

Title 15 ► Chapter 4

Minimum Housing Code

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Sec. 15-4-1 Title; Purpose; Policy Construction and Scope.

- (a) **Title.** This Chapter shall be known and cited as the "Minimum Housing Code" of the Village of Elk Mound.
- (b) **Purpose.** The purpose of this Chapter is to prevent the deterioration of residential units and neighborhoods and to insure a minimum level of housing standards for the residents of the Village of Elk Mound. Such units or neighborhoods could become so dilapidated and neglected that they jeopardize or are detrimental to the health, safety, morals and general welfare of the people of the Village, or to the economic values of adjoining property. The adoption and subsequent enforcement of this Chapter is therefore deemed essential to the public interest. It shall be reasonably construed to maintain a pleasant, safe and healthful environment, and to help insure the maintenance of property values within the Village of Elk Mound.
- (c) **Scope.** This Chapter shall pertain to all dwellings in the Village of Elk Mound except one-family owner-occupied dwellings.

Sec. 15-4-2 Definitions.

- (a) **Applicability.** Whenever the words "dwelling", "dwelling unit", "rooming house", or "premises" are used in this Chapter, they shall be construed as though they were followed by the words "or any part thereof". All words other than those specifically defined herein

shall have their ordinarily accepted meanings as implied by the context. The following definitions shall apply in the interpretation and enforcement of this Chapter:

- (1) **Apartment Hotel.** Same as "hotel."
- (2) **Approved.** In accordance with the regulations established by Village ordinance or Code of Ordinances, and authority designated by law to enforce such ordinance or Code provision.
- (3) **Basement.** A typically defined structure lying below the main floor of a home and may or may not have a separate entrance and utilities.
- (4) **Bath.** A bathtub or shower stall properly connected with both hot and cold water lines.
- (5) **Bathroom.** A non-habitable room within a dwelling unit which is used, or intended to be used, primarily for bathing and/or toilet purposes, and which contains, in good working condition, a toilet, lavatory, bathtub or shower facilities.
- (6) **Bedroom.** A habitable room within a dwelling unit which is used, or intended to be used, primarily for the purpose of sleeping, but shall not include any kitchen or dining room. Bedroom, however, shall not be interpreted so as to prohibit efficiency apartments.
- (7) **Village.** The Village of Elk Mound, Wisconsin.
- (8) **Communal.** Used or shared by, or intended to be used or shared by, the occupants of two (2) or more rooming units or two (2) or more dwelling units.
- (9) **Deadbolt Locking Device.** Any keyed, mortised lockset with at least a 3/4 inch bolt capable of being opened from the inside by a single turn of a knob.
- (10) **Deterioration.** The condition of a building or part thereof characterized by holes, breaks, rot, crumbling, peeling, excessive rusting or other evidence of physical decay or neglect, lack of maintenance or excessive use. All exterior wood and composition surfaces shall be properly protected from the elements and against decay by paint, stain or other protective coating and applied in a workmanlike and attractive manner. Covering of exterior surfaces with plywood, tarps or plastic sheeting, other than temporarily for up to thirty (30) days, does not constitute sufficient exterior protection and care.
- (11) **Dwelling.** A structure or portion thereof designed or used exclusively for human habitation, but not including home/house trailers, mobile homes, hotels, motels, boarding and lodging houses, tourist courts or tourist homes.
- (12) **Dwelling, Single-Family.** A structure on a single lot containing one (1) dwelling unit and surrounded by open space or yards, and which is not attached to any other dwelling by any means.
- (13) **Dwelling, Two-Family.** A structure on a single lot containing two (2) dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.
- (14) **Dwelling, Multiple-Family or Apartment Building.** A residential structure, or portion of a structure, containing three (3) or more dwelling units served by a common entrance, or a structure designed for occupancy by three (3) or more families.

