CHAPTER 252
GENERAL REQUIREMENTS

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252-1. Population Placards. 1. REQUIRED. It shall be the duty of a holder of the certificate of occupancy or license, if any, of any building or structure or part thereof now used or hereafter to be used for theater, worship, instruction, amusement, entertainment, recreation or public assembly purposes, except where fixed seats are installed, and for factory, mercantile, tavern, dining, or for manufacturing purposes to securely post and maintain in designated places as directed and provided by the commissioner, placards indicating the approved maximum number of persons permitted in such occupancies as regulated in this code. Such placards shall be made of durable material not more than 20 square inches in size to be placed on the inner face of the entrance doors to places of assemblage, unless permission is secured from the commissioner to place them elsewhere.

2. BASIS FOR ESTABLISHING POPULATION. The allowable maximum of persons on any floor or part thereof of such building or structure shall be based on the width of and number of exits, and shall not exceed the number of persons for which sanitary equipment has been provided, or the maximum number of people permitted by dividing the floor area available by the allowable floor area allotted per person as set forth in this code. The legal capacity of a tavern facility, amusement (nite club) and tavern dance hall shall be based on the code requirements for new construction, with the exception of toilet facilities, in effect on the date of application for a new or renewal license under ch. 90.

3. UNLAWFUL TO OVERPOPULATE BUILDINGS. It shall be unlawful to permit in any building or structure or part thereof, regulated in sub. 1, a greater number of persons than that indicated on placards as posted pursuant to this section and established by the commissioner, and it shall further be unlawful to alter, deface, obstruct from view or remove any such placards.

252-51. Recycling Space in New, Enlarged or Remodeled Public Buildings. 1. DEFINITIONS. In this section:

a. "Enlarge" means to increase the gross floor area of a building by not less than 50%.

b. "Public building" means a building that is used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy or use by the public or by 5 or more tenants.

c. "Remodel" means to renovate not less than 50% of the square footage of a building whose existing gross floor area is not less than 10,000 square feet. The term does not include reroofing, alterations to an electrical or mechanical system or cosmetic redecorating such as painting or the installation of wallcovering, floor covering or suspended ceilings.

2. RECYCLING SPACE REQUIRED. A person who enlarges, remodels or constructs a public building shall provide a designated area for the separation, temporary storage and collection of solid waste and recyclables either within or adjacent to the public building. In enlarged or remodeled public buildings, this requirement applies only to the enlarged or remodeled portion of the public building.

252-70. Basements. 1. GENERAL REQUIREMENT. Any building or structure or part thereof hereafter erected, or any existing building or structure or part thereof shall have underneath such floors either a basement or open space for the entire area of the building or structure, or in lieu thereof, a floor of damp-proof construction.

2. HEIGHT OF BASEMENT. Basement ceiling heights, measured from the top of the basement floor to the bottom of the floor joists, shall be not less than 7 feet; except that for buildings regulated in ch. 257, such height shall be 6 feet 10 inches.

3. OPEN SPACES. All buildings or structures hereafter erected without a basement, or not provided with a damp-proof floor, shall be provided with a ventilated open space conforming to the following:

a. The ground level shall be at least 2 feet below any part of the wood or metal floor construction.

b. In such space all debris, sod, tree stumps and other inorganic material shall be removed and a smooth surface free of pockets shall be provided.

c. Where the ground level in such space is below the outside established grade, approved means to assure drainage at all times shall be provided.

d. When one side of such space, exclusive of structural supports, is open to a ventilated basement, foundation wall vents shall not be required, provided the total area of ventilating openings in the exterior walls of the basement is at least 2% of the combined area of the basement and open space.

e. Where such space is not open to ventilated basement, as regulated in par. d, either:

e-1. At least 4 foundation wall vents shall be provided and located near the corners of such space, having an aggregate free ventilating area equal to 2 square feet per 100 lineal feet of wall enclosing such space plus 1/300 of the ground area of such space; or

e-2. Ground surface treatment in the form of a layer of a minimum of 5 mil. polyurethane or equivalent lapped a minimum of one foot and covered with at least 2 inches of stone plus at least 2 foundation wall vents located for effective cross-ventilation.

f. In each vent opening regulated in par. e, corrosion-resistant screening having a mesh of not less than 8 per inch shall be installed.

