

TOWN OF BRIDGE CREEK, WISCONSIN

**AN ORDINANCE REPEALING ORDINANCE 17.006 AND RECREATING AS ORDINANCE 8.03 OF THE TOWN OF BRIDGE CREEK CODE OF ORDINANCES, REGARDING BUILDING NOTIFICATION AND REGISTRATION FOR CERTAIN STRUCTURES**

The Town Board of the Town of Bridge Creek, Eau Claire County, Wisconsin, does hereby ordain as follows:

**WHEREAS**, the Town of Bridge Creek seeks to ensure that all new construction and significant alterations of structures within the Town are known by the Town for purposes of proper property assessment and general public welfare; and

**WHEREAS**, keeping current with alterations and improvements to properties within the Town helps to ensure that property assessments accurately reflect the true value of real estate, thereby distributing the tax burden fairly among all property owners; and

**WHEREAS**, proactively tracking building alterations through timely notification allows the Town to update assessment records incrementally, which can mitigate the need for costly and burdensome unscheduled re-assessments of properties, thereby promoting efficiency and stability in the assessment process; and

**WHEREAS**, certain structures are not subject to permitting requirements by Eau Claire County, or are subject to county permitting which the Town also needs to be aware of for local purposes, leading to potential lack of information regarding their existence and characteristics; and

**WHEREAS**, it is in the best interest of the Town and its residents to have a clear and efficient process for notification and oversight of such construction; and

**WHEREAS**, the current Ordinance No. 17-006 and its subsequent amendments have become fragmented and would benefit from consolidation and clarification;

**NOW, THEREFORE, BE IT ORDAINED** by the Town Board of the Town of Bridge Creek, Eau Claire County, Wisconsin, that Ordinance 17.006 of the Town of Bridge Creek Code of Ordinances is hereby repealed in its entirety and recreated as Ordinance 8.03 to read as follows:

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**ORDINANCE 8.03 - BUILDING NOTIFICATION AND REGISTRATION FOR CERTAIN STRUCTURES**

**8.03.01 Purpose and Scope.** This ordinance establishes a building notification and registration requirement for certain structures within the Town of Bridge Creek, including those that are not otherwise required to be permitted by Eau Claire County, and those that are. The purpose of this ordinance is to ensure the Town is apprised of all new construction and significant alterations for proper property assessment, public safety, and general record-keeping. The Town also recognizes the critical importance of being apprised of the installation, alteration, repair, or abandonment of private onsite wastewater treatment systems (POWTS, commonly known as septic systems) and private wells for public health, safety, and environmental protection within the Town.

**8.03.02 Definitions.** For the purposes of this ordinance: (1) **"Building" or "Structure"** means any constructed object intended for permanent or temporary use, including but not limited to barns, pole sheds, garages, storage buildings, sheds (whether movable or fixed), utility buildings, workshops, detached decks, gazebos, carports, and any other constructed object containing walls or a roof. This definition applies regardless of

whether the construction requires a permit from Eau Claire County or the Wisconsin Department of Safety and Professional Services (DSPS) under the Uniform Dwelling Code (SPS Chapters 320-325) or the Commercial Building Code (SPS Chapters 361-366), unless specifically exempted herein. (2) **"Alteration"** means any modification to an existing building or structure that changes its exterior dimensions, structural integrity, or primary use, or which involves the replacement of two or more of the following **simultaneously**: windows, siding, or roofing. This definition does not include routine maintenance or minor repairs. (3) **"Town Clerk"** refers to the duly appointed or elected Clerk of the Town of Bridge Creek. (4) **"Applicant"** means any person, firm, or corporation undertaking a building or alteration project subject to this ordinance. (5) **"Private Onsite Wastewater Treatment System" or "POWTS"** (commonly referred to as a septic system) means a system or facility that is regulated under Wis. Stats. Chapter 145 and SPS Chapter 383, Wis. Adm. Code, and that is used to treat and dispose of wastewater on or near the property where it is generated. (6) **"Private Well"** means a water supply system for human consumption that is not a public water system, as regulated under Wis. Stats. Chapter 281 and NR 812, Wis. Adm. Code.