- (15) **Dwelling, Mobile Home.** Any vehicle or structure constructed in such a manner as to permit occupancy thereof as living quarters and so designed that it is or may be mounted on wheels, and used as conveyance on highways and streets, propelled or drawn by its own or other motor power. Any mobile home less than thirty (30) feet in overall length is defined as a "recreational vehicle."
- (16) **Dwelling, Manufactured Home.** A dwelling structure which is certified and labeled as a manufactured home under 42 USC Secs. 5401 to 5426, which, when placed on a site:
 - a. Is set on an enclosed foundation in accordance with Sec. 70.043(1), Wis. Stats., and Subchapters III, IV and V of Ch. COMM 21, Wis. Adm. Code, or is set on a comparable enclosed foundation system approved by the Village's Director of Community Development.
 - b. Is installed in accordance with the manufacturer's instructions.
 - c. Is properly connected to utilities.
- (17) **Dwelling Unit.** A room or suite of rooms used as a single-family dwelling including bath and culinary facilities.
- (18) **Efficiency Apartment.** A dwelling unit consisting of one habitable room.
- (19) **Elements.** Any element, whether created by nature or by man, which, with reasonable foreseeability could carry litter from one place to another. Elements include, but are not limited to, air current, rain, water current and animals.
- (20) **Exposed to Public View.** Any premises, or any part thereof, or any building, part thereof, or exterior grounds associated with such structure, which may be viewed by the public.
- (21) **Extermination.** The control and elimination of insects, rodents or other pests by elimination of their harborage places, by removing or making inaccessible material that may serve as their food, by poisoning, spraying, trapping or by any other recognized and legal elimination methods approved by Village officials.
- (22) **Family.** One or more persons related by blood, marriage, adoption, foster care, or a group of not more than four (4) persons who need not be related, living together as a single housekeeping organization and using common kitchen facilities.
- (23) **Garbage.** The animal and vegetable waste resulting from the preparation, handling, cooking and consumption of food.
- (24) **Habitable Room.** A room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes, excluding bathrooms, laundries, pantries, foyers, communication corridors, closets and storage spaces.
- (25) **Hotel.** A structure in which lodging, or boarding and lodging, are provided and offered to the public for compensation, and which ingress and egress to and from all rooms are made through an inside lobby or office supervised by a person in charge at all times. As such, it is open to the public unlike a boarding house, which is herein separately defined.
- (26) **Infestation.** The presence of any insects, rodents, or other pests within a dwelling or on the dwelling premises.
- (27) **Inoperable Vehicle.** Any unregistered or disassembled vehicle (automobile, truck, van, motorcycle, etc.), or any vehicle unable to move under its own power, or any

vehicle not able to be used legally on any public street in accordance with the provisions of Chapters 347 and 348, Wis. Stats., TRANS 305, Wis. Adm. Code, or this Code of Ordinances.

- (28) **Kitchen.** A habitable room or area used or intended to be used for cooking or the preparation of meals.
- (29) **Litter.** Includes, but is not limited to, any uncontainerized man-made or man-used waste which, if deposited within the Village other than in a permitted litter, refuse or recycling receptacle, tends to create a danger, hazard or threat to public health, safety and welfare or to impair the environment of the citizens of the Village. Litter may include, but is not limited to, any garbage, trash, refuse, debris, lawn or garden waste not being properly composted, newsprint, magazines, glass, metal, plastic or paper containers, construction materials, motor vehicle parts or inoperable vehicles of any type, furniture, waste oil, dead animals or nauseous or offensive matter of any kind or any object likely to injure any person, damage property values, or create a traffic or public safety/health hazard.
- (30) **Nuisance.** For the purposes of this Minimum Housing Code shall be defined as follows:
 - a. Whatever is dangerous to human life or is detrimental to health.
 - b. Any attractive nuisance which may prove detrimental to children whether in a building or upon a lot. This includes any abandoned wells, shafts, basements, and excavations; or any abandoned refrigerators and inoperable motor vehicles; or any structurally unsound structures; or any lumber, trash, debris, or vegetation which may prove a hazard for inquisitive minors.
 - c. Overcrowding a room with occupants.
 - d. Insufficient ventilation or illumination.
 - e. Inadequate or unsanitary sewerage or plumbing facilities.
 - f. Uncleanliness.
 - g. Whatever renders air, food or drink unwholesome or is detrimental to the health or human beings.
 - h. Unsafe or dangerous wiring.
 - i. Any other conditions defined elsewhere in this Code of Ordinances as a nuisance.
- (31) **Occupant.** Any person living, sleeping or eating, or having actual possession of a dwelling unit or rooming unit.
- (32) **Operator.** Any person who is in charge or control of a building or part thereof in which dwelling units or rooming units are let.
- (33) **Owner.** Any person who alone or jointly or severally with others shall be the legally recorded holder of the title with or without actual possession thereof, or who has charge, care or control of any dwelling or dwelling unit as agent or owner or as executor, administrator, trustee or guardian of the estate of the owner. The term "owner" under this Chapter shall also include the legally recorded holder of a land contract interest.
- (34) **Person.** Any individual, firm, corporation, limited liability company, partnership or association.

