjacent property or be allowed to accumulate and create ponds of standing water or other public nuisance. Trenching, channeling, or other alterations whereby the flow of storm water is concentrated and where it adversely affects adjacent property shall also be prohibited.

- (2) **Drywells.** If drywells are constructed, the drywell shall be installed in such a manner that any overflow from said drywell does not flow onto adjacent property or create any other nuisance as described in this chapter.
- (3) **Garage floor drains.** Garage drains that discharge to grade shall discharge to natural grade and shall not be directed as to flow onto adjacent property. The discharge from a garage drain shall be kept a minimum of four (4) feet from the nearest property line.

Nothing contained in this subsection shall act to relieve a person from complying with the other provisions of this section.

(f) **Curb thimbles.** The installation of curb thimbles is prohibited. Existing curb thimbles shall cease to be used in the following instances:

- (1) The street is reconstructed.
- (2) A storm lateral is provided to the property.
- (3) The drainage from the thimble creates a public nuisance or hazard.
- (4) Upon order from the Inspections Supervisor.

(Code 1965, §16.09; Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96, Ord 186-04, §1, 1-1-05)

Sec. 4-272. Sealing of unused sewer and water services.

(a) All sewer and water laterals or building sewers and water services installed and not immediately used shall be securely sealed so as to be watertight. This shall be done by the use of proper fittings and materials manufactured for that purpose and in a manner approved by the Inspections Division.

(b) Before any building connected to city sanitary sewer or water mains is razed or moved to another location, a permit shall be obtained by a person licensed by the State to perform such work from the Inspection Division to disconnect and seal all sanitary sewer and water services serving the premises. Sealing of the sewer and water laterals shall comply with Sec. 4-188. The water service shall be disconnected and sealed at a location point determined by the Water Utility. The disconnections and sealing thereof shall be approved by the Inspection Division before the work is covered.

(c) All water wells which are temporarily or permanently abandoned shall be sealed by a Wisconsin registered well constructor or pump installer after first obtaining a permit from the Inspections Division. The well shall be sealed and a report filed with the State Board of Health in conformance with the State Well Construction and Pump Installation Code.

(Code 1965, §16.12; Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 176-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96; Ord 102-16, §1, 12-13-16)

Sec. 4-273. Building sewers and building drains.

(a) Building drains and subdrains under twelve (12) inches inside diameter shall be constructed of materials listed in Table 384.30-3 of the State Plumbing Code, as updated from time to time.

(b) All building sanitary sewers shall be constructed of materials listed in Table 384.30-3 of the State Plumbing Code, as updated from time to time. This paragraph applies to all new construction including construction after a building was demolished or razed.

(c) Cleanouts shall be installed to comply with Wisconsin Administrative Code SPS 382.35.

(d) All sewer service laterals and building sewers shall be bedded in clear stone or any other material approved by Department of Public Works staff to the centerline of the pipe. Bedding material shall be washed gravel with the sand removed, or crushed and screened stone with general fines removed. The size of the bedding stone shall be such that one hundred percent (100%) shall pass a one-half (1/2) inch sieve. On new installations, where the building has a basement, a clay dam shall be installed on the lateral leading to the building.

(e) Underground building drains shall be laid on original or firm ground or thoroughly compacted material. Voids between such firm foundation and the bottom of the pipe, along its entire length, shall be filled with bedding stone as specified for building sewers.

(f) An approved backwater valve shall be installed in the sanitary sewer lateral of every new building and shall be accessible to the property owner for service or replacement except as provided below. All interior plumbing waste shall pass through the backwater valve. The required backwater valve shall not be installed in the public right-of-way.

Exception. A property owner may apply in writing to the plumbing inspector for an exception to the provision of (f). The application must include evidence of the elevation of both the lowest floor level served by sanitary sewer and the nearest downstream manhole to which the sanitary building drain is or will be connected. The plumbing inspector may approve the exception if the elevation of the lowest floor level served by the sanitary sewer is at least one (1) foot higher than the elevation of the nearest manhole to which the sanitary building drain is or will be connected.