### **8.03.03 Building Notification and Registration Required.**

(1) **For structures NOT requiring an Eau Claire County Permit:** No person shall commence the construction of a new building or structure, or undertake an alteration to an existing building or structure as defined in this ordinance which does *not* require a building permit from Eau Claire County, without first submitting a Building Notification Application to the Town Clerk and receiving a dated receipt of such notification.

(2) **For structures REQUIRING an Eau Claire County Permit:** For any construction or alteration activity for which a building permit *is* required by Eau Claire County (e.g., under the Uniform Dwelling Code or Commercial Building Code), the applicant shall, at the time of submitting their application to Eau Claire County, also submit a copy of the Eau Claire County permit application and any associated plans to the Town Clerk. This submission shall serve as the Building Notification Application for such County-permitted work and shall fulfill the requirements of this ordinance for those specific projects.

#### **(3) For Private Onsite Wastewater Treatment Systems (POWTS) and Private Wells:**

**(a) Applicability:** This subsection shall apply to any person or entity undertaking or proposing to undertake the following activities on property within the Town of Bridge Creek: i. Installation of a new Private Onsite Wastewater Treatment System (POWTS). ii. Repair, modification, expansion, or replacement of any major component of an existing Private Onsite Wastewater Treatment System, including but not limited to the septic tank, drain field, mound system, or holding tank. iii. Installation of a new Private Well. iv. Reconstruction or significant alteration of an existing Private Well. v. Abandonment and proper sealing of an existing Private Well.

**(b) Notification Requirement:** Prior to commencing any activity listed in Subsection (3)(a) of this section, the property owner or their authorized agent (e.g., licensed plumber, well driller) shall provide written notification to the Town Clerk. This notification shall be on a form prescribed by the Town Clerk and shall include, at a minimum: **i. Project Description:** A brief description of the proposed septic or well system work (e.g., "new 3-bedroom septic system," "replacement of well pump and casing," "repair to drain field," "abandonment of old well"). **ii. Property Information:** The address and tax parcel number of the property where the work will be performed. **iii. Permit Status:** Confirmation that the necessary permits from the Eau Claire City-County Health Department (for POWTS) and/or the Wisconsin Department of Natural Resources (for Private Wells) have been applied for or obtained. A copy of the application or issued permit, if available, should be included with the notification. **iv.**

**Contractor Information (if applicable):** The name and contact information of the licensed professional (e.g., Master Plumber, Well Driller, Pump Installer) who will be performing the work. **v. Estimated Start and Completion Dates:** The approximate dates when the work is expected to begin and conclude.

**(c) Submission:** The notification required by this subsection shall be submitted to the Town Clerk via mail, email, or in-person delivery.

**(d) Compliance with Other Regulations:** This Town notification requirement is in addition to, and does not supersede or replace, any permitting, inspection, or other requirements imposed by the Eau Claire City-County Health Department, the Wisconsin Department of Natural Resources, or any other applicable state or federal agency. All work shall be performed in strict compliance with all local, county, state, and federal laws and regulations.

**(4) Application Content:** The Building Notification Application (whether for County-permitted or Town-only regulated work) shall be on a form prescribed by the Town Clerk and shall include, at a minimum: (a) The name and contact information of the property owner and the applicant (if different). (b) The address and legal description of the property. (c) A description of the proposed building or structure, including its approximate dimensions (length, width, height), primary use, and construction materials. (d) A site plan or sketch indicating the proposed location of the building or structure on the property, and its setback from property lines. (e) The estimated start and completion dates of the project.

**(5) On-Site Display:** The dated receipt of the Building Notification Application or a copy of the submitted County permit application (clearly indicating its submission to the Town) shall be prominently displayed on the property during construction, visible from the nearest public roadway, until the project is completed.

**8.03.04 Notification Fee.** A non-refundable notification fee of \$25.00 shall be paid to the Town of Bridge Creek at the time the Building Notification Application is submitted to the Town Clerk, regardless of whether the project also requires a permit from Eau Claire County. **The Town Clerk may waive the notification fee for alterations due to storm damage, natural disaster, or extenuating circumstances. No additional fee shall be charged by the Town for notifications submitted solely under Subsection 8.03.03(3) for Private Onsite Wastewater Treatment Systems (POWTS) and Private Wells.**

