

**TOWN OF OSCEOLA
POLK COUNTY WISCONSIN**

CODE OF ORDINANCES

Chapter 11

PUBLIC HEALTH

11.01 REGULATION OF DUMPING AND WASTE DISPOSAL. (Rep. & recr. 10/19/94)

The Town prohibits, unless specifically exempted by this section or by order of the Town Board, any person from transporting, disposing, storing, treating or recycling solid waste in the Town unless that person has the appropriate waste permit issued by the Town, and complies with all conditions and terms as defined in this section, as well as Chs. 60, 66, 144, 146, 160 and 823, Wis. Stats. (1991-92).

(1) **PURPOSE.** The purpose of this section is to protect the environment, and the public health, welfare and safety of the citizens of the Town.

(2) **DEFINITIONS.** The following terms shall have the meanings indicated:

Dumping or disposal. Dumping or disposal includes but is not limited to unloading, throwing away, discarding, emptying, abandoning, discharging, burning or burying waste, garbage, refuse or sludge on, into or under any property or lands, whether publicly or privately owned, within the Town.

Waste. Waste is garbage, refuse and all other discarded or salvageable material, including waste materials resulting from industrial, commercial and agricultural operations and from domestic use and public service activities.

Garbage. Garbage is discarded material resulting from the handling, processing, storage preparation, serving and consumption of food.

Refuse. Refuse is combustible and noncombustible discarded material including, but not limited to, trash, rubbish, paper, wood, metal, glass, plastic, rubber, cloth, ashes, litter and street rubbish, industrial waste, dead animals, mine tailings, gravel pit and quarry spoils, toxic and hazardous wastes and material and debris resulting from construction or demolition.

Sludge. Sludge is sewage treatment residue in any form whatsoever, whether solid, semi-solid or liquid which has been processed or treated in any way, form or manner.

Hazardous waste. As defined in Ch. 144.01, Wis. Stats. (1991-92).

Municipality. Municipality is any city, village or town.

(3) PERMIT REQUIRED. Every person, pursuant to Chs. 60.22, 60.54, 144, 146, 160 and 823, Wis. Stats. (1991-92), and this section, who, with exceptions and exemptions herein noted, collects, disposes, stores, treats or recycles solid waste in the Town, every person who transports solid waste to and from a solid waste disposal, storage or treatment facility, or to a recycling facility located in the Town and every person who operates a solid waste disposal, storage or treatment facility, or a recycling facility located in the Town shall seek and obtain a waste management permit from the Town prior to collecting, transporting, disposing, storing, treating or recycling any solid waste in the Town. This section and its provisions shall be a "local approval" for purposes of Ch. 144, Wis. Stats. (1991-92). The permits under this section shall be issued by the Town Board.

The application for a permit shall be processed by the Town within 30 days of receipt of a complete and proper application form. The Town Board, upon completion of the application process, shall establish a date for public hearing on the permit. Notice of a hearing shall be by a Class 3 notice. The hearing will be held at the Town Hall or at any other location determined by the Town Board. The hearing will request information from the applicant and general public regarding the following:

- The need for the permit;
- The probability of reasonable compliance of the applicant with this section;
- The proposed permit; and
- Any conditions required to the permit.

The permit shall be issued for an annual basis. The Waste Management Permit shall be issued by the Town Clerk prior to any person transporting, disposing, storing or treating solid waste as noted herein or recycling any waste in the Town. No permit in this section shall be issued by the Town Clerk without the Town Board approval.

(a) Application/Permit. The application and the permit shall designate the premises and areas in the Town wherein the person requests the permitted use, activity or operation. The application and the permit shall describe the permitted waste use, waste activity or waste operation. The permit or conditions to the permit may not be amended if the person desires to change the designated premises or area, nor may it be transferred from one person to another. The application shall, at minimum, include:

- The name of the applicant.
- The address of the applicant.
- The business and residential telephone number of applicant.
- The application date.
- The designated premises or area in the Town for waste use, waste activity or waste operation, including legal description and current zoning.
- The proposed Plans of Operation for the activity or operation, including plans for construction, operation, maintenance, closure and long term care.
- The general type and amount of equipment to be used in the operation or activity.
- The proposed plans for public nuisance control and environmental protection.
- The time line for construction, if any, the time line for operation and the time line for closure for the activity or operation.
- The past experience of the applicant in the use, activity or operation for which the permit is requested.
- Copies of any initial site reports, feasibility reports or Plans of Operation submitted or to be submitted to State and federal agencies.
- The proposed plan for environmental testing and monitoring, including well testing.

