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CHAPTER 9 – BUILDING REGULATIONS

Article 1 – Building Permits

SECTION 9-101: 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.

B. The application, plans, and specifications filed with the village clerk shall be checked and examined by the Village Board and if they are found to be in conformity with the requirements of this chapter and all other ordinances applicable thereto, the board shall authorize the village clerk to issue the said applicant a permit upon payment of the permit fee as set by resolution by the Village Board and kept on file in the office of the village clerk. 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. The village clerk shall ensure that all specifications and dimensions set forth in the building permit conform to the Zoning Regulations of the Village.

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 9-102: 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 9-103: 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)

SECTION 9-104: DESTRUCTION; BOND REQUIREMENT

It shall be the duty of the owner, lessee or tenant intending the destruction of any building or improvement to post a \$1,000.00 cash bond with the village clerk prior to such destruction. This bond will be refunded upon removal of all nuisances which result from the destruction. In the event that a nuisance remains on the building permit site for more than six months after the issuance of the building permit, then the bond shall be forfeited and shall be applied to offset the cleanup by the Village.

SECTION 9-105: BUILDING WITHOUT PERMIT; NUISANCE

Every building or other structure hereafter erected, remodeled or moved into or within said village without a permit therefor, as herein required, or which is not constructed, remodeled or located in accordance with the permit granted and issued therefor, shall be deemed and considered to be a public nuisance and may be abated or removed by the Village at the expense of the owner.

Article 2 – Building Moving

SECTION 9-201: 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 (1) 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 and (2) 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 public property. The village clerk shall refer the said application to the Village Board and upon approval, the clerk shall issue the said permit, which shall limit the time of removal and shall specify the route to be followed in moving the building over and across the streets and public ways of the Village. It shall be unlawful for any licensee to digress from such time or specified route without the written consent of the street commissioner.

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. §§60-6,228 through 60-6,291, 60-6,294, 60-6,298 through 60-6,301)

SECTION 9-202: 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 utility 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 9-203: COMPLETION OF MOVE

At such time as the building moving has been completed, the street commissioner 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 street commissioner, the clerk shall return the corporate surety bond, cash, or check deposited by the applicant. In the event any basement, foundation, or portion thereof is not properly filled, covered or left 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 3 – Construction Codes Adopted

SECTION 9-301: BUILDING CODE; ADOPTED BY REFERENCE

The International Building Code (IBC), most recent edition, published by the International Code Council, is hereby incorporated by reference, in addition to all amendments, as though printed in full herein insofar as said code does not conflict with state statutes. If requested, the village clerk shall provide a source for obtaining a copy of the said building code. The provisions of the IBC shall be controlling throughout the Village and throughout its zoning jurisdiction. One copy of the IBC shall be kept on file at the office of the village clerk and available for public inspection. (Neb. Rev. Stat. §§17-1001, 18-132, 19-902, 19-922)

SECTION 9-302: PLUMBING CODE; ADOPTED BY REFERENCE

To provide certain minimum standards, provisions and requirements for safe and stable installation, methods of connection and uses of materials in the installation of plumbing and heating, the most recent edition of the Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials, is hereby incorporated by reference, in addition to all amendments, as though printed in full herein insofar as said code does not conflict with state statutes. If requested, the village clerk shall provide a source for obtaining a copy of the said plumbing code. The provisions of the Plumbing Code shall be controlling throughout the Village and throughout its zoning jurisdiction. One copy of the Plumbing Code shall be kept on file at the office of the village clerk and available for public inspection. (Neb. Rev. Stat. §§17-1001, 18-132, 19-902, 19-922)

SECTION 9-303: ELECTRICAL CODE; ADOPTED BY REFERENCE

The most recent edition of the National Electrical Code, as recommended by the National Fire Protection Association, is hereby adopted and incorporated by reference, in addition to all amendments, as though printed in full herein insofar as said code does not conflict with state statutes. If requested, the village clerk shall provide a source for obtaining a copy of the said electrical code. The provisions of the electrical code shall be controlling throughout the Village and throughout its zoning jurisdiction. One copy of the Electrical Code shall be kept on file at the office of the village clerk and available for public inspection. (Neb. Rev. Stat. §§17-1001, 18-132, 19-902, 19-922)

Article 4 – Penal Provision

SECTION 9-401: 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.