- (35) **Plumbing.** Shall mean and include the following: all piping, fixtures, appliances, equipment, devices and appurtenances in connection with the water supply, water distribution and drainage systems, including hot water storage tanks, water softeners and water heaters connected with such water and drainage systems and also includes the installation thereof of a water pressure system other than municipal systems as provided in Chapter 144, Wis. Stats.
- (36) **Premises.** A lot together with all buildings and structures thereon.
- (37) **Refuse.** All decayed and decomposed solid waste, including, but not limited to, garbage, rubbish, ashes, dead animals, excessive animal waste, abandoned or inoperable vehicles, trailers or equipment of any kind, and solid wastes.
- (38) **Roomer.** An occupant of a rooming house who is not a member of the family of the operator of that rooming house, or an occupant of a dwelling unit who is not a member of the family occupying the dwelling unit.
- (39) **Rooming House.** Any dwelling, or that part of any dwelling, containing one or more rooming units, in which space is let by the owner or operator to more than four (4) roomers.
- (40) **Rooming Unit.** Any room or group of rooms forming a single habitable unit in a rooming house used or intended to be used for living and/or sleeping.
- (41) **Rubbish.** Household waste, except garbage; and the term shall include tin cans, glass, metal, crockery, and similar household wastes; also papers, rags, lawn rakings and other combustible refuse.
- (42) **Supplied.** Paid for, furnished, or provided by or under the control of the operator or owner.
- (43) **Water Closet.** A room which typically contains, in good working condition, a toilet and lavatory.

Sec. 15-4-3 Inspection of Premises; Cease and Desist Orders.

- (a) **Authority.** The Building Inspector is authorized and directed to make inspections when he/she has valid reason to believe that a violation of this Chapter has occurred and has authority granted by the Village Board to enforce this Chapter.
- (b) **Inspections.** The Building Inspector is authorized to enter and inspect all dwellings and dwelling units subject to the provisions of this Chapter between the hours of 8:00 a.m. and 6:00 p.m. (except Sundays and holidays), for the purpose of determining whether there is compliance with the provisions of this Chapter. He/she shall give the occupant thereof, or there is none, then the owner thereof, reasonable notice of his/her intent to inspect the premises and may then make his/her inspection only if he/she is given permission to do so. In the absence of such permission, the Building Inspector shall obtain an inspection warrant pursuant to Sec. 66.0119, Wis. Stats., before entering the premises. However, if the delay in inspection would pose a serious and imminent threat to human life, health or property, he/she may enter the premises without such permission or notice and with or without an inspection warrant as the circumstances may prescribe. The Building Inspector and the

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owner/occupant in charge may agree to an inspection by appointment at a time other than during the hours specified above.

- (c) **Interference with Inspections; Cease and Desist Orders.** If any owner, occupant, or other person in charge of a dwelling or dwelling unit subject to the provisions of this Chapter refuses, impedes, interferes with, restricts or obstructs entry and free access to any part of the structural premises where inspection authorized by this Chapter is sought, the Building Inspector may seek from any court of competent jurisdiction, an order that such owner, occupant or other person in charge cease and desist with such interference.

