

INSPECTION CONNECTION

City of Kenosha Department of Neighborhood Services and Inspections

Spring/Summer 2010

Building Contractor Registration Program (BCR)

Most businesses generally considered to be contractors need some kind of business credential to do construction work in Wisconsin. There has been some confusion: If I am a Wisconsin-licensed Master Plumber, do I need a Building Contractor registration? The answer is "yes." The individual license you hold; such as, Master Plumber, Master Electrician, etc., are licenses for an individual. The Building Contractor Registration is for the business itself.

Businesses having any of the following credentials do not need the BCR:

- A Dwelling Contractor Certification
- A Dwelling Contractor – Restricted Certification
- A Manufactured Home Manufacturer License
- A Manufactured Home Installer License
- A Manufactured Home Dealer License
- An Electrical Contractor Certification
- An Electrical Contractor – Restricted Certification
- An HVAC Contractor Registration

- An Elevator Contractor License

If you do not hold one of the credentials listed above, and you perform work governed by the Wisconsin Building, Plumbing, Electric, or HVAC code, you are required to register with the Wisconsin Department of Commerce under the Building Contractor Registration program.

Failure to hold or obtain the proper credential(s) will prohibit you from obtaining permits to perform work.

To obtain a Wisconsin Building Contractor registration, you may register on-line at <http://commerce.wi.gov/SB/SB-BuildingContractorProgram.html>

Lead-safe Renovator Rules Go Into Effect

As of April 22, 2010, Wisconsin Department of Health Services (DHS) Administrative Rule 163 is in effect. The rule states that "All renovation work performed for compensation in a dwelling unit or child-occupied facility built before 1978, that disturbs more than six square feet or more of paint per room, 20 square feet or more of exterior

paint, or involves windows, is now regulated by the Environmental Protection Agency (EPA) and the State Department of Health Services (DHS)." This rule also affects rental property owners and management companies and their employees.

Per administrative rule DHS 163, a renovation contractor must be approved as a Certified Lead-safe Company by the Department of Health Services. Every regulated renovation project must have a DHS-certified Lead-safe Renovator in charge of the project.

By statute, you are required to:

- Provide owners and occupants with the required lead notifications
- Keep a certified lead-safe renovator on the job
- Use lead-safe work practices and cleaning techniques
- Verify final cleanup
- Keep required project reports

DHS may take action if a person required to be certified, whether an individual or a lead company, violates any provision of DHS 163.

Administrative actions include:

- An order to stop performing work requiring state certification
- Denying state certification or re-certification
- Impose daily civil forfeitures of not less than \$100 or more than \$1,000 for each violation

For more information contact the Department of Health Services at 608.261.6876, or visit them on-line at www.dhs.wi.gov/lead.

Licensed, Certified, or Registered Contractor Responsibilities

As a licensed or certified contractor, it is important to remember that there are certain responsibilities and requirements that go along with this status.

By State statute, the following is a partial list of activities, or lack of action that could be cause for the Department of Commerce to penalize a contractor, or even suspend or revoke a license or certification:

- Allowing unlicensed persons to perform work without direct supervision
- Allowing someone to use your license to obtain permits without you assuming responsibility
- Allowing a holder of an incorrect license to perform work under your license or permit without direct supervision
- Has violated State, federal, or local laws or regulations related to the activities conducted under the license,

certification, or registration

- Continually demonstrates negligence or incompetence in fulfilling the responsibilities or requirements of the license, certification, or registration
- Demonstrates misconduct in fulfilling the responsibilities or obligations of the license, certification, or registration
- Attempting to defraud, including, but not limited to, false or double-billing of clients for work conducted

For a complete explanation of rules, regulations, fees, and penalties, please refer to Wisconsin Department of Commerce Code, Chapter COMM 5, Licenses, Certifications, and Registrations.

Erosion and Sediment Control

As of January 1, 2009, all residential and commercial projects require that erosion control matting be installed in all parkways between the sidewalk and street, and an area extending six feet (6') from the sidewalk to the structure, and in any area that has a concentrated water flow; such as, drainage swales, downspout discharge, and any drainage way that leads to a storm sewer. This requirement shall be installed and approved prior to receiving occupancy approval.

