

ORDINANCE NO. 1943

CITY OF LEXINGTON, NEBRASKA

ORDINANCE NO. 1943

AN ORDINANCE TO AMEND § 6-1, § 6-1.1, § 6-1.2, § 6-1.3, § 6-2, § 6-4.1, § 6-4.2, § 6-22, § 6-23, § 6-33, and § 9-3 OF THE LEXINGTON CITY CODE; TO PROVIDED FOR UPDATED VERSIONS OF THE UNIFORM BUILDING CODE, UNIFORM PLUMBING CODE, AND NATIONAL ELECTRIC CODE, AND REVISED BUILDING PERMIT FEES. TO REPEAL ORIGINAL § 6-1, § 6-1.1, § 6-1.2, § 6-1.3, § 6-2, § 6-4.1, § 6-4.2, § 6-22, § 6-23, § 6-33, and § 9-3, TOGETHER WITH ALL ORDINANCES OR SECTIONS OF ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR PUBLICATION IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF LEXINGTON, NEBRASKA AS FOLLOWS:

Section 1. That Section 6-1 of the Lexington City Code is hereby amended to read as follows:

Sec. 6-1 Building, Mechanical and Housing Codes Adopted.

That certain document, a copy of which is on file in the office of the City Clerk of the City, being marked and designated as "Uniform Building Code," 1991 edition, published by the International Conference of Building Officials, is hereby adopted in its entirety as the building code of the City, except as herein provided, for the purpose of regulating the erection, construction, enlargement, alteration, repair, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings and structures in the City; providing for the issuance of permits; providing penalties for violation of such code; declaring and establishing fire zones; and each and all of the regulations, provisions, penalties, conditions and terms of such "Uniform Building Code," 1991 edition, including amendments thereto, as kept on file in the office of the City Clerk, are hereby referred to, adopted and made a part hereof as if fully set out in this section, except as provided below.

Section 2. That Section 6-1.1 of the Lexington City Code is hereby amended to read as follows:

Sec. 6-1.1 Building Permit Fee.

Any and all references to building permit fees in the "Uniform Building Code," 1991 edition, are hereby deleted and all building permit fees will be assessed as provided for in Section 6-2 of the City Code.

Section 3. That Section 6-1.2 of the Lexington City Code is hereby amended to read as follows:

Sec. 6-1.2 Certificate of Occupancy.

Section 308(a) of the Uniform Building Code, 1991 edition, is hereby amended to read as follows:

Section 306(a) Use or Occupancy.

No building or structure of Groups A, E, I, H, B or R, Division 1 Occupancy, or R-3, Division 3 Occupancy, shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy therefore as provided herein.

Section 4. That Section 6-1.3 of the Lexington City Code is hereby amended to read as follows:

Sec. 6-1.3 Subsequent Editions.

Subsequent editions to the Uniform Building Code adopted by the provisions of this Ordinance shall be considered adopted and in full force and effect within the City and the jurisdictional area of the City upon the approval thereof by Resolution of the Council and the filing of at least one (1) copy thereof in the office of the City Clerk.

Section 5. That Section 6-2 of the Lexington City Code is hereby amended to read as follows:

Sec. 6-2 Building Permit Fees.

A fee for each building permit, including construction permits or change of occupancy certificates, shall be paid to the building inspector at the rate of 50% of the fee provided in the latest adopted edition of the Uniform Building Code, provided, that for non-residential construction which shall be subject to continuous supervision of qualified architects or engineers, the

City Manager shall be authorized to negotiate the permit fee based upon actual inspection functions to be performed by the City of Lexington.

Section 6. That Section 6-4.1 of the Lexington City Code is hereby amended to read as follows:

Sec. 6-4.1 Adopted.

The 1991 Edition of the Uniform Plumbing Code as adopted by the International Association of Plumbing and Mechanical Officials, is hereby adopted as the minimum standard for the installation of all plumbing installations within the City of Lexington and zoning area under the City of Lexington's jurisdiction, except as otherwise specifically provided in this chapter, and the same is hereby made a part of this chapter as fully and to the same extent as if copied herein in full. At least one (1) copy of such Code shall be kept on file in the office of the City Clerk for inspection by the public. (Ord. No. 1481, Sec. 2)

Section 7. That Section 6-4.2 of the Lexington City Code is hereby amended to read as follows:

Sec. 6-4.2 Subsequent Editions.

Subsequent Editions of revisions of the Uniform Plumbing Code adopted by the provisions of this ordinance shall be considered adopted and in full force and effect within the City and jurisdictional area of the City upon the approval thereof by Resolution by the Council and the filing of at least one (1) copy thereof in the office of the City Clerk. (Ord. No. 1481, Sec. 2)

Section 8. That Section 6-22 of the Lexington City Code is hereby amended to read as follows:

Sec. 6-22 Electric Code--Adoption;

The 1990 Edition of the National Electrical Code (NFPA No. 70-1975), standard of the National Board of Fire Underwriters, as recommended by the National Fire Protection Association, and approved by the American Standards Association, is hereby adopted as the minimum standard for the installation of all electrical apparatus, wiring, devices and equipment within the City, except as otherwise specifically provided in this article, and the same is hereby made a part of this article as fully and to the same extent as if copied herein in full. At least one copy of such Code shall be kept on file for public inspection in the office of the City Clerk. (Ord. No. 1414, Sec. 2)

Section 9. That Section 6-23 of the Lexington City Code is hereby amended to read as follows:

Sec. 6-23 Same--Subsequent Editions.

Subsequent editions or revisions of the electrical code adopted by the provisions of this article shall be considered adopted and in full force and effect within the city upon the approval thereof by Resolution of the Council and the filing of a copy thereof in the office of the City Clerk. (Ord. No. 1414, Sec. 2)

Section 10. That Section 6-33 of the Lexington City Code is hereby amended to read as follows:

Sec. 6-33 Same--Fees.

For each electrical inspection made under the provisions of this article, the person installing electrical wiring or apparatus shall pay fees for such inspection at the following rates:

- (a) For wiring, rewiring or installation of apparatus in any building or location for which a concurrent building permit is required: Included in building permit fee.
- (b) For wiring, rewiring or installation of apparatus in any building or location for which a building permit is not required: Seven dollars.

All fees for inspection shall be made payable to the City at the time of applying for the permit for installation. (Ord. No. 1414, Sec. 3)

Section 11. That Section 9-3 of the Lexington City Code is hereby amended to read as follows:

Sec. 9-3 Building Permits.

No fence or screen wall shall be erected, constructed or moved until a building permit shall have been procured from the Building Inspector. Application for a fence building permit shall include a sketch of the lot, the location of any buildings on the lot, the proposed fence and sufficient dimensions to locate these features accurately. A fee of five dollars shall be paid by the applicant for such permit.

Section 12. That original § 6-1, § 6-1.1, § 6-1.2, § 6-1.3, § 6-2, § 6-4.1, § 6-4.2, § 6-22, § 6-23, § 6-33, and § 9-3, together with all ordinances or sections of ordinances in conflict herewith are hereby repealed.

Section 13. That this Ordinance shall be published in pamphlet form and take effect as provided by law.

Passed and approved this 12th day of ~~October~~, 1991.
November

Robert L. Hawks

Attest:

Paul E. Magruder
City Clerk

