

City of West Allis Department of Building Inspection & Neighborhood Services
Informational Bulletin

Do I Need a Building Permit? 1 OR 2 FAMILY DWELLING USES

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Building codes regulate almost every residential building project a property owner undertakes. Most projects require a building permit and many require electrical and/or plumbing permits. The following addresses projects that may or may not need a permit. For further questions or additional information, please contact the Building Inspection Department.

Why Permits?

Permits are required for your personal safety and that of your family and guests. They are also required to protect future home purchasers who deserve reasonable assurance that the home they buy will be safe. Your home is an investment. The inspector represents and protects you and the City to insure work meets minimum code requirements. Work without permits may require triple permit fees, uncovering or removing of illegal work, court appearances and fines. Also, Wisconsin Law requires full disclosure of work without permits at the sale of a single or two-family dwelling. The sale of your investment may be complicated if no permit was issued for work that required a permit.

Obtaining Building Permits and Permit Inspections

The homeowner who resides at the property, or a contractor with the two required State of Wisconsin certifications (a Dwelling Contractor Certification and a Dwelling Contractor Qualifier Certification) representing the owner may apply for a building permit. The permit process typically begins with the submittal of a building permit application and plans detailing the proposed work. Following the review of the application and submitted plans and details, a building permit may be issued. This review process can take up to 10 business days. Once a permit gets issued, the work may begin. The homeowner or contractor is required to schedule an appointment with the inspector for the necessary inspections. For example: the excavations for garage slabs or footings are required to be inspected before concrete is poured; rough inspections (building, electrical and plumbing) are required before covering any work with finish materials and final inspections are made when the project is completed but before use or occupancy of the space. Typically an inspection record card is issued with the permit which outlines what inspections are required for each particular project.

Re-roofing

A building permit is not required to re-roof a dwelling unless the project involves structural changes such as changing a flat roof to a pitched roof or adding a dormer. The code only allows two layers of roofing material in total. Proper attic area roof venting is required to be installed in the upper and lower ends of roof areas.

Re-siding, Installing Gutters, Trim Work

A building permit is not required to reside a one or two-family dwelling or a garage, to replace or install new gutters, or to replace or install new trim around windows and overhangs. An electrical permit is required if the siding installation alters the electric meter from the wall of the building.

Replacing Windows or Doors

A building permit is not required to replace windows or doors to a dwelling or garage with the same size window or door. A permit is required to increase the size of an opening for a larger window or door due to structural considerations. A permit is required to decrease the size of a window or door because of code requirements relating to egress and light and ventilation in habitable rooms.

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Repairing or Replacing Steps, Guardrails, Handrails and/or Floor Decking on Porches or Decks

A building permit is not required for repairing or replacing non-structural items on a deck, but there are applicable code requirements for the installation of handrails, guardrails and rise/run of steps. Refer to the “Residential Deck Requirements” handout for additional information.

Repairing or Replacing a Porch

A building permit is required when a porch roof, floor joist, beams and/or foundation supports are altered or replaced. These projects involve structural and zoning considerations. The reconstructed porch is required to conform to current structural and zoning codes which may restrict materials, size and location.

New Decks and Porches

A building permit is required for decks larger than 25 square feet. A building permit is also required for all decks above the first floor. Electrical permits are required if the deck does not have a receptacle outlet located within the perimeter of the deck. Refer to the “Residential Deck Requirements” handout for additional information.

Wheelchair Ramps

Building permits are typically not required for only a ramp. These projects should be discussed with and reviewed by a building inspector prior to installation. The same construction requirements that apply to a wood deck also apply to a wheelchair ramp. The ramp is required to be entirely on private property and may not block access to the rear yard. If the level landing at the top of the ramp is larger than 25 square feet, then a permit is required. Refer to the “Residential Deck Requirements” handout for additional information.

Replacing a Fence or Installing a New Fence

A building permit is not required in either case. Some code considerations are; no fences permitted in front yards; a 6’ maximum height limitation in the rear and side yards; and the good side of the fence shall face outward towards your neighbor. When replacing an existing fence, the new installation must conform to the current code requirements. Refer to the “Residential Fences and Site Obstructions” handout for additional information.

Installing or Repairing Concrete Patio, Sidewalks or Driveways

On private property, a building permit is not required for patios, sidewalks or driveways. The code regulates the direction of storm water run-off so as not to cause a nuisance to an adjoining property. A permit is required for sidewalks and driveway approaches in the public right-of-way area. That permit is issued by the City of West Allis Engineering Department.

Installing a Hot Tub.

A building permit is not required for the installation, but an electrical permit is required. The tub shall not be located in the front or side yards and must be three (3) feet or more from a side or rear lot line in the rear yard. Hot tubs should not be installed on an existing wood deck unless the deck has been designed for the added weight. The electrical contractor shall check for adequate electrical service and read the owner’s manual for electrical requirements prior to wiring a hot tub.

Installing a Pool

A building permit is required for a permanent swimming pool that is greater than 2 feet in depth and 75 sq. ft. (approximately 10 ft. in diameter). Additionally, an electrical permit is required. There are many requirements, to include, but not limited to; location from the dwelling and overhead/underground electrical wires, enclosure with fencing for security, and special requirements for electrical safety (i.e., ground fault protection). Decks surrounding a pool also have special building code requirements and location requirements from property lines and the dwelling. For storable, temporary pools (less than 18 feet across and less than 42 inches deep) no pool permit is required, but an electrical permit may be required to comply with the owner’s installation manual. Refer to the “Swimming Pool” handout for additional information.

