

## ORDINANCE 1139

AN ORDINANCE OF THE CITY OF ASHLAND, NEBRASKA, ADOPTING THE 2012 INTERNATIONAL RESIDENTIAL, BUILDING, ENERGY, PLUMBING, MECHANICAL, ELECTRICAL AND PROPERTY MAINTENANCE CODES BY AMENDING CHAPTER 9, ARTICLE 5 OF THE ASHLAND MUNICIPAL CODE; TO PROVIDE FOR THE EFFECTIVE DATE THEREOF; TO ORDER THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

BE IT ORDERED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ASHLAND, NEBRASKA, AS FOLLOWS:

Section 1: Section 9-501 of the Municipal Code of the City of Ashland, Nebraska is amended to read as follows:

**§ 9-501 RESIDENTIAL CODE; ADOPTED BY REFERENCE.** (1) For regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment, location, removal and demolition of detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories in height with separate means of egress, and accessory buildings and structures thereto as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Residential Code, within this jurisdiction; the 2012 International Residential Code, including Appendix Chapters E “Manufactured Homes Used as Dwellings,” G “Swimming Pools, Hot Tubs and Spas,” H “Patio Covers,” and J “Existing Buildings,” as the same may be revised from time to time, published by the International Code Council, and printed in book or pamphlet form, is hereby incorporated by reference as though printed in full herein insofar as said code does not conflict with the Statutes of the State of Nebraska. Provided, however, any modular or manufactured home shall be permitted if it bears the appropriate label certifying that it was built in compliance with National Manufactured Housing Construction and Safety Standards, 24 C.F.R. 3280 et seq. promulgated by the United States Department of Housing and Urban Development, or issued by the Nebraska Department of Health and Human Services or Public Service Commission and satisfies the following:

- (a) The home shall have no less than nine hundred (900) square feet of floor area;
- (b) The home shall have no less than an eighteen (18) foot exterior width;
- (c) The roof shall be pitched with a minimum vertical rise of two and one-half (2 ½) inches for each twelve (12) inches of horizontal run;
- (d) The exterior material shall be of a color, material, and scale comparable with those existing in residential site built, single family construction;
- (e) The home shall have a non-reflective roof material which is or simulates asphalt or wood shingles, tile, metal, or rock;
- (f) The home shall be permanently placed upon a permanent continuous foundation conforming with the applicable Building Code of the City of Ashland, and have wheels, axles, transporting lights, and removable towing apparatus removed, and
- (g) The home shall meet and maintain the same standards that are uniformly applied to all single-family dwellings in the zoning district.

(2) The City reserves the right to adopt additions, insertions, deletions and changes to the 2012 International Residential Code, and those revisions presently desired by the City are found in Supplement 9-501(2). One (1) copy of the 2012 International Residential Code and Supplement 9-501(2) is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The

provisions of the 2012 International Residential Code and Supplements shall be controlling throughout the Municipality and throughout its zoning jurisdiction. (*Ref. 17-1001, 18-132, 19-902, 19-922 RS Neb.*)

Section 2: Section 9-502 of the Municipal Code of the City of Ashland, Nebraska is amended to read as follows:

**§ 9-502** **EXISTING BUILDING CODE; ADOPTED BY REFERENCE.** (1) For regulating and governing the repair, alteration, change of occupancy, addition to and relocation of existing buildings, including historic buildings, as herein provided; and each and all of the penalties, conditions and terms of said Existing Building Code, within this jurisdiction; the 2012 International Existing Building Code, as the same may be revised from time to time, published by the International Code Council, and printed in book or pamphlet form, is hereby incorporated by reference as though printed in full herein insofar as said code does not conflict with the Statutes of the State of Nebraska.

(2) The City reserves the right to adopt additions, insertions, deletions and changes to the 2012 International Existing Building Code, and those revisions presently desired by the City are found in Supplement 9-502(2). One (1) copy of the 2012 International Existing Building Code and Supplement 9-502(2) is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The provisions of the 2012 International Existing Building Code and Supplements shall be controlling throughout the Municipality and throughout its zoning jurisdiction. (*Ref. 17-1001, 18-132, 19-902, 19-922 RS Neb.*)

Section 3: Section 9-503 of the Municipal Code of the City of Ashland, Nebraska is amended to read as follows:

**§ 9-503** **BUILDING CODE; ADOPTED BY REFERENCE.** (1) For regulating and governing the conditions and maintenance of all other property, buildings and structures not specifically identified in 9-501 and 9-502; 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; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code, within this jurisdiction; the 2012 International Building Code, including Appendix Chapter G “Flood Resistant Construction,” as the same may be revised from time to time, published by the International Code Council, and printed in book or pamphlet form, is hereby incorporated by reference as though printed in full herein insofar as said code does not conflict with the Statutes of the State of Nebraska.

(2) The City reserves the right to adopt additions, insertions, deletions and changes to the 2012 International Building Code, and those revisions presently desired by the City are found in Supplement 9-503(2). One (1) copy of the 2012 International Building Code and Supplement 9-503(2) is on file at the office of the Municipal Clerk and are available for public inspection at any reasonable time. The provisions of the 2012 International Building Code and Supplements shall be controlling throughout the Municipality and throughout its zoning jurisdiction. (*Ref. 17-1001, 18-132, 19-902, 19-922 RS Neb.*)

Section 4: Section 9-504 of the Municipal Code of the City of Ashland, Nebraska is amended to read as follows:

**§ 9-504** **ENERGY CODE; ADOPTED BY REFERENCE.** (1) For regulating and governing energy efficient building envelopes and installation of energy efficient mechanical, lighting and power

systems as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Energy Code, within this jurisdiction; the 2012 International Energy Conservation Code, as the same may be revised from time to time, published by the International Code Council, and printed in book or pamphlet form, is hereby incorporated by reference as though printed in full herein insofar as said code does not conflict with the Statutes of the State of Nebraska.

