

Memorandum



To: Planning Commission

CC:

From: Jeff Sinnott

Date: 7/11/2014

Re: Fire Code Amendments

Planning Commission Members,

With the recent consolidation of the La Vista and Papillion Fire Departments the city of Papillion has requested amendments to Chapter 150, Building Regulations of the La Vista Municipal Code to allow for the adoption of the NFPA 101, Life Safety Code with amendments. This would allow the Fire Department to carry out their enforcement procedures under this code as is currently conducted by the Nebraska State Fire Marshall's office.

I do plan on attending the meeting for questions, if you have any other concerns before the meeting please contact me.

Thank You

ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTION 150.01 OF THE LA VISTA MUNICIPAL CODE TO ADOPT THE NATIONAL FIRE PROTECTION ASSOCIATION 101 LIFE SAFETY CODE; AND TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES PREVIOUSLY ENACTED, SEVERABILITY AND THE EFFECTIVE DATE.

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

Section 1: Amendment of Section 150.01. Section 150.01 of the La Vista Municipal Code is hereby amended to read as follows:

§ 150.01 BUILDING CODE.

(A) Portions of standard codes and additional requirements, rules and regulations specified below are hereby adopted as the Building Code of the City of La Vista for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures within the jurisdiction of the City of La Vista and providing for the issuance of permits and collection of fees therefor. Provisions of the standard codes and additional requirements, rules and regulations adopted herein shall be applied, interpreted and construed together and consistently to the extent possible. Unless otherwise indicated by context or otherwise, references to any table, section or subsection shall mean the corresponding provision of the relevant standard code.

(B) (1) *International Building Code provisions adopted by reference.* Two copies of certain documents in book form, being marked and designated as the *International Building Code, 2006 Edition*, ("IBC") are on file in the Office of the City Clerk of the City of La Vista. With the exception of portions of § 105.2 preceding § 105.2.1, and §§ 907.1.1, 907.1.2 and 3401.3 the following portions of said IBC are hereby adopted: Chapters 1 thru 35 inclusive, and Appendix "I", Patio Covers and "J" Grading ("adopted IBC provisions"); and each and all of the regulations, provisions, conditions and terms of such adopted IBC provisions, and all amendments, revisions or editions thereto on file or hereafter placed on file in the Office of the City Clerk of the City of La Vista, are hereby referred to, adopted and made a part hereof as if fully set out herein.

(2) *Additional requirements, rules and regulations adopted.*

(a) *Work exempt from permit (adopted in lieu of portions of IBC § 105.2 preceding § 105.2.1).* Exemptions from permit requirements of the adopted IBC provisions shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of said adopted IBC provisions or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

1. *Building:*

- a. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 80 square feet.
- b. Oil derricks.
- c. Retaining walls which are not over four feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.
- d. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2 to 1.
- e. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- f. Temporary motion picture, television and theater stage sets and scenery.
- g. Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than 24 inches deep and installed entirely above ground.
- h. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
- i. Swings and other playground equipment accessory to detached one- and two-family dwellings.
- j. Window awnings supported by an exterior wall that do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of Group R-3 and Group U occupancies.
- k. Movable cases, counters and partitions not over five feet nine inches (1,753 mm) in height.

2. *Electrical:*

- a. *Repairs and maintenance.* Minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.
- b. *Radio and television transmitting stations.* Adopted IBC provisions shall not apply to electrical equipment used for radio and television transmissions, but do apply

to equipment and wiring for power supply, the installations of towers and antennas.

c. *Temporary testing systems.* A permit shall not be required for the installation of any temporary system required for the testing or servicing of electrical equipment or apparatus.

3. *Gas:*

a. Portable heating appliance.

b. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

4. *Mechanical:*

a. Portable heating appliance.

b. Portable ventilation equipment.

c. Portable cooling unit.

d. Steam, hot or chilled water piping within any heating or cooling equipment regulated by adopted IBC provisions.

e. Replacement of any part which does not alter its approval or make it unsafe.

f. Portable evaporative cooler.

g. Self-contained refrigeration system containing ten pounds (4.54 kg) or less of refrigerant and actuated by motors of one horsepower (746 W) or less.