(Code 1965, §16.13; Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96, Ord 36-02, §1, 3-25-02)

Sec. 4-274. Waste pipes and vents.

(a) Garage drains shall not be connected to foundation footing drains nor to a clearwater sump. Garage drains run to grade shall be directed so as to not flow onto adjacent property. Drains that discharge to grade must discharge to natural grade.

(b) All vent terminals shall extend at least eight (8) inches above the roof at the centerline of the pipe. The joint where a vent terminal passes through the roof shall be made watertight by the use of flashings as approved by SPS.

(c) Dry vents shall be taken off of the horizontal drain they serve above the spring line and the connection shall be made at an angle of forty-five degrees (45°) or greater from the centerline of the pipe being served. See Administrative Code SPS 382.31(15)(b) Appendix. (Code 1965, §16.14)

Sec. 4-275. Clearwater inspections.

(a) The Building Inspection Division shall, when deemed necessary by the Director of Public Works or designee thereof, or upon a reasonable request by the owner of record, conduct an inspection of the premises to ensure compliance with the provisions of the code relating to illegal surface or ground water connections into the sanitary sewer system.

(b) A notice of noncompliance shall be issued by the Building Inspection Division to the owner of record of any building found not to be in compliance with the provisions of the code. The notice shall set forth areas of noncompliance and shall order the owner to bring the building into compliance within an established period of time.

(c) Failure to bring the property into compliance within the applicable compliance period shall constitute a violation of this section and shall be subject to the penalties set forth in Sec. 4-24.

(d) *No warranty.* An inspection meeting compliance only indicates that so far as can be reasonably determined by a visual inspection of the premises and review of City records, the premises meets the requirements of this section. Neither the City nor its inspectors assume any liability in the inspection findings, whether compliant or not, and the City does not guarantee or warrant the condition of the premises inspected.

(e) *Not liable.* The City will not be liable for any unsafe and/or unsanitary conditions that exist in any building inspected for clearwater compliance. However, if any such conditions exist, and are noticed by an inspector, authority shall be granted to issue orders to correct such conditions.

(Ord 187-04, §1, 1-1-05; Ord 160-10, §1, 11-23-10; Ord 10-16, §1, 1-12-16)

Sec. 4-276. Grease traps and separators – commercial buildings.

(a) *Installation.* Grease traps or separators shall be installed wherever greasy wastes are discharged into a building drain or sewer. Such grease traps or separators shall be designed to adequately serve the fixture(s), shall be placed as near as possible to the fixture(s) from which they receive waste and shall be accessible for easy cleaning.

(b) **Maintenance.** Grease interceptors shall be maintained and cleaned on a regular basis so as to prevent the escape of grease into sanitary sewer laterals and mains. Regular maintenance of grease traps or separators shall be the responsibility of the owner. A record of all maintenance performed on grease interceptors shall be kept on site and readily accessible to be viewed by the City Inspector.

(c) **Penalty.** Any costs incurred by the City that are the result of having to clean excessive grease from the sanitary sewers (outside of regular scheduled maintenance) may be passed onto the owner of the property responsible for the excessive grease.

Sec. 4-277. Grease obstructions – residential properties.

(a) Residential property owners shall properly dispose of greasy wastes so it does not cause obstructions to occur in the City’s sanitary sewer mains.

(b) **Penalty.** Any costs incurred by the City that are the result of having to clean excessive grease from the sanitary sewers (outside of regular scheduled maintenance) may be passed onto the owner of the property responsible for the excessive grease.

Sec. 4-278. Water supply systems and water service.

(a) **Water service.**

(1) Commercial buildings.

a. **Size.** The water service or building supply pipe to any building shall be of sufficient size to provide an ample flow of water under maximum use to all fixtures and points of service. Such size shall be determined by standards set forth in the Wisconsin State Plumbing Code.

