

ORDINANCE NO. 2-22
OF THE CITY OF AUBURN, NEMAHA COUNTY, NEBRASKA

AN ORDINANCE TO AMEND THE ORIGINAL SECTION 150.30 OF THE CITY OF AUBURN, NEBRASKA, CODE OF ORDINANCES, BUILDING CODE, RESIDENTIAL CODE, EXISTING BUILDING CODE, AND PLUMBING CODE, ADOPTED TO HARMONIZE WITH STATE STATUTE; TO REPEAL THE ORIGINAL SECTION 150.30 OF SAID CITY CODE AND ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE; AND TO DECLARE AN EFFECTIVE DATE FOR THIS ORDINANCE.

RECITALS:

WHEREAS, Cities have an obligation and a responsibility to establish regulations governing the conditions and maintenance of property, buildings, and structures, providing standards for facilities and other physical conditions essential to ensure that structures are properly constructed, safe, fit for occupation and use, and for the demolition of such buildings and structures.

WHEREAS, The Legislature of the State of Nebraska has created the state building code in adopting parts of the International Building Code (IBC), 2018 edition, parts of the International Residential Code (IRC), 2018 edition, The International Existing Building Code, 2018 edition, and the Uniform Plumbing Code, 2018 edition.

WHEREAS, In the spirit of harmonizing with Nebraska State Statute, the City of Auburn shall adopt the analogous portions of the International Code (IBC), 2018 edition, the International Residential Code (IRC), 2018 edition, The International Existing Building Code, 2018 edition, and The Uniform Plumbing Code, 2018 edition.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUBURN, NEBRASKA:

SECTION 1. Section 150.30 of the City of Auburn, Nebraska, Code of Ordinances is amended, consistent with Code § 35.10, to read as follows:

“§ 150.30 BUILDING CODE AND RESIDENTIAL CODE ADOPTED.

The International Building Code (IBC), 2018 edition, published by the International Code Council, except that (i) section 305.2.3 applies to a facility having twelve or fewer children and (ii) section 310.4.1 applies to a care facility for twelve or fewer persons; the international Residential Code (IRC), 2018 edition, published by the International Code Council, except section R313 and chapters 25 through 33; The International Existing Building Code, 2018 edition, except section 809, published by the international Code Council; and the Uniform Plumbing Code, 2018 edition, in its entirety, designated by the American National Standards Institute as an American National Standard, as analogous to the State of Nebraska Building Code, is hereby adopted as the Building Code of this municipality for establishing the minimum standards, provisions and requirements for safe and stable design, methods of construction, and uses of materials in buildings hereafter erected, constructed, enlarged, altered, repaired, relocated, and converted. Each and all of the regulations, provisions, penalties, conditions, and terms of the 2018 International Building Code, the 2018 International Residential Code, the 2018 International Existing Building Code, and the 2018 Uniform Plumbing Code, printed in book or pamphlet form, are hereby referred to, adopted, and made part hereof, as fully set out in this ordinance, with the additions, insertions, deletions, and changes, if any prescribed herein, with the exception of the aforementioned excluded sections. One copy of the International Building Code, the International Residential Code, the

International Existing Building Code, and the Uniform Plumbing Code, shall be on file with the City and may be available for public inspection at reasonable time and notice. The provisions of the Codes adopted herein shall be controlling throughout the municipality and its extraterritorial zoning jurisdiction.

Statutory reference:

Related provisions, see Neb. RS 71-6403. State building code; adopted; amendments

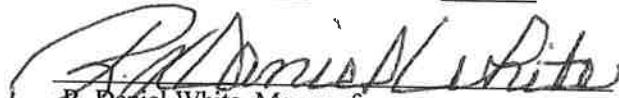
SECTION 2. That original City Code Section 150.30 of the City of Auburn, Nemaha County, Nebraska, and any other Ordinances, Resolutions, or parts thereof passed and approved prior to the passage, approval and publication or posting of this Ordinance that are in conflict herewith, are hereby repealed.


SECTION 3. Provisions Severable. If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of the Ordinance are hereby declared to be severable.

SECTION 4. In accordance with City Code § 35.07, this Ordinance shall be in full force and effect fifteen days from and after its passage, approval.

Passed and Approved by City Council on this 10th Day of January 2022, by the following votes:

Tom Clark (Ward 1)	Aye: <u> x </u>	Nay: <u> </u>	Absent: <u> </u>	Abstain: <u> </u>
Shawn Clark (Ward 1)	Aye: <u> x </u>	Nay: <u> </u>	Absent: <u> </u>	Abstain: <u> </u>
Katy Billings (Ward 2)	Aye: <u> x </u>	Nay: <u> </u>	Absent: <u> </u>	Abstain: <u> </u>
Rick Janssen (Ward 2)	Aye: <u> x </u>	Nay: <u> </u>	Absent: <u> </u>	Abstain: <u> </u>
Chris Erickson (Ward 3)	Aye: <u> x </u>	Nay: <u> </u>	Absent: <u> </u>	Abstain: <u> </u>
Jeff Jeanneret (Ward 3)	Aye: <u> x </u>	Nay: <u> </u>	Absent: <u> </u>	Abstain: <u> </u>


R. Daniel White, Mayor of
City of Auburn, Nebraska

ATTEST.

Sherry Heskett, Municipal Clerk
of City of Auburn, Nebraska



Approved as to Form & Legality:

City Attorney
Date 1-10-22