5. *Plumbing:*

a. The stopping of leaks in drains, water, soil, waste or vent pipe provided, however, that if any concealed trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in adopted IBC provisions.

b. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

(b) *Any Group "A" occupancies with alcoholic beverages (adopted in addition to those requirements listed in adopted IBC provisions, § 903.2.1.1 through § 903.2.1.5).* An automatic sprinkler system shall be installed throughout any building with any Group "A" exceeding 1,000 square feet and where there is liquor, wine, or beer license issued and/or where the occupants consume alcoholic beverages.

(c) *Criteria (adopted in addition to those requirements listed in adopted IBC provisions, § 1601.1).* The climate and geographical design criteria for building construction in La Vista Nebraska shall be:

1. Ground/snow load 30 lbs psf;
2. Wind speed 90 mph for a three-second gust with exposure "C";
3. Seismic Design Category "B";
4. Weathering probability for concrete "B";
5. Frost line depth 42 inches;
6. Termites, moderate to heavy;
7. Decay, slight to moderate;
8. Winter design temperature, minus five degrees.

(d) *Collapsible soils (adopted in addition to those requirements listed in adopted IBC provisions, § 1804.1 through § 1804.3).* Portions of the Omaha Metro area are underlain by low unit weight soils that can collapse when saturated. Additional studies shall be made to evaluate the presence and extent of the collapsible soils and to assess the effects of any collapsible soils identified at the site on the performance of the structure.

(e) *Markings (adopted in addition to those requirements listed in adopted IBC provisions, § 2303.4.1).* Each truss shall be legibly branded, marked, or otherwise have permanently affixed thereto the following information located within two feet of the center of the span on the face of the bottom chord:

1. Identify the company manufacturing the truss;
2. The design load;
3. The spacing of the truss.

(f) *Vertical support requirements for decks and porches.* Vertical supports for

decks and porches shall be wood posts of not less than six inches by six inches in dimension. Underlying footings shall meet the foundation specifications of adopted IBC provisions.

(C) (1) *International Residential Code Provisions adopted by reference.* Two copies of certain documents in book form, being marked and designated as the *International Residential Code*, 2006 Edition, ("IRC") are on file in the Office of the City Clerk of the City of La Vista. With the exception of portions of § R105.2 preceding § R105.2.1, and §§ R305.1, R311.5.2, R311.5.6.2, R319.1, R319.1.1, R320.1.2, R502.6.2, R506.2.2, R703.7.4.2, R905.3.8, R905.7.6, R905.8.8, R907.3, and Tables R301.5, R802.11, R905.2.8.2 and N1102.1.2, the following portions of said IRC are hereby adopted: Chapters 1 through 42, inclusive, and Appendices "G", Pools, Hot-tubs, Spas, "H", Patio Covers, "J" Existing Buildings and Structures, and "K", Sound Transmission ("adopted IRC provisions"); and each and all of the regulations, provisions, conditions and terms of such adopted IRC provisions, and all amendments, revisions or editions thereto on file or hereafter placed on file in the Office of the City Clerk of the City of La Vista, are hereby referred to, adopted and made a part hereof as if fully set out herein.

(2) *Additional requirements, rules and regulations adopted.*

(a) *Work exempt from a permit (adopted in lieu of portions of IRC § R105.2 preceding § R105.2.1).* Permits shall not be required for the following. Exemption from the permit requirements of the adopted IRC provisions shall not be deemed to grant authorization for any work to be done in any manner in violation of the adopted IRC provisions or any other laws or ordinances of this jurisdiction.

1. *Building:*

a. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 80 square feet.

b. Retaining walls that are not over four feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.

c. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18,927 L) and the ratio of height to diameter or width does not exceed 2 to 1.

d. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

e. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.

f. Swings and other playground equipment accessory to a one- or two-family dwelling.

g. Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.