(2) Residential buildings.

a. **Size.** The minimum size water service for new residential one- and two-family constructed dwellings shall be either 1” diameter copper or 1.25” diameter plastic, but in all cases, the service shall be large enough to accommodate the anticipated load of the building it is serving. All water service materials shall comply with Table 384.30-7 of the State Plumbing Code.

Secs. 4-279 – 4-290. Reserved.

DIVISION 2. PERMITS

Sec. 4-291. Permit required; exception.

(a) No plumbing shall be done in the City without a permit being first obtained from the Inspections Supervisor and the paying of the proper fee as provided in this division. Such permits may be issued only to persons duly licensed to do plumbing under the laws of the State. *Exception.* Any person actually owning and occupying a single-family residence may do plumbing within without a license, provided such person secures a permit and the work fully conforms with all code requirements including workmanship, design and materials. Any person assisting such owner shall be a licensed master plumber. Any plumbing shall conform to all provisions of state law, state codes, and City.

(b) Any person, before beginning active plumbing work, shall obtain a permit. (Code 1965, §16.10(1); Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96; Ord 3-06, §1, 1-10-06)

Sec. 4-292. Plumbing fees.

(a) The following fees shall apply to plumbing permits, and no permit shall be valid until the appropriate fee has been paid:

- (1) The amount of the permit fee for any plumbing, sewer or water permit shall be on file in the Office of the City Clerk;
- (2) The amount of the permit fees for residential one- (1-) and two- (2-) family buildings shall be on file in the Office of the City Clerk;
- (3) The amount of the permit fees for multifamily apartment buildings and commercial or industrial structures shall be on file in the Office of the City Clerk.
- (4) The fees in subsections (1) through (3) of this section apply to new and replacement installations. For repair work on existing installations, the permit fee shall be on file in the Office of the City Clerk.
- (5) The amount of the permit fee for manholes and catch basins installed concurrently with laterals of private main shall be on file in the Office of the City Clerk.
- (6) The amount of the permit fee for the abandonment of a septic tank or POWTS shall be on file in the Office of the City Clerk.
- (7) The amount of the permit fee for a water well shall be on file in the Office of the City Clerk.
- (8) The amount of the permit fee for each fixture or appliance connected to the water supply or sewer, including trapped and untrapped openings in both sanitary and storm sewers, shall be on file in the Office of the City Clerk.

(b) Penalties for installation without a permit include tripling the permit fee prescribed in this section at the time when a permit is obtained. Payment of any fee mentioned in this section, however, shall in no way relieve any person of the penalties that may be imposed for violation of this article.

(c) A callback inspection charge shall be established at thirty-five dollars (\$35.00) per callback for all work requiring inspection under plumbing and sewer permit requirements. (Code 1965, §16.10(2); Ord 106-97, §1, 12-17-97; Ord 73-19, §1, 7-30-19)

Sec. 4-293. Issuance for new or relocated building.

No permit for plumbing in a new or relocated building shall be issued until:

- (1) The Inspections Supervisor is satisfied that all unused sewer and water services to the premises are sealed;
- (2) A sewer permit and building permit have been issued; and
- (3) The connection fee when required by §20-3 has been paid.

(Code 1965, §16.10(3)(a); Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96)

Sec. 4-294. Persons not eligible for permit.

No plumbing or sewer permit shall be granted to anyone who has failed to comply with this article. No permit shall be issued to any person or to any master plumber against whom an order issued by the Inspections Supervisor is pending. No permit shall be issued to any person who has been found violating or has willfully violated this article. Bad faith or unreasonable delay in the performance of any work covered by this article or failure to respond promptly to official communications shall be deemed sufficient reason for withholding permits, and the master plumber shall be held responsible for the violation of these regulations by himself or any of his employees.

(Code 1965, §16.10(3)(b); Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96)

Sec. 4-295. Expiration.

