

ARTICLE E

Penalties and Fees

SEC. 15-1-80 PENALTIES AND VIOLATIONS.

- (a) Any building or structure hereafter erected, enlarged, altered or repaired, or any use hereafter established, or any plumbing, heating and ventilating or electrical work regulated by this Chapter, in violation of the provisions of this Chapter shall be deemed an unlawful building, structure or use. The appropriate inspector shall promptly report all such violations to the Common Council and City Attorney, who shall bring an action to enjoin the erection, enlargement, alteration, repair or moving of such building or structure or the establishment of such use, or to cause such building, structure or use to be removed and may also be subject to a penalty as provided in general penalty provisions of this Code of Ordinances. In any such action, the fact that a permit was issued shall not constitute a defense, nor shall any error, oversight or dereliction of duty on the part of the pertinent inspector constitute a defense. Compliance with the provisions of this Chapter may also be enforced by injunctive order at the suit of the owner or owners of any real estate within the jurisdiction of this Chapter.
- (b)
 - (1) If an inspection reveals a noncompliance with this Chapter or the Uniform Dwelling Code, the pertinent Inspector shall notify the applicant and the owner, in writing, of the violation to be corrected. All cited violations shall be corrected within thirty (30) days after written notification unless an extension of time is granted pursuant to Sec. ILHR 20.10(1)(c), Wis. Adm. Code.
 - (2) If, after written notification, the violation is not corrected within thirty (30) days, a stop-work order may be served on the owner or his representative and a copy thereof shall be posted at the construction site. Such stop-work order shall not be removed except by written notice of the Building Inspector after satisfactory evidence has been supplied that the cited violation has been corrected.
 - (3) Each day each violation continues after the thirty (30) day written notice period has run shall constitute a separate offense. Nothing in this Chapter shall preclude the City from maintaining any appropriate action to prevent or remove a violation of any provision of this Chapter or the Uniform Dwelling Code.
 - (4) If any construction or work governed by the provisions of this Chapter or the Uniform Dwelling Code is commenced prior to the issuance of a permit, double fees shall be charged.
- (c) Any person feeling aggrieved by an order or a determination of a City Building, Plumbing or Electrical Inspector may appeal from such order or determination to the Board of Appeals. Those procedures customarily used to effectuate an appeal to the Board of Appeals shall apply.
- (d) Except as may otherwise be provided by the State Statute or this Chapter, no officer, agent or employee of the City charged with the enforcement of this Chapter shall render himself personally liable for any damage that may accrue to person or property as a result of any act required or permitted in the discharge of his duties under this Chapter. Any suit brought against any officer, agent, or employee of the City, as a result of any act required or permitted in the discharge of his duties under this Chapter, shall be defended by the legal

representative of the City until the final determination of the proceedings therein.

**SEC. 15-1-81 BUILDING, ELECTRICAL, HEATING, VENTILATING, AIR
CONDITIONING, PLUMBING AND RELATED FEES.**

- (a) No person may receive a permit under Section 15 without having first paid the appropriate fee. Such fees will be set and reviewed by the Common Council annually. A list of the fees shall be maintained in the office of the City Clerk and Director of Community Development.
- (b) Heating contractors are required to obtain a license from the City of Menasha. Such licenses shall be issued for one (1) year commencing on the 1st day of March and expiring on the last day of February following, unless sooner revoked. The fees for such a license shall be established by the Common Council annually and paid to the City Treasurer.