2. *Electrical:*

a. *Repairs and maintenance.* A permit shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

3. *Gas:*

a. Portable heating, cooking or clothes drying appliances.

b. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

c. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

4. *Mechanical:*

a. Portable heating appliances.

b. Portable ventilation appliances.

c. Portable cooling units.

d. Steam, hot or chilled water piping within any heating or cooling equipment regulated by the adopted IRC provisions.

e. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

f. Portable evaporative coolers.

g. Self-contained refrigeration systems containing ten pounds (4.54 kg) or less of refrigerant or that are actuated by motors of one horsepower (746 W) or less.

h. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

5. *Plumbing:*

a. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in the adopted IRC provisions.

b. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

(b) *Minimum uniformly distributed live loads (adopted in lieu of IRC Table R301.5).*

		<i>Live Load</i>
Attics with storage ^b		20
Attics without storage ^b		10
Decks ^e		40
Exterior balconies		60
Fire escapes		40
Guardrails and handrails ^d		200
Guardrails in-fill components ^f		50
Passenger vehicle garages ^a		50 ^a
Rooms other than sleeping rooms		40
Sleeping rooms		40
Stairs		40 ^c

For SI: 1 pound per square foot = 0.0479 kN/m²

1 square inch = 645 mm²

1 pound = 4.45 N.

- a Elevated garage floors shall be capable of supporting a 2,000-pound load applied over a 20-square-inch area.
- b No storage with roof slope not over three units in 12 units.
- c Individual stair treads shall be designed for the uniformly distributed live load or a 300-pound concentrated load acting over an area of four square inches, whichever produces the greater stresses.
- d A single concentrated load applied in any direction at any point along the top.
- e See Section R502.2.1 of adopted IRC provisions for decks attached to exterior walls.
- f Guard in-fill components (all those except the handrail), balusters and panel fillers shall be designed to withstand a horizontally applied normal load of 50 pounds on an area equal to one square foot. This load need not be assumed to act concurrently with any other live load requirement.

(c) *Minimum height (adopted in lieu of IRC, § R305.1).*

1. Habitable rooms, hallways, corridors, bathrooms, toilet rooms, laundry rooms and basements shall have a ceiling height of not less than seven feet (2,134 mm). The required height shall be measured from the finish floor to the lowest projection from the ceiling.

2. *Exceptions:*

a. Beams and girders spaced not less than four feet (1,219 mm) on center may project not more than six inches (152 mm) below the required ceiling height.

b. Ceilings in basements without habitable spaces may project to within six feet eight inches (2,032 mm) of the finished floor; and beams, girders, ducts or other obstructions may project to within six feet four inches (1,931 mm) of the finished floor.

c. For rooms with sloped ceilings, at least 50% of the required floor area of the room must have a ceiling height of at least seven feet (2,134 mm) and no portion of the required floor area may have a ceiling height of less than five feet (1,524 mm).

d. Bathrooms shall have a minimum ceiling height of six feet eight inches (2,036 mm) over the fixture and at the front clearance area for fixtures as shown in Figure R307.1 of the adopted IRC provisions. A shower or tub equipped with a showerhead shall have a minimum ceiling height of six feet eight inches (2,036 mm) above a minimum area 30 inches (762 mm) by 30 inches (762 mm) at the showerhead.

(d) *Headroom (adopted in lieu of IRC § R311.5.2).* The minimum headroom in all parts of the stairway shall not be less than six feet eight inches (2,036 mm) measured vertically from the sloped plane adjoining the tread nosing or from the floor surface of the landing or platform. The Building Official shall have the authority to waive the requirements of this section where pre-existing conditions will not allow the requirement to be met.

(e) *Continuity (adopted in lieu of IRC § R311.5.6.2).*

1. Handrails for stairways shall be continuous for the full length of the flight, from a point directly above the top riser of the flight to a point directly above the lowest riser of the flight. Handrail ends shall be returned or shall terminate in newel posts or safety terminals. Handrails adjacent to a wall shall have a space of not less than one and one-half inch (38 mm) between the wall and the handrail.

