

ARTICLE III. BUILDINGS

DIVISION 1. GENERALLY

Sec. 4-136. State building code, existing buildings regulations adopted.

Wisconsin Administrative Code, SPS Chapters 330 – 366, are adopted by reference and made part of this article with the same force and effect as though set out in full in this article.

(Code 1965, §15.01; Ord 85-97, §1, 10-15-97; Ord 38-09, §1, 3-10-09; Ord 25-12, §1, 3-7-12)

Sec. 4-137. Fire limits designated.

All property located in the CBD central business district, the M-1 industrial park district and the M-2 general industrial district shall be considered as being within the fire limits of the City.

(Code 1965, §4.10(1); Ord 85-97, §1, 10-15-97; Ord 39-09, §1, 3-10-09)

Cross reference(s)--Fire prevention and protection, ch. 6.

Sec. 4-138. Construction in fire limits – certain remodeling, repairs prohibited.

(a) No wood frame unprotected building within the fire limits of the City shall be remodeled to the extent of fifty percent (50%) of the fair market value during the life of the building.

(b) No wood frame unprotected building within the fire limits which is damaged to the extent of fifty percent (50%) of the fair market value shall be repaired or rebuilt. The amount or extent of damage shall be determined by the Board of Building Inspection. The decision of the board shall be communicated to the building owner by the Inspections Division. If, within ten (10) days of the notification, the owner does not raze and remove the building condemned, it shall be considered a nuisance and the City shall proceed to have it removed and the cost thereof shall be collected by the Department of Finance in the same manner as the taxes of the City.

(Code 1965, §4.10(2); Ord 76-93, §1, 4-21-93; Ord 176-93, §1, 10-19-93; Ord 118-96, §1, 12-18-96)

Cross reference(s)--Fire prevention and protection, ch. 6.

Sec. 4-139. Same – construction standards generally.(a) **Restrictions.**

(1) All buildings located in the fire limits of the City as described in §4-137 shall be constructed as set forth in the International Building Code (IBC) 602.2 – 602.4, as adopted by the Wisconsin Administrative Code. All buildings

ARTICLE VII. HOTELS, MOTELS AND OTHER TOURIST ROOMING HOUSES

DIVISION 1. GENERALLY

Sec. 9-296. Application for license.

Application for a license required in this article shall be made to the Health Department upon a form furnished by the Department and shall contain such information which the Department may prescribe and require and shall be accompanied by payment of the applicable fee.

(Code 1965, §7.15(2); Ord 111-91, §1, 11-6-91; Ord 125-91, §1, 11-20-91)

Sec. 9-297. Issuance of license generally.

Licenses required under this article, when approved by the Health Department, shall be issued by the Health Officer. A selective or restrictive permit may be issued by the Health Officer on his determination of conformance with appropriate standards and good public health practices, which permit shall entitle the holder to store, display and sell such products in such manner as may be specified by the Health Officer.

(Code 1965, §7.15(3); Ord 111-91, §1, 11-6-91; Ord 125-91, §1, 11-20-91)

Sec. 9-298. Inspection required prior to granting of license; fee.

A license will not be granted under this article to an operator of a new establishment or to a new operator of an existing establishment without a preinspection. A preinspection fee will be assessed for each establishment according to the schedule on file with the Department of Health.

(Code 1965, §7.15(10); Ord 100-90, §1J(10), 11-7-90; Ord 111-91, §1, 11-6-91; Ord 125-91, §1, 11-20-91; Ord 40-93, §1, 3-17-93)

Sec. 9-299. Transfer of license; issuance to agent or employee.

No license issued under this article may be transferred unless otherwise provided by the ordinances of the City. No license shall be issued to or used by any person acting as agent for or in the employ of another.

(Code 1965, §7.15(9); Ord 111-91, §1, 11-6-91; Ord 125-91, §1, 11-20-91)

Sec. 9-300. Expiration and renewal of license.