Sec. 15-4-4 Notices; Appeals; Review.

- (a) **Notice; Service; Time for Remedial Action by Owner.** Whenever the Building Inspector determines that there has been a violation or that there are reasonable grounds to believe that there has been a violation of any provision of this Chapter, he/she shall give written notice of such violation or alleged violation to the party responsible for maintaining the premises in compliance with this Chapter or the party as designated in writing. The notice shall include at least:
 - (1) A description of the real estate sufficient for identification;
 - (2) A statement of the alleged violation(s);
 - (3) An order for remedial action; and
 - (4) A provision allowing reasonable time, up to six (6) months, for performance of any action required.
- (b) **Appeals From Orders.** Any person feeling aggrieved by any order or ruling of the Building Inspector (or Housing Inspector) may appeal from such order or ruling to the Village Plan Commission. Such appeal request must be filed with the Village within seven (7) days of the order or ruling. An order or ruling written under the State Building Code is not appealable under this Section.
- (c) **Emergency Orders.** If the Building Inspector shall determine that a dwelling is in such condition that it constitutes a public nuisance and that there is great danger to the public health, safety, and welfare, and if the owner, or occupant if appropriate, refuses to comply with orders within the time period prescribed, the Building Inspector, or other designee, shall cause such dwelling or dwelling unit or part thereof to be posted as unfit for human habitation, occupancy, or use by posting a placard on the premises containing the following words: "*This Dwelling Unit Cannot Be Used For Human Habitation, Occupancy or Use.*"
- (d) **Unauthorized Removal of Notice.** No person shall interfere with, obstruct, mutilate, deface or remove the official notice or placard from any dwelling or dwelling unit.

Sec. 15-4-5 Minimum Standards For Equipment And Facilities.

All habitable buildings subject to the provisions of this Chapter shall comply with the following requirements for basic equipment and facilities:

- (a) **Sinks.** Every dwelling unit shall contain a kitchen sink which shall be located in the room in which the food is cooked or prepared.
- (b) **Bathrooms.**
 - (1) Every dwelling unit shall contain a bath, a flush toilet, and a lavatory basin, irrespective of the sink required as a kitchen facility.
 - (2) The room wherein the toilet, lavatory and bathtub or shower required under this Section are installed shall afford privacy to a person within. The bathtub or shower may be in a room separate from the room housing the toilet and lavatory basin, but shall afford privacy to a person within.
- (c) **Water Supply.** Every required kitchen sink, lavatory basin, bathtub and shower shall be properly connected with both hot and cold potable water, and every flush toilet shall be properly connected to a supply of water adequate in volume and pressure for flushing purposes.
- (d) **Water Heating Facilities.** Every dwelling unit shall have automatic or manually operated water heating facilities which are properly installed, are maintained in safe and good working condition, and are connected to fixtures as required in the preceding Subsection; and are capable of heating water to a temperature of at least one hundred and twenty (120) degrees Fahrenheit so as to permit an adequate amount of hot water to be drawn at every required sink, lavatory basin, bathtub, or shower even when the required dwelling space heating facilities are not in operation.
- (e) **Garbage and Refuse Receptacles.** Every owner shall supply every dwelling unit with adequate garbage and refuse disposal equipment and/or receptacles large enough to hold all garbage and refuse generated by that dwelling unit, in compliance with Village ordinances. Such receptacles shall comply with the requirements and standards set by Village ordinances by the Village Board or by the Department of Public Works, and shall be maintained by the owner or occupant in serviceable condition.
- (f) **Stairways in Single-Family and Two-Family Dwellings.** Stairways in single and two-family dwellings shall be equipped with proper handrails mounted in accordance with COMM 21.04, Wis. Adm. Code, as may be amended, and shall be equipped with treads and risers reasonably uniform. Porches in single and two-family dwellings shall be equipped with guardrails and intermediate rails installed in accordance with COMM 21.04, Wis. Adm. Code, as amended, if none are installed. Guardrails in place at the time of adoption of this Subsection will not require replacement until such time as they are deteriorated, no longer functional or deemed unsafe. Stairways and porches in other multiple-family dwellings shall comply with the appropriate provisions of the Uniform Dwelling Code, as may be amended from time to time, contained in the Wisconsin Administrative Code and adopted by reference elsewhere in this Title.
- (g) **Smoke Detectors.**
 - (1) A listed and labeled multiple-station smoke alarm with battery backup shall be installed in the following locations in multiple-family dwelling units:
 - a. An alarm shall be installed in each sleeping room.
 - b. On floor levels that contain one or more sleeping areas, an alarm shall be installed outside of the sleeping rooms, in the vicinity of each sleeping area.

