

LEGISLATIVE COMMITTEE MEETING

City of Kaukauna
Council Chambers
Municipal Services Building
144 W. Second Street, Kaukauna



Monday, May 19, 2025 at 6:20 PM

AGENDA

In-Person and Remote Teleconference via ZOOM

1. Correspondence.
2. Discussion Topics.
 - [a.](#) Ordinance 1927-2025 Ordinance Amending Section 14.07.
 - [b.](#) Ordinance 1928-2025 Ordinance Repealing and Replacing Section 2.03.
3. Adjourn.

NOTICES

Notice is hereby given that a majority of the City Council will be present at the meeting of the Legislative Committee scheduled for Monday, May 19, 2025, at 6:20 P.M. to gather information about a subject over which they have decision making responsibility.

IF REQUESTED THREE (3) DAYS PRIOR TO THE MEETING, A SIGN LANGUAGE INTERPRETER WILL BE MADE AVAILABLE AT NO CHARGE.



MEETING ACCESS INFORMATION:

You can access this meeting by one of three methods: from your telephone, computer, or by an app. Instructions are below.

To access the meeting by telephone:

1. Dial 1-312-626-6799
2. When prompted, enter Meeting ID 234 605 4161 followed by #
3. When prompted, enter Password 54130 followed by #

To access the meeting by computer:

1. Go to <http://www.zoom.us>
2. Click the blue link in the upper right hand side that says Join a Meeting
3. Enter Meeting ID 234 605 4161
4. Enter Password 54130
5. Allow Zoom to access your microphone or camera if you wish to speak during the meeting

To access the meeting by smartphone or tablet:

1. Download the free Zoom app to your device
2. Click the blue button that says Join a Meeting
3. Enter Meeting ID 234 605 4161
4. Enter Password 54130
5. Allow the app to access your microphone or camera if you wish to speak during the meeting

Members of the public will be muted unless there is an agenda item that allows for public comment or if a motion is made to open the floor to public comment.



MEMO

PLANNING & COMMUNITY DEVELOPMENT

To: Common Council
 From: Adrienne Nelson, Associate Planner
 Date: May 14, 2025
 Re: Survey Requirement for New Buildings & Additions

Background Information:

Planning and Community Development staff have gone through the review process for updates to section 14.07 of the municipal code. This section contains information on the applications, plans, and specifications required to obtain a building permit. Currently, a survey is not required to obtain a building permit unless lot lines cannot be properly identified by permanent monuments. Changing 14.07(b) to require surveys for new buildings and additions would prevent future issues with approving permits for accessory structures and fences. Other communities that have this requirement include Combined Locks, Kimberly, Little Chute, Neenah, and Brillion. This change will assist in preventing issues and provide a good document for any future changes to a property such as adding fences or sheds. In addition, a certified survey will assist staff in reviewing and will cut down on review times while ensuring accuracy in staff review.

The Plan Commission has recommended that staff pursue this ordinance change and requested additional language be added to clarify that surveys are not required for accessory structures. Staff have added language to clarify that the survey requirement is for new principal structures and additions to principal structures while still allowing staff to request a survey for other structures if needed. See updated language below with proposed deletions in **RED** additions in **Green**:

14.07(b)

- b. ~~When lot lines cannot be properly identified by permanent monuments, a survey shall be prepared and certified by a surveyor registered by the state.~~ **For new principal structures and additions to principal structures, or when deemed necessary by staff to verify lot lines and setbacks for any structure, a survey shall be prepared**

and certified in the following manner by a surveyor registered by the State:

- (1) The survey shall be made within one year prior to the issuance of a building permit.
- (2) The survey shall bear the date of the survey.
- (3) The survey shall show the following:
 - (A) Location and dimensions of all buildings on the lot, both existing and proposed.
 - (B) Dimensions of the lot.
 - (C) Dimensions showing all setbacks to all buildings on the lot.
 - (D) The location of the centerline and lines of the street abutting the lot.
 - (E) Proposed grade of proposed structure, to city datum.
 - (F) Grade of lot and of the street abutting the lot.
 - (G) Grade and set-back of adjacent buildings. If adjacent lot is vacant, submit elevation of nearest buildings on same side of road.
 - (H) Type of monuments at each corner of lot.
 - (I) Watercourses or existing drainage ditches.
 - (J) Easements or other restrictions affecting the lot.
 - (K) Seal and signature of surveyor.
- (4) Following approval of the survey, the lot corners and the proposed structure corners shall be staked on the ground before construction begins.