For erosion control matting, you may install sod or entirely

cover the exposed land disturbance. Either method is acceptable.

Construction Site Erosion and Sediment Control

After a severe winter, it is obvious that many tracking pads have been damaged due to weather conditions and lack of maintenance. Tracking pads are to be installed with a minimum of 3" to 6" stone, 12" deep, a minimum length of 50', or a length designated by your approved erosion control plan. State and local codes require that the contractor inspect, maintain, and repair any damaged or non-compliant erosion control measures throughout the course of construction to avoid tracking mud or diverting sediment onto the streets where it can be conveyed to the storm sewer system. Failure to maintain the tracking pad or any portion of erosion and sediment control measures could result in reinspection fees, possible withholding of inspections, or the issuance of a "Stop Work" order until such time that the violation is corrected.

Non-construction Site Erosion and Sediment Control

It is not only an active construction site that requires strict erosion and sediment control measures.

It is prohibited by City Ordinances to blow or deposit any of the following materials onto the sidewalk, lawn park area, driveway approach, street, gutter, or storm sewer:

Dirt
Snow
Sand
Mulch
Litter
Debris
Gravel
Leaves
Oil/Grease
Gas/Anti-freeze
Grass Clippings

Your cooperation will help maintain our lakes, streams, and waterways for the enjoyment of all.

Erosion Control Regulation

As of January 1, 2010, administration of the soil erosion and sediment control requirements under COMM 60 Erosion Control, Sediment Control and Storm Water Management Code has been transferred from the Wisconsin Department of Commerce to the Wisconsin Department of Natural Resources (DNR). What this change means to contractors and developers is:

- As of January 1, 2010, all new Notices of Intent (NOI's) for commercial building sites disturbing one acre or more of land must be submitted to the DNR using the Water Resources Application for Project Permits form (3500-053 (R 08/09), which is equivalent to an NOI. The form can be found at <http://dnr.wi.gov/runoff/stormwater/constrforms.htm>.

- Coverage under the WPDES storm water discharge permit issued by the DNR expires after three years.

If you have questions regarding this change of administrative authority, you may contact DNR representative Tim Ryan, P.E., at 608.266.5239.

Post-construction Storm Water Management Ordinance

Another requirement resulting from DNR and Department of Commerce rule changes is the requirement for the creation of a post-construction storm water maintenance plan and permit. This will be an additional plan review process conducted during the Conditional Use Permit or Site Development review.

This ordinance, "Chapter 36, Post-construction Storm Water Management," is currently in the process of being reviewed and approved.

When completing an application for a Conditional Use Permit or Site Development Approval, you will be required to submit certain information for the post-construction management of storm water control measures and installations for the Storm Water Utility to review, approve, and permit. These requirements will also affect the issuance of building

permits as well as the approval of final occupancy permits.

If you have any questions regarding this portion of the review, please call Shelly Billingsley at 262.653.4150 or e-mail her at sbillingsley@kenosha.org.

Inflatable Swimming Pools

With the growing popularity of inflatable swimming pools, it is important to remember that an inflatable swimming pool capable of containing 24" or more of water is required to observe the same safety rules as any other conventional type swimming pool.

The U.S. Consumer Product Safety Commission released a 2008 study which indicated that the recorded number of pool and spa submersion injuries of children under the age of five has averaged 2,700 per year for the last three years.

By ordinance, any swimming pool or spa capable of holding 24" or more of water, requires safety barriers, fences, and gates maintained in working order.

To get a complete list of code and permit requirements, visit us on-line or stop in and ask for a copy of the "Basic Code Requirements for Swimming Pools and Hot Tubs." Pools are to be enjoyed...please do so safely.

National Electrical Code (NEC) Changes

There have been many changes to the 2008 National Electric Code (NEC). The most notable are:

- The requirement for the installation of arc fault receptacles in dwelling units for all rooms except the kitchen, basement, dining room, and garage
- The requirement for installation of tamper-proof receptacles in specified areas

Other areas addressed in the changes are affect receptacles adjacent to decks and porches, the use of Romex in wet/damp areas, equipotential bonding for pool equipment, and clarification of solar power system wiring methods.