4. DAMP-PROOF FLOORS. In all buildings and structures hereafter erected where the lowest or first floor rests directly on the ground, a damp-proof floor shall be provided. In this subsection "damp-proof floor" means a floor construction so erected with a vapor barrier of at least 5 mil. polyurethane or equivalent and lapped at least one foot over which a minimum thickness of 3 inches of concrete shall be spread. Care shall be taken that the vapor barrier used is not pierced during concrete pouring.

5. BASEMENT WALLS. Masonry foundation walls of basements shall be made waterproof by application of a continuous coat of cement mortar at least 1/2 inch in thickness, from the footings to the adjoining finished established grade or lot grade. A heavy coat of undiluted hot tar, hot asphalt or other approved waterproof material shall be applied to foundation walls. Any other method of waterproofing which will assure a damp-proof basement will be accepted if approved by the commissioner.

6. DRAIN TILE. All foundation walls of basements of structures regulated in chs. 240 and 257 shall have drain tiles on each side of such walls. Bleeder tiles shall be placed in foundation footings spaced no farther than 8 feet on center. Drain tile will not be required if engineering data is supplied showing that drain tile is not required. Drain tile placed under the basement floors and around the exterior foundation wall and footings of a building or structure shall be of the approved type, not less than 3 inches in diameter, and shall be covered with crushed rock or washed stone.

7. BASEMENT FLOORS. Basement floors shall be constructed of concrete and shall be designed to withstand the anticipated live load; however, in no case shall the floor be less than 3 inches in depth. The floor shall be pitched to provide positive drainage to the floor drain.

8. FOUNDATION REPAIRS AND DAMP-PROOFING. All foundation repairs and damp-proofing shall be done as provided in s. 240-23.

252-71. Drainage. 1. ROOF GUTTERS AND CONDUCTORS. Except for private detached accessory buildings not more than 1,000 square feet in area, all roofs of buildings and structures shall be provided with approved watertight gutters and conductors for conducting water from roofs as regulated in ch. Comm 82, Wis. Adm. Code. Such gutters and conductors shall be fastened in place in an approved manner and maintained in good repair

at all times, and all conductors shall be provided with approved screens. The cross-section of all conductors shall be as regulated in ch. Comm 82, Wis. Adm. Code.

2. DRAINAGE OF PAVED AREAS.

a. Newly Paved or Repaved Areas Where Storm Sewers Are Available. All storm water which is generated from a newly paved or repaved area of more than 1,000 square feet, such as a parking lot, terrace or patio area, loading area or other hard surface, shall be disposed of within the lot lines through a sewer, natural absorption or combination thereof without discharging to adjacent private or public property not specifically designed for this purpose. No such paved or hard surface shall be paved and contoured in such a way as to interrupt a natural drainage system serving adjacent properties. No such paved area shall be paved or contoured in such a way as to impose a greater drainage burden on adjacent property.

b. Newly Paved or Repaved Areas Where Storm Sewers Are Not Available. Where no public storm sewer is available or where the commissioner determines that natural absorption may accommodate all on-site water within the property, the commissioner may allow a drainage system which is not connected to a storm sewer. The commissioner may request soil borings, absorption tests, engineering calculations prepared and sealed by a licensed engineer or architect, or other information to verify that the water can be disposed of within the property. No water shall be drained across or onto a public street or private property under different ownership than the property generating or containing the surface water.

c. Alley and Street Drainage. Driveway aprons between the public sidewalk and the public street or between the parking area and the public alley shall be allowed to drain to the public street or the public alley where conditions would cause an unnecessary hardship to the property owner as determined by the commissioner. The maximum area which may be drained to the alley shall not exceed a total area of 10 feet times the length of the property along the public alley.

