

ORDINANCE NO. 822

AN ORDINANCE AMENDING PORTIONS OF ORDINANCE NO 636, KNOWN AS THE MUNICIPAL CODE OF THE CITY OF GOTHENBURG, NEBRASKA, BY AMENDING SECTIONS 9-208, 9-305, 9-306, 9-312, 9-401; REPEALING SECTIONS 9-1001 THROUGH 9-1006, INCLUSIVE; REVISING THE PROVISIONS RELATING TO BUILDING INSPECTIONS; BUILDING PERMITS; MOVING OF BUILDINGS WITHIN THE CITY LIMITS; REPEALING PROVISIONS RELATED TO ALARM SYSTEMS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH AND PROVIDING FOR AN EFFECTIVE DATE.

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

Section 1. Section 9-208, Chapter 9, Article 2 of the Gothenburg Municipal Code, Ordinance No. 636 is hereby amended to read as follows:

**§9-208 INSPECTIONS; COMMERCIAL INSPECTIONS ON STAMPED PLANS.** All buildings requiring plans that are signed and sealed by an architect or engineer as provided for in §9-305 shall be inspected by the City's Building Inspector or the City Engineer. In lieu of City inspections, the owner or his agent may choose to privately employ a Licensed Architect or Professional Engineer (P.E.) registered in the State of Nebraska for the inspections of work as specified in section 9-204. The Architect or Engineer may hire a qualified inspector during construction, but must provide a record of inspections as required under §9-204 and sign off on the Certificate of Occupancy. The Certificate shall certify that any and all building codes as adopted by the City and State of Nebraska have been adhered to and complied with. A Professional Engineer doing work in lieu of the City Inspector shall be appointed as a "Building Inspector – Single Application" by the Mayor and approved by the City Council.

Section 2. Section 9-303, Chapter 9, Article 303 of the Gothenburg Municipal Code, Ordinance 636 is hereby amended to read as follows:

**§9-303 BUILDING PERMITS; PLANS AND SPECIFICATIONS.**

Section 2. Section 9-305, Chapter 9, Article 3 of the Gothenburg Municipal Code, Ordinance No. 636 is hereby amended to read as follows: A fee for review of plans and specifications shall be paid to the Municipal Clerk. The Governing Body shall have the power and authority to establish plan and specification fees by resolution. (1) Each permit shall be

accompanied by two (2) set of plans and specifications. A rechecking fee shall be paid to the Municipal Clerk, which the Governing Body shall have the authority to establish rechecking fees by resolution. The rechecking fee may be required on all plans submitted for review that have been submitted to and disapproved by the Building Inspector. This fee must be paid at the time the plans are submitted for review. (2) At the discretion of the Building Inspector, plans and specifications need not be submitted for alterations and repairs not affecting the structure of the building or the safety of the occupants.

**§9-305 BUILDING PERMITS; PREPARATION OF PLANS.**

(1) All plans and specifications submitted in connection with the application for a permit shall be prepared and stamped by architects licensed by the State of Nebraska. Any plans and specifications prepared by a professional engineer registered in the State of Nebraska and submitted in conjunction with the architect's drawings, shall be sealed with the engineer's seal. Periodic observation of construction of the buildings or structures to which such plans and specifications pertain shall be performed by the licensed architects and registered professional engineers.

Plans need not be signed and sealed by an architect or engineer if exempt as described under the Engineers and Architects Act of the State of Nebraska.

- (2) If the drawings and specifications for buildings specified in (b), (c) and (d) above shall bear the seal of a professional engineer registered in Nebraska, the structural plan limitation contained in (b), the height and area limitations contained in (d) shall not apply.
- (3) No provision herein shall operate to restrict or extend the practice of a licensed architect or a registered professional engineer.
- (4) Applications for permits, under these exceptions shall be processed as are all other applications and permits shall be issued only if the plans and specifications are complete and in accordance with this Chapter. *(Amended by Ord. No. 777, 8/20/02)*

Section 3. Section 9-312, Chapter 9, Article 3 of the Gothenburg Municipal Code, Ordinance No. 636 is hereby amended to read as follows:

**§9-312 BUILDING PERMITS; FEE.** A fee for each building permit shall be paid to the Municipal Clerk. The Governing Body 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 said permit, the fees as established by the Governing Body by resolution shall be doubled, but the payment of such 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 4. Section 9-401, Chapter 9, Article 4 of the Gothenburg Municipal Code, Ordinance No. 636 is hereby amended to read as follows:

**§9-401 BUILDING MOVING; REGULATIONS.** It shall be unlawful for any person, firm, or corporation to move any building or structure within the Municipality without a

written permit to do so. Application may be made to the Municipal Clerk, and shall include the present and future location of the building to be moved, the proposed route, the equipment to be used, and such other information as the Governing Body may require. The Governing Body shall have the power and authority to establish permit fees by resolution. The Municipal Clerk shall refer the said application to the Municipal Police for approval of the proposed route over which the said building is to be moved. Upon approval of the City Administrator, the Municipal Clerk shall then issue the said permit; provided, that a good and sufficient corporate surety bond or cash, set in an amount not more than ten thousand dollars (\$10,000.00), set by the Municipal Clerk, and approved by the Municipal Attorney as to form and substance, and conditioned upon moving said building without doing damage to any private or Municipal property is filed with the Municipal Clerk prior to the granting of any permit. In the event it will be necessary for any licensed building mover to interfere with the telephone or telegraph poles and wires, or a gas line, the company or companies owning, using, or operating the said poles, wires or line shall upon proper notice of at least twenty-four (24) hours, be present and assist by disconnecting the said poles, wires, or line relative to the building moving operation. All expense of the said disconnection, removal, or related work shall be paid in advance by the licensee unless such disconnection or work is furnished on different terms as provided in the said company's franchise. Whenever the moving of any building necessitates interference with a water main, sewer main, pipes, or wire belonging to the Municipality, notice in writing of the time and route of the said building moving operation shall be given to the various Municipal officials in charge of the Municipal utility departments who shall proceed in behalf of the Municipality and at the expense of the mover to make such disconnections and do such work as is necessary. (Ref 60-6,288 to 60-6,294, 60-6,296, 77-1725 RS Neb.)

Section 5. Sections 9-1001, 9-1002, 9-1003, 9-1004, 9-1005, and 9-1006 Chapter 9, Article 10 of the Gothenburg Municipal Code, Ordinance No. 636 are hereby repealed.

Section 6. This ordinance shall become effective from and after its passage, approval and publication as required by law.

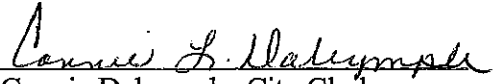
Section 7. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Passed and approved this 8<sup>th</sup> day of January, 2008.

CITY OF GOTHENBURG,  
DAWSON COUNTY, NEBRASKA

BY Joyce E. Hudson  
Joyce Hudson, Mayor

ATTEST:

  
Connie Dalrymple, City Clerk

APPROVED AS TO FORM:

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Michael L. Bacon  
City Attorney