If you have questions regarding these and other changes to the code, you may contact Electrical Inspector Richard Baumann at 262.653.4263 or rbaumann@kenosha.org.

Electrical Inspector Retires

Electrical Inspector, Brad Stewart, will be retiring as of April 1, 2010. Brad has been with the Inspection Division of the Department of Neighborhood Services and Inspections since 1993. Prior to coming to work for the City, Brad worked for the Village of

Pleasant Prairie for ten years.

In addition to his duties as an electrical inspector, Brad is also certified as an inspector in the plumbing, residential building, and heating fields as well.

His expertise in all areas of construction and inspections will be missed; and, we wish him good luck in his retirement.

Illegal Residential Conversions

The problem of illegal conversions of residential buildings is a persistent and pervasive one that places many of our residents in danger, and puts tremendous strain on community resources.

An illegal conversion is the creation of one or more additional dwelling units within a home without first receiving permits from the City of Kenosha. Such conversions often involve the alteration or modification of an existing one- or two-family home by adding an apartment to the upper floor, attic, or basement.

An illegal conversion is a serious offense under the City of Kenosha Zoning Ordinance. Illegal conversions reduce the quality of life in our neighborhoods by crowding more people into an area than was originally intended. This

unplanned growth causes a severe strain on municipal services; and, frequently results in school overcrowding, reduced parking, understaffed police stations, and increased sewer and sanitation problems. In addition, illegal conversions are frequently done in violation of existing fire and building codes, and constitute a significant danger to tenants and other individuals living in the buildings.

Failure to obtain required permits seriously impacts the property owner when illegal dwelling units and construction work are revealed. In addition to fines, the owner is required to reconstruct the dwelling to its former legitimate status. Also, units that may have been accepted as "nonconforming" (in existence prior to 1984), would have to be eliminated to comply with existing ordinance standards.

It should be noted that there are circumstances whereby it is permissible to add an apartment to a home:

- The building must be in an area which is zoned to allow additional dwelling units.
- The property lot and building size must meet the zoning requirements.
- Building and mechanical permits must be obtained to add the new dwelling unit.

Illegal dwelling units may temporarily benefit the individual property owner but harm the community financially by providing services (waste collection, police, fire protection) to a property that is not adequately assessed to pay for City services.

Scheduling of Inspections

Inspection requests are taken by clerical staff. At this time, it is not possible to schedule an inspection for a specific time. Also remember that inspection requests are only taken for the following day. In the future, we hope to be able to accept inspection requests several days in advance and schedule them at a given time.

To ensure that an inspection request is processed properly, please furnish the following information:

- Permit number
- Address of inspection
- Contractor name
- Type of inspection
- Contact person and phone number
- Any access information (lock box number, "back door open," etc.)

Crucial information to remember when scheduling inspections:

1. For the most part, inspections will be scheduled accordingly:

Footing: For the day it is scheduled.

Exterior sewer and water: For the day it is scheduled.

Rough-in: 48 hours from

the time it is ready for inspection.

Final: Within five (5) days from the time it is ready for inspection.

Occupancy: Within five (5) days from the time it is ready for inspection; but, none are conducted on Friday.

2. When planning an occupancy inspection, remember the scheduling sequence. At times an occupancy inspection is requested the day before or the day of a closing; that request will be denied, thereby creating a potential hardship for the home buyer.

Be Sure to Get All the Permits You Need!

When planning your project, getting all the permit applications and approvals from our department is only part of the process. Depending on the scope of the project, approvals and permits may be required from other departments and agencies.

In our application packets and on our website, we try to provide you with as much information as possible regarding other departments' requirements for your project.

The following additional permits and approvals may be needed for your project:

- Site-plan review from the City Development Department
- Parking lot, sidewalk,

and driveway approach permits from the Public Works Department

- Sign, trash enclosure, and fence permits from the Zoning Division of NS&I
- Structural plan approval from the State Department of Commerce
- Plumbing plan approval from the State Department of Commerce
- Various licenses from the City Clerk's office
- Licensing by the County Health Department
- Erosion control or floodplain permits from the State Department of Natural Resources

Another reminder is to make sure that all of your subcontractors are properly licensed.

