

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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



Tony Evers, Governor
Dawn B. Crim, Secretary

NOTICE OF VIOLATIONS AND ORDERS

January 21, 2021

Jonathan and Cheryl Saunders
19420 Carstens Lake Road
Valders Wisconsin

SITE:

Vertical Timbers Barn Venue
19420 Carstens Lake Road
Town of Eaton
Phone: 920-901-4844
contact@verticaltimbers.com

ORDER 0007176

Regulated Objects:

Nature of Complaint Summary: Constructed a wedding barn without going through proper commercial building code requirements, including plan review.

Object Type: Complaint (20 COM 68)

Last Inspection Date: October 14, 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, Vertical Timbers Barn Venue, 19420 Carstens Lake Road, Town of Eaton.

The following violations were revealed:

Violation: The building underwent an alteration which brought it under the scope of the Commercial Building Code. There was no submittal of the required plans for review and approval prior to the alteration and use of the building. **You shall immediately cease and desist from engaging in any construction until plan approval is gained.**

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(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.

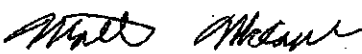
Suggested Action: Building plans are required to be submitted showing how all of the structures being used for commercial purposes comply with the current commercial building code or will be modified / altered to bring into compliance with current commercial building codes. Compliance with all codes (Building, HVAC, Plumbing and electrical) is required.

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 or Brian Noe.

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: 10/2020
PHONE/WORK HOURS: (608) 266-9814		
E-MAIL: matthew.mccasland@wisconsin.gov		INVESTIGATION TYPE: Requested
SIGNATURE:	DATE:	INVESTIGATION SOURCE: Other
	1/21/2021	COMPLIANCE DATE: 5/10/21

cc: Brian Noe