- The proposed closure plans and use for the premises after closure.
- The proposed plan to provide financial, environmental and legal protection for the Town, its officers, its employees and its agents, along with persons residing near the premises.
- The proposed insurance coverage to be provided by the applicant.

(b) Fees. No person shall be issued or re-issued a waste management permit until the appropriate application fee has been paid to the Town Clerk. The Town Board shall use the \$100 application fee for the permit to pay or reimburse the Town for potential and real investigative and administrative costs for the Town in reviewing the application for approval, disapproval or approval on condition.

(4) EXEMPTIONS. This section shall not apply to or govern the following exceptions:

- (a) Any waste transportation to or waste disposal, waste storage or waste treatment within the Town at existing solid waste disposal facilities that are or were operational on the date of adoption of this ordinance. However, any transfer of ownership, or any expansion of these existing solid waste disposal facilities shall be within the scope and meaning of this section.
- (b) Sites used for the dumping or disposal of waste, garbage or refuse from a single-family or household, a member of which is the owner, occupant or lessee of the property, provided that such waste, garbage or refuse is placed in suitable containers or stored in such other way as to not cause a public or private nuisance.
- (c) The use of sanitary privies, seepage beds or septic tanks which conform to any applicable ordinances of the Town or Polk County, the discharge of human waste products into any public sewage system located within the Town.
- (d) Animal waste transportation, animal waste disposal, animal waste storage, animal waste treatment or animal waste landspreading by persons wherein the animal waste is a by-product from an agricultural operation in the Town and wherein the animal waste is transported to or disposed, stored, treated or landspread by the persons on land that the person or members of his or her family owns, occupies or leases within the Town.

- (e) Any dumping operation under the direction and control of the Town.
- (5) GENERAL REGULATIONS. Persons or municipalities who are permitted to engage in dumping or disposal operations shall be subject to the following regulations:
- (a) Hazardous waste in any form will be prohibited in all waste facilities or recycling operations in the Town.
- (b) The Town requires that there shall not be any disposing, storing, treating or recycling of solid waste in any waste facility or in any recycling operation in the Town from 10:00 P.M. – 5:00 A.M.
- (c) The Town requires that any person operating a waste facility or recycling operation in the Town shall maintain a written manifest of the source, amount and type of waste to be disposed, stored, treated or recycled at the facility, as well as maintain the names and addresses of the persons disposing, storing or treating the waste at the waste facility or recycling operation. Moreover, the person operating the waste facility or recycling operation shall, on a quarterly basis, provide to the Town Clerk copies of the written manifests.
- (d) The Town requires that any person who holds a waste management permit issued by the Town, shall, on a quarterly basis, provide the Town Clerk with all copies of any testing of any test wells on the premises, as well as any other monitoring investigations conducted throughout the year. These test results are due in the Clerk's Office no less than 45 days after the date the sample was drawn.
- (e) The Town requires that any person with a Town waste management permit knowing of any of the below noted occurrences shall report these occurrences to the Town Clerk within 24 hours of the occurrence.
- Any hazardous waste entering or exiting any waste facility or recycling operation in the Town.
 - Any fire, explosion or other emergency hazardous condition at or near any waste facility in the Town.
 - Any groundwater, surface water or air pollution occurring at or near any waste facility or recycling operation in the Town.
 - Any permanent, emergency or temporary closing of any waste facility or recycling operation in the Town.