- c. On floor levels that do not contain a sleeping area, an alarm shall be installed in a common area on each floor level.
 - (2) Smoke detectors shall be continuously powered by the house electrical service, and shall be interconnected so that activation of all detectors.
 - (3) Smoke alarms and detectors shall be maintained in accordance with the manufacturer's specifications.
- (h) **Natural Gas Ranges.** When provided or used in any dwelling unit subject to the provisions of this Chapter, natural gas ranges, ovens and oven/range combinations of any type shall be installed, maintained and used or operated in a safe and non-hazardous manner, pursuant to any applicable state or national codes and regulations. Whenever such an appliance is found or determined to be or is certified by the Wisconsin Public Service Commission or a provider utility as unsafe or hazardous, no person shall use, nor shall any person permit others to use, the appliance until all appropriate repairs have been made and the appliance is certified as safe for its intended use.
- (i) **Doors.**
 - (1) Exterior entry/exit doors shall be of solid core construction and capable of affording security by the installation of deadbolt locking devices.
 - (2) Bedrooms shall be equipped with doors for privacy.

Sec. 15-4-6 Minimum Standards for Heating, Ventilation, Electrical Service and Lighting.

All habitable buildings shall comply with the following requirements for heating, ventilation, electrical service and lighting:

- (a) **Heating.** Every dwelling shall have heating facilities which are capable of safely and adequately heating all habitable rooms and bathrooms to a temperature of at least sixty-seven (67) degrees Fahrenheit with an outside temperature of minus fifteen (-15) degrees Fahrenheit without forcing the heating facilities beyond safe capacity. All facilities shall be operated to maintain at least this minimum temperature during all occupied periods.
- (b) **Ventilation.**
 - (1) Every habitable room shall be provided with window and/or door areas openable to the outside equal to at least three and one-half percent (3.5%) of the floor area except mechanical ventilation can be provided in a kitchen in lieu of windows or doors when the ventilation system is designed and installed according to accepted engineering practices or manufacturer's written specifications.
 - (2) Every bathroom and toilet compartment shall be equipped with mechanical exhaust ventilation, directly to the outside and installed according to accepted engineering practices or manufacturer's written specifications, with an intermittent rate of fifty (50) cubic feet per second (cfm) or a continuous rate of fifty (50) cubic feet per second (cfm) regardless of whether or not a window is present.
 - (3) All windows and/or doors openable directly to the outside as required by Subsections (b)(1) and (2) above shall be effectively screened with untorn screens/frames in good serviceable condition.

- (4) All openings to a building which might provide an entry for rodents shall effectively be protected at all times so as to prevent their entry.
- (c) **Electrical Service.**
- (1) Every habitable room shall contain with receptacle spacing as denoted in the currently adopted version of the National Electric Code or COMM 16, Wis. Adm. Code. Every bathroom shall contain one wall convenience outlet and one wall or ceiling light fixture. Every such outlet and fixture shall be properly installed and shall be maintained in good and safe working condition and shall be connected to the source of the electric power in a safe manner.
 - (2) In every building accommodating two (2) or more dwelling units using the same corridors and stairways, adequate lighting shall be provided in such corridors and stairways when needed. Such lighting shall be operated by any of the following means:
 - a. Light switches:
 1. Corridors – By conveniently located light switches.
 2. Stairs – At least the equivalent of a three-way light switch system located at the top and bottom of all stairways.
 - b. Any automatic-type of operation which will maintain adequate lighting at all time, either natural or artificial.
 - (3) Electrical service panels shall be readily accessible to all occupants in a dwelling without passing through another dwelling unit as required by the National Electrical Code as may be amended from time to time.
 - (4) Exterior lighting shall be required to illuminate exterior entry/exit steps in or leading to dwelling units.
- (d) **Natural Lighting.** Every habitable room shall be provided with window areas equal to at least eight percent (8%) of the floor area.