All permits issued under this division remain valid contingent upon continuous performance of the work named thereon. Any permit issued pursuant to this division shall be void if the authorized work is suspended or abandoned for a period of six (6) months once work has commenced. A permit will automatically expire on the sooner of completion of the work for which it was issued or two (2) years from date of issuance.

(Code 1965, §16.10(3)(c))

Sec. 4-296. Cancellation for violation.

The Inspections Supervisor may cancel a permit issued under this division on any job for violation of the license law or codes and ordinances, and to stop work in any case where installation is not being made in compliance with this article.

(Code 1965, §16.10(3)(d); Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96)

Sec. 4-297. Cancellation on request of plumber or owner.

The Inspections Supervisor may cancel a permit issued under this division upon written request of a master plumber or the owner for which the work is being done; provided that acceptable arrangements shall first be made for reissuance of the permit to another master plumber for proper completion of the work. The original permit shall not be canceled until a master plumber applies for and is granted a permit to complete the work. The procedure for requested cancellation and reissuance of permits shall be as follows:

- (1) If the master plumber does not complete the entire installation for which he received a permit, he shall immediately notify the Inspections Supervisor in writing requesting cancellation and detailing the extent of the work he has done.
- (2) A person who has hired a master plumber may request cancellation in writing and shall then specify the name of the master plumber he is employing to finish the work. If the permit is for single-family owner-occupied home the owner may obtain the second permit if the work is contained to inside the building. For any exterior work, a licensed plumber shall be hired to complete the job.
- (3) Any work being performed under the initial permit shall be stopped until a subsequent permit has been issued for completion.
- (4) The original permit fee shall apply to the entire job, except that the applicable minimum permit fee as set in the fee schedule shall be paid for the second permit. If additional work is included on the subsequent permit, such work shall be listed and any applicable fee shall apply.
- (5) If additional fixtures are roughed-in or installed before final inspection, they shall be added to the original permit on the cost-per-fixture basis.

(Code 1965, §16.10(3)(e); Ord 32-92, §1, 3-18-92; Ord 174-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96)

Secs. 4-298 – 4-315. Reserved.

DIVISION 3. PLANS

Sec. 4-316. Applicability of division.

This division shall apply to all additions and alterations exceeding ten (10) plumbing fixtures as well as to plumbing of all new buildings and shall apply to all cases where there is a change of occupancy or use of a building which requires changes to or intended use of the plumbing so as to comply with this article for that occupancy or use.
(Code 1965, §16.10(9), Ord 38-02, §1, 3-25-02)

Sec. 4-317. Plans to be approved by City Inspections Division.

Plans and specifications for plumbing installation identified in Wisconsin Administrative Code SPS 382 Table 382.20-2 are required to be submitted to the City for review and approval. All non-code-complying portions of the plumbing system installed prior to complete plan approval shall be removed and replaced to comply with SPS standards.
(Code 1965, §16.10(4); Ord 176-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96)

Sec. 4-318. Plans to be approved by the Department of Safety and Professional Services.

No permits will be issued to commence work on any plumbing project in classifications requiring SPS approval until SPS approval is received by Inspections Supervisor.
(Code 1965, §16.10(5))

Sec. 4-319. Compliance with approved plans required.

Actual installation shall conform with the plans approved pursuant to this chapter. Any changes shall to plans be submitted to the Inspections Supervisor for approval prior to installation. All work must also comply with the approved specifications.
(Code 1965, §16.10(6))

Sec. 4-320. Stamping and signing of plans.

A Wisconsin registered architect, engineer or plumbing designer shall sign and seal or stamp all plans and accompanying specifications in accordance with chapter A-E 2. A master plumber may design and submit for approval plumbing plans and specifications for a plumbing system which he is to install. Each sheet of plans and specifications the master plumber submits shall be signed, dated and include his state master plumber's license number. Where more than one (1) sheet is bound together into one (1) volume, only the title sheet or index sheet need be signed and dated by the person responsible for their preparation, provided the signed sheet clearly identifies the other sheets comprising the bound volume.
(Code 1965, §16.10(7))

Sec. 4-321. Submission of plans.

