

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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Tony Evers, Governor
Dawn B. Crim, Secretary

NOTICE OF VIOLATIONS AND ORDERS

July 2, 2020

CUST ID No.: 1503465 **TRANSACTION No.: 3300909**
Phone: 715-223-0002

Site ID No.: 862068 Abarrotes La China Mexican Store
SITE ADDRESS: 301 N 4TH Street
Clark County, City of Abbotsford
Site Contact: Alfredo Castillo
Contact Phone: 715/223-0002

ALFREDO CASTILLO
301 N 4TH STREET
ABBOTSFORD WI 54405

ORDER 0006866

Regulated Objects:

Nature of Complaint Summary: Started construction on addition without submitting plans
Object Type: Complaint Regulated Object ID No.: 1846929
Last Inspection Date: February 28, 2020

INVESTIGATION NOTES:

NOTE: Due to the uncertainty caused by COVID-19 the Department will extend compliance dates so long as work is being made on gaining compliance with orders or if the site is not being used due to restrictions.

This DEPARTMENT ORDER is issued as a result of an inspection on the above referenced site. It was determined that an addition was being constructed without proper plan submittal to the Department. You must cease construction immediately until compliance with the code has been attained.

The following violations were revealed:

Violation: Respondent began construction of an addition to a commercial building without submitting proper plans to the Department.

Wis. Admin. Code § SPS 361.03(7) Application. New Buildings and Structures. Plan review and approval. 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.

Wis. Admin. Code § SPS 361.30(1)(a) 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.

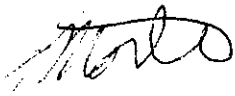

Suggested Action: Cease construction of the grocery store addition until building addition plans have been submitted to the department for review and approved.

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 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 at the number 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: 02/28/2020
PHONE/WORK HOURS: (608)266-9814	
E-MAIL: matthew.mccasland@wisconsin.gov	INVESTIGATION TYPE: Requested
SIGNATURE:  	INVESTIGATION SOURCE: Other
DATE: 7/2/20	COMPLIANCE DATE: 10/2/20
	Fee Required: (Invoice will be send Separately)
	PTO Expires:

cc: City of Abbotsford
Lucas D Dederich