2. *Exceptions:*

a. Handrails shall be permitted to be interrupted by a newel post at the turn.

b. The use of a volute, turnout, starting easing or starting newel shall be allowed over the lowest tread.

c. Handrails for stairways shall be permitted to have no more than a four-inch (102 mm) break due to wall offsets and other ornamental features.

(f) *Location required (adopted in lieu of IRC § R502.6.2).* Protection from decay shall be provided in the following locations by the use of naturally durable wood or wood that is preservative treated in accordance with AWPA U1 for the species, product, preservative and end use. Preservatives shall be listed in Section 4 of the AWPA U1.

1. Wood joists or the bottom of a wood structural floor when closer than 18 inches (456 mm) or wood girders when closer than 12 inches (305 mm) to the exposed ground in crawl spaces or unexcavated area located within the periphery of the building foundation.

2. All wood framing members, sills, or plates that rest on concrete or masonry exterior walls.

3. Sills and sleepers on a concrete or masonry slab that is in direct contact with the ground unless separated from such slab by an impervious moisture barrier.

4. The ends of wood girders entering exterior masonry or concrete walls having clearances of less than 0.5 inch (12.7 mm) on tops, sides and ends.

5. Wood siding, sheathing and wall framing on the exterior of a building having a clearance of less than six inches (152 mm) from the ground.

6. Wood structural members supporting moisture-permeable floors or roofs that are exposed to the weather, such as concrete or masonry slabs, unless separated from such floors or roofs by an impervious moisture barrier.

7. Wood furring strips or other wood framing members attached directly to the interior of exterior masonry walls or concrete walls below grade except where an approved vapor retarder is applied between the wall and the furring strips or framing members.

(g) *Joist framing (adopted in lieu of IRC § R602.6.2).* Joists framing into the side of a wood girder shall be supported by approved framing anchors.

(h) *Air space (adopted in lieu of IRC § R703.7.4.2).* The veneer shall be separated from the sheathing by an air space of a minimum of one-half inch (13 mm).

(i) *Required strength of truss or rafter connections to resist wind uplift forces (adopted in lieu of IRC Table R802.11).*

Required Strength of Truss or Rafter Connections to Resist Wind Uplift Forces ^{a,b,c,e,f,g} (Pounds per Connection)								
Basic Wind Speed (mph) (3-second gust)	Roof Span (feet)							Overhangs ^d (pounds/foot)
	12	20	24	28	32	36	40	
85	-72	-120	-145	-169	-193	-217	-241	-38.55
90	-91	-151	-181	-212	-242	-272	-302	-43.22
100	-131	-218	-262	-305	-349	-393	-436	-53.36
110	-175	-292	-351	-409	-467	-526	-584	-64.56

For SI: 1 inch = 25.4 mm 1 foot = 305 mm 1 mph = 447 m/s 1 pound/foot = 14.5939 N/m 1 pound = 0.454 kg

- ^a The uplift connection requirements are based on a 30 foot mean roof height located in Exposure B. In Exposure C and D and for other mean roof heights, multiply the above loads by the Adjustment Coefficient Table R301.2.(3).
- ^b The uplift connection requirements are based on the framing being spaced 24 inches on center. Multiply by 0.67 for framing spaced 16 inches on center and multiply by 0.5 for framing spaced 12 inches on center.
- ^c The uplift connection requirements include an allowance for 10 pounds of dead load.
- ^d The uplift connection requirements do not account for the effects of overhangs. The magnitude of the above loads shall be increased by adding the overhang loads found in the Table. The overhang loads are also based on framing spaced 24 inches on center. The overhang loads given shall be multiplied by the overhang projection and added to the roof uplift value in the Table.
- ^e The uplift connection requirements are based on wind loading on and end zones as defined in Figure 6-2 of ASCE 7. Connection loads for connections located a distance of 20% of the least horizontal dimension of the building from the corner of the building are permitted to be reduced by multiplying the table connection value by 0.7 and multiplying the overhang load by 0.8.
- ^f For wall-to-wall and foundation connections, the capacity of the uplift connector is permitted to be reduced by 100 pounds for each full wall above. (For example, if a 600-pound rated connection is used on the roof framing, a 500-pound rated connector is permitted at the next floor level down.)
- ^g Wind uplift calculations, prepared by a structural engineer shall be provided at the time of the framing inspection, for all structures built without uplift connections as prescribed by this Table.