All plans, preliminary or complete, shall be submitted in duplicate. Work shall not commence until written approval for the preliminary or complete plans is received from SPS or the Inspections Division. Sufficient data and information shall be submitted to allow staff to determine if the installation and its performance will meet the requirements of the State Plumbing Code. The data and information shall be a part of or shall accompany all plans submitted for

review. Plans shall be examined in the order of their receipt.
(Code 1965, §16.10(8))

Sec. 4-322. Plan examination fees.

(a) Plan examination fees for preliminary or complete plans shall accompany the plans and specifications when submitted. If the Inspections Division determines upon review of the plans that inadequate fees were provided, the additional fee shall be provided prior to departmental approval. Written approval shall not be granted until all applicable fees have been paid.

(b) The plan examination fees shall be as established by SPS.

(c) Plan examination fees may be adjusted by ordinance.
(Code 1965, §16.10(10); Ord 176-93, §1, 10-19-93; Ord 48-94, §1, 4-6-94; Ord 118-96, §1, 12-18-96; Ord 25-12, §1, 3-7-12)

Sec. 4-323. Revisions.

After written approval is granted, if the approved plans are changed, a revision with applicable fees shall be submitted by the architect, engineer, designer or master plumber responsible for the design. If the method of installation differs from the approved design, an as-built drawing shall be submitted by the architect, engineer, designer or master plumber responsible for the design.

(Code 1965, §16.10(11); Ord 176-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96)

Sec. 4-324. Liability for defects in work.

In granting approval of plans, specifications, products, devices or materials, the Inspections Division does not hold itself liable for any defects in construction, nor for any damages that may result from the specific installation.

(Code 1965, §16.10(12); Ord 176-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96)

Sec. 4-325. Copy of plans to be kept at construction site.

The architect, professional engineer, registered designer, owner or plumbing contractor shall keep at the construction site one (1) set of plans bearing the stamp of approval of the respective department.

(Code 1965, §16.10(13))

Secs. 4-326 – 4-340. Reserved.

Section 2: This ordinance shall be in full force and effect from and after its passage and publication.

56-22

AN ORDINANCE AMENDING CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF APPLETON AND THE OFFICIAL ZONING MAP WHICH IS A PART THEREOF, BY MAKING THE FOLLOWING CHANGES IN THE DISTRICT AS NOW PROVIDED.

(City Plan Commission 9/21/2022)

The Common Council of the City of Appleton does ordain as follows:

Section 1: That Zoning Ordinance, Chapter 23 of the Municipal Code of the City of Appleton and the Official Zoning Map, which is a part thereof, is amended by making the following changes:

To rezone lands located at 1430 North Ballard Road (Tax Id #31-1-5207-00), including the adjacent one-half (1/2) right-of-way of North Ballard Road from M-2 General Industrial District to C-2 General Commercial District. (Rezoning #4-22 – 1430 North Ballard Road)

LEGAL DESCRIPTION:

All of Lot Seven (7), Block One (1), Bell Air Subdivision, as recorded in Volume 15 of Plats on Page 19 as Document No. 450970, located in the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Nineteen (19), Township Twenty-One (21) North, Range Eighteen (18) East, City of Appleton, Outagamie County, Wisconsin containing 11,625 square feet (0.267 acres) of land and including the adjacent one-half (1/2) right-of-way of N. Ballard Road.

COMMON DESCRIPTION:

1430 North Ballard Road including the adjacent one-half (1/2) right-of-way of North Ballard Road

Section 2: This Ordinance shall be in full force and effect from and after its passage and publication, and upon its passage and publication the Director of Community and Economic Development is authorized and directed to make the necessary changes to the Official Zoning Map in accordance with this Ordinance.