- (f) The Town requires that any person who operates a waste facility or recycling operation, or who disposed, stores, or treats waste at the facility shall in a timely manner upon notice by the Town Board, investigate any written complaints submitted to the Town Board from residents of the Town. Further more, any person who operates the same shall provide reasonable physical access to the facility to the Town Board and its designees for such investigation if the Board so desires.
- (g) The Town requires that any person authorized by permit, shall properly and timely police and remove litter and discharge within one mile of the outer perimeter of the waste facility or recycling operation on at least a daily basis during the period the waste facility or recycling operation is operational and receiving waste.
- (h) The town requires that any person operating a solid waste disposal facility in the Town shall conduct the disposal operations in a manner to insure that every day within a reasonable time after termination of the disposal of solid waste into the active fill area a suitable cover of dirt and other suitable materials be placed over the solid waste. In inclement weather this provision may be delayed until weather is permitting.
- (i) The Town requires that any person storing, treating, disposing, discharging or depositing any type of waste in the Town shall do so as to not lead to or constitute a private or public nuisance in the Town. This provision shall apply regardless if the person, disposing, storing, treating, discharging or depositing the waste has a permit to discharge issued by the WDNR or the Town or otherwise is authorized to dispose, store or treat waste by the Waste Facility Sitting Board, the DNR or by the Town Board.
- (j) The Town requires that any person with a waste management permit shall conduct its construction, daily disposal, daily storage, daily treatment and daily recycling operations as well as its final closure and long term care operations in a manner to prevent dust, debris, dirt, waste and litter form being carried beyond the premises licensed by the State DNR and beyond the premises permitted by the Town.
- (k) The Town requires that any person with a waste management permit shall construct, operate, maintain and close the waste facility or recycling operation in accordance with state and federal laws, rules and regulations, and in a manner which prevents or reduces damage or injury to persons or property in the Town.

- (1) The Town requires that any person authorized by the appropriate permit shall not open burn or authorize any other person to open burn at the waste facility or at the recycling operation.
- (6) ENFORCEMENT. In the event the Town Board determines that any person, firm or corporation has violated, neglected or tried to willfully circumvent the intent of this section, refused to comply or resisted enforcement, the Town may require the applicant/permittee to reimburse the Town of any costs and expenses, including reasonable attorney fees, incurred by the Town, its officers, its employees or its agents in order to insure compliance of this section.
 - (a) Notice to Owner. If the inspecting officer determines that a violation of this section exists within the Town, notice may be served by the inspecting officer on the person causing such violation or on the owner of the premises where such violation occurred and a copy of such notice shall be posted on the premises. Such notice shall direct the owner or person causing the violation to occur to correct this violation within a period of not less than 5 days.
 - (b) Injunctive Relief. The Town Board may authorize the commencement of appropriate legal action or proceedings, including injunctive relief, to prohibit the owner, resident, agent or occupant of the premises from operating the landfilling/transporting/recycling business which is in violation of this section.
 - (c) Penalty. Except as otherwise provided, in addition to the revocation or suspension of any permit issued under this section, any person found to be in violation of any provision of this section shall be subject to the maximum penalty as provided in §25.04 of this Code of Ordinances.
 - (d) Validity. Should any section, clause, or provision of this section be declared by the courts to be invalid, the same shall not affect the validity of this section as a whole or any part thereof; other than the part so declared to be invalid.

11.02 REGULATION OF FIREWORKS SALES AND USE. (Cr. Res. #1-94)

- (1) PURPOSE. To Promote the general Health, safety and welfare of our citizens.
- (2) DEFINITIONS. In order to clarify this section the term "*Fireworks*" has the following meaning:
Anything manufactured, processed or packaged for exploding, emitting sparks or combustion which does not have another common use, but does not include any of the following:

- (a) Fuel or lubricant.
- (b) A firearm cartridge or shotgun shell.
- (c) A flare used or possessed or sold for use as a signal in an emergency or in the operation of a railway, aircraft, watercraft or motor vehicle.
- (d) A match, cigarette lighter, stove, furnace, candle, lantern or space heater.
- (e) A cap containing not more than $\frac{1}{4}$ grain of explosive mixture, if the cap is used or possessed or sold for use in a device which prevents direct bodily contact with a cap when it is in place for explosion.
- (f) A toy snake which contains no mercury.
- (g) A model rocket engine
- (h) Tobacco and tobacco product.
- (i) A sparkler on a wire or wood stick not exceeding 36 inches in length or 0.25 inch in outside diameter which does not contain magnesium, chlorate or per chlorate .
- (j) A device designed to spray out paper confetti or streamers and which contains less than $\frac{1}{4}$ of explosive mixture.
- (k) A device designed to produce an audible sound but NOT explode, spark, move or emit an external flame after ignition and which does not exceed 3 grams in total weight.
- (l) A device that emits smoke with no external flame and does not leave the ground.
- (m) A cylindrical fountain not exceeding 100 grams in total weight with an inside tube diameter not exceeding 0.75 inch, designed to sit on the ground and emit only sparks and smoke.
- (n) A cone fountain not exceeding 75 grams in total weight, designed to sit on the ground and emit only sparks and smoke.
- (3) PERMIT REQUIRED. Every person, pursuant to §§66.052 and 167.10, Wis. Stats. and this section, in the Town who sells, possesses or uses fireworks in the Town shall seek and obtain a fireworks permit or license form the Town.