**8.03.05 Review and Approval Process.** (1) Upon receipt of a complete Building Notification Application and the required fee, the Town Clerk shall review the application for completeness and ensure it contains sufficient information to reasonably apprise the Town Assessor of the type, size, and location of the structure for assessment purposes. **For notifications regarding Private Onsite Wastewater Treatment Systems (POWTS) and Private Wells submitted under Subsection 8.03.03(3), the Town Clerk shall verify that the required county/state permit status information has been provided.** (2) The Town Clerk shall provide the Town Assessor with a copy of all submitted Building Notification Applications. (3) If the Town Clerk determines that the application is incomplete or lacks sufficient information for assessment purposes, the Clerk shall notify the applicant in writing, specifying the deficiencies. The applicant shall have ten (10) calendar days to provide the requested information. (4) The Town Board reserves the right to review any Building Notification Application at a regular Town Board meeting if deemed necessary for clarity or to resolve issues. The Town Board may, by resolution, establish additional administrative procedures for review and notification.

**8.03.06 Inspections.** (1) The Town or its designated agent, **such as but not limited to the building inspector or assessor,** shall have the right to inspect any building or structure for which a Building Notification Application has been submitted, both during and after construction, to verify compliance with the information provided in

the application and for purposes of property assessment. This right of inspection specifically includes verification of information provided for Private Onsite Wastewater Treatment Systems (POWTS) and Private Wells, but does not extend to performing technical inspections that fall under the exclusive jurisdiction of the Eau Claire City-County Health Department or the Wisconsin Department of Natural Resources.(2) Inspections shall be conducted at reasonable times and with due notice, where practicable, to the property owner. (3) The Town shall maintain records of all inspections. (4) The specific procedures, compensation, and assignment for inspections shall be established by separate Town Board policy or resolution and are not part of this ordinance.

**8.03.07 Failure to Submit Building Notification; Violation:** It shall be unlawful for any responsible party to commence or continue any building activity or undertake any Private Onsite Wastewater Treatment System (POWTS) or Private Well activity for which a building notification is required without first having submitted the necessary building notification in accordance with the provisions of this Ordinance and any other applicable municipal regulations. Each day that such a violation continues shall constitute a separate offense.

**8.03.08 Penalties for Violation.** (a) Civil Penalties: Any person found to be in violation of this Ordinance shall be subject to a civil penalty of not less than \$50.00 and not more than \$1,000.00 for each offense. Each day or portion thereof during which a violation is committed, continued, or permitted shall constitute a separate offense and shall be punishable as such. The Town Clerk may waive the civil penalty for alterations due to storm damage, natural disaster, or extenuating circumstances. (b) Stop Work Order: In addition to or in lieu of civil penalties, the Town Clerk is authorized to issue a Stop Work Order for any building activity or Private Onsite Wastewater Treatment System (POWTS) or Private Well activity commenced or continued in violation of this Ordinance until such time as the required building notification has been submitted and any other outstanding compliance issues have been resolved. (c) Other Remedies: Nothing in this Ordinance shall prevent the Town of Bridge Creek from pursuing any other remedies available at law or in equity, including but not limited to injunctive relief, to ensure compliance with this Ordinance.

**8.03.09 Enforcement.** This Ordinance shall be enforced by the Town Clerk and its authorized representatives.

**8.03.10 Appeals.** Any person may appeal to the Town Board in writing within 30 days of the penalty or violation. The Town Board shall review the appeal at its next regularly scheduled meeting and issue a written decision.

**8.03.11 Severability.** If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

**8.03.12 Repealer.** All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict. Specifically, Ordinance No. 17-006, adopted September 21, 2017, and all subsequent amendments thereto, are hereby repealed.

**8.03.13 Effective Date.** This ordinance shall be in full force and effect from and after its passage and publication as provided by law in Section 60.80, Wis. Stats.

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**Proposed Repealing Ordinance 17.006 and Recreating as Ordinance 8.03 Enactment Section:**

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.

**TOWN OF BRIDGE CREEK**

\_\_\_\_\_  
Ricky Strauch, Chairman

ATTEST: \_\_\_\_\_ Elizabeth Pettis, Town Clerk

Supervisor #1: \_\_\_\_\_

Supervisor #2: \_\_\_\_\_

Supervisor #3: \_\_\_\_\_

Supervisor #4: \_\_\_\_\_

Treasurer: \_\_\_\_\_