Sec. 15-4-7 Requirements For Maintenance.

All habitable buildings shall comply with the following requirements for maintenance:

- (a) **Floors, Walls, Etc.**
- (1) Every floor, floor covering, wall, ceiling and kitchen countertop and cupboard shall be kept in good repair. Every building shell, foundation, exterior door and roof shall be kept in good repair and weathertight.
 - (2) All rainwater shall be so drained from the roof so as not to cause dampness inside the dwelling unit and so drained as not to allow standing water, water damage or other detrimental conditions in the dwelling.
 - (3) All windows shall be maintained in good repair and in a weathertight condition.
 - (4) All interior doors shall be maintained in good repair.
- (b) **Stairs and Porches.** Every inside and outside stair, every porch, every guardrail and appurtenance thereto shall be so constructed as to be safe to use and capable of supporting the load that normal use would cause to be placed thereon, and shall be kept in sound

condition and good repair, and in a clean condition. Such stairs and porches shall be kept free of refuse or stored material.

- (c) **Plumbing Systems.** Plumbing systems shall be maintained in a sanitary and functional condition. Leaking pipes and cracked or broken fixtures shall be considered unsanitary.
- (d) **Chimney and Smoke Pipes.** Every chimney and smoke pipe shall be adequately supported, reasonably clean and maintained in a good state of repair and functionality.
- (e) **Discontinuance of Service.** No owner, occupant or operator shall cause any required service, facility, equipment or utility to be removed from, shut off from or discontinued for any occupied dwelling except for such temporary interruption as may be necessary while actual repairs or alterations are in progress, or during a temporary emergency, or when authorized by the Wisconsin Public Service Commission.
- (f) **Safe and Clean Dwelling Units and Premises.** No owner shall rent to any other person for occupancy or allow any person to occupy any dwelling unit or premises unless it is safe and clean, and complies with all provisions of this Chapter and this Code of Ordinances.
- (g) **Cleanliness.** Every dwelling unit and its accessory structures shall be kept free of any accumulation of refuse, trash, debris or other matter.

Sec. 15-4-8 Conditions of Occupancy of Dwellings and Dwelling Units.

No person shall occupy or let to another for occupancy any dwelling or dwelling unit for the purpose of living therein which does not comply with the following requirements:

- (a) **Floor Space.** Every dwelling unit except hotels and rooming houses shall contain at least one hundred fifty (150) square feet of habitable floor space for the first occupant thereof and at least one hundred (100) additional square feet of floor space for every additional occupant thereof. In the case of conflict between minimum floor space requirements contained in the Village Zoning Code and this Chapter, the more restrictive provision shall be applicable.
- (b) **Habitable Room Area.** Floor area shall be calculated on the basis of habitable room area. However, closet area and hall area within the dwelling unit, where provided, may count for not more than ten percent (10%) of the required habitable floor area.
- (c) **Ceiling Height.** At least one-half (1/2) of the floor area of every habitable room shall have a ceiling height of at least seven (7) feet and the floor area of that part of any room where the ceiling height is less than five (5) feet shall not be considered as part of the floor area in computing floor area of the room for determining the maximum permissible occupancy thereof.
- (d) **Access to Bathroom Facilities.** Every occupant of every dwelling unit shall have unrestricted access to a bath and flush toilet and to a sink or lavatory basin located within the dwelling unit. Such access shall not be through more than one sleeping room.
- (e) **Basement Space.** A basement space may be used as a living or sleeping room or a dwelling unit if floors and walls are impervious to the leakage of underground and surface runoff water, excess humidity is controlled, and the space used complies with the requirements for habitable rooms.