(a) Fireworks sales.

1. *Application.* The application for a license to sell fireworks in the Town shall be made to the Town Clerk/Treasurer, who shall issue the permit with approval from the Town Board. The application must be made in writing and include:

- a. The name, age, address and telephone number of the applicant;
- b. If a firm or corporation, the CEO or president's name and telephone number;
- c. A legal description and address of the desired location for each proposed sales outlet;
- d. Proof of product liability in the minimum amount of \$500,000;
- e. Proof of premise liability in the minimum amount of \$100,000;
- f. A disclaimer stating the Town is waived of any liability in the business of retailing and wholesaling of fireworks;
- g. A license fee of \$200 for each proposed sales outlet.

(b) Fireworks use.

1. *Application.* The application for the use, lighting or exploding of fireworks in the Town shall be made to the Town Clerk/Treasurer, who shall issue or not issue the fireworks permit. The application must be received at least 10 days prior to the date desired for issuance. The application shall be made in writing and include:

- a. The name, age, address and telephone number;
- b. The intended location of the use, lighting or exploding of the fireworks;
- c. The purpose for which the fireworks is to be used;
- d. Proof of a liability insurance policy in the amount of \$1,000,000, with the Town listed as the insured; and
- e. A permit fee of \$25.

(4) GENERAL REGULATIONS.

- (a) The Town prohibits the mishandling and misuse of any fireworks. The following actions are mishandling and misuse of fireworks;
1. The throwing by any person of ignited or non-ignited fireworks;
 2. The intentional igniting or discharging in any way of fireworks within 1000' of a nursing home, library, hospital, jail, medical clinic, day care center, school, service station or other premises where gasoline or other volatile materials are stored;
 3. The intentional igniting or discharging of fireworks from a motor vehicle or boat regardless if the motor vehicle or boat is moving;
 4. The Town adopts by reference §167.10, Wis. Stats.
- (b) Any permit issued by the Town for the use, lighting or exploding of fireworks will expire 10 days from the date of issuance, and is only valid for the indicated time and date, and to the person or persons stated on the permit.
- (c) Any license issued by the Town for the sale of fireworks will expire one year after the date of issuance, and is renewable annually upon reapplying.
- (d) The Town prohibits the sale of all fireworks from any structure other than a metal clad or cement building, no less than 500' from any other structure.
- (e) The Town shall require any person, firm or corporation who is issued a permit or license under this section to comply with any local regulations as set forth by the Dresser, Osceola and Garfield Fire Association, as well as any other state or federal regulations.
- (f) The Town shall not issue a permit or license to any person, firm or corporation who has not reached the legal age of 18. A parent, foster or family operated group home parent or legal guardian of a minor who consents to the use of fireworks by the minor is liable for damages caused by the minor's use of the fireworks.
- (5) PENALTY. Except as other wise provided, in addition to the revocation or suspension of any license or permit issued under this section, any person found to be in violation of any provision of this section shall be subject to a penalty as provided in §25.04 of this Code.

11.03 ESTABLISHMENT OF BUILDING INSPECTION AND THE ISSUANCE OF BUILDING PERMITS.

- (1) These regulations are adopted under the authority granted by s 101.65, Wisconsin Statutes to protect and foster the health, safety, and well being of the general public and persons occupying or using buildings within the Town. The scope of this ordinance includes the construction and inspection of one- and two-family dwellings built since June 1, 1980. Notwithstanding s. Comm/ILHR 20.05, the scope also includes additions, alterations, and remodeling made to one- and two-family dwellings built before June 1, 1980, and the scope also includes the construction of detached garages and sheds serving one- and two-family dwellings. The building structure and any heating, electrical, or plumbing system shall comply with the Uniform Dwelling Code.
- (2) The Wisconsin Uniform Dwelling Code Chs. Comm/ILHR 20-25 of the Wisconsin Administrative code, and all amendments thereto, is adopted and incorporated by reference and shall apply to all buildings within the scope of this ordinance.
- (3) There is hereby created the position of Building Inspector, who shall administer and enforce this ordinance and shall be certified by the Division of Safety & Buildings, as specified by Wisconsin Statutes, Section 101.66(2), in the category of Uniform Dwelling Code Inspector. Additionally, this or other assistant inspectors shall possess the certification categories of UDC HVAC UDC Electrical, and UDC Plumbing.

