

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wscga>

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Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact DSPS@wisconsin.gov

DIVISION OF INDUSTRY SERVICES
4822 MADISON YARDS WAY
MADISON WI 53705
Contact Through Relay
<http://dsps.wi.gov/programs/Default.aspx>
www.wisconsin.gov



Tony Evers, Governor
Dawn B. Crim, Secretary

NOTICE OF VIOLATIONS AND ORDERS

July 22, 2019

CUST ID No.: 1264595 TRANSACTION No.: 3262896
Phone: 920-775-4652

Site ID No.: 785014 Evenson Construction
SITE ADDRESS: 4915 Cty Rd a
Manitowoc County, Town of Liberty
Site Contact: Patrick Strachan
Contact Phone: 920-775-4652

CDE LLC
ATTN: PATRICK STRACHAN
4915 COUNTY ROAD A
VALDERS WI 54245

ORDER 0006306

Regulated Objects:

Nature of Complaint Summary: ADDITION TO COMMERCIAL BUILDING LACKS STATE APPROVED PLANS

Object Type: Complaint Regulated Object ID No.: 1828874 (19 COM 67)

Last Inspection Date: May 13, 2019

INVESTIGATION NOTES:

This DEPARTMENT ORDER is issued as a result of an inspection on the above referenced site.

The following violations were revealed:

Violation: Construction on a commercial building addition began before plans were submitted and approved by DSPS.

Wis. Admin. Code § 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(1) Plan review and approval. (a) Except as provided in par. (b), Table 361.30-1, 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 s. SPS 361.31.

Suggested Action: Submit plans to the Department concerning the addition.


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 Brian Noe or I must be 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 Brian Noe or me 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.

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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.

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| ATTORNEY NAME: Matthew McCasland | | INVESTIGATION DATE: 05/13/2019 |
| PHONE: 608-266-9814 | | |
| E-MAIL: matthew.mccasland@wisconsin.gov | | INVESTIGATION TYPE: Requested |
| SIGNATURE: | DATE: | INVESTIGATION SOURCE: Other |
|  | 7/22/19 | COMPLIANCE DATE: 09/23/19 |
| | | Fee Required: (Invoice will be send Separately) |
| | | PTO Expires: |

cc: Brian Noe , Wis Dept of Safety & Professional Services, Building Inspector, (920) 420-4796