

**ORDINANCE No.** \_\_\_\_\_

**AN ORDINANCE REGARDING  
PROPERTY MAINTENANCE**

The Common Council of the City of Abbotsford, Wisconsin, do ordain as follows:

**SECTION I. REPEAL AND ADOPTION OF PROVISIONS.**

Title 15, Chapter 4 of the Abbotsford Code of Ordinances is repealed and recreated to read as follows:

**Title 15 ► Chapter 4**

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**Property Maintenance Code**

- 15-4-1** Title
- 15-4-2** Intent and Purpose
- 15-4-3** Rules and Definitions
- 15-4-4** Minimum Standards for Basic Residential Equipment,  
Lighting, Ventilation, Heating and Electrical Service
- 15-4-5** Safe and Sanitary Maintenance of Property Exteriors
- 15-4-6** Minimum Quantity, Location and Use of Space in Residential  
Buildings
- 15-4-7** Fixing the Responsibility of Residential Owners, Operators,  
Tenants, and Occupants
- 15-4-8** Inspection
- 15-4-9** Designation of Unfit Dwellings and Legal Procedure Therefor;  
Condemnation
- 15-4-10** Enforcement; Service of Notice and Orders; Hearings

**Sec. 15-4-1 Title.**

This Chapter shall be known as the City of Abbotsford Property Maintenance Code.

## **Sec. 15-4-2 Intent and Purpose.**

- (a) **Intent.** This Chapter is adopted for the purpose of preserving and promoting the public health, safety, comfort, convenience, prosperity, and general welfare of the people of the City of Abbotsford and environs. This includes, among others, physical, aesthetic, and property values.
- (b) **Purpose.** It is recognized that there may now be or may, in the future, be buildings, structures, yards or vacant areas, and combinations thereof which are so dilapidated, unsafe, dangerous, unhygienic, overcrowded, inadequately maintained or lacking in basic equipment or facilities, light, ventilation, and heating so as to constitute a menace to the health, safety, and general welfare of the people. The establishment and enforcement of minimum housing and property maintenance standards is necessary to preserve and promote the private and public interest.
- (c) **Conflict of Provisions; Exceptions.**
  - (1) In any case where a provision of this Chapter is found to be in conflict with another provision of the City of Abbotsford Code of Ordinances, the provision which established the higher or more restrictive standard for the protection of the public health, safety and welfare shall prevail.
  - (2) The provisions of this Chapter shall not apply to construction of new buildings, which are subject to other local and state regulations.
- (d) **Validity of Prior Regulations.** Equipment, systems, devices and safeguards required by a previous state law, local ordinance or code under which the structure was constructed, lawfully altered or repaired or the premises developed, shall be maintained in good repair and in good working order. The requirements of this Chapter are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in good repair and in proper working order in structures.
- (e) **Workmanship.** Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this Chapter shall be executed, constructed and/or installed in a workmanlike manner and in accordance with the manufacturer's installation instructions.
- (f) **Historic Buildings.** The provisions of this Chapter shall apply to structures designated by the federal, state or local government as historic buildings. However, any work to said structures shall also comply with appropriate zoning regulations, the standards contained in Title 15, Chapter 1 "Building Code", and Title 15, Chapter 7 "Historic Preservation", of the Abbotsford Code of Ordinances; and COMM 70, Wis. Adm. Code, Historic Building Code.

**Cross-Reference:** Title 11, Chapter 6, Public Nuisances; and  
Section 10-5-8, Junked Vehicles, Refuse and Appliances

## Sec. 15-4-3 Rules and Definitions.

- (a) **Rules.** In the construction of this Chapter, the rules and definitions contained in this Section shall be observed and applied, except when the context clearly indicates otherwise:
- (1) Words used in the present tense shall include the future.
  - (2) Words used in the singular number shall include the plural number, and the plural the singular.
  - (3) The word "shall" is mandatory and not discretionary.
  - (4) The word "may" is permissive.
  - (5) The phrase "used for" shall include the phrases "arranged for," "designed for," "intended for," "maintained for," and "occupied for."
- (b) **Definitions.** The following definitions shall be applicable in this Chapter:
- (1) **Adequate.** Shall mean adequate as determined by the Building Inspector under the regulations of this Chapter or adequate as determined by an authority designated by law or this Code of Ordinances. "Adequately" shall mean the same as adequate.
  - (2) **Apartment.** One (1) or more rooms with provisions for living, cooking, sanitary, and sleeping facilities arranged for use by one (1) family.
  - (3) **Approved.** Approved by the Building Inspector under the regulations of this Chapter or approved by an authority designated by law, this Chapter or this Code of Ordinances.
  - (4) **Attractive Appearance.** An appearance which is in accordance with generally accepted professional practices for new construction within the City of Abbotsford and which is not likely to adversely affect the values of abutting or neighborhood properties, or of the principal property.
  - (5) **Basement.** A portion of a building located partly or wholly underground and having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.
  - (6) **Boarding House.** See "Lodging House" and "Lodging Room."
  - (7) **Building.** A combination of material to form a construction that is safe and stable and adapted to permanent or continuous occupancy for assembly, business, educational, high hazard, industrial, institutional, mercantile, residential, or a storage purpose; the term "building" shall be construed as if followed by the words "or portion thereof." For the purpose of this Chapter, each portion of a building completely separated from other portions by an unpierced fire wall shall be considered as a separate building.
  - (8) **Capacity in Persons.** The "capacity in persons" of a building is the maximum number of persons that can occupy such building, as determined by the required floor space per person as established in this Chapter.
  - (9) **Compliance Inspection.** An inspection performed in conjunction with a lawful order of the Common Council, City Clerk-Treasurer, Police