Except where otherwise provided, every Health Department license shall terminate or expire on June 30 of each year and may be renewed annually thereafter. The application for renewal shall be filed with the Health Department on or before June 30, together with payment of

the required fee. The fee for said license shall be on file with the Health Department. In addition, the applicant must pay any state administrative fees, the amount of which is also on file with the Health Department. If the annual renewal fee has not been paid on or before June 30, an additional late payment fee shall be required, the amount of which is on file with the Health Department. Establishments operating on July 15 without a proper license shall be ordered closed by the Health Officer. Failure to comply will result in the issuance of a uniform citation with current bond as set forth in §1-18. Each violation and each day a violation continues or occurs shall constitute a separate offense.

(Code 1965, §7.15(4); Ord 100-90, §1J(4), 11-7-90; Ord 111-91, §1, 11-6-91; Ord 125-91, §1, 11-20-91; Ord 20-92, §1, 3-4-92, Ord 106-95, §1, 11-15-95; Ord 74-96, §1, 9-4-96)

Sec. 9-301. Suspension or revocation of license.

The Health Officer may suspend or revoke any license issued pursuant to this article for violations of ordinances or laws regulating the licensed activity and for other good cause.

(Code 1965, §7.15(8)(a); Ord 111-91, §1, 11-6-91; Ord 125-91, §1, 11-20-91)

Sec. 9-302. Right of entry; testing of samples.

The Health Officer may enter any establishment required to be licensed in this article at all reasonable times to inspect the premises, secure samples or specimens, examine and copy documents, obtain photographs or take any other action he deems necessary to properly enforce the provisions of applicable laws regulating such business or activity. Samples of food, drink or water from any licensed premises may be taken from any licensed premises and examined by the Health Officer at such times as he deems necessary, for detection of unwholesomeness, adulteration, microbiological quality, or any other enforcement proposes. Adulteration and microbiological quality standards and definitions set forth in W.S.A. §97.02 or the State Department of Agriculture, Trade and Consumer Protection, Food Division's Policies and Procedures Manual section 14.1 and 14.2 are hereby adopted by reference and incorporated as part of this section.

(Code 1965, §7.15(5); Ord 111-91, §1, 11-6-91; Ord 125-91, §1, 11-20-91; Ord 3-95, §1, 1-4-95, Ord 22-03, §1, 1-21-03; Ord 7-13, §1, 3-26-13)

Sec. 9-303. Correction of violations; citations.

Whenever the Health Officer finds that any establishment required to obtain a license in this article is not operating or equipped in any manner required by ordinances or laws regulating such establishment, the Health Officer may notify, in writing, the person operating

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the premises, specifying the requirements of such ordinance or law, and requiring that such business comply with the provisions of such ordinance or law, and specify the time limits within which compliance shall take place. If the time limit or any extension thereof set forth in the notification is not met, the license may be suspended or revoked by the Health Officer. The Health Officer may also request the issuance of citations for any such violations pursuant to the provisions of §1-17.

(Code 1965, §7.15(6); Ord 111-91, §1, 11-6-91; Ord 125-91, §1, 11-20-91)

Sec. 9-304. Emergency powers of Health Officer.

Whenever the Health Officer has reasonable or probable cause to believe that any food, sanitary condition, equipment, premises or method of operation thereof creates a danger to public health, the Health Officer may issue a temporary order prohibiting the sale or movement of food for any purpose, or an order prohibiting the continued operation of the premises or any part thereof which creates the immediate danger to health. The Health Officer may suspend any license without notice whenever the licensed premises constitutes an immediate health hazard.

(Code 1965, §7.15(7); Ord 111-91, §1, 11-6-91; Ord 125-91, §1, 11-20-91)

Sec. 9-305. Appeals.

Any person aggrieved by the denial of a license or by suspension or revocation of a license required under this article by the Health Officer or by any temporary suspension or any other order may appeal any such order to the Board of Health within thirty (30) days of suspension, revocation or issuance of the order. The Board of Health shall provide the appellant a hearing or opportunity for hearing on the matter and may either suspend or continue any such other pending determination of the appeal. The Board of Health may affirm, modify or set aside the order of the Health Officer after a hearing on the matter. The Board of Health shall make and keep a record of all proceedings relating to any such appeal and the record and actions of the Board of Health shall be subject to review by certiorari by a court of record

(Code 1965, §7.15(8)(b); Ord 111-91, §1, 11-6-91; Ord 125-91, §1, 11-20-91)

Secs. 9-306—9-320. Reserved.

