

CHAPTER 14  
BUILDING CODE

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**14.01 GENERAL PROVISIONS.** (1) **TITLE.** This chapter shall be known as the Building and Zoning Administration Code of the Town of Brookfield and will be referred to as "this code."

(2) **PURPOSE.** The purpose of this code is to protect the health, safety and welfare of the public by establishing standards for the inspection, design, construction, structural strength, quality of materials, adequate egress facilities, sanitary facilities, natural lighting, heating and ventilating, energy conservation, and fire safety for all residential, commercial and public buildings and places of employment. It shall further include the administration and enforcement of all provisions of Ch. 17, known as the Town Zoning Code.

(3) **STATE CODES ADJOINED.** Except as otherwise specifically provided herein, the provisions and regulations of the Wisconsin Administrative Code, Chs. COMM. 20, COMM. 21, COMM. 22, COMM. 23, COMM. 24, COMM. 25, the Uniform Dwelling Code, and Chs. COMM. 50, COMM. 51, COMM. 52, COMM. 53, COMM. 54, COMM. 55, COMM. 56, COMM. 57, COMM. 58, COMM. 59, COMM. 60, COMM. 61, COMM. 62, COMM. 63 and COMM. 64, the Wisconsin Building and Heating, Ventilating and Air Conditioning Code, are hereby made a part of this code by reference.

(4) **INTERPRETATION.** The provisions of this code shall supplement any laws and regulations of the State and orders, rules and regulations of the Department of Industry, Labor and Human Relations relating to buildings. Where the requirements of the State code, orders, rules and regulations of the Department and provisions of this code conflict, the strictest requirements shall govern.

(5) **INVALIDITY OF PART.** The several sections, subsections and paragraphs of this chapter are hereby declared severable. If any section, subsection, paragraph or subparagraph of this chapter shall be declared by a decision

of a court of Competent jurisdiction to be invalid, such decision shall not affect the validity of the other provisions of the chapter or the section of which the invalid portion or paragraph may be a part.

(6) **LEGAL RESPONSIBILITY.** The Town shall not assume legal responsibility for the design, construction or modification of any building or structure.

(7) **ADMINISTRATION.** This Code shall be administered and enforced by the Town Building Inspection Department.

**14.02 BUILDING INSPECTION DEPARTMENT.**

(1) **BUILDING INSPECTOR.** There is hereby created the office of Building Inspector. The Building Inspector shall be appointed by the Town Board for an indefinite term. The position of Building Inspector is a salaried, full-time department head position of the Town of Brookfield. The Town Board, pursuant to Town of Brookfield Personnel Policies and Procedures, shall determine salary compensation and benefits. Said compensation and benefits shall begin on January 1, 2000. (Cr. 12/07/1999)

(2) **QUALIFICATIONS.** The Building Inspector shall be certified for the purposes of administering and enforcing this code under COMM 20, Wis. Adm. Code, being specifically licensed for the categories of construction, buildings, energy, heating, ventilating and air conditioning. The Inspector shall all be license to inspect commercial buildings, enforcing the code under COMM 50, Wis. Adm. Code.

(3) **REMOVAL FROM OFFICE.** If the Building Inspector fails to perform his duties described by this chapter or Comply with any other rules or regulations of appropriate governmental authorities or agencies in connection with his duties as Building Inspector, he may be removed from office by the Town Board.

(4) **DEPUTY INSPECTORS.** The Building Inspector shall have the authority to appoint qualified deputy inspector.

(5) **POWERS AND DUTIES.** The Building Inspector shall enforce all provisions of this code relating to new construction, repair and alterations of buildings, moving and demolition of structures, installation or repairs of heating, ventilating and air conditioning systems, installation, remodeling or alteration of signage structures and all incidentals for which a permit fee is established in the fee schedule of this code. He shall also administer, interpret and enforce the provisions of the Ch. 17, the Town Zoning Code, and Ch. 15, the Town Plumbing Code. The Building Inspector shall further:

(a) **RECORDS.** Maintain records of all permits issued, inspections made, work approved, and other official actions.

(b) **INSPECT.** Inspect all structures, land and waters as often as necessary to assure Compliance with this Code.