The Town desires to compensate the Inspector from the fees collected by the issuance of Building, Heating Ventilating, and Air Conditioning, (HVAC), Plumbing, and Electrical Permits to parties constructing, remodeling, or altering structures within the Town.

- (4) No person build, add onto, or alter any building within the scope of this ordinance without first obtaining a building permit for such work from the Town Clerk/Treasurer. Any structural changes or major changes to mechanical systems (plumbing and electrical included) that involve extensions shall require permits. Restoration or repair of an installation to its previous code-compliant condition as determined by the building inspector is exempted from permit requirements. Residing, re-roofing, finishing of interior surfaces, minor non-structural changes, and installation of cabinetry shall be exempted from permit requirements.

(5) Fees for construction:

I. Administrative Fees: An administrative fee of twenty percent (20%) shall be added to the building permit fee for each combination of Building, HVAC, Plumbing, or Electrical Permit issued for the project. This fee shall not exceed \$50.00.

II. Building Permit Fees:

a. The value of construction for calculating permit fees shall be calculated using the most recent Building Valuation Data (including regional modifiers, as published by the International Conference of Building officials in Building Standards magazine.

Up to \$2000	\$15 plus \$1.67 per \$100 over \$500
\$2,001 to \$25,000	\$40 plus \$7.60 per \$1,000 over \$2,000
\$25,001 to \$50,000	\$215 plus \$4.20 per \$1,000 over \$25,000
\$50,001 to \$100,000	\$320 plus \$3.20 per \$1,000 over \$50,000
\$100,001 to \$500,000	\$480 plus \$2.42 per \$1000 over \$100,000
\$500,001 to \$1,000,000	\$1,450 plus \$2.15 per \$1,000 over \$500,000
Over \$1,000,000	\$2,525 plus \$1.38 per \$1,000 over \$1,000,000

All fractions are charged at the full incremental rate.

b. Other Inspection Fees

1. State building permit seal, when required	\$25.00
2. Plan review fee	15% of plan fee
3. Additional plan review from changes, additions	\$32.00 per hour
4. Inspections outside normal business hours	\$32.00 per hour
5. Re-inspections	\$32.00 per hour
6. Inspections with no specified category	\$32.00 per hour

c. Separate Permit Fees

1. Remodeling required permit \$0.05 per sq. ft. of affected area*

*Electrical, HVAC, and plumbing additional

2. Heating, Ventilating, Air Conditioning

Commercial to \$50,000 value 1% of total work

Commercial over \$50,000 value \$500 plus .75% of value over \$500
Residential equipment \$30.00 per unit

3. Electrical

Service feeder panels \$30.00 each
New circuits \$3.00 each
Circuit alterations \$.30 per opening

4. Plumbing

Equipment installation \$8.00 per fixture

5. Agricultural Buildings

No inspection required \$15.00
(Pole sheds being used for non-ag use shall be considered garages)

- (6) The enforcement of this ordinance and all other laws and ordinances relating to building shall be by means of the withholding of building permits, imposition of forfeitures and injunctive action. The penalty assessed for any work started without a building permit shall be equal to the permit fee.
- (7) If any section, provision or portion of this Ordinance is determined to be invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.
- (8) This ordinance shall take effect and be in force February 15, 2001 following its passage and publication as provided by Statute.

11.04

ADOPTION OF THE WISCONSIN COMMERCIAL BUILDING CODE.

- (1) These regulations are adopted under the authority granted by s.101.12, stats. The purpose of this ordinance is to promote the general health, safety and welfare by enforcing the adopted codes.
- (2) The following Wisconsin Administrative Codes, their referenced codes and standards, and subsequent revisions are adopted for municipal enforcement by the building inspector, who shall be commercially certified by the Wisconsin Division of Safety & Buildings.