Sec. 15-4-9 Responsibilities of Owners and Occupants.

Where in this Chapter the obligation for observance is not otherwise clearly designated, the respective responsibility of owner, operator and occupant is as follows:

- (a) **Responsibility of Owner.** Every owner of a dwelling shall be responsible for maintaining in a safe, clean and good condition all communal, shared or public areas of the dwelling and appurtenant premises. Yards and grounds shall additionally be the responsibility of the owner and kept in a safe, clean, maintained and good condition.
- (b) **Responsibilities of Occupants.** Every occupant of a dwelling or dwelling unit shall maintain in a clean condition that part of the dwelling, dwelling unit and yard which he/she occupies and controls.
- (c) **Storage of Garbage and Refuse.** Every owner shall notify in writing the occupant and shall insure that garbage and refuse shall be properly stored behind and adjacent to the rear of the dwelling at a point farthest away from any public sidewalk, alley or thoroughfare; that all garbage and refuse shall be stored in proper receptacles and shall not be placed at the curb or alley line for collection no earlier than 4:00 p.m. of the day preceding collection as established by the Village; and that all receptacles shall be returned by the occupant(s) to the point of storage within twelve (12) hours after collection.
- (d) **Disposal of Garbage.** Every occupant of a dwelling or dwelling unit, who does not otherwise provide for the disposal of garbage in a sanitary and inoffensive manner, shall prepare all his/her garbage for collection and place it, pending collection, in a proper receptacle as provided herein. The owner shall be responsible for supplying such facilities or receptacles for all dwelling units in dwellings containing more than two (2) dwelling units. In all other cases, the occupant shall be responsible for such facilities or receptacles.
- (e) **Extermination of Pests.**
 - (1) Every occupant of a dwelling unit in a dwelling containing more than one dwelling unit shall be responsible for the extermination of any insects, rodents, pigeons, or other pests therein, whenever his/her dwelling unit is the only one infested; provided, however, that when infestation is caused by failure of the owner to maintain a dwelling in a rodent or pigeon-proof or substantially insect-proof condition, or if termites infest the dwelling, extermination shall be the responsibility of the owner.
 - (2) Every owner or operator shall be responsible for extermination of any insects, rodents, pigeons or other pests whenever infestation occurs in more than one dwelling unit in a dwelling, or in shared or public parts of a dwelling or two (2) or more units or in any vacant unit.
- (f) **Maintenance of Exterior of Premises.** The exterior of the premises and all structures thereon shall be kept free of all nuisances and any hazards to the safety of the occupant, pedestrians and other persons utilizing the premises, and free of unsanitary conditions, and any of the following shall be promptly removed and abated by the owner, operator or resident. It shall be the duty of the owner, operator or resident to keep the premises free of hazards which include, but are not limited to, the following:

- (1) Refuse, such as brush, weeds, broken glass, stumps, obnoxious growths, filth, garbage, trash and debris.
- (2) Natural growth, such as dead and dying trees and limbs or other natural growth which, by reason of rotting or deteriorating conditions or storm damage, constitute a hazard to persons in the vicinity. Trees shall be kept properly pruned and trimmed to prevent such conditions.
- (3) Overhangs, such as loose and other hangings which, by reason of location above ground level, constitute a danger of falling on or injuring persons in the vicinity. All premises shall comply with the requirements of Title 6, Chapter 2 of this Code of Ordinances.
- (4) Sources of infestation.
- (5) The exterior of the premises, the exterior of structures and the condition of accessory buildings/structures shall be maintained so that the appearance of the premises and structures/buildings shall not constitute a blighting factor.
- (6) Holes, excavations, breaks, improper projections, obstructions and excretion of animals on paths, sidewalks, walks, driveways, parking areas and other parts of the exterior of the premises which are accessible to and used by persons having access to such premises.

