

ORDINANCE #25-07

AMENDING CHAPTER 54 (BUILDINGS AND CONSTRUCTION)  
OF THE DE PERE MUNICIPAL CODE

THE COMMON COUNCIL OF THE CITY OF DE PERE, WISCONSIN DOES ORDAIN AS  
FOLLOWS:

Section 1. **Chapter 54 Buildings and Construction** is hereby amended as follows:

1. **Sec. 54-2. Definitions.** is hereby amended by:
  - a. hyphenating the words “first floor” in the phrase “first floor level” of the definition of *First floor*.
  - b. deleting the word “is” following the word “means” in the definition of *Story*.
  - c. repealing the words “in the supporting members of a building, such as bearing walls, columns, beams, or girders, except such alteration as may be required for the safety of the building” following the word “change” in the definition of *Structural* alteration, and replacing it with “other than repairs that would prolong the life of the supporting members of a building, such as the addition, removal, or alteration of bearing walls, columns, beams, girders or foundations.”
  - d. deleting the word “principal” and replacing it with “principle” in the definition of *Structural analysis*.
2. **Sec. 54-3. State uniform dwelling code.** is hereby amended by:
  - a. adding the following to the listing under subsection (a)(1):
    - f. Wis. Admin. Code ch. SPS 326 Manufactured home communities.
    - g. Wis. Admin Code ch. SPS 327 Camping units.
    - i. Wis. Admin Code ch. SPS 328 Smoke detectors and carbon monoxide detectors.
  - b. deleting the word “department” and replacing it with “division” in the first and second sentence of subsection (d) and delete the word “of” from the phrase “enforce all of” in the first sentence of subsection (d) so that it reads “enforce all”.
  - c. deleting the word “open” before the word “shed” in the first sentence in subsection (f)(2).
  - d. Inserting the words “, one hard copy set and one digital copy set,” following the word “plans” in the first sentence of subsection (f)(4).

- e. deleting the word “department” and replacing it with “division” in the third sentence of subsection (f)(5).
- f. deleting the words “concealment of” and relacing with “concealing” in the first sentence of subsection (f)(6).
- g. adding the words “to a permitted project” following the word “violation” in the first sentence of subsection (f)(7)h.
- h. deleting the words “examination to” and replacing it with “examination of” in the second sentence of subsection (f)(8).
- i. inserting the word “the” before “provisions” in the second sentence of subsection (f)(9)a.
- j. deleting the word “to” following the word “building” and replacing it with “for” in the first sentence of subsection (f)(9)(c).

3. **Sec. 54-4. Commercial building code.** is hereby amended by:

- a. repealing the listing under subsection (c)(3) and replacing it with the following:
  - a. Buildings of assembly group A-2 or A-3;
  - b. Business group B;
  - c. Factory group F;
  - d. Mercantile group M;
  - e. Storage group S; and
  - f. Utility and miscellaneous group U.
- b. inserting the following as a new subsection (i):

(i) *Stop work order.* If a noted violation to a permitted project is not corrected within 30 days, a stop work order may be served on the owner or the owner’s representative, and a copy shall be posted at the construction site. Such stop work order shall not be removed except by written notice of the building inspector after satisfactory evidence has been provided that the noted violations have been corrected.

4. **Sec. 54-6. Littering and damage to property during construction.** is hereby amended by repealing subsection (b), including all sub parts, in its entirety.

5. **Sec. 54-7. Fences and hedges.** is hereby amended by:

- a. repealing the definition of *Fence.* under subsection (a) and replacing it with the following: “*Fence* means a human-made barrier constructed of wood, iron, stone, or other material erected for the purpose of protection, confinement, enclosure or privacy.

- b. deleting the word “corner” and replacing it with “street” (two uses) in subsection (c)(1).
- 6. **Sec. 54-8. Swimming pools, hot tubs, spas and backyard ponds.** is hereby amended by:
  - a. repealing the words “as long as” in subsection (f)(1)a. and replacing with “if”.
  - b. deleting the words “so as” from subsection (f)(3) following the word “designed.”
  - c. deleting the words “so as” from subsection (k) following the word “maintained.”
- 7. **Sec. 54-9. Moving or razing buildings.** is hereby amended by:
  - a. deleting the word “department” and replacing it with “division” in the second sentence of subsection (a)(1).
  - b. deleting the words “and day” from subsection (e)(3), so that the clause reads “...during the hours of the day, day by day, and night...”.
- 8. **Sec. 54-10. Fees for building permits and inspections.** is hereby amended by repealing subsection (a) in its entirety and recreating it to read:  
(a) *Payment.* At the time the application for a required permit is filed, reviewed and conditionally approved, the applicant shall pay such fees for such services as are determined by resolution of the common council. Such fees may include late fees, reinspection fees and additional fees for working without a permit.
- 9. **Sec. 54-11. Heating, ventilating, and air conditioning permit fees.** is hereby amended by:
  - a. deleting the word “therefor” following the word “permit” in the first sentence of subsection (a).
  - b. repealing subsection (b) *Fees.* and recreating it to read:  
(b) *Fees.* The applicant shall, at the time such permit application is filed, reviewed, and conditionally approved pay such fee for such services as determined by resolution of the common council. Such fees may include late fees, reinspection fees and fees for working without a permit.
- 10. **Sec. 54-14. Violations and penalties.** is hereby amended by deleting the words “In addition thereto,” from the beginning of the second sentence in subsection (a).

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 3. This ordinance shall take effect upon its passage and publication.

Adopted by the Common Council of the City of De Pere, Wisconsin, this 17th day of June, 2025.

APPROVED:

\_\_\_\_\_  
James G. Boyd, Mayor

ATTEST:

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Carey E. Danen, City Clerk

Ayes:   8  

Nays:   0  

Board/Committee Approval: 06/10/2025

Publication Date:   06/20/2025  

Effective Date:   06/21/2025