(c) **INVESTIGATE.** Investigate all Complaints made relating to the location and use of structures, lands and waters, give notice of all violations of this Code to the owner, resident, agent or occupant of the premises and report uncorrected violations to the Town Attorney in a manner specified by him.

(d) Assist the Town Attorney in the prosecution of violations.

(e) **ACCESS TO PREMISES.** Be permitted access to premises and structures during reasonable hours to make those inspections deemed necessary by him to insure Compliance with this Code. If, however, he is refused entry after presentation of his identification, he may procure a special inspection warrant under §66.122, Wis. Stats.

(f) Prohibit the use or erection of any structure on land or water until he has inspected and approved such use or erection.

(g) Request assistance and cooperation from the Police Department and Town Attorney as deemed necessary.

(h) Attend all meetings of the Plan Commission and the Board of Appeals.

**(6) BUILDING INSPECTION FEES.** (a) The Building Inspector shall deposit the total amount of all building inspections fees he/she has collected with the Town Clerk to deposit with the Town Treasurer. (Cr. 12/07/1999)

(b) The Building Inspector shall file a monthly report with the Town Clerk listing all building permits issued during the preceding month and detailing the nature and extent of all building fees being paid on an installment basis. (Cr. 12/07/1999)

**14.03 PERMITS AND FEES. (1) BUILDING PERMITS REQUIRED.** (a) A building permit is required for any alteration impacting the existing structure.

(b) No structure shall hereafter be located, erected, moved, reconstructed, extended, enlarged or structurally altered until after the owner or his agent has secured a building permit from the Building Inspector, unless otherwise exempt under provisions stated in the Zoning Code. Application for a building permit shall be made in duplicate to the Building Inspector on forms furnished by the Building Inspector and shall include the following where applicable:

1. Names, addresses and phone numbers of the applicant, owner of the site, tenant, architect, professional engineer, systems designer and contractor.
2. Description of the subject site by lot, block and recorded subdivision or metes and bounds; address of the subject site; type of structure; existing and proposed operation or use of the structure or site; number of employees and the zoning district within which the subject site lies.

3. Plat of survey prepared by a registered land surveyor showing the location, boundaries, dimensions, elevations to the Town datum, uses and sizes of the following: subject site; existing and proposed structures; existing and proposed easements, streets and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; and existing and proposed street, side, and rear yards. In addition, the plat of survey shall show the location, elevation, and use of any abutting lands and their structures within 40' of the subject site.

4. Proposed sewage disposal plan, if municipal sewerage service is not available.

5. This plan shall include a copy of the permit issued by the Waukesha County Health Department for the installation of an onsite soil absorption sanitary sewage disposal system or other appropriate means of disposal.

6. Proposed water supply plan, if municipal water service is not available. This plan shall be in accordance with Ch. NR 112, Wis. Adm. Code.

7. **Condominium Declaration.** Any developer of land in the Town who elects to create and market a condominium under Ch. 703, Wis. Stats., shall submit a copy of the condominium declaration, and any amendment thereto, to the Building Inspector to be attached to the file copy of the building permit application.

8. Additional information as may be required by the Town Plan Commission, Engineer, Building Inspector or Plumbing Inspector.

**(b) TIME LIMITS.**

1. A building permit for a permitted use in a single-family or 2-family residential district shall be granted or denied in writing by the Building Inspector within 15 days. A building permit for a permitted use in any other district shall be granted or denied in writing by the Building Inspector within 30 days. Building permits for conditional uses shall be granted or denied in writing within 60 days.

2. A building permit shall expire within 6 months unless substantial work has commenced. Building permits for single-family or two-family residences shall expire within 12 months from the date the permit was issued unless the structure has been substantially completed. Building permits for all other uses shall expire within 24 months from the date the permit was issued unless the structure has been substantially completed. Any permit issued in conflict with the provisions of this code shall be invalid.

3. A permit applicant may apply for conceptual or preliminary project approval in which case the time limits in the Zoning Code shall apply.

