

AN ORDINANCE PROVIDING FOR THE APPOINTMENT OF THE BUILDING OFFICIAL; POWERS AND DUTIES THEREOF; ISSUANCE OF BUILDING PERMITS; CHARGING OF FEES; ISSUANCE OF CERTIFICATE OF OCCUPANCY AND PROVIDING A PENALTY FOR VIOLATION THEREOF:

BE IT ORDAINED BY THE PRESIDENT OF THE COUNCIL AND THE COUNCIL OF THE CITY OF LEXINGTON, DAWSON COUNTY, NEBRASKA.

1. APPOINTMENT

(a) That there be and hereby is created in the City of Lexington the office of "Building Official" who shall be appointed by the City Manager.

2. POWERS AND DUTIES.

(a) The duties of the Building Official shall be the inspection of erection or alteration of building within the city, installation of plumbing, sewerage connections, water connections, electric and gas connections therein. He shall issue permits and examine premises for which the permit would be issued, shall make necessary inspections to see that the provisions of all the laws of the State of Nebraska and the ordinances and regulations of the City of Lexington are complied with, and shall enforce all laws, ordinances, and regulations relating to the construction, alteration, removal, moving, razing, equipment used, occupancy, location and maintenance of building or structure including installation of plumbing, sewerage, water, electric and gas connections.

(b) The Building Official shall be charged with the enforcement of all laws, ordinances and regulations relating thereto and shall have the right and authority to enter in or upon any building, structure or premises within the corporate limits of the city for the purpose of making inspection or investigation at all reasonable hours; provided that except in cases of emergency such right and authority shall not apply to the inspection or investigation of a residence unless notice is given to the applicant or occupant thereof. Final determinations of the Building Official may be reviewed on application to the City Council.

3. BUILDING PERMIT

(a) Any person or persons intending to construct, improve, relocate or repair a building or other structure or to install any major appliance or make any sewerage, plumbing, water, electric and gas connections within the corporate limits of the City of Lexington shall before proceeding with said work or commencing any excavation in connection therewith file in the office of the Building Official a written application designating the kind of building or structure, the character or extent of repairs, the type of installation or connection which he intends to erect or make, materials of which the same is to be composed, and

the legal description and location of the real estate to be occupied by the building or improvement, probable cost thereof and a detailed description of the type of construction or material used therein together with any other plans and specifications as may be required by the Building Official and shall obtain a permit therefore as hereinafter provided. The applicant for the permit shall agree to abide by the rules and regulations relating thereto as adopted by the City Council of the City of Lexington, Nebraska, by resolution ~~on the 10th day of July, 1956,~~ together with any and all amendments thereafter made.

(b) Upon the filing of such application the Building Official shall thereupon make due investigation, and if he finds that the proposed work will conform to the laws of the State of Nebraska and the ordinances and regulations of the City of Lexington and that no good cause of any nature exist why said work shall not be done, he shall approve the same and at the expiration of 48 hours thereafter issue a permit for such construction, razing, moving, improvements, repairs, installation, or removal unless a protest is filed as herein provided. If any citizen of the City shall file objection in writing to the issuance of said permit before the same is issued, the Building Official shall present said application together with all plans and specifications and signings to the City Council at the next regular meeting, and the City Council shall then determine whether the permit shall be issued.

4. FEES.

(a) The Building Official at the time of issuance of any permit hereunder shall charge and collect in advance of the issuance of said permit the following fees to cover costs of inspection and investigations.

1. Residential, complete inspection of all installations per-habital room.--\$5.00
2. Residential garage, constructed separately or added to existing structure per garage ----- \$3.00
3. Public buildings, business buildings or institutional buildings for each 200 sq. ft. of floor area or fraction thereof.----- \$5.00
4. Heating system, installed independently of any other construction, per installation.----- \$5.00
5. Storage buildings, per 200 sq. ft. of floor area or fraction thereof.-- \$3.00
6. Plumbing fixtures, installed independently of other construction per water outlet \$.50 but not less than ----- \$1.00
7. Fixed installation of gas appliance, excluding heating plants installed independently of other construction per appliance \$.50 but not less than \$1.00
8. Fixed installation on the electricial appliances, installed independently of other construction, per appliance----- \$1.00
9. Electrical wiring installed independently of other construction per outlet \$.10 but not less than ----- \$1.00

For houses or buildings moved into or relocated within the City of Lexington, fees charged shall be the same as though the structure were of new construction.

(b) All fees as charged shall pay for the inspection as is required under this ordinance and any fees collected hereunder shall be paid over to the City Treasurer to be deposited in the general fund of said city.

5. CERTIFICATE OF OCCUPANCY

(a) No building constructed, enlarged or altered wholly or in part so as to change the classification or occupancy, and no building hereafter altered for which a certificate of occupancy has not been heretofore issued shall be occupied or used ^{whole or in} in part until a certificate of occupancy shall have been issued by the Building Official certifying that the work for which the permit was issued has been completed in accordance with the provisions of this ordinance; provided that if the occupancy or use of such building was not discontinued during the work or alteration, the occupancy or use of the building shall not continue for more than 30 days after the completion of the alteration unless such certificate shall have been issued. A certificate of occupancy shall be issued within three (3) days after notice of completion of the construction, alteration or repair has been given to the Building Official.

6. VIOLATIONS AND PENALTY

It shall be unlawful for any contractor or other person engaged in the work of erecting, constructing, altering or repairing a building or structure within the corporate limits of the City of Lexington to proceed with said work until he or they know that the owner thereof has obtained a permit as herein provided.

The Building Official is hereby authorized to file a complaint against any person, persons, firm or corporation for violation of any of the provisions of this ordinance.

Any person violating the provisions of this ordinance shall be deemed guilty of a misdemeanor and on conviction thereof shall be fined in any sum not less than \$5.00 nor more than \$100.00 for each offense. Every day on which such violation shall continue, may be deemed a separate and distinct offense.

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

PASSED AND APPROVED THIS 10th day of July 1956.

C. L. Bick
President of Council

Attest:

B. Miller
City Clerk
Seal