

1977 Assembly Bill 461

Date published: April 24, 1978

CHAPTER 258, Laws of 1977

AN ACT to create 66.036 of the statutes, relating to municipal building permits.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

PREFATORY NOTE: At the present time, in some localities, a property owner may obtain a building permit and construct a building before obtaining a sanitary permit. When the individual seeks a sanitary permit to install a septic tank system after constructing the building, the sanitary permit may be denied because the site does not meet the requirements of the state plumbing code or a local sanitary ordinance.

New sub. (1) is intended to preclude the possibility of a person erecting a building which requires connection to a private domestic sewage treatment and disposal system and then later being unable to obtain a sanitary permit to install the system on the property. When a building permit application is received, the county, city, village or town must determine whether the proposed building will require connection to a private domestic sewage treatment and disposal system. If connection is required, the county, city, village or town may not issue the building permit unless the applicant already has a sewer system adequate to serve the new structure or unless the applicant obtains a sanitary permit or other permit necessary for installation of a private domestic sewage treatment and

disposal system required by the state plumbing code or a municipal sanitary ordinance.

New sub. (2) requires the county, city, town or village which issues a building permit for construction on property not served by a municipal sewage treatment plant to compare the location of the proposed construction with the location of an existing, functioning private domestic sewage treatment and disposal system. Thus, the local official can ensure that the proposed construction, whether major or minor, will not ruin a functioning private domestic sewage treatment and disposal system.

SECTION 1. 66.036 of the statutes is created to read:

66.036 Building on unsewered property. (1) No county, city, town or village may issue a building permit for construction of any structure requiring connection to a private domestic sewage treatment and disposal system unless a system satisfying all applicable regulations already exists to serve the proposed structure or all permits necessary to install such a system have been obtained.

(2) Before issuing a building permit for construction of any structure on property not served by a municipal sewage treatment plant, the county, city, town or village shall determine that the proposed construction does not interfere with a functioning private domestic sewage treatment and disposal system. The county, city, town or village may require building permit applicants to submit a detailed plan of the owner's existing private domestic sewage treatment and disposal system.