(g) **Litter Control.**

- (1) **Litter Collection and Storage Areas.** Every owner, occupant or lessee of a building used for residential, business, commercial or industrial purposes shall maintain litter collection and storage areas in a clean condition and ensure that all litter is properly containerized. Failure to so maintain clean litter collection and storage areas shall constitute a violation of this Section.
- (2) **Duty to Collect Litter Before It Is Carried From Premises.** All litter that is subject to movement by the elements shall be secured by the owner or occupant of the premises where it is found before the litter is allowed to be removed from the premises by the elements.
- (3) **Neglected Premises Visible to the Public.** It shall be the duty of any person owning or controlling any premises, including vacant lots and accessory buildings visible from any public place or private premises, to maintain such premises in a reasonably clean and orderly manner. It shall be a violation of this Subsection to abandon, neglect or disregard the condition or appearance of any premises so as to permit it to accumulate litter.
- (4) **Areas Around Business Premises.** The owner, lessee, or person in control of any public place, including, but not limited to, restaurants, stores, shopping centers, fast food outlets, hotels, motels, industrial establishments, office buildings, apartment buildings, housing projects, gas stations, clinics and other business/industrial establishments shall at all times keep the premises clean of all litter and shall take measures, including daily cleanup of the premises, to prevent litter from being carried

by the elements to adjoining premises. It shall be a violation of this Subsection to abandon, neglect or disregard the condition or appearance of such premises so as to permit it to accumulate litter.

- (5) **Loading and Unloading Docks.** The person owning, operating or in control of loading or unloading dock(s) shall at all times maintain the dock area free of litter in such manner that litter will be prevented from being carried from the premises by the elements.
- (h) **Appearance of Exterior of the Premises and Window Display Areas.** The exterior of the premises shall be maintained so that the appearance thereof shall reflect a level of maintenance in keeping with the standards of the neighborhood or such higher standards as may be adopted by the Village of Elk Mound and such that the appearance thereof shall not constitute a blighting effect upon neighboring properties nor an element leading to progressive deterioration and downgrading of neighboring properties with any accompanying diminution of property values, including the following:
 - (1) **Landscaping.** Where exposed to the public view, the landscaping of a premises shall be maintained in an orderly fashion with lawns and bushes trimmed and free from becoming overgrown, littered and unsightly where such would constitute a blighting effect, depreciating adjoining and nearby property. Open areas shall be graded evenly to eliminate holes, depressions, gullies, mounds, accumulations of debris or other unsightly or unsafe conditions. Specifically, the requirements of Title 8, Chapter 1 of this Code of Ordinances shall be complied with.
 - (2) **Windows and Window Display Areas.** All windows exposed to public view shall be kept clean and free of marks, broken glass and foreign substances. Except when necessary in the course of changing displays, no storage of materials, stock or inventory shall be permitted in window display areas ordinarily exposed to public view, unless such areas are first screened by drapes, blinds or other means of making the windows translucent. All screening of interiors shall be maintained in a clean and attractive manner and in a good state of repair.
 - (3) **Structural Soundness and General Maintenance.** The exterior of every building shall be maintained in good repair, and all exterior surfaces thereof shall be kept painted, stained or otherwise provided with a protective treatment where necessary for purposes of preservation and appearance. All exterior surfaces thereof shall be maintained from broken glass, excessively loose shingles or siding, crumbling masonry, excessively peeling paint or other condition reflective of deterioration or inadequate maintenance to the end that the building itself may be preserved, safety and fire hazards eliminated and adjoining properties and the neighborhood protected from blighting influences.

Sec. 15-4-10 Time for Compliance; Razing Orders.

- (a) In cases of existing violations, the Village shall order compliance with this Chapter within a stated period of time not to exceed six (6) months. However, in case of hardship, the

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Village Building Inspector may grant, at his/her discretion, time extensions not exceeding six (6) months each, and not exceeding a total of one year from the time of original order. Said extensions shall be granted only upon evidence of substantial effort to, and progress in, removing the violation.

- (b) Any dwelling declared structurally unsafe shall be restored or razed according to the provisions of the Wisconsin Statutes and the Village Building Code. The Building Inspector is hereby designated as an officer to carry out the razing provisions thereof.