(j) *Valley lining material (adopted in lieu of IRC Table R905.2.8.2).*

Valley Lining Material			
Material	Minimum Thickness (inches)	Gage	Weight (pounds)
Cold-rolled copper	0.0216 nominal	--	ASTM B 370, 16 oz. per square foot
Lead-coated copper	0.0216 nominal	--	ASTM B 101, 16 oz. per square foot
High-yield copper	0.0162 nominal	--	ASTM B 370, 12 oz. per square foot
Lead-coated high-yield copper	0.0162 nominal	--	ASTM B 101, 12 oz. per square foot

For SI: 1 inch = 25.4 mm 1 pound = 0.454 kg

Valley Lining Material			
Material	Minimum Thickness (inches)	Gage	Weight (pounds)
Stainless steel	--	28	--
Galvanized steel	0.0179	28 (zinc coated G90)	--
Zinc alloy	0.027	--	--
Lead	--	--	2 1/2
Painted frame	--	--	20

For SI: 1 inch = 25.4 mm 1 pound = 0.454 kg

(k) *Flashing (adopted in lieu of IRC § R905.3.8).* At the juncture of roof vertical surfaces, flashing and counter flashing shall be provided in accordance with this chapter and the manufacturer's installation instructions and, where of metal, shall not be less than 0.018 inches (0.4 mm) corrosion resistant sheet metal. The valley flashing shall extend at least 11 inches (279 mm) from the centerline each way and have a splash diverter rib not less than one inch (25 mm) high at the flow line formed as part of the flashing. Sections of flashing shall have an end lap of not less than four inches (102 mm). For roof slopes of three units vertical in 12 units horizontal (25% slope) and greater, valley flashing shall have a 36-inch wide (914 mm) underlayment of one layer of Type I underlayment running the full length of the valley, in addition to other required underlayment. In areas where the average daily temperature in January is 25°F (-4°C) or less, metal valley flashing underlayment shall be solid-cemented to the roofing underlayment for slopes less than seven units vertical in 12 units horizontal (58% slope) or be of self-adhering polymer modified bitumen sheet.

(l) *Valley flashing (adopted in lieu of IRC § R905.7.6).* Roof flashing shall be not less than No. 28 gage [0.018 inches (0.4 mm)] corrosion resistant sheet metal.

(m) *Valley flashing (adopted in lieu of IRC § R905.8.8).* Roof flashing shall be not less than No. 28 gage [0.018 inches (0.4 mm)] corrosion resistant sheet metal and shall extend at least 11 inches (279 mm) from the centerline,

(n) *Re-covering versus replacement (adopted in lieu of IRC § R907.3).* New roof coverings shall not be installed without first removing existing roof coverings where any of the following conditions occur:

1. Where the existing roof or roof covering is water-soaked or has deteriorated to the point that the existing roof or roof covering is not adequate as a base for additional roofing.
2. Where the existing roof covering is wood shake, wood shingles, slate, clay, cement or asbestos-cement tile.
3. Where the existing roof has two or more applications of any type of roof covering.
4. For asphalt shingles, when the building is located in an area subject to moderate or severe hail exposure according to Figure R903.5.

5. *Exceptions:*

- a. Complete and separate roofing systems, such as standing-seam metal roof systems, that are designed to transmit the roof loads directly to the building's structural system and that do not rely on existing roofs and roof coverings for support, shall not require the removal of existing roof coverings.

b. Installation of metal panel, metal shingle, and concrete and clay tile roof coverings over existing wood shake roofs shall be permitted when the application is in accordance with § R907.4.

c. The application of new protective coating over existing spray polyurethane foam roofing systems shall be permitted without tear-off of existing roof coverings.

