

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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DIVISION OF INDUSTRY SERVICES

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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

April 26, 2021

S Norh LLC

Registered Agent: EILEEN KATHRYN HRON-MARTZ

N 7557 PARKWAY ROAD

CRIVITZ, WI 54114

SITE: WHEEL INN

Parcel No. 032-00582.000

W12597 COUNTY RD W TOWN OF STEPHENSON

ORDER 0007351

Regulated Objects:

Nature of Complaint Summary: Change of use to a building without submitting plans to the Department.

Object Type: Complaint

Last Inspection Date: February 2021

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.

INVESTIGATION NOTES: The Department of Safety and Professional Services found additional building code violations when it inspected the site on February 8, 2021. The specific violations are not listed on this Order because it is expected that the plan submittal, review, conditional approval, and follow-up inspections will address any and all building code violations found. The Department reserves the right to enter Orders addressing the specific building code violations found and/or enter Stop Use Orders to force the property owner to correct all building code violations.

This DEPARTMENT ORDER is issued as a result of an inspection on the above referenced site, Wheel Inn. The investigation found a storage shed converted to a A-2 space.

The following violations were revealed:

Violation: Building is over 25,000 cubic feet and was converted to an A-2 occupancy without going through proper plan review.

Wis. Admin. Code § SPS 361.03(11) Application. (11) Change of occupancy or use.

Except as provided in sub. (12), no change may be made in the use or occupancy of any building or structure, or any space within a building or structure, that would place the building, structure or space either in a different division of the same group of occupancies or in a different group of occupancies, unless the building, structure or space complies with the requirements of chs. SPS 361 to 366 for the new division or group of occupancies, as these requirements exist on one of the following dates:

- (a) Pursuant to s. SPS 361.30, the date when plans for the change in occupancy or use are approved by the department or authorized representative.
- (b) The date a local building permit is issued, if plan submittal and approval is not required under s. SPS 361.30.
- (c) The date construction is initiated, where pars. (a) and (b) do not apply.
- (d) The date an occupancy permit is issued, where pars. (a) to (c) do not apply.

Wis. Admin. Code § SPS 361.30 Plan review and approval.**(1) Types of buildings.**

(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 for building alteration, heating ventilation and air conditioning components.

Violation: No permits pulled for electrical work.

Wis. Admin. Code § SPS 316.012 Permits.**(1)**

(a) Except for an electrical wiring project described in s. 101.875 (2), Stats., and as provided in par. (b), no electrical wiring project may commence unless the owner of the premises where the installation is to occur or their agent holds a permit from the designated inspection agency if the project involves the installation of new or an addition to any electrical service, feeder, or branch circuit serving any of the following:

1. A farm.
2. A public building, structure, or premises.
3. A place of employment.
4. A campground.
5. A manufactured home community.
6. A public marina, pier, dock, or wharf.
7. A recreational vehicle park.

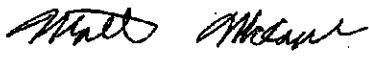
Suggested Action: Obtain electrical permit.

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: 2/2021
PHONE/WORK HOURS: (608) 266-9814		
E-MAIL: matthew.mccasland@wisconsin.gov		INVESTIGATION TYPE: Requested
SIGNATURE:	DATE:	INVESTIGATION SOURCE: Other
	4/26/2021	COMPLIANCE DATE: 6/14/2021

cc: Ryan Geiger