

CHAPTER 9 – BUILDING REGULATIONS

ARTICLE 1 – BUILDING INSPECTOR

SECTION 9-101: POWERS AND AUTHORITY

ARTICLE 2 – BUILDING PERMITS

SECTION 9-201: APPLICATION

SECTION 9-202: LIMITATION

SECTION 9-203: DUPLICATE TO COUNTY ASSESSOR

ARTICLE 3 – BUILDING MOVING

SECTION 9-301: REGULATIONS

SECTION 9-302: UTILITIES

SECTION 9-303: COMPLETION OF MOVE

ARTICLE 4 – CODES ADOPTED

SECTION 9-401: BUILDING CODE; ADOPTED BY REFERENCE

SECTION 9-402: PLUMBING CODE; ADOPTED BY REFERENCE

SECTION 9-403: ELECTRICAL CODE; ADOPTED BY REFERENCE

SECTION 9-404: PROPERTY MAINTENANCE CODE; ADOPTED BY REFERENCE

ARTICLE 5 – PENAL PROVISION

SECTION 9-501: VIOLATION; PENALTY

CHAPTER 9 – BUILDING REGULATIONS

Article 1 – Building Inspector

SECTION 9-101: POWERS AND AUTHORITY

The appointment and duties of the building inspector shall be as provided in Chapter 1, Section 1-414.

Article 2 – Building Permits

SECTION 9-201: APPLICATION

A. Any person desiring to commence or proceed to erect, construct, repair, enlarge, demolish, or relocate any building or dwelling or cause the same to be done shall file with the village clerk an application for a building permit. The application shall be in writing on a form to be furnished by the clerk. Every such application shall set forth the legal description of the land upon which the construction or relocation is to take place, the nature of the use or occupancy, the principal dimensions, the estimated cost, the names of the owner, architect, and contractor, and such other information as may be requested thereon. Each application shall include a scale drawing of the proposed improvement, which shall indicate the distance from all lot lines.

B. The application, plans, and specifications filed with the village clerk shall be checked and examined by the building inspector and if they are found to be in conformity with the requirements of this chapter and all other ordinances applicable thereto, the building inspector shall authorize the village clerk to issue the said applicant a permit upon payment of the permit fee set by resolution of the Village Board. Standard permit fees shall, however, apply only in the case of on-time (before construction) filings. Any application filed after construction has commenced shall pay a fee that is four times the standard fee.

C. Whenever there is a discrepancy between permit application procedures contained herein and those contained in any building code adopted by reference, the provisions contained herein shall govern.

(Neb. Rev. Stat. §§17-130 through 17-132, 17-550, 17-1001)

SECTION 9-202: LIMITATION

If the work for which a permit has been issued shall not have begun within six months of the date thereof or if the construction is discontinued for a period of six months, the permit shall be void. Before work can be started or resumed, a new permit shall be obtained in the same manner and form as an original permit.

SECTION 9-203: DUPLICATE TO COUNTY ASSESSOR

Whenever a building permit is issued for the erection, alteration, or repair of any building within the village's jurisdiction and the improvement is \$2,500.00 or more, a duplicate of such permit shall be filed with the county assessor by the village clerk. (Neb. Rev. Stat. §18-1743)

Article 3 – Building Moving

SECTION 9-301: REGULATIONS

A. It shall be unlawful for any person, firm, or corporation to move any building or structure within the village without a written permit to do so. Application may be made to the village clerk and shall include the present and future location of the building to be moved, the proposed route, the equipment to be used, and such other information as the Village Board may require. The application shall be accompanied by a certificate issued by the county treasurer to the effect that all provisions regulating the moving of buildings have been complied with on the part of the owner of the real estate upon which the said building is presently located. The village clerk shall refer the said application to the Village Board for approval of the proposed route over which the said building is to be moved. Upon said approval, the clerk shall then issue the said permit; provided, a good and sufficient corporate surety bond, check, or cash in an amount set by resolution of the board and conditioned upon moving said building without doing damage to any private or village property is filed with the clerk prior to the granting of any permit.