Ch. COMM/ILHR 66	Uniform Multi-Family Code
Ch. COMM/ILHR 69	Barrier-Free Design
Ch. COMM/ILHR 75-79	Existing Buildings Code
Ch. COMM/ILHR 70	Historic Building Code

- (3) The Building Inspector authorized by the municipality to enforce the adopted codes shall be certified by the Division of Safety & Buildings, as specified by Wisconsin Statutes, Section 101.66(2), in the category of Uniform Dwelling Code Inspector. Additionally, this or other assistant inspectors shall possess the certification categories of UDC HVAC, UDC Electrical, and UDSC Plumbing.
- (4) No person shall build or cause to be built any new public building containing less than 5,000 square feet in total area or alter a public building involving less than 10,000 square feet in altered area, without first submitting plans and specifications to the building inspector and obtaining a building permit for such building.

(NOTE: All other larger public buildings are required to have their plans and specifications to be submitted to the Wisconsin Division of Safety and Buildings for approval prior to municipal permit issuance.)

Notwithstanding s.COMM/ILHR 50.12(1)(a)1&(f)2, a building permit is also required for CH. ILHR 54 occupancies and storage garages of less than 25,000 cubic feet.

A local building permit shall also be required for larger commercial buildings, which will be state reviewed but locally inspected.

- (5) Building Permit fees shall be determined by Table 2.31-2, Plan Review Fees for Buildings Located in Municipalities That Perform Inspection as published in COMM 2.31 of the Wisconsin Administrative Code.
- (6) Penalty enforcement of this section shall be by means of withholding of building permits, imposition of forfeitures and injunctive action. Forfeitures shall be not less than \$25.00 nor more than \$1,000 for each day of noncompliance.
- (7) If any section, provision or portion of this Ordinance is determined to be invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

- (8) This Ordinance shall take effect and be in force February 15, 2001 following its passage and publication as required by Statute.

11.05 PENALTY. (Am. Rex. #15-94)

Except as otherwise provided in this chapter, any person found to be in violation of this chapter shall be subject to a penalty of \$50 per violation and as provided in §25.04 of this Code of Ordinances.

11.06 EMERGENCY MANAGEMENT

AN EMERGENCY MANAGEMENT ORDINANCE TO COPE WITH NATIONAL EMERGENCIES RESULTING FROM ENEMY ACTION AND OTHER EMERGENCIES RESULTING FROM NATURAL OR MAANMADE DISASTERS.

- (1) The County/Municipal Emergency Management Coordinator appointed and employed by Polk County is hereby designated and appointed Emergency Management Coordinator of the Town of Osceola, subject to the conditions and provisions set forth in Wisconsin Statutes and the Polk County Emergency Management program and any subsequent amendments.

- (2) This ordinance shall take effect and be in force from and after its publication as provided by law.

11.07 FOUNDATIONS FOR MANUFACTURED HOMES

- (1) The permanent Foundations Guide for Manufactured Housing (HUD-007487) is hereby adopted as the Permanent Foundations Guide for Manufactured Housing of the Town of Osceola, Polk county, Wisconsin, as if fully set out in this ordinance, with the following additions, insertions, deletions and changes.
- (2) Placement of manufactured homes without compliance of HUD standards shall require special approval of the Town Board, but under no circumstances shall an unapproved home serve as a year round dwelling.
- (3) A Manufactured Home shall be placed on a permanent foundation meeting the requirements of HUD-007487 "Permanent Foundations Guide for Manufactured Housing".
- (4) EXCEPTIONS:
- a) A Manufactured Home may be placed on a permanent foundation meeting the requirements of Chapter 21 of the Wisconsin Uniform Dwelling

Code if the home is constructed for such placement.

- b) A Manufactured Home placed in a Manufactured Home Park does not require a permanent foundation. However, proper bracing and anchoring to resist lateral loads shall be provided.
- c) On special approval of the Town Board, a Manufactured Home intended for temporary residence by the property owner while a permanent residence is constructed does not require a permanent foundation. However, proper bracing and anchoring to resist lateral loads shall be provided. This use is limited to 2 years. If the manufactured home is not removed after 2 years a permanent foundation shall be provided unless an extension is granted by the Town Board.
- d) The requirement for a design professional may be waived by the building inspector.