(2) The City reserves the right to adopt additions, insertions, deletions and changes to the 2012 International Energy Code, and those revisions presently desired by the City are found in Supplement 9-504(2). One (1) copy of the 2012 International Energy Conservation Code and Supplement 9-504(2) is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The provisions of the 2012 International Energy Conservation Code and Supplements shall be controlling throughout the Municipality and throughout its zoning jurisdiction. (*Ref. 17-1001, 18-132, 19-902, 19-922 RS Neb.*)

Section 5: Section 9-505 of the Municipal Code of the City of Ashland, Nebraska is created and reads as follows:

**§ 9-505 PLUMBING CODE; ADOPTED BY REFERENCE.** (1) For regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of the plumbing systems as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Plumbing Code, within this jurisdiction; the 2012 International Plumbing Code, including Appendix Chapter E “Sizing of Water Piping System,” as the same may be revised from time to time, published by the International Code Council, and printed in book or pamphlet form, is hereby incorporated by reference as though printed in full herein insofar as said code does not conflict with the Statutes of the State of Nebraska.

(2) The City reserves the right to adopt additions, insertions, deletions and changes to the 2012 International Plumbing Code, and those revisions presently desired by the City are found in Supplement 9-505(2). One (1) copy of the 2012 International Plumbing Code and Supplement 9-505(2) is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The provisions of the 2012 International Plumbing Code and Supplements shall be controlling throughout the Municipality and throughout its zoning jurisdiction. (*Ref. 17-1001, 18-132, 19-902, 19-922 RS Neb.*)

Section 6: Section 9-506 of the Municipal Code of the City of Ashland, Nebraska is created and reads as follows:

**§ 9-506 MECHANICAL CODE; ADOPTED BY REFERENCE.** (1) For regulating and governing the design, construction, quality of materials, erection, installation, alteration, repair, location, relocation, replacement, addition to, use or maintenance of the mechanical systems as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Mechanical Code, within this jurisdiction; the 2012 International Mechanical Code, including Appendix Chapter A “Combustion Air Openings and Chimney Connectors,” as the same may be revised from time to time, published by the International Code Council, and printed in book or pamphlet form, is hereby incorporated by reference as though printed in full herein insofar as said code does not conflict with the Statutes of the State of Nebraska.

(2) The City reserves the right to adopt additions, insertions, deletions and changes to the 2012 International Mechanical Code, and those revisions presently desired by the City are found in Supplement 9-506(2). One (1) copy of the 2012 International Mechanical Code and Supplement 9-506(2) is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The

provisions of the 2012 International Mechanical Code and Supplements shall be controlling throughout the Municipality and throughout its zoning jurisdiction. (*Ref. 17-1001, 18-132, 19-902, 19-922 RS Neb.*)

Section 7: Section 9-507 of the Municipal Code of the City of Ashland, Nebraska is created and reads as follows:

**§ 9-507 ELECTRICAL CODE; ADOPTED BY REFERENCE.** To provide minimum standards, provisions, and requirements for safe and fire proof installation, methods of connection, and uses of materials in the installation of electrical wiring and appliances, the National Electrical Code, 2012 Edition, as recommended and published by the National Fire Protection Association, and printed in book or pamphlet form, is hereby incorporated by reference as though printed in full herein insofar as said code does not conflict with the Statutes of the State of Nebraska. One (1) copy of the 2012 National Electrical Code is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The provisions of the 2012 National Electrical Code shall be controlling throughout the Municipality and throughout its zoning jurisdiction. (*Ref. 17-1001, 18-132, 19-902, 19-922 RS Neb.*)

Section 8: Section 9-508 of the Municipal Code of the City of Ashland, Nebraska is created and reads as follows:

**§ 9-508 PROPERTY MAINTENANCE CODE; ADOPTED BY REFERENCE.** (1) For regulating and governing the conditions 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; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code, within this jurisdiction; the 2012 International Property Maintenance Code, as the same may revised from time to time, published by the International Code Council, and printed in book or pamphlet form, is hereby incorporated by reference as though printed in full herein insofar as said code does not conflict with the Statutes of the State of Nebraska.  
(2) The City reserves the right to adopt additions, insertions, deletions and changes to the 2012 International Property Maintenance Code, and those revisions presently desired by the City are found in Supplement 9-508(2). One (1) copy of the 2012 International Property Maintenance Code and Supplement 9-508(2) is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The provisions of the 2012 International Property Maintenance Code and Supplements shall be controlling throughout the Municipality and throughout its zoning jurisdiction. (*Ref. 17-1001, 18-132, 19-902, 19-922 RS Neb.*)

Section 9: That all other ordinances or parts thereof in conflict herewith are hereby repealed.

SECTION 10: WHEN OPERATIVE

That this ordinance shall take effect after its passage, approval and publication in pamphlet form according to law.

PASSED AND APPROVED this 7<sup>th</sup> day of September, 2017.

CITY OF ASHLAND  
SAUNDERS COUNTY, NEBRASKA

BY: *Richard Grauerholz*  
Richard Grauerholz, Mayor

ATTEST:

*Kathleen Sliva*  
Kathleen Sliva, City Clerk

