

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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Tony Evers, Governor
Dawn B. Crim, Secretary

NOTICE OF VIOLATIONS AND ORDERS

June 24, 2019

CUST ID No.: 1484134 **TRANSACTION No.: 3267034**
Phone: (715)574-3932

JARROD ZILISCH
167601 RINGLE AVENUE
RINGLE WI 54471

Site ID No.: 859073 Zilisch Repair and Asphalt
SITE ADDRESS: 167601 Ringle Avenue
Marathon County, Town of Ringle
Site Contact: Jarrod Zilisch
Contact Phone: (715) 574-3932

ORDER 0006257

Regulated Objects:

Nature of Complaint Summary: COMMERCIAL BUILDING CONSTRUCTED WITHOUT PLAN SUBMITTAL
Object Type: Complaint Regulated Object ID No.: 1831632 (19 COM 68)
Last Inspection Date: June 13, 2019

INVESTIGATION NOTES:

This DEPARTMENT ORDER is issued as a result of an inspection on the above referenced site. An inspection by Lucas Dederich found a building being used as motor vehicle repair garage with an office and storage in the back and another building onsite being used to store work equipment related to the asphalt paving business. Upon information and belief both buildings are over 25,000 cubic feet in size and therefore require plan submittal.

The following violations were revealed:

Violation: Commercial buildings built without proper plan submittal and review.

Wis. Admin. Code § SPS 361.03(7) New buildings and structures. All buildings, structures and additions to buildings, structures, and components, to be constructed or erected shall be designed, constructed, and maintained in accordance with the rules of chs. SPS 361 to 366 as the rules exist on one of the following:

- (a) Pursuant to s. SPS 361.30, the date plans for the building, structure or addition are approved by the department or authorized representative.
- (b) The date the local building permit is issued, if plan submission and approval is not required under s. SPS 361.30.
- (c) The date construction is initiated, where pars. (a) and (b) do not apply.

Wis. Admin. Code § SPS 361.30 Plan review and approval.

(1) Types of Buildings. (a) except as provided in par (b) and sub. (4), the construction of, the alteration of or the addition to a public building or a place of employment may not commence unless plans for the project have been submitted to and approved by the department or its authorized representative in accordance with Wisconsin Admin Code § SPS 361.31.

(3) Types of Building Components. (a) except as provided in sub. (4), building component or system plans shall be submitted to and approved by the department or authorized representative prior to installation of the component or system, for each of the following type components or systems:

- 2. Heating, ventilation and air conditioning systems.

Suggested Action: Submit building plans and HVAC plans for both commercial buildings onsite to the department for review and approval.

You are hereby ordered to have the installation corrected to conform to the indicated provisions of the Wisconsin Administrative Code and/or Wisconsin Statutes. This installation shall be corrected by the compliance date noted, and upon correction of violations I must be


ORDER0008521

notified. If you fail to comply, this order is enforceable in circuit court pursuant to Wis. Stat. § 101.02(13), Stats., with forfeitures ranging from \$10 to \$100 per day for each violation.

If you have any questions regarding this matter, please feel free to contact me or Lucas Dederich at the numbers listed below.

Wis. Admin. Code § SPS 303.03 Permits any person affected by a rule of the department to petition for a variance of the rule. The petition needs to establish equivalency to the rule, be provided on the form from the department and be submitted with accompanying fee and municipal recommendation.

Wis. Stat. § 101.02(6) Any employer or other person interested either because of ownership in or occupation of any property affected by any such order, or otherwise, may petition for a hearing on the reasonableness of any order of the department in the manner provided in this subchapter. All requests must be received within 30 days of the date of this Order and shall set out specifically and in full detail the order upon which a hearing is desired and every reason why such order is unreasonable, and every issue to be considered by the department on the hearing. The petitioner shall be deemed to have finally waived all objections to any irregularities and illegalities in the order upon which a hearing is sought other than those set forth in the petition.

ATTORNEY NAME: Matthew McCasland	INVESTIGATION DATE: 06/13/2019
PHONE: (608)266-9814	
E-MAIL: matthew.mccasland@wisconsin.gov	INVESTIGATION TYPE: Requested
SIGNATURE: 	INVESTIGATION SOURCE: Other
DATE: 6/24/19	COMPLIANCE DATE: 09/20/19
	Fee Required: (Invoice will be send Separately)
	PTO Expires:

cc: Lucas D Dederich , Dsps Division of Industry Services, Building Inspector, (608) 445-6558