Staff Recommendation

To adopt the updated ordinance

CITY OF KAUKAUNA
ORDINANCE NO. 1927-2025
ORDINANCE AMENDING SECTION 14.07

WHEREAS, updates were needed to require surveys for new buildings and additions; and,

WHEREAS, this change will help prevent future issues with approving permits for accessory structures and fences; and,

WHEREAS, the Plan Commission has recommended the following ordinance changes; and,

WHEREAS, the Legislative Committee has recommended the following ordinance changes; and,

WHEREAS, the Common Council finds the following ordinance changes to be in the public interest;

NOW THEREFORE, it is ordained by the Common Council of the City of Kaukauna, Wisconsin, that Ordinance Section 14.07 of the Kaukauna Municipal Code be amended as follows:

BEFORE AMENDMENT

14.07 Applications, Plans, and Specifications

Application for a permit shall be made by the owner of a building or structure or an authorized agent and shall be made in writing upon a blank form furnished by the building inspector. The permit application shall contain the name, mailing address, and phone number of the owner of the building and land; the name, mailing address, and phone number of the engineer, architect, designer, or contractor responsible for the work; and a general description of the location of the proposed work, the use and occupancy of all parts of the building or structure and such other information as required by the building inspector to enforce the provisions of this chapter.

1. *Plans required.*

- a. Building plans, site plans, and specifications shall accompany every application for a permit and shall be filed with the building inspector. All plans submitted shall be legible, drawn to scale, fully dimensioned, and shall contain sufficient information to determine compliance with this chapter and all other applicable regulations. Plans shall be prepared in accordance with the provisions of this chapter, shall bear the name of the architect, engineer, or designer who prepared them, if any, and shall be of sufficient clarity to clearly indicate the nature and character of the work proposed.
- b. When lot lines cannot be properly identified by permanent monuments, a survey shall be prepared and certified by a surveyor registered by the state.
- c. Delegated Appointed Agent Municipality. The municipality has adopted the Appointed Agent Municipality Status as described in SPS 361.60 of the Wisconsin Administrative Code.
 - (1) Responsibilities. The City shall assume the following responsibilities for the Department of Safety and Professional Services (Department):

- (A) Provide inspection of commercial buildings with certified commercial building inspectors.
- (B) Provide plan examination of commercial buildings with certified commercial building inspectors.
- (2) Plan Examination. Drawings, specifications and calculations for all the types of buildings and structures, except state-owned buildings and structures and other structures exempted in SPS 361.03(3), to be constructed within the limits of the municipality shall be submitted, if the plans are for any of the following:
 - (A) A new building or structure.
 - (B) An addition to a building, structure, or building system such as fire alarm, sprinkler, plumbing, or HVAC system.
 - (C) An alteration of a building space, element, or structure. Including alteration of an existing fire alarm system, fire sprinkler system, plumbing system, HVAC system or replacement of equipment or fixtures within those systems.
 - (D) A certified or delegated municipality may waive its jurisdiction for the plan review of a specific project or types of projects, or components thereof, in which case plans and specifications shall be submitted to the Department for review and approval.
 - (E) The department may waive its jurisdiction for the plan review of a specific project, where agreed to by a certified municipality, in which case plans and specifications shall be submitted to the certified municipality for review and approval.
- (3) Plan Submission Procedures. All commercial buildings, structures and alterations, including new buildings and additions require plan submission as follows:
 - (A) Building permit application
 - (B) Application for review – State of Wisconsin forms as applicable based on trade submitted or Municipal Equivalent.
 - (a) Fees per municipal fee schedule
 - (b) Fees apply to all commercial projects AND one of the following options
 - (C) 4 sets of plans
 - (a) Signed and sealed per SPS 361.31
 - (b) (1) set of specifications
 - (c) Component and system plans
 - (d) Calculations showing code compliance

