

ORDINANCE NO. 724

AN ORDINANCE OF THE CITY OF RANDOLPH, CEDAR COUNTY, NEBRASKA AMENDING §§ 150.55 AND 150.56 OF CHAPTER 150: BUILDING REGULATIONS OF THE MUNICIPAL CODE OF THE CITY OF RANDOLPH; TO PROVIDE FOR THE REPEAL OF ANY ORDINANCE IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE THEREOF.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF RANDOLPH, CEDAR COUNTY, NEBRASKA, AS FOLLOWS:

Section 1: That §§ 150.55 AND 150.56 OF CHAPTER 150: BUILDING REGULATIONS should be amended as follows:

§ 150.55 GENERALLY REQUIRED.

No person, firm, or corporation, nor the state, county or city government, or any agency, subdivision, or department thereof, shall erect, construct, enlarge, remodel, alter, repair, move, improve, remove, convert, demolish, occupy, or change occupancy of any building or structure in the city, or do any other work or cause the same to be done, without first having obtained a separate permit for the specific work to be done for each operation from the City Clerk.

§ 150.56 EXEMPTION FROM PERMIT.

(A) (1) Residential.

(a) No building permit shall be required for repainting, redecorating, minor alterations, and repairs where the alterations or repairs do not materially affect the actual structure of the building or the safety of the occupants or property.

(b) A building permit is not required if the alteration or repair is a comparable replacement of the whole or part of the system that was removed (such as a mechanical system, plumbing system, roofing, windows, or doors, and the like); and there are no material alterations to the structure in excess of \$1,000 in the replacement of the system.

(c) A state electrical permit shall be required as required by the State Electrical Code for residential buildings. The State Electrical Inspector shall conduct all residential inspections.

(2) Commercial.

(a) All commercial buildings shall have the same exemptions as residential.

(b) A state electrical permit shall be required as required by the State Electrical Code for commercial buildings. The State Electrical Inspector shall conduct all commercial inspections.

(B) Exemptions from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the adopted Building Code for the city.

§ 150.57 APPLICATION FOR PERMIT.

(A) To obtain a permit, the applicant shall first file an application therefor in writing on a form furnished for that purpose.

(B) Every application shall:

- (1) Identify and describe the work to be covered by the permit for which application is made;
- (2) Describe the land on which the proposed work is to be done, by lot, block, tract, and house and street address, or similar description that will readily identify and definitely locate the proposed building or work;
- (3) Show the use or occupancy of all parts of the building;
- (4) Be accompanied by plans and specifications;
- (5) State the valuation of the proposed work;
- (6) Be signed by the permittee, or his or her authorized agent, who may be required to submit evidence to indicate authority; and
- (7) Give other information as reasonably may be required by the City Clerk.

§ 150.58 REVIEW OF PLANS BY STATE FIRE MARSHAL.

Plans stamped by an architect or engineer shall be submitted to the State Fire Marshal for review if the building is more than 5,000 square feet, occupied by 20 or more people, or more than 30 feet high. The builder shall be responsible for submitting the plans to the State Fire Marshal, and for notifying the State Fire Marshal for final inspection.

§ 150.59 ISSUANCE OF PERMIT.

(A) The application, plans, and specifications filed by an applicant for a permit shall be checked by the City Clerk. All items of construction for which a permit is required shall conform with this chapter, and as such, be "Approved" by the City Clerk. Upon payment of the permit fee and "Approval" of the plans and specifications, the permit shall be issued.

(B) The City Clerk may issue a permit for the construction of part of a building or structure before the entire plans and specifications for the whole building or structure have been submitted or approved, provided adequate information and detailed statements have been filed complying with all pertinent requirements of this chapter. The holder of the permits shall proceed at his or her own risk without assurance that the permit for the entire building or structure will be granted.

§ 150.60 VALID PERMIT AUTHORITY.

The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use which it authorized is lawful.

§ 150.61 EXPIRATION OF BUILDING PERMIT.

If the work described in any building permit has not begun within 90 days from the date of issuance thereof or if the work described in any building permit has not been substantially completed within 2 years of the date of issuance thereof, the permit shall expire and be cancelled by the City Clerk and written notice thereof shall be given to the persons affected, together with notice that any work as described in the cancelled permit shall not proceed unless and until a new building permit has been obtained; provided, however, times for commencement or completion may be extended by the Planning Commission prior to the expiration of the time periods; and provided further, no building or other structure in the city shall be allowed to remain in an unfinished condition for a period of over six months nor shall any building or other structure in the city to be allowed to remain in an unsafe, damaged, or demolished condition for a period of more than 90 days.

§ 150.62 INSTALLATION, REPAIR, REPLACEMENT OF FIREPLACES.

The installation, repair, and replacement of any fireplace or similar device to produce heat by the burning of wood or other solid substance shall require the application and approval of a building permit therefore and shall otherwise be subject to all of the Building, Electrical, and Fire Codes of the city.

§ 150.63 PERMIT FEE.

A fee for each building permit shall be paid to the City Clerk. The City Council shall have the power and authority to establish permit fees by resolution. Where work for which a permit is required by this chapter is started or proceeded prior to obtaining the permit, the fees as established by the City Council by resolution shall be doubled, but the payment of the double fee shall not relieve any persons from fully complying with the requirements of this chapter in the execution of the work, nor from any other penalties prescribed.

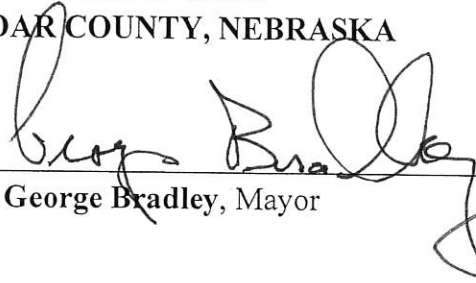
Section 2: That all other ordinances or parts thereof in conflict herewith are hereby repealed.

Section 3: That this ordinance shall be published in pamphlet form.

Section 4: That this ordinance shall take effect after its passage, approval and publication according to law.

PASSED AND APPROVED this 2nd day of February, 2022.

CITY OF RANDOLPH
CEDAR COUNTY, NEBRASKA



BY: **George Bradley**, Mayor

ATTEST:



Benjamin Benton, City Administrator/Clerk/Treasurer