**(2) OTHER PERMITS REQUIRED.** (a) Permits for the installation, alteration and additions to heating, ventilation and air conditioning systems shall be required. Residential installations shall be in accordance with the provisions of COMM 22 and COMM 23, Wis. Adm. Code. Commercial installations shall be in accordance with the provisions of COMM 63 and COMM 64, Wis. Adm. Code.

(b) All other permits as specifically referred to and provided for in the Zoning Code.

**(3) ISSUANCE OF PERMITS.** (a) The application, plans, specifications and applicable documents filed by an applicant for a permit shall be checked by the Building Inspector. If they are found to conform to the requirements of this code and all other applicable laws or ordinances, the Building Inspector shall upon receipt of the required fee, issue a permit.

(b) When the Building Inspector issues a permit, he shall endorse or stamp all sets of plans and specifications "Conditionally Approved." One set shall be retained by the Building Inspector and one set shall be returned to the applicant, who shall keep the approved plans and specifications at the job site at all times while work authorized is in progress and make same available for inspection.

(c) The approved plans shall not be changed, modified or altered without permission from the Building Inspector. In all cases where changes, modifications or alterations occur, final as-built plans shall be filed before the issuance of an occupancy permit.

(d) No permit shall be transferred from one applicant to another except as approved by the Building Inspector.

**(4) REFUSAL TO ISSUE PERMIT.** (a) The Building Inspector may refuse to issue a permit if the applicant has been guilty of continued or willful violations of the Building Code.

(b) The Building Inspector may refuse to issue a permit allowing the construction or alteration of a building if he determines that the proposed construction does not comply with any applicable building code provisions.

(c) No permit shall be issued for the construction of a building or structure until a culvert has been approved and installed in the driveway access to the property as provided in §8.01(2)(a) of this Code of Ordinances.

**(5) EXCEPTIONS.** In the case of additions or alterations to existing buildings, the requirement for a certified survey may be waived by the Building Inspector if he determines a sketch of the plot plan is sufficient to indicate the setbacks and offsets of the additions or alterations. The Building Inspector may also authorize the issuance of a permit without plans and specifications for work costing less than \$2,000 if the work is sufficiently described in the application.

**(6) OWNER'S PRIVILEGE.** A property owner may personally perform construction, heating, ventilating and air conditioning work in his own single-family residence owned by or occupied by or to be occupied by him as a permanent residence, if the owner shall:

(a) Apply for and secure a permit in accordance with this Code.

(b) Pay the required fees.

(c) Perform the work himself in accordance with this Code.

(d) Apply for the required inspections.

(e) Receive the approval of the Building Inspector.

**(7) FEES.** (a) The schedule of fees as adopted and recommended by the Southeastern Wisconsin Building Inspectors Association and as amended from time to time by the Southeastern Wisconsin Building Inspectors Association shall be a part of this Code.

**14.04 MOVING BUILDINGS.** (1) **PERMIT.** Before moving any building, its owner shall apply to the Building Inspector for a permit. The application for such permit shall specify the following:

(a) Character and size of the building to be moved.

(b) Reason for such moving.

(c) Use, purpose and occupancy for which the building or structure is to be used.

(d) Location from which and to which the building is to be moved.

(e) A plot plan showing the proposed location of the building upon the property, to which the building is to be moved, provided such location is in the Town.

(f) A street on over or through which it is desired to move the building.

(g) Whether the building conforms to the zoning laws in the location to which it is to be moved.

**(2) CONDITIONS OF ISSUANCE.** The issuance of the permit shall be conditioned upon a written agreement that the applicant will save and indemnify judgments, costs and expenses that may in any way accrue against the Town, and hold the Town harmless against all liabilities, judgments, costs and expenses which result from granting of such permits.

(a) **CONDITIONS.** Every permit to move a building shall state all conditions to be complied with, designate the route to be taken and limit the time for removal. The removal of a building shall be continuous during all hours of the day and night, if the Building Inspector so orders, until Completed with the least possible obstruction to thoroughfares. No building shall allowed to remain overnight upon a street or road crossing or intersection or so near thereto as to prevent easy access

to any fire hydrant. The building shall be appropriately lighted for public safety if the moving continues during evening and night hours.

