

City of Waukesha, Wisconsin

Ordinance No. 2020-_____

An Ordinance Creating Section 16.072 of the Building Code of the Waukesha Municipal Code, Regarding Temporary Modification of Code Compliance Inspection Procedures and Deadlines for Landscaping Completion

Whereas section 16.071 of the Municipal Code requires inspections to determine code compliance during building construction made pursuant to a building permit; and

Whereas other inspections for code compliance set forth in chapters 16, 17, 18, 19 and 20 of the Municipal Code also contain requirements for inspection of work completed pursuant to permits granted by the Office of Community Development; and

Whereas the State of Wisconsin and the City of Waukesha are subject to Emergency Orders issued under authority granted by Wis. Stat. §§323.10 and 323.11, respectively, due to the outbreak of COVID-19, also known as the 2019 novel coronavirus; and

Whereas COVID-19 is easily transmitted from person-to-person and may be transmitted by persons who are not experiencing any symptoms according to the Centers for Disease Control and Prevention (CDC); and

Whereas the Office of Community Development has found that builders are not following safe distance guidelines established by the CDC and the State of Wisconsin during inspections, and also some of the inspectors with the Office of Community Development are in the “high risk” category for infection according to the CDC; and

Whereas conducting on-site inspections during the COVID-19 outbreak therefore present clear threats to the health, safety, welfare and protection of the inspectors and the public; and

Whereas the Council is authorized by Wis. Stat. §323.14(4) to order, by ordinance or resolution, whatever is necessary and expedient for the health, safety, protection, and welfare of persons and property within the local unit of government in the emergency;

Now, therefore, under authority granted by Wis. Stat. §§323.14(4) and 62.11(5), the Common Council of the City of Waukesha do ordain as follows:

Section 1. Section 16.072 of the Municipal Code is hereby created to read as follows:

16.072 Inspections and Landscaping Deadlines During COVID-19 Outbreak

- (1) Inspections.** From March 25, 2020 to June 1, 2020, any duty to conduct an inspection set forth in section 16.071 or otherwise enumerated in chapters 16, 17, 18, 19 and 20 of this Municipal Code may be accomplished by reviewing a sworn affidavit if, in the best exercise of the inspector's discretion, a sworn affidavit either alone or combined with photos and video recordings sufficiently describes the completed work to permit the inspector to determine that the work complies with all applicable provisions of this Municipal Code. If the inspector determines that a full inspection of the completed work may be accomplished solely by reviewing submitted photographs or video recordings, the inspector shall not consider information supplied by sworn affidavit.
- (2) Landscaping Deadlines.** Deadlines for completion of final site grading, installation of driveway, and stabilization of disturbed land set forth in sections 16.075(2), (3) and (6) of this Municipal Code occurring between March 25, 2020 and June 1, 2020 are hereby extended by 60 days.

Section 2. This ordinance shall take effect the day after publication.

Passed the 9th day of April, 2020.

Shawn N. Reilly, Mayor

Attest: Gina L. Kozlik, City Clerk