



# City of Grand Island

Tuesday, October 24, 2017

Council Session

## Item F-7

**#9661 - Consideration of Amending Chapter 8 of the Grand Island City Code Relative to Adopting the 2015 International Building Codes**

Staff Contact: Craig Lewis

# **Council Agenda Memo**

**From:** Craig A. Lewis, Building Department Director

**Meeting:** October 24, 2017

**Subject:** Amendment to Chapter 8 of the Grand Island City Code to Adopt the 2015 International Building Code, the 2015 International Residential Code, and the 2015 International Existing Building Code

**Presenter(s):** Craig Lewis, Building Department Director

## **Background**

The City of Grand Island has for generations adopted and enforced building codes which regulate the construction of buildings within the City and jurisdictional areas. The purpose of these codes is to provide minimum requirements to safeguard the public safety, health and general welfare, through affordability, structural strength, means of egress facilities, stability, sanitation, light and ventilation, energy conservation and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to firefighters and emergency responders during emergency operations.

## **Discussion**

The City currently adopts and enforces the 2012 edition of the International Building and Residential codes as published by the International Code Council. The Building Code Advisory Board has recently reviewed the 2015 editions of these two codes and recommends their adoption with the revisions as outlined in the attached amended chapter 8 of the City Code.

The Board has also reviewed the 2015 Edition of the International Existing Building Code which was eliminated from the building code and published as a separate document.

The State of Nebraska does require that political subdivisions who enforce building codes adopt the State Building Code, which is the latest edition of the International codes. The 2015 edition is the latest edition., however the 2018 edition is published.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the request and amend the City Code to adopt the International Building and Residential codes.
2. Disapprove or /Deny the request.
3. Modify the conditional use to meet the wishes of the Council
4. Table the issue

## **Recommendation**

City Administration recommends that the Council approve the recommendation of the Building Code Advisory Board and amend Chapter 8 to adopt the 2015 International Building Code, the 2015 International Residential Code, and the 2015 International Existing Building Code and begin enforcement January 1, 2018.

## **Sample Motion**

Move to approve Ordinance #9661 amending Chapter 8 of the Grand Island City Code and adopting the 2015 editions of the International Building, Residential, and Existing Building Codes.

## ORDINANCE NO. 9661

An ordinance to amend Chapter 8 of the Grand Island City Code; to amend sections 8-1 through 8-5; sections 8-7; 8-9.2; 8-10; 8-11; 8-12; 8-15 through 8-21; to make general corrections to various code sections; to repeal Sections 8-1 through 8-5; sections 8-7; 8-9.2; 8-10; 8-11; 8-12; 8-15 through 8-21 as now exist, and any ordinance or parts of ordinances in conflict herewith; and to provide for publication and the effective date of this ordinance.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA;

SECTION 1. Sections 8-1 through 8-5; Sections 8-7; 8-9.2; 8-10; 8-11; 8-12; 8-15 through 8-21 of the Grand Island City Code are hereby amended to read as follows:

### CHAPTER 8

### BUILDINGS

#### Article I. General

##### Division 1. International Building Code

##### §8-1. International Building Code (IBC) Adopted

The International Building Code, 2015 Edition, published by the International Code Council, is hereby adopted, together with any amendments thereto as may be made from time to time, except such portions as are hereinafter deleted, modified, or amended by ordinance and set forth in this chapter of the City Code. The following sections of the Appendix shall also be adopted:

##### Appendix C Group U – Agricultural Buildings

##### Appendix I – Patio Covers

One copy of the International Building Code, 2015 Edition, and all supplements or amendments thereto shall be filed in the office of the city clerk as provided by law.

Amended by Ordinance No. 8955, effective 3-31-2005  
Amended by Ordinance No. 9162, effective 05-01-2008  
Amended by Ordinance No. 9365, effective 03-30-2012  
Amended by Ordinance No. 9475, effective 04-15-2014

##### §8-2. International Residential Code (IRC) Adopted

The International Residential Code, 2015 Edition, published by the International Code Council, is hereby adopted, together with any amendments thereto as may be made from time to time, except such portions as are hereinafter deleted, modified, or amended by ordinance and set forth in this chapter of the City Code.

One copy of the International Residential Code, 2015 Edition, and all supplements or amendments thereto shall be filed in the office of the City Clerk as provided by law.

Amended by Ordinance No. 8955, effective 3-31-2005  
Amended by Ordinance No. 9162, effective 05-01-2008  
Amended by Ordinance No. 9365, effective 03-30-2012  
Amended by Ordinance No. 9475, effective 04-15-2014

##### §8-3. International Building Code (IBC) and International Residential Code (IRC); Standards Adopted

Approved as to Form	□ _____
October 20, 2017	□ City Attorney

## ORDINANCE NO. 9661 (Cont.)

The following standards shall be used with the International Building Code and the International Residential Code adopted by §8-1 and §8-2 above:

Acceptable Wind Load Design Procedures:

2015 I.B.C. - Basic Wind Speed

The ultimate design wind speed shall be 120 mph, in risk category II,III,&IV.

Exposure C only

Roof Snow Load - 30 pounds per sq. ft.