(b) The owner shall give a bond for the benefit of the Town in whatever sum is deemed appropriate by the Building Inspector in consultation with the Department of Public Works supervisor and the Chief of Police, taking into consideration the following factors without limitation: distance of move, weight of structure, condition of roadways.

(c) **INSURANCE.** The moving contractor shall deliver a certificate of insurance evidencing liability coverage in an amount no less than \$500,000 for liability associated with any acts or omissions of the mover, its agents or employees during the move.

(d) **DAMAGE.** Within one day after the moved building reaches its destination, the permittee shall notify the Building Inspector who shall instruct the Department of Public Works Supervisor to inspect the route traveled. He shall determine whether any damage has occurred to streets, road crossings, intersections, trees or shrubs, poles, wire cables, or other equipment belonging to the Town. If any damage has resulted, the permittee shall, within 10 days, pay to repair the damage following notice from the Town.

#### **14.05 RAZING BUILDINGS, EXCAVATION, FILLING.**

(1) The Town Board or Building Inspector may order the owner of premises upon which is located any; building or part thereof within the Town which in its or his judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation, occupancy or use, and would be unreasonable to repair, to raze and remove such building or part thereof, or if it can be made safe by repairs, to repair and make safe and sanitary or raze and remove at the owner's option or where there has been a cessation of normal construction of any building or structure beyond the time allowed under §14.03(1)(b), to raze and remove such building or part thereof. The order shall specify a time in which the owner shall Comply and specify repairs, if any. It shall be served on the owner of record or his agent, if an agent is in charge of the building, and upon the holder of any encumbrance of record in the manner provided for service of a summons in the circuit court. If the owner or holder of an encumbrance of record cannot be found, the order may be served by posting it on the main entrance of the building and publishing in the official newspaper of the Town for 2 consecutive publications at least 10 days before the time limit in the order Commences to run. The owner or contractor razing any building in the Town shall file a performance bond of not less than \$50,000 prior to issuance of any such permit.

(2) If the owner fails or refuses to Comply within the time prescribed, the Building Inspector shall cause such building

or part thereof to be razed and removed either through any available public agency or by contract or arrangements with private persons, or closed if unfit for human habitation, occupancy or use. The cost of such razing and removal or closing shall be charged against the real estate upon which such building is located and shall be a lien upon such real estate, assessed and collected as a special tax. When any building has been ordered razed and removed under the contract or arrangement above, the Building Inspector or the Town Board may sell the salvage and valuable materials at the highest price obtainable. If the building or part thereof is unsanitary and unfit for human habitation, occupancy or use and is not in danger of structural collapse, the Building Inspector shall post a placard on the premises containing the following words: "This Building Cannot be Used for Human Habitation, Occupancy or Use," and the Building Inspector shall prohibit the use of the building for human habitation, occupancy or use until the necessary repairs have been made.

(3) If any building ordered razed or made safe and sanitary by repairs contains personal property or fixtures which will unreasonably interfere with the razing or repair of the building, making necessary the removal, sale or destruction of such personal property or fixtures, the Building Inspector may order in visiting the removal of such personal property or fixtures by a certain date. Such order shall be served as in sub. (1). If the personal property or fixtures or both are not removed by the time specified, the Building Inspector may store or sell it, or if it has no appreciable value, he may destroy it. If the property is stored, the amount paid for storage shall be a lien against the property and the real estate and shall be assessed and collected as a special tax against the real estate, if the real estate is owned by the owner of the personal property and fixtures. If the property is stored, the owner, if known, shall be notified of the place of its storage and if it is not claimed by the owner within 6 months of such notice, it may be sold.

(4) Where any building has been ordered razed or made safe and sanitary by repairs by the Building Inspector and the same has been razed or demolished pursuant to such order by the owner of the premises upon which such building was located, the owner shall remove from such premises any debris or unsightly construction materials resulting from the razing or demolition. Accumulations of unsightly construction material and debris shall be deemed to be those which, in the opinion of the Building Inspector, if permitted to continue to be present on the premises, would cause a substantial depreciation in the property values in e immediate neighborhood.