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Constructing a Detached Garage

A building permit is required for a detached garage. Besides building code requirements, there are location and maximum size requirements. If a slab is to be installed for a future garage, a “slab only” permit is required, with an inspection of forms prior to pouring any concrete. An electric permit is required if the garage will have lights, outlets, an automatic garage door opener or other electrical components. Refer to the “Detached Garages” handout for additional information.

Demolishing a Garage.

A building permit is required to notify the Assessor’s Office to remove the structure from the Property Assessment. The permit fee may be waived if the demo work includes construction of a new garage.

Constructing a Storage Shed, Gazebo or Other Detached Structure

A building permit is not required for an accessory structure (other than a garage) that is 150 sq. ft. in area or smaller and is less than 12 feet in height. Building and zoning code requirements are still applicable, regardless if a permit is required. Some code considerations include location from property lines and the dwelling, anchoring requirements, maximum height, and general structural construction requirements. Refer to the “Shed or Other Accessory Structure” handout for additional information.

Converting Attic Space into Living Area

A building permit is required to convert attic space to living area. Generally, attic areas are not designed to be finished. Major code considerations include review of the stairway; means of egress; and structural requirements such as floor joist sizing, bearing walls below, basement beam size, column spacing, headers, foundations and other potential components to the load path. Existing conditions may require substantial structural changes. Other codes to consider include windows for natural light and natural ventilation, and off-street parking requirements for additional bedrooms. Building and electrical permits are required for this project. A plumbing permit is required if the work involves any plumbing such as installing a new bathroom. Refer to the “Attic Remodeling” handout for additional information.

Converting Basement Areas to Living Area or Other Rooms

A building permit is required for new or remodeled basement areas to be used as living rooms or other rooms. Bedrooms require windows for light, ventilation and egress. Recreation rooms do not require windows, but ventilation must be considered. Building and electrical permits are required for this project. A plumbing permit is required if the work involves plumbing such as installing a new bathroom or wet bar. Refer to the “Basement Remodeling” handout for additional information.

Remodeling an Existing Kitchen, Bathroom or Other Finished Room

A building permit is required if existing plaster, sheetrock or other wall or ceiling finishes are removed or replaced, or if any walls, doors, windows or pass-through openings are altered, added or removed. An electrical permit is required to replace or update existing electrical to meet the current code. A plumbing permit is required if fixtures are replaced or the plumbing system is altered.

Installing New or Replacing a Furnace, Air Conditioner or Water Heater

A building permit is required for new or replacement furnaces and air conditioners. Codes address electrical, gas and venting requirements that must be strictly followed. Replacement of these units requires compliance with current codes and the manufacturer’s installation requirements. An electric permit is required if the replacement unit has an electric connection. A plumbing permit is required for water heaters or other appliances with water connection.

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Foundation Repair

A building permit is not required for foundation repair. Foundation repair may consist of excavation around a foundation to install better draining fill material, replacing drain tile, waterproofing a foundation wall from either the inside or outside, installing additional reinforcing inside the foundation wall, or installing posts on the interior of a foundation wall to support it from lateral pressure. A plumbing permit is required if a new sump pump and crock is installed. A building permit is required if portions of the foundation wall or footings are completely removed and replaced.

Installing a Fireplace, Wood Stove or Pellet Stove

A building permit is required for the installation of both prefab and masonry units. If the units have electrical requirements, an electrical permit is also required. Units shall be listed by a national listing/testing agency (i.e., UL). Installation shall be in accordance with the owner's manual. Inspections of the installation are critical.

Solar & Wind Devices

A building permit is required when installing solar or wind power equipment. Permits include building and electric and plumbing & heating/air conditioning where these systems are involved. Reviews include structural support of equipment on structures and installation requirements as per recognized testing agencies/testing labs.

Converting to a Two-Family

Building, electrical and plumbing permits are required to convert a single family dwelling to a two-family. A two-family conversion requires updating of electrical services, plumbing services and equipment, heating equipment, access to utilities for all tenants and proper exiting. The building permit alerts the Assessor's Office of the use change for assessment purposes. The Zoning Code may require site and landscaping review by the Plan Commission, which includes off-street parking requirements. An official City address is assigned to the new unit with the permit.

Converting to a Single Family

Building, electrical and plumbing permits are required to convert a two-family dwelling to a single family. Consideration for this conversion involves abandoning water and sanitary sewer to one of the kitchens, as well as gas or electric serving the range. The building permit alerts the Assessor's Office of the use change for assessment purposes. Also, the official property address is changed accordingly.

Electrical and Plumbing Permits

If any work involves electrical or plumbing components, an electrical or plumbing permit is required. These permits typically require a qualified contractor who is licensed by the State of Wisconsin.

Mechanical Permits

If any work involves heating or air conditioning, a homeowner who resides at the property or State of Wisconsin certified contractor may secure the mechanical permit, but any electrical or plumbing work associated with the installation would require an additional permit from a qualified, licensed contractor.

For more information on code and permit requirements regarding your project, call the Department of Building Inspections & Neighborhood Services at (414)302-8400 or email to bldinsp@westalliswi.gov

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