d. Existing Parking Lots. In the following cases, par. a shall apply:

d-1. When an existing parking lot or area which does not have an asphalt or concrete pavement is paved.

d-2. When an existing parking lot or area is enlarged, the portion to be enlarged shall comply.

d-3. When an existing parking lot or area is graded or drained in a manner which will damage or create a nuisance onto adjoining premises or street walk.

e. Natural Drainage. Natural or constructed drainage swales and ditches which serve adjacent properties shall be maintained by each property owner through which the natural drainage accrues. Existing natural drainage shall be maintained by ditches, swales, culverts or a catch basin and storm sewer system designed to meet the existing water conditions. Where existing ponding or marsh areas accrue on a continuing seasonal basis, a property owner shall not fill the property in such a manner that the pond or marsh area is shifted off the property onto an adjacent property not under the same ownership. Where it is necessary to fill or grade a property such that a pond or marsh area will be filled, a storm sewer shall be provided to eliminate the water which would be imposed on the adjacent properties.

f. Areas of 1,000 Square Feet Or Less. All paved areas of 1,000 square feet or less may discharge to an alley or street with proper drainage.

g. Washing of Motor Vehicles. All premises, now or hereafter used for the washing of motor vehicles, where because of such use water drains over a street walk or onto an adjoining premises, approved drains connected to a city sewer shall be provided and constructed as regulated in s. Comm 82.34, Wis. Adm. Code.

252-72. Parking Lots. 1. DEFINITION. In this section "motor vehicle parking lot" means any lot, plot of land or premises upon which motor vehicles are parked, but excluding accessory parking of not more than 4 motor vehicles as regulated in ch. 295.

2. COMPLIANCE. All licensed motor vehicle parking lots shall comply with the regulations of s. 84-20 relating to licensing, maintenance and operation of parking places in addition to the regulations of this section.

3. INGRESS AND EGRESS. There shall be provided to all motor vehicle parking lots a means of ingress and egress at street walk or public thoroughfare level as determined by the commissioner of public works. Such ingress and egress and adjoining public thoroughfare shall remain unobstructed at all times. For the cutting of street curbs to provide ingress and egress to all parking lots, and for the construction or reconstruction of driveways in connection therewith, permits shall be obtained as regulated in s. 245-4-24.

252-72.5. Parking Garage Ingress and Egress.

1. Motor vehicle ingress and egress to any building and structure occupied as a storage garage or open parking structure for the parking of more than 50 motor vehicles shall be as far as practicable from street intersections but not less than 75 feet in any case.

2. In all structures or buildings, when parking or storing is done by attendants or employes, an approved waiting space shall be provided within the building at the ingress thereto.

252-73. Wheel Guards and Barriers. 1. SCOPE AND PURPOSE. At all new and existing motor vehicle service lots (filling stations; private, public or customer parking lots; drive-ins; and motor vehicle sales lots) there shall be provided wheel guards or barriers for the purpose of preventing removal of motor vehicles from such places except at the established exits and entrances, and to prevent any portion of a motor vehicle from encroaching onto adjoining premises or over established street or alley lot lines.

2. SIZE AND CONSTRUCTION. a. Wheel guards shall be at least 6 inches high and barriers shall be at least 2 feet high.

b. Wheel guards and barriers shall be of such construction, design and weight so as to accomplish the purpose for which they are intended.

c. Wheel guards shall be secured in a manner to prevent them from being displaced.

3. LOCATION. a. Wheel guards shall be so located as to prevent any part of a vehicle from projecting beyond a lot line, but in no case less than 2 feet from any lot line.

b. Barriers may be located along any lot line unless otherwise regulated by the code. c .

Unless otherwise regulated by this code, wheel guards or barriers may be omitted along the edges of driveways and access lanes that are adjacent to lot lines, and where the parking areas are clearly marked on the pavement and the drives and access lanes are not normally used for parking of vehicles.