(5) No person shall leave any excavation for building purposes, whether or not completed, open for more than 6 months without proceeding with the erection of a building thereon. If any such excavation, whether or not Completed, remains open for more than six months, the Build. Inspector shall order that erection of a building on the excavation

begin immediately or that the excavation be filled to grade. The order shall be served upon the owner of the land or his agent and upon the holder of any encumbrance of record in the manner provided in sub. (1). If the owner of the land fails to Comply with the order within 15 days after service upon him, the Building Inspector shall cause the excavation to be fill to grade and the cost charged against the real estate in the same manner provided in sub. (2).

(6) No owner of any lot shall have fill placed upon the lot and leave fill ungraded, unleveled and unlandscaped for more than 6 months. No person shall grade, plow, excavate or level any lot and leave such lot unlandscaped for more than 6 months.

(7) A permit shall be issue by the Building Inspector prior to filling, grading or leveling of any lot. The Building Inspector shall require a plot plan to be submitted showing the existing and proposed elevations of the lot and the manner in which surface drainage will be handled. ,

**14.06 REMOVAL OF TOPSOIL PROHIBITED.** Topsoil may be stockpiled on lands in accordance with permits issued by the Building Inspector under this section. No topsoil which has been stockpiled as a result of any land disturbing or land developing activity on lands within the Town may be removed until a permit has been issued by the Building Inspector. Prior to issuance of the building permit, the applicant shall submit to the Building Inspector information and calculations indicating the amount and location of the topsoil to be stockpiled and the amount of topsoil needed to cover previously stripped land to the depth of not less than 4" and not greater than 6". Upon issuance of the permit, surplus topsoil may be removed from the area in one continuous operation to the extent permitted by the permit. Notwithstanding anything contained herein to the contrary, no permit shall authorize soil screening or treating operations on lands located within the Town. The permit fee shall be established by resolution of the Town Board from time to time.

**14.07 SOIL AND EROSION CONTROL.** See Chapter 26 "Storm Water Ordinance"

**14.08 FEE SCHEDULE.** Fees referred to in other provisions of this section shall be established by the Town Board in a fee schedule and may from time to time be modified by Town Board resolution. Processing fees are related to costs involved in handling erosion control permit applications, reviewing construction erosion control plans, conducting site inspections and program administration.

**14.09 INSPECTIONS.** If land disturbing or land development activities are being carried out without a permit and an approved erosion control plan, employees or agents of the Town may enter the land under the provisions of §66.122, §66.123 and §92.09, Wis. Stats.

**14.10 ENFORCEMENT.** (1) After notifying the applicant the Town may post a stop-work order if:

(a) Any land disturbing or land development activity regulated under this section is being undertaken without a permit and an approved erosion control plan.

(b) The erosion control plan is not being implemented in a good faith manner.

(c) The conditions of the permit and erosion control plan approval are not being met.

(d) If the applicant does not cease the activity, Comply with the control plan, or permit conditions within 24 hours, the Town may revoke the permit and erosion control plan approval or issue a citation.

(2) If the landowner or land user where no permit and erosion control plan has been issued does not cease the activity within 24 hours after notifying the land owner or land user, the Town may request a cease and desist order.

(3) The Town may retract the stop-work order or the revocation.

(4) After posting a stop-work order, the Town Building Inspector may issue a notice of intent to the applicant or landowner or land user of the Town's intent to perform work necessary to Comply with this section. If conditions are likely to result in sediment from the site damaging adjacent properties or reaching waters of the State, the Town may go on the land and take emergency actions necessary to prevent sediment or other pollutants from damaging adjacent properties or reaching State waters, public rights-of-ways and sewers. The costs incurred by the Town, plus interest and legal costs at the rate authorized by the Town shall be billed to the owner of title of the property. If an owner of title of the property fails to pay the amount due, the Town Clerk shall submit the amount due to the Town Treasurer who shall enter the amount on the tax rolls and collect as a special charge against the property under §66.60(16), Wis. Stats.

(5) Any applicant, landowner or land user who permits erosion, sediment deposits, tracking or dropping of dirt on adjacent land, public rights-of-way or waters of the State and Waukesha County, shall be deemed in violation of this section and subject to the penalties in the Town Zoning Code.

(6) Compliance with the provisions of this section may also be enforced by injunction.