Keeping all of the above in mind is one way to make sure your project runs smoothly.

Display of Permit

Section 9.06 B of the City of Kenosha Building Code requires that all permits be posted on the job site in a conspicuous area located on the building. Failure to post the permit as to be visible from the street could result in the issuance of a "Failure to Post Permit" fee against the project; and, also results in inaccurate complaints being filed against a property for work without permits.

Permit Information Packets and Brochures

With our permit application packets you will receive information relative to permit and inspection requirements. Please read all of the information provided. You will find information on permit timelines, code requirements, inspection processing, and minimum requirements to take you to successful completion of your project. By reading and understanding this information, you can avoid possible delays or reinspection fees during the course of construction. As always, if you have any questions regarding any of the information provided to you, please call us and we'll be glad to assist you.

Dwelling Contractor Qualifier Continuing Education Classes

The Racine-Kenosha Builders Association is sponsoring several educational events that will provide the required continuing education units needed to maintain your Dwelling Contractor Qualifier certification.

The current slate of classes is conveniently scheduled for the Racine/Kenosha area.

Applications are available at our front counter, or you may contact Michelle Dawson for applications or information on future continuing education opportunities at:

Racine-Kenosha Builders Association
P.O. Box 706
2700 Wisconsin Street

Sturtevant, WI 53177
Phone: 262.886.5901
Fax: 262.886.5902
Info@rkbuilders.com

Pay Permits On Line or by Telephone

Remember...you may pay your permit fees on line or by telephone through Official Payments Corporation (OPC). (NOTE: There will be a fee to OPC for this service). OPC accepts Discover, Mastercard, Visa, and American Express cards. You can access the official website from your home or office computer, or utilize the on-line payment station located in our office.

On-line Payments:

Access the web site at <http://www.officialpayments.com>

Have the following information available: *(if multiple permits, you must enter each permit number separately)

1. Permit Number(s)*
2. Credit Card Information
3. The Amount of the Permit Fee

Follow on-line instructions.

Telephone Payments:

Call 1.800.272.9829

Have the following information available: *(if multiple permits, you must enter each permit number separately)

1. Permit Number(s)*
2. Credit Card Information
3. The Amount of the Permit Fee
4. Jurisdiction Code #5864

Follow the prompts.

Neighborhood Services and Inspections' Web Site

Commercial Occupancy Status

Available On Line: If your project is covered under a Conditional Use Permit or a Site Development review, the status of your occupancy permit is now available on line. When you enter our website, go to the "Permits Status/Inspection Results" link, and if you enter the project address or permit number, a screen will appear indicating which departments have signed off on the project, and whether the approval is for temporary or permanent occupancy. The screen will also display any escrow amounts required by a department. So far, the feedback on the availability of this information has been positive, as it has reduced the number of phone calls on behalf of the contractor to find the status of his/her project.

Erosion Control: The Erosion Control website is now up and running. You may go to our Neighborhood Services and Inspections' home page and you'll find the link. You'll find much information, many forms, and useful links to the Department of Commerce's and the Wisconsin Department of Natural Resources' websites.

If you have any suggestions or comments on how we can improve our site to better serve you, please contact us at nsi@kenosha.org

Contact Numbers

City Assessor's Office	262.653.2545
Department of City Development	262.653.4030
Fire Prevention Bureau	262.653.4110
Department of Neighborhood Services and Inspections	262.653.4263
Parks Division	262.653.4080
Department of Public Works	262.653.4050
Storm Water Utility	262.653.4050
Kenosha Water Utility	262.653.4300

You may also contact our website at www.kenosha.org

Inspection Division Contacts

Commercial Building Inspector	262.653.4268
Residential Building Inspector	262.653.4267
Electrical Inspector	262.653.4272
Plumbing Inspector	262.653.4270
Erosion Control Inspector	262.653.4247