

ORDINANCE NO. 2222

AN ORDINANCE TO ADOPT THE 2003 EDITION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE; TO PROVIDE PROPERTY MAINTENANCE STANDARDS FOR ALL PROPERTY, BUILDINGS AND STRUCTURES; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR PUBLICATION IN PAMPHLET FORM AND FOR AN EFFECTIVE DATE.

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

Section 1. It is found and declared as a matter of legislative determination and public policy that it is in the interest of the public health, safety and welfare to provide minimum standards of maintenance for property, buildings and structures within the City, and that the failure to comply with such minimum standards constitutes a nuisance and should be subject to abatement procedures.

Section 2. 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 "International Property Maintenance Code," 2003 Edition, is hereby adopted in its entirety as a code to provide certain minimum standards, provisions and requirements for safe and stable design, construction, uses of materials, and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code on file in the office of the City Clerk of the City of Lexington, Nebraska are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 3 of this Ordinance.

Section 3. The following Sections are hereby revised:

Section 101.1. "Name of Jurisdiction" is within the corporate limits of the City of Lexington, Nebraska;

Section 103.5. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as follows;

- A. No fee shall be charged for an initial inspection.
- B. If a building or other structure is not repaired within the period of time as specified in the initial notice of violation, an inspection fee of \$300.00 shall be charged for the second inspection, which charge shall be either assessed against the property as a special assessment, or collected from the owner of the property.

- C. If a building or other structure is not repaired within the time as required in a second or subsequent notice of violation, an inspection fee of \$300.00 shall be charged for the third or each subsequent inspection, which charge shall be either assessed against the property as a special assessment, or collected from the owner of the property.
- D. This schedule of fees may be amended from time to time by Resolution of the Lexington City Council;

Section 111.1 The "board of appeals" shall refer to the Board of Adjustment;

Section 111.2 through 111.2.5 are hereby deleted;

Section 304.14 The effective dates shall be May 1 to October 1;

Section 602.3 The effective dates shall be October 1 to May 1;

Section 602.4 The effective dates shall be October 1 to May 1;

Section 4. To ensure compliance with the International Property Maintenance Code, an inspection for compliance shall be upon the occurrence of any of the following:

- A. Upon complaint and request for inspection by one or more of the legal occupants of said unit, law enforcement, Health and Human Services representative, or a representative of the Lexington Housing Authority;
- B. Whenever the Code Official has reasonable cause to believe that a violation of the International Property Code exists.

Section 5. Subsequent Editions or revisions of the International Property Maintenance Code 2003 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 at least one (1) copy thereof in the office of the City Clerk.

Section 6. That all ordinances or sections of ordinances in conflict herewith are hereby repealed.

Section 7. That this ordinance shall be published in pamphlet form and shall take effect as provided by law.

Passed and approved this 10th day of October, 2006



Deputy City Clerk



Vice-President of Council