252-74. Paving of Parking Lots, Areas and Spaces. All new and existing public or private parking lots, spaces or areas, or off-street loading and unloading berths and all access roads, drives or lanes leading from the street or alley lot line to these lots, berths, spaces or areas, whether it be the principal use or accessory to a principal use, shall conform to the regulations in this section.

1. PAVEMENT. All parking lots, parking spaces, parking areas, off-street loading or unloading berths or areas, and all access roads, drives or lanes leading thereto shall have a surface of concrete, asphalt macadam, or tar macadam. Crushed stone, sand, gravel or cinders shall not be used for the surfacing materials.

2. COMPLIANCE. a. Except for one and 2-family dwellings, all new parking lots, parking spaces, parking areas, off-street loading and unloading berths and areas, and all access roads, drives or lanes shall comply with this section within 6 months after partial or complete occupancy of the premises.

b. All one and 2-family dwellings constructed after July 17, 1973, shall have driveways and parking spaces paved with concrete or asphalt within one year of occupancy.

c. In the case of one and 2-family dwellings constructed prior to July 17, 1973, parking spaces constructed prior to July 17, 1973, may be covered with the following paving material notwithstanding any other provision of this code: concrete, asphalt macadam, tar macadam, crushed stone, paving blocks, traffic bond or other paving material approved by the commissioner.

d. All newly created driveways and parking spaces on one and 2-family residential properties are required to have a minimum width of 8 feet. A driveway may be placed directly adjacent to an interior side property line provided all setbacks and parking restrictions are in compliance with ch. 295.

e. For newly created driveways on a one or 2-family residential property, any access drive must be located on the lot on which the dwelling is located, and shall not be shared with an adjoining lot.

3. MAINTENANCE. The surface of all lots, spaces and areas regulated in this section shall be maintained free of holes and ruts which may accumulate standing water. Stones or other such paving material which spread from the premises to any street, alley or sidewalk, or holes and ruts which may accumulate standing water, shall constitute a nuisance and may be abated pursuant to s. 11-27, city charter.

4. EXCEPTIONS. This section does not apply to any premises that fronts on a street or alley, the roadway of which is paved with gravel, crushed stone or cinders.

5. PLANS, PLAN EXAMINATIONS, FEES AND PERMITS. a. Parking Lots for New Buildings and Additions. Plans for a parking lot to be installed in conjunction with new construction, or an addition to an existing building, shall be submitted to the commissioner of city development for examination simultaneously with the construction plans. The information required on these plans shall be set forth in par. c. No additional building plan or examination permit fee shall be required.

b. Existing Unpaved Parking Lots. Plans for the paving of existing unpaved parking lots shall be submitted to the commissioner of city development in triplicate, and a plan examination fee as set forth in s. 200-33 shall be paid. The plans shall contain information as outlined in par. c. Upon approval of the plans, the permit fee set forth in s. 200-33 shall be paid and a permit issued. No permit shall be issued for paving before drainage plans are approved.

c. Information Required on Plans. Plans for the paving of a parking lot shall indicate existing and paved areas, distance of paved areas to lot lines, finished grade elevations, swales, buildings, wheel guards and barriers, curbs, curb cuts, location of drains and catch basins, size and arrangement of parking spaces and width of aisles and driveways.

d. Drainage Systems. Plans for a parking lot requiring a drainage system pursuant to s. 252-71 shall be submitted in triplicate to the commissioner of city development. Upon approval of such plans and payment of the fees set forth in s. 200-33, a plumbing permit shall be issued for the drainage system.

e. Drains for Parking Lots. Trench drains shall be installed in compliance with ch. 225. Catch basins and storm inlets shall be installed in compliance with s. Comm 82.34, Wis. Adm. Code.

f. Curb Cuts. f-1. Whenever curb cuts are to be installed in conjunction with paving, the plans for said curb cuts shall be submitted to the commissioner of public works and a permit procured pursuant to s. 115-23 prior to the start of construction.

f-2. Curb cuts shall be required prior to the construction of any accessory or principal building or structure requiring ingress from street or lane, or prior to the construction of any driveway requiring access from any street or lane. Said curb cut shall be installed in compliance with s. 115-23 and shall be approved by the commissioner of city development after a determination that the accessory or principal building or structure or parking area shall not be in violation of ch. 295.