(o) *U-factor alternative (adopted in lieu of IRC § N1102.1.2).*

1. An assembly with a U-factor equal to or less than that specified in Table N1102.1.2 shall be permitted as an alternative to the R-value in Table N1102.1.

2. *Exception:* For mass walls not meeting the criterion for insulation location in § N1102.2.3, the U-factor shall be permitted to be:

- a. U-factor of 0.17 in Climate Zone 1.
- b. U-factor of 0.14 in Climate Zone 2.
- c. U-factor of 0.12 in Climate Zone 3.
- d. U-factor of 0.10 in Climate Zone 4 except Marine.
- e. U-factor of 0.082 in Climate Zone 5 and Marine 4.

f. Single-family dwellings, two-family dwellings and townhomes with a window to wall ratio greater than 15% must conform to the State of Nebraska Energy Code.

(D) *Uniform Code for the Abatement of Dangerous Buildings adopted by reference.* Certain documents in book form, two copies of which are on file in the Office of the City Clerk of the City of LaVista and being marked and designated as the *Uniform Code for the Abatement of Dangerous*

Buildings, 1985 Edition, are hereby adopted and each and all of the regulations, provisions, conditions and terms of such *Uniform Code for the Abatement of Dangerous Buildings*, and all amendments, revisions or editions thereto on file or hereafter placed on file in the Office of the City Clerk of the City of La Vista are hereby referred to, adopted and made a part hereof as if fully set out herein.

(E) *Uniform Administrative Code adopted by reference.* Certain documents in book form, two copies of which are on file in the Office of the City Clerk of the City of La Vista and being marked and designated as the *Uniform Administrative Code*, 1987 Edition, are hereby adopted; and each and all of the regulations, provisions, conditions and terms of such *Uniform*

Administrative Code, and all amendments, revisions or editions thereto on file or hereafter placed on file in the Office of the City Clerk of the City of La Vista, are hereby referred to, adopted and made a part hereof as if fully set out herein.
(‘79 Code, § 9-301) (Am. Ord. 517, passed 1-15-91; Am. Ord. 723, passed 4-7-98; Am. Ord. 966, passed 1-3-06; Am. Ord. 1061, passed 6-17-08; Am. Ord. 1089, passed 4-7-09; Am. Ord. 1128, passed 8-17-10)

(F) Life Safety Code adopted by reference.

(1) NFPA 101 Life Safety Code adopted. Certain documents in book or pamphlet form, two copies of which are on file in the Office of the City Clerk of the City of La Vista and being marked and designated as the NFPA 101 Life Safety Code, 2000 Edition (“LSC”), are hereby incorporated herein and adopted, and each and all of the regulations, provisions, conditions and terms of such LSC, and all amendments, revisions or editions thereto on file in the Office of the City Clerk of the City of La Vista, are hereby referred to, incorporated, adopted and made a part hereof as if fully set out herein.

(2) Additional requirements, rules and regulations adopted. All provisions of the Nebraska Administrative Code, Title 153 – State Fire Marshal, two copies of which are on file in the Office of the City Clerk of the City of La Vista and being marked and designated as Nebraska Administrative Code, Title 153 (except for those provisions of said Title 153 set forth in Chapter 20 – “Fees for Inspection for Fire Safety,” which fees shall be as determined from time to time by the Mayor and City Council in the La Vista Master Fee Ordinance), (“Title 153”) are hereby incorporated herein and adopted, and each and all of the regulations, provisions, conditions and terms of such Title 153, and all amendments, revisions or editions thereto on file in the Office of the City Clerk of the City of La Vista, are hereby referred to, incorporated, adopted and made a part hereof as if fully set out herein.”

Section 2. Repeal. Section 150.01 and all other ordinances and any parts of ordinances as previously enacted that are in conflict with this ordinance or any part hereof are hereby repealed.

Section 3. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, sentence clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section 4. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication in book or pamphlet form or as otherwise provided by law.