OR

 - (D) 1 sets of plans with 3 Project cover sheets
 - (a) Signed and sealed per SPS 361.31
 - (b) (1) set of specifications
 - (c) Component and system plans
 - (d) Calculations showing code compliance

Note: Nothing in this code or chs. SPS 361 to 366 is intended to prohibit the submission and acceptance of plans and construction documents in an electronic or digital media. However, if plans are approved electronically, 2 sets of hard copies bearing the approval stamp of the reviewer is still required to be submitted prior to permit issuance.

2. *Review by other departments.* Building plans requiring review by other city departments, such as the fire department, planning and community development department, plan commission, or the state Department of Safety and Professional Services (DSPS), shall be reviewed and stamped "approved" or "conditionally approved" by such departments or agencies prior to submittal for permits.
3. *Quality of materials.* When the quality of materials is essential for conformity to this chapter, specific information shall be given on plans submitted to establish such quality and this chapter shall not be cited, or the term "legal" or its equivalent be used as a substitute for specific information.
4. *Waiver of plans.* The building inspector may waive the requirement for the filing of plans when the work involved is of a minor nature, when plans would not sufficiently show the nature and character of the work, or when the work is adequately described on the permit application. A detailed written description of all work proposed may also be substituted for building plans at the discretion of the building inspector.
5. *Amendments to plans.* Subject to the limitations described in subsection (6) of this section, amendments to a plan, application, or other record accompanying the same shall be filed at any time before completion of the work for which the permit is sought or issued. Such amendments are subject to the same review and approval process as the original plans and shall be deemed part of the original application.
6. *Time limitations.* An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued, except that the building inspector may grant one or more extensions of time for additional periods not exceeding 90 days each if there is reasonable cause.

AFTER AMENDMENT

14.07 Applications, Plans, and Specifications

Application for a permit shall be made by the owner of a building or structure or an authorized agent and shall be made in writing upon a blank form furnished by the building inspector. The permit application shall contain the name, mailing address, and phone number of the owner of the building and land; the name, mailing address, and phone number of the engineer, architect, designer, or contractor responsible for the work; and a general description of the location of the proposed work, the use and occupancy of all parts of the building or structure and such other information as required by the building inspector to enforce the provisions of this chapter.

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applicable regulations. Plans shall be prepared in accordance with the provisions of this chapter, shall bear the name of the architect, engineer, or designer who prepared them, if any, and shall be of sufficient clarity to clearly indicate the nature and character of the work proposed.

- b. For new principal structures and additions to principal structures, or when deemed necessary by staff to verify lot lines and setbacks for any structure, a survey shall be prepared and certified in the following manner by a surveyor registered by the State:
 - (1) The survey shall be made within one year prior to the issuance of a building permit.
 - (2) The survey shall bear the date of the survey.
 - (3) The survey shall show the following:
 - (A) Location and dimensions of all buildings on the lot, both existing and proposed.
 - (B) Dimensions of the lot.
 - (C) Dimensions showing all setbacks to all buildings on the lot.
 - (D) The location of the centerline and lines of the street abutting the lot.
 - (E) Proposed grade of proposed structure, to city datum.
 - (F) Grade of lot and of the street abutting the lot.
 - (G) Grade and set-back of adjacent buildings. If adjacent lot is vacant, submit elevation of nearest buildings on same side of road.
 - (H) Type of monuments at each corner of lot.
 - (I) Watercourses or existing drainage ditches.
 - (J) Easements or other restrictions affecting the lot.
 - (K) Seal and signature of surveyor.
 - (4) Following approval of the survey, the lot corners and the proposed structure corners shall be staked on the ground before construction begins.
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 - (2) Plan Examination. Drawings, specifications and calculations for all the types of buildings and structures, except state-owned buildings and structures and other structures exempted in SPS 361.03(3), to be constructed within the limits of the municipality shall be submitted, if the plans are for any of the following:
 - (A) A new building or structure.
 - (B) An addition to a building, structure, or building system such as fire alarm, sprinkler, plumbing, or HVAC system.
 - (C) An alteration of a building space, element, or structure. Including alteration of an existing fire alarm system, fire

sprinkler system, plumbing system, HVAC system or replacement of equipment or fixtures within those systems.