DIVISION 2. BED AND BREAKFAST ESTABLISHMENTS*

Sec. 9-321. Definition.

For the purposes of this division, *bed and breakfast establishment* means any place of lodging that provides eight (8) or fewer rooms for rent to no more than a total of twenty (20) tourists or other transients for more than ten (10) nights in a twelve- (12-) month period, is the owner's personal residence, is occupied by the owner at the time of rental, and in which the only meal served to guests is breakfast.

(Code 1965, §7.24(2); Ord 146-94, §1, 12-7-94; Ord 48-97, §1, 6-4-97; Ord 68-07, §1, 6-26-07; Ord 33-14, §1, 5-27-14)

Sec. 9-322. License required; fees.

No person shall operate or carry on a bed and breakfast establishment without obtaining a license from the Health Department. The fee for the license is on file with the Department of Health. In addition, the applicant must pay any state administrative fees, the amount of which is on file with the Department of Health.

(Code 1965, §7.15(1)(h), 7.24(1); Ord 100-90, §1(h), 11-7-90; Ord 111-91, §1, 11-6-91; Ord 125-91, §1, 11-20-91; Ord 20-92, §1, 3-4-92; Ord 41-93, §1, 3-17-93)

Sec. 9-323. State sanitation regulations adopted.

All bed and breakfast establishments and licensees under this division shall be subject to and comply with Wisconsin Administrative Code, ATCP §73.01 through ATCP §73.15, which are hereby adopted by reference and incorporated as part of this division.

(Code 1965, §7.24(3), Ord 22-03, §1, 1-21-03; Ord 34-14, §1, 5-27-14 ; Ord 83-16, §1, 11-8-16)

***Cross reference(s)**--Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Sec. 9-324. Guest register.

Each bed and breakfast establishment shall provide a register and require all guests to register their true names and addresses before being assigned sleeping quarters. The register shall be kept intact and available for inspection by representatives of the Health Department for at least one (1) year.

(Code 1965, §7.24(3))

Secs. 9-325 – 9-340. Reserved.

**DIVISION 3. HOTELS, MOTELS AND TOURIST
ROOMING HOUSES*****ARTICLE VIII. JUNKYARDS AND
SECONDHAND GOODS DEALERS*****Sec. 9-341. Definition.**

For purposes of this division, hotel, motel and tourist rooming house shall mean any premises defined by Wisconsin Administrative Code, ATCP 72.03.
(Code 1965, §7.21(2), Ord 22-03, §1, 1-21-03)

Sec. 9-342. License required; fee.

(a) No person shall operate a hotel, motel or tourist rooming house without obtaining a license from the Health Department.

(b) The fee for such license is according to the schedule on file with the Health Department.

(c) In addition, the applicant must pay any state administrative fees, the amount of which is on file with the Department of Health.

(Code 1965, §§7.15(1)(E), 7.21(1); Ord 100-90, §1(e), 11-7-90; Ord 111-91, §1, 11-6-91; Ord 125-91, §1, 11-20-91; Ord 20-92, §1, 3-4-92; Ord 42-93, §1, 3-17-93)

Sec. 9-343. State sanitation regulations adopted.

All hotels, motels and tourist rooming houses and licensees under this division shall be subject to and comply with the provisions of Wisconsin Administrative Code, ATCP §72.01 through ATCP §72.16, which are hereby adopted by reference and incorporated as part of this division.

(Code 1965, §7.21(3), Ord 22-03, §1, 1-21-03; Ord 84-16, §1, 11-8-16)

***Cross references**--Citation for violation of certain ordinances, §1-17; schedule of deposits for citation, §1-18.

Secs. 9-344 – 9-360. Reserved.**DIVISION 1. GENERALLY****Secs. 9-361—9-385. Reserved.**