PASSED AND APPROVED this ____ day of _____, 2014.

CITY OF LA VISTA,

DOUGLAS KINDIG, MAYOR

Attest:

PAMELA BUETHE, City Clerk

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ORDINANCE NO. _____

AN ORDINANCE TO AMEND SECTIONS 150.70 AND 150.73 OF THE LA VISTA MUNICIPAL CODE REGARDING BUILDING INSPECTIONS AND APPEALS; AND TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES PREVIOUSLY ENACTED, SEVERABILITY AND THE EFFECTIVE DATE.

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

Section 1. Amendment of Section 150.70. Section 150.70 of the La Vista Municipal Code is hereby amended to read as follows:

"Section 150.70. POWER AND AUTHORITY. The building inspector of the City of La Vista or the building inspector's agents, assistants or other designees ("Building Inspector"), except as otherwise expressly provided in any applicable laws, codes or regulations, shall be the city official who shall have the duty of enforcing all building, housing, zoning, life safety, plumbing, electrical and other codes and regulations as herein prescribed. The Building Inspector shall inspect all buildings existing, repaired, altered, built or moved in the city as often as necessary to insure compliance with all city ordinances. Not in limitation of the foregoing or other authority, the Building Inspector shall have the power and authority to order all work stopped on any construction, repair, alteration, relocation or other work when there is a violation of any provisions prescribed by ordinances, laws, rules or regulations. The Building Inspector shall issue permission to continue any construction, repair, alteration, relocation or other work where he or she is satisfied that no provisions will be violated. If a stop order is an oral one, it shall be followed by a written stop order served on any person or entity engaged in the doing or causing such work to be done. The notice shall briefly set forth the violations and shall specify the time in which compliance must be made. The Building Inspector in accordance with applicable law shall have the power and authority to issue citations and court summons for violations of building, housing, zoning, life safety, plumbing, electrical and other laws or regulations relating to buildings in the same manner as if said citations are issued by the city police. Such written stop orders, citations and court summons may be served by the Building Inspector or by a city police officer. In the event that the City Council fails to appoint a building inspector and there shall be no acting building inspector of the City of La Vista, the Chief of Police shall be the building inspector *ex officio*."

Section 2. Amendment of Section 150.73. Section 150.73 of the La Vista Municipal Code is hereby amended to read as follows

"Section 150.73. APPEAL FROM DECISION. Except as otherwise expressly provided by any applicable codes, laws, rules or regulations: In the event it is claimed that the true intent and meaning of this chapter has been wrongly interpreted by the Building Inspector; that the time allowed for compliance with any order of the Building Inspector is too short; or that conditions peculiar to a particular building make it unreasonably difficult to meet the literal requirements prescribed by this chapter and the Building Inspector, the owner, his or her agent or the occupant may file a notice of appeal within ten days after the decision or order of the Building Inspector has been made. The Board of Adjustment shall hear all appeals and shall have the power and authority, when appealed to, to modify the decision or order of the Building Inspector. Such a decision shall be final, subject only to any remedy which the aggrieved person may have at law or equity. Applications for review shall be in writing and shall state the reasons why the requested remedy should be granted. Any variances only shall be granted as permitted

under Neb. Rev. Stat. Section 19-910 or other applicable law, and where it is evident that reasonable safety and sanitation is assured, and may include conditions not generally specified by this code to achieve that end. A copy of any variance so granted or any other decision of the Board of Adjustment shall be sent to both the Building Inspector and the applicant."

Section 3. Repeal. Sections 150.70 and 150.73 and all other ordinances and any parts of ordinances as previously enacted that are in conflict with this ordinance or any part hereof are hereby repealed.

Section 4. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, sentence clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section 5. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication in book or pamphlet form or as otherwise provided by law.

PASSED AND APPROVED this ____ day of _____, 2014.

CITY OF LA VISTA,

DOUGLAS KINDIG, MAYOR

Attest:

PAMELA BUETHE, City Clerk