B. No moving permit shall be required to move a building that is 10 feet wide or less, 20 feet long or less and, when in a position to move, 15 feet high or less.
(Neb. Rev. Stat. §§60-6,288 to 60-6,291, 60-6,294, 60-6,298 to 60-6,301)

SECTION 9-302: UTILITIES

A. In the event it will be necessary for any licensed building mover to interfere with poles, wires, gas mains, pipelines, and other appurtenances, the company or companies owning, using, or operating the said appurtenances shall, upon proper notice of at least 24 hours, be present and assist by disconnecting the said poles, wires, gas mains, pipelines, and other appurtenances relative to the building moving operation. All expense of the said disconnection, removal, or related work shall be paid in advance by the licensee unless such disconnection or work is furnished on different terms as provided in the said company's franchise.

B. Whenever the moving of any building necessitates interference with a water main, sewer main, pipes, or wire belonging to the village, notice in writing of the time and route of the said building moving operation shall be given to the maintenance superintendent, who shall proceed on behalf of the village and at the expense of the mover to make such disconnections and do such work as is necessary.

SECTION 9-303: COMPLETION OF MOVE

At such time as the building moving has been completed, the building inspector shall inspect the premises and report to the village clerk as to the extent of damages, if any, resulting from the said relocation and whether any village laws have been violated during the said operation. Upon a satisfactory report from the building inspector, the

clerk shall return the corporate surety bond, cash, or check deposited by the applicant. In the event the basement, foundation, or portion thereof is not properly filled, covered or in a clean and sanitary condition, the Village Board may apply the money deposited for the purpose of defraying the expense of correcting the said conditions. If the expense of correcting the hazardous condition is greater than the amount of the deposit, the board may recover such excess expense by civil suit or otherwise as prescribed by law.

Article 4 – Codes Adopted

SECTION 9-401: BUILDING CODE; ADOPTED BY REFERENCE

The State Building Code adopted pursuant to Neb. Rev. Stat. §71-6403 is hereby incorporated by reference as though printed in full herein. Subsequent editions or revisions of the code adopted by state law shall be considered adopted and of full force and effect within the village. The provisions of the State Building Code shall be controlling throughout the village and throughout its zoning jurisdiction. (Neb. Rev. Stat. §§17-1001, 18-132, 19-902, 19-922) (Am. by Ord. Nos. 95-299, 4/10/95; 03-425, 11/10/03)

SECTION 9-402: PLUMBING CODE; ADOPTED BY REFERENCE

The Uniform Plumbing Code, American National Standards Institute, most recent edition and all subsequent editions, is hereby adopted and incorporated by reference as though printed in full herein so far as said code does not conflict with state statutes. The provisions of the Plumbing Code shall be controlling throughout the village and throughout its zoning jurisdiction. (Neb. Rev. Stat. §§17-1001, 18-132, 19-902, 19-922) (Am. Ord. No. 01-396, 6/11/01)

SECTION 9-403: ELECTRICAL CODE; ADOPTED BY REFERENCE

The most recent edition of the National Electrical Code issued and adopted by the National Fire Protection Association, Publication No. 70-2002, and all subsequent editions are hereby adopted and incorporated by reference as though printed in full herein. The provisions of the Electrical Code shall be controlling throughout the village and its zoning jurisdiction. (Neb. Rev. Stat. §§17-1001, 18-132, 19-902, 19-922) (Am. Ord. No. 03-426, 11/10/03)

SECTION 9-404: PROPERTY MAINTENANCE CODE; ADOPTED BY REFERENCE

To provide reasonable procedures for the classification and abatement of dangerous buildings, the Village adopts the most recent edition of the International Property Maintenance Code and all subsequent amendments and editions are also adopted and incorporated by reference as though printed in full herein. The provisions of the International Property Maintenance Code shall be controlling throughout the village and its zoning jurisdiction. (Ord. No. 03-427, 11/10/03)

Article 5 – Penal Provision

SECTION 9-501: VIOLATION; PENALTY

Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this chapter, set forth at full length herein or incorporated by reference, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$500.00 for each offense. A new violation shall be deemed to have been committed every 24 hours of such failure to comply.