**14.11 APPEALS.** (1) **BOARD OF APPEALS.** The Town Board of Appeals created under the Town Zoning Code:

(a) Shall hear and decide appeals where it is alleged that there is error in any order, decision or determination by the Town in administering this section.

(b) Upon appeal, may authorize variances from the provisions of this section which are not contrary to the public interest and where owing to special conditions a literal enforcement of the provisions of the section will result in unnecessary hardship.

(c) Shall use the rules, procedures, duties and power authorized by statute in hearing and deciding appeals and authorizing variances.

(2) **WHO MAY APPEAL.** Appeals to the Board of Appeals may be taken by any aggrieved person or by any Committee, department, board or bureau of the county affected by any decision of the Town.

#### **14.12 PROPERTY MAINTENANCE CODE.**

(1) **PURPOSE.** In an effort to stabilize and maintain property values, the Town hereby implements property maintenance requirements of each property owner.

(2) **SCOPE.** These standards apply to all improved properties, irrespective of whether the property is used for business, residential, or industrial purposes, unless the application of standards are otherwise limited by the terms of this ordinance. (Amended: 12/21/1995)

(3) **MINIMUM STANDARDS.** No person shall occupy, use, let or hold out to another for occupancy or use any building, structure or premises, which does not Comply with the requirements of this code.

(4) **FOUNDATIONS, EXTERIOR WALLS AND ROOFS.** The foundation shall be substantially water tight, protected against rodents and kept in good condition and repair. The foundation elements shall adequately support the building at all points. Every exterior wall shall be substantially water tight, weather tight, protected against rodents, kept in good condition and repair and free of deterioration, holes, breaks, loose or rotting boards or timber and any other condition which might admit rain or dampness to the interior portions of the walls or exterior spaces of the dwelling. All exterior wood surfaces shall be protected by paint, stain or other water and weather resistant treatment. Every roof shall be water tight, weather tight, kept in good condition and repair, and have no dangerous defects. Roof drainage shall be adequate to prevent rainwater from causing dampness in the walls. All cornices, copings, parapets, moldings, belt courses, lintel, sills and similar projections shall be kept in good repair, free from cracks or defects which make them hazardous or dangerous.

(5) **WINDOWS, DOORS AND HATCHWAYS.** Every window shall be fully supplied with transparent or translucent windowpanes, substantially without cracks or holes, substantially tight and kept in good condition and repair. Windows, other than fixed windows, shall be easily opened and shall be held in position by window hardware. Every exterior door shall fit substantially tight within its frame and be kept in good condition. Window and doorframes shall be kept in good condition and shall exclude rain and substantially exclude wind from entering the building or structure. Every basement hatchway shall prevent the entrance of rodents, rain and surface drainage water into the building or structure.

(6) **SCREENS.** From June 1 to September 15 screens shall be installed on doors or windows when they are required for ventilation. Screening shall be at least a 14 mesh and shall be attached to the frame in a manner, which does not leave openings larger than those in the screen itself. Frames shall be in good condition, repair, and fit tightly into the window or doorframe to allow the passage of insects or rodents. Screens shall be provided with positive attachment devices to insure that inserts will not fall from or be dislodged from the door or window frame. A self-closing device shall be provided for screen doors.

(7) **STAIRWAYS AND PORCHES.** Every exterior stairway and porch and its supports shall be kept in good d safe condition and repair, free of deterioration, with every rail and balustrade firmly fastened and maintained.

(8) **CHIMNEYS.** Every chimney and chimney flue shall be in good and safe condition and repair.

(9) **GRADING AND DRAINAGE OF LOTS.** Every yard, court, driveway or other portion of the lot shall be graded or drained to prevent the accumulation of stagnant water on any such surface. Driveways shall be maintained in good condition and repair.

(10) **YARDS.** Yards shall be kept substantially clear of debris and be provided with adequate lawn or ground cover of vegetation, hedges or bushes. All areas not covered by any of the forgoing shall be treated to prevent dust or the blowing or scattering of dust particles into the air. All trees, bushes or vegetation that overhand a public entrance shall be properly trimmed to avoid obstruction of the view and movements of vehicles and pedestrians.