252-75. Planting and Maintenance of Vegetation. 1. VEGETATION REQUIRED. In addition to any applicable requirements of ch. 295, within one year of occupancy of any single-, 2- or multi-family dwelling, a land-disturbing addition to such dwelling or an accessory structure related to such dwelling, the premises upon which such dwelling is located shall be covered with seeded or sodded grass, trees, shrubs, gardens or other vegetation. Such vegetation shall not contain Canada thistle, leafy spurge, field bindweed or any other weed which the commissioner of health, his or her designated representative within the health department, or any other city official to whom the commissioner's functions or duties have been delegated pursuant to a memorandum of understanding determines to be noxious. The vegetation shall thereafter be

maintained and shall not be replaced with gravel, pavement or any other non-vegetation material. The area upon which vegetation shall be planted and maintained includes any unpaved portion of the public street between the property line and the curb or edge of the street pavement; however, no vegetation other than grass shall be planted and maintained on public street right-of-way unless approved by the commissioner of public works in accordance with ch. 116.

2. EXCEPTIONS. The provisions of this section shall neither apply to lands that are used for farming activities nor preclude the installation of a driveway, parking space, sidewalk, swimming pool, patio, deck or other accessory use or structure which is otherwise in conformance with this code, provided that no parking space, swimming pool, deck exceeding one foot in height or other accessory use or structure shall be located in a front yard, as regulated by ss. 295-13 and 295-17. Furthermore, this section shall not preclude installation of non-living landscaping materials, including but not limited to landscaping timbers, wood chips, decorative bark or landscaping stones, provided that such materials are installed and maintained in conjunction with vegetation required under sub. 1.

252-76. Security Barriers In Commercial Districts. 1. DEFINITIONS. In this section:

a. "Facade" means any exterior wall that faces a public street or streets.

b. "Security barrier" means any device intended to limit or block access to individual doors or windows on a building facade, or to an entire building facade. This term shall include, but not be limited to, window bars, fixed metal grilles, and side-mounted or overhead-mounted retractable metal security gates or grilles, regardless of whether such devices are solid or semi-transparent. It shall not include strengthened vision glass, non-glass transparent materials, electronic alarms or security cameras.

2. APPLICABILITY. This section shall not apply to any security barrier placed on the exterior or interior of the facade of any dwelling unit.

3. EXTERIOR SECURITY BARRIERS. No security barrier shall be placed on the exterior of any portion of any facade of any enclosed building located in a residential and office, neighborhood shopping, local business, commercial service, regional shopping or downtown zoning district. Any security barrier in place on the exterior of the facade of an enclosed building in one of the specified zoning districts on July 1, 1998, may remain in place until a new certificate of occupancy or certificate of zoning is issued for the premises on which the barrier is located. The security barrier shall be removed within 180 days of the date of issuance of the new certificate of occupancy or certificate of zoning.

4. INTERIOR SECURITY BARRIERS.

a. Standards. All security barriers placed on the interiors of facades of enclosed buildings located in a residential and office, neighborhood shopping, local business, commercial service, regional shopping or downtown zoning district shall conform with the following standards:

a-1. If the security barrier was manufactured to be retractable, it shall remain retracted for the duration of the building occupant's normal business hours or hours of operation.

a-2. The opacity to light of the security barrier shall not exceed 25% at any time.

a-3. The security barrier and any associated enclosures or casings shall be of a color that matches, or painted to match, the mullion pattern or window or door surrounds.

a-4. The security barrier shall comply with all applicable regulations of the Wisconsin statutes and the Wisconsin administrative code.

b. Business Improvement Districts. Nothing in this subsection shall be interpreted as precluding the board of a business improvement district created by the city from prohibiting non-retractable security barriers on the interiors of facades in the district.