- (D) A certified or delegated municipality may waive its jurisdiction for the plan review of a specific project or types of projects, or components thereof, in which case plans and specifications shall be submitted to the Department for review and approval.
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- (A) Building permit application
 - (B) Application for review – State of Wisconsin forms as applicable based on trade submitted or Municipal Equivalent.
 - (a) Fees per municipal fee schedule
 - (b) Fees apply to all commercial projects AND one of the following options
 - (C) 4 sets of plans
 - (a) Signed and sealed per SPS 361.31
 - (b) (1) set of specifications
 - (c) Component and system plans
 - (d) Calculations showing code compliance
- OR
- (D) 1 sets of plans with 3 Project cover sheets
 - (a) Signed and sealed per SPS 361.31
 - (b) (1) set of specifications
 - (c) Component and system plans
 - (d) Calculations showing code compliance

Note: Nothing in this code or chs. SPS 361 to 366 is intended to prohibit the submission and acceptance of plans and construction documents in an electronic or digital media. However, if plans are approved electronically, 2 sets of hard copies bearing the approval stamp of the reviewer is still required to be submitted prior to permit issuance.

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quality and this chapter shall not be cited, or the term "legal" or its equivalent be used as a substitute for specific information.

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6. *Time limitations.* An application for a permit for any proposed work shall be deemed to have been abandoned six months after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued, except that the building inspector may grant one or more extensions of time for additional periods not exceeding 90 days each if there is reasonable cause.

Introduced and adopted by Common Council on the 20th day of May, 2025.

APPROVED: _____

Anthony J. Penterman, Mayor

ATTEST: _____

Kayla Nessmann, Clerk

CITY OF KAUKAUNA

ORDINANCE NO. 1928-2025

ORDINANCE REPEALING AND REPLACING SECTION 2.03

WHEREAS, City of Kaukauna recently amended this section to allow for a consent agenda; and

WHEREAS, some concerns arose over the order of items in the new agenda; and

WHEREAS, the changes proposed will allow for a more organized process for meetings; and

WHEREAS, while updating language, additional changes to the ordinance were made to efficiently update our municipal code when updating for another reason;

NOW THEREFORE, it is ordained by the Common Council of the City of Kaukauna, Wisconsin, that Ordinance Section 2.03 of the Kaukauna Municipal Code be repealed and replaced as follows:

BEFORE REPEAL AND REPLACE

2.03 Rule 3: Order Of Business

1. Call to Order.
2. Roll call, one minute of silent prayer, Pledge of Allegiance to the American flag.
3. Consent Agenda or reading and approval of minutes.
4. Presentation of letters, petitions, remonstrances, memorials, and accounts.
5. Public appearances.
6. Business presented by the mayor.
7. Reports of standing and special committees.
8. Reports of city officers.
9. Presentation of ordinances and resolutions..
10. Alder requests for discussion at next Common Council meeting.
11. Adjournment.

AFTER REPEAL AND REPLACE

2.03 Rule 3: Order Of Business

1. Call to Order.
2. Roll call, one minute of silent prayer, Pledge of Allegiance to the American flag.
- ~~3. Consent Agenda or reading and approval of minutes.~~
3. Presentation of letters, petitions, remonstrances, memorials, and accounts.

4. Public appearances.
5. Business presented by the mayor.
6. Consent Agenda
7. Reports of standing and special committees.
8. Reports of city officers.
9. Presentation of ordinances and resolutions.
10. Alder requests for discussion at ~~next~~ future Common Council or committee meeting.
11. Closed session items.
12. Adjournment.

This ordinance shall be in full force and effect from and after its adoption and publication.

Passed and adopted by the City of Kaukauna Common Council this ____ day of _____, 2025.

APPROVED: _____
Anthony J. Penterman, Mayor

ATTTEST: _____
Kayla Nessmann, Clerk