(11) **INFESTATION.** Every building, structure and all exterior appurtenances on the premises shall be adequately protected against rats, mice, termites and other vermin. Occupants and operators shall be responsible for extermination of rodents and vermin from that part of the premises under their exclusive control, except where more than one unit is infested at the same time, the owner shall also be responsible for extermination of the infestation.

(12) **EXTERIOR APPEARANCE.** Every building, structure, and all exterior appurtenances on the premises shall be kept neat, free from graffiti, and attractive in appearance. All wooden portions shall be painted, stained or receive other similar treatment as often as necessary to maintain such appearance. Stone, brick or other masonry shall be kept adequately painted and maintained. (Amended: 11/21/1995)

(13) **REFUSE, GARBAGE AND RUBBISH STORAGE REQUIREMENTS.** Every building or structure shall have adequate refuse, garbage or rubbish storage facilities. Garbage containers shall at all times have tight covers and be kept in an enclosed area, such as a garage or accessory building, so rodents will not have access to such containers. No occupant shall accumulate rubbish, boxes, lumber, metal

or other materials, which may provide harborage for rodents or vermin.

**(14) ACCESSORY STRUCTURES.** Every accessory structure shall be kept in good condition and repair, not obstruct light and air of doors or windows, not obstruct a safe means of access to any building or structure, not create fire or safety hazard and not provide rat or vermin harborage. All accessory structures in deteriorated condition and not repairable shall be removed.

**(15) PARKING LOTS.** Every parking lot used for business or industrial purposes shall be kept substantially clear of debris, and shall be maintained in conformance with any standards or conditions imposed upon the business or industrial use at the time of any site plan and/or development plan approval. (Cr. 11/21/1995)

**(16) MAINTENANCE OF PROPERTY COMPLAINT.** Upon receipt of a written complaint alleging a violation of this Code, the Building Inspector shall, pursuant to §14.05(c) of this chapter, investigate the conditions upon which the complaint is based. Upon determination that a violation does exist, the Building Inspector shall respond with written orders to correct the violation.

**(a) RELATING TO EXTERIORS OF STRUCTURES.** All cited violations that involve structures shall be corrected within thirty (30) days after a written notification or posting on the premises, unless the Building Inspector grants an extension of time. Each day that the violation continues, after the correction deadline, shall constitute a separate offense and is subject to remedies and penalties pursuant to §25.04 of the General Code of Ordinances of the Town of Brookfield. (Recreated: 08/07/2001)

**(b) RELATING TO YARDS.** All cited violations that involve structures shall be corrected within five (5) days after a written notification or posting on the premises, unless an extension of time is granted by the Building Inspector. Each day that the violation continues after the correction deadline shall constitute a separate offense and is subject to remedies and penalties pursuant to §25.04 of the General Code of Ordinances of the Town of Brookfield. (Recreated: 08/07/2001)

**(c) APPEALS.** Complaints and citations may be appealed in writing to the Town Board.

(Recreated: 08/07/2001)

**(17) NEW COMMERCIAL AND INDUSTRIAL STRUCTURES;  
REDEVELOPMENT OF  
COMMERCIAL AND INDUSTRIAL STRUCTURES.**

**(a) NEW STRUCTURES.** All commercial and industrial development of new structures shall include an exterior finish of masonry for at least 75% of the wall area of all facades of the building.

**(b) REDEVELOPMENT OF EXISTING STRUCTURES.** All commercial and industrial redevelopment of existing

structures in excess of 50% of the existing floor area shall include an exterior finish of masonry for at least 75% of the wall area of all facades of the building.

**(c) PLAN REVIEW REQUIREMENTS.** The requirements of 14.12(17) (a) and (b) is made irrespective of the underlying zoning of the property. The review of said masonry finishes, or the integration of masonry as prescribed herein, into any existing exterior finish, shall occur during the Site Plan and Plan of Operation approval as required by the Town of Brookfield Zoning Code.

**14.13 SIGNS.** See Chapter 17, "Zoning Code"

**14.20 PENALTY.** Except as specifically otherwise provided in this chapter, any person found to be in violation of any provision of this chapter shall be subject to a penalties provided in §25.04 of this Code of Ordinances.