5. BLOCKAGE OF DOORS OR WINDOWS. No person may replace a security barrier with any opaque materials, including but not limited to wood, masonry products and plastic-type materials, that completely and permanently block, fill in or otherwise cover up any door or window opening on any facade of a building located in a residential and office, neighborhood shopping, local business, commercial service, regional shopping or downtown zoning district. This subsection shall not apply to any boarding of structures required by s. 275-32-7 or ordered by the commissioner pursuant to this code.

LEGISLATIVE HISTORY
CHAPTER 252

Abbreviatio ns:

am = amended
cr = created
ra = renumbered and amended
rc = repealed and recreated
rn = renumbered
rp = repealed

Section	Action	File	Passed	Effective
252-01	cr	85-1396	12/20/85	1/1/86
252-01	am	85-1396-a	5/6/86	5/23/86
252-01	am	980939	10/30/98	11/18/98
252-01	rp	020467	8/1/2002	8/20/2002
252-1	cr	85-1396	12/20/85	1/1/86
252-1-2	am	882291	6/27/89	7/18/89
252-51	cr	931894	6/7/94	1/1/95
252-70	cr	85-1396	12/20/85	1/1/86
252-70	rc	912061	11/20/92	12/11/92
252-70-6	am	86-979	10/14/86	10/31/86
252-71	cr	85-1396	12/20/85	1/1/86
252-71	rc	912061	11/20/92	12/20/92
252-71-1	am	970131	5/13/97	5/31/97
252-71-2-a	am	011103	3/26/2002	4/13/2002
252-71-2-b	am	011103	3/26/2002	4/13/2002
252-71-2-d-0	am	930944	10/19/93	11/5/93
252-71-2-g	am	970131	5/13/97	5/31/97
252-71-3	am	970131	5/13/97	5/31/97
252-71-3	rp	000580	11/27/2001	12/14/2001
252-72	cr	85-1396	12/20/85	1/1/86
252-72.5	cr	020467	8/1/2002	8/20/2002
252-73	cr	85-1396	12/20/85	1/1/86
252-74	cr	85-1396	12/20/85	1/1/86
252-74-0	am	882295	5/16/89	6/3/89
252-74-0	am	900962	11/27/90	12/15/90
252-74-1	am	882295	5/16/89	6/3/89
252-74-2-a	am	882295	5/16/89	6/3/89
252-74-2-b	rc	900962	11/27/90	12/15/90
252-74-2-b	am	940652	2/14/95	3/3/95
252-74-2-c	cr	900962	11/27/90	12/15/90
252-74-2-c	am	912060	3/24/92	4/10/92
252-74-2-d	cr	031738	5/25/2004	6/12/2004
252-74-2-e	cr	031738	5/25/2004	6/12/2004
252-74-3	am	900962	11/27/90	12/15/90
252-74-5-a	am	980963	12/18/98	1/1/99
252-74-5-b	am	980963	12/18/98	1/1/99
252-74-5-d	am	980963	12/18/98	1/1/99
252-74-5-e	am	970131	5/13/97	5/31/97
252-74-5-f	am	881465	11/18/88	12/9/88
252-74-5-f-2	am	980963	12/18/98	1/1/99
252-75	cr	940652	2/14/95	3/3/95
252-75-1	am	980963	12/18/98	1/1/99
252-75-1	am	991763	5/14/2002	10/1/2002
252-75-1	am	021287	5/13/2003	5/30/2003
252-75-2	am	991763	5/14/2002	10/1/2002
252-76	cr	971318	5/5/98	5/22/98

252-76-3	am	991763	5/14/2002	10/1/2002
252-76-4-a-0	am	991763	5/14/2002	10/1/2002
252-76-5	am	991763	5/14/2002	10/1/2002

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