Frost Depth - 36 inch minimum

Seismic Design Category A, Site Class D

IRC, Table R301.5 Amend live load for sleeping rooms from 30 pounds to 40 pounds per square foot.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9475, effective 04-15-2014

### **§8-4. IBC - Certain Sections Not Adopted**

It is especially provided that the following chapters, sections, and tables of the International Building Code are not adopted or approved, and the same shall be of no force and effect:

Chapter 1

Section 101.4.1 Gas

Section 101.4.2 Mechanical

Section 101.4.3 Plumbing

Section 101.4.4 Property Maintenance

Section 101.4.6 Energy

Section 103 Department of Safety

Section 106 Floor and Roof design Loads

Section 107.2.5.1 Design Flood Elevations & 1612 Flood Loads

Section 108 Temporary Structures and Uses

Section 113 Board of Appeals

Chapter 13 – Energy Efficiency

Section 1809.5 – Frost Protection; #2 Constructing in accordance with ASCE-32, and

Exception: 1,2,3.

Chapter 27 – Electrical

Chapter 28 – Mechanical

Chapter 30 – Elevators and Conveying Systems

Chapter 32 – Encroachments into the Public Right-of-Way

Chapter 33 – Safeguards During Construction

Chapter 34 – Reserved

Appendix A Employee Qualifications

Appendix B Board of Appeals

Appendix D Fire Districts

Appendix E Supplementary Accessibility Requirements

Appendix F Rodent Proofing

Appendix G Flood-Resistant Construction

Appendix H Signs

Appendix J Grading

Appendix K Administrative Provisions

Appendix L Earthquake Recording Instrumentation

Appendix M Tsunami-Generated Flood Hazard

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9365, effective 03-30-2012

Amended by Ordinance No. 9475, effective 04-15-2014

## ORDINANCE NO. 9661 (Cont.)

### §8-5. IRC – Certain Sections and Parts Not Adopted

It is especially provided that the following parts, chapters, and sections of the International Residential Code are not adopted or approved, and the same shall be of no force and effect:

Section R105.3.1.1 Determination of Substantially improved or substantially damaged existing buildings in flood hazard areas.

Section R107 – Temporary Structures and Uses

Section R109.1.3 – Floodplain Inspections

Section R112 – Board of Appeals

Section 313 Automatic Fire Sprinkler Systems

Section R322 – Flood-Resistant Construction

Section R403.1.4.1 Frost Protection; 2. Constructing in Accordance with Section R403.3

Section R403.1.4.1 Frost Protection; 3. Constructing in Accordance with ASCE 32.

Section R403.1.4.1 Frost Protection; Exceptions: 1, 2, & 3

Section R403.3 – Frost Protected Shallow Foundations

Section R403.3.1 – Foundations Adjoining Frost Protected Shallow Foundations

Section R403.3.1.1 – Attachment to Unheated Slab-on Ground Structure

Section R403.3.1.2 – Attachment to Heated Structure

Section R403.3.2 – Protection of Horizontal Insulation Below Ground

Section R403.3.3 – Drainage

Section R403.3.4 – Termite Protection

Section R406.2 – Concrete and masonry foundation waterproofing

Part IV - Energy Conservation

Part V - Mechanical

Part VI - Fuel Gas

Part VII – Plumbing

Part VIII – Electrical

Appendices, A,B,C,D,E,F,G,H,I,J,K,L,M,N,O,P,&Q

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9365, effective 03-30-2012

### §8-6. Building Code Advisory Board

There is hereby established a Building Code Advisory Board set out as follows:

## BUILDING CODE ADVISORY BOARD

The purpose of the Building Code Advisory Board is to determine the suitability of alternate materials and methods of construction.

*Purpose.* Whereas, there may arise a design or material that may not meet the exact criteria of the Building Code, especially in the areas of Energy Related projects, this Board shall examine the data available, and/or may require any additional data, to determine that the proposed material or method is at least equivalent of the purpose as set forth in the Building Codes. The Board may not waive any requirements of the Building Codes, but only approve in lieu of/alternate methods of materials.

*Member.* The Building Code Advisory Board members will be appointed by the mayor and approved by the city council. They shall be persons who are qualified by experience and training to pass upon matters pertaining to building construction. The Board shall consist of seven members. The chief building official shall be an ex officio member and will act as secretary of the Board. One city council member shall also act as an ex officio member. At least four members of the Board must be present to constitute a quorum and be able to act.

*Chairman/Officers; Length of Service.* A chairman and vice chairman will be selected from among the seven members and each will serve a two-year term. The seven members will serve two-year terms, alternating four and three on a yearly basis.

*Request Procedure.* The request process for the Board shall be as follows:

## ORDINANCE NO. 9661 (Cont.)

(1) If an applicant shall be denied a building permit or shall receive disapproval from the chief building official, the applicant may file a request on the forms furnished by the Building Department, together with a request procedure fee in accordance with the City of Grand Island Fee Schedule, stating in full detail what the product or project is, the use, sections of the Code that cannot be fully complied with, what the alternative material or method will be, and sufficient evidence supporting the request. This shall be filed with the chief building official who shall then notify the officers of the Board, who shall set a time of meeting, and the meeting shall be within ten (10) days of the date of application.

(2) The meeting of the Building Code Advisory Board shall be presided over by the chairman.

(3) The Board shall hear all evidence by the party requesting consideration and a presentation by the chief building official.

(4) After hearing all evidence presented, the Board shall determine whether the proposed alternate method of material is equivalent with the interest and safety of the Code, or may recommend changes to their satisfaction.

(5) An order approving such a request shall require a "Yes" vote of four of the Board members.

(6) The Board shall render all decisions in writing to the applicant and the chief building official within a reasonable period of time.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9044, effective 6-7-2006

### **§8-7. International Existing Building Code (IEBC) Adopted**

The International Existing Building Code, 2015 edition, published by the International Code Council is hereby adopted.

One copy of the International Existing Building Code, 2015 edition, shall be filed in the office of the City clerk as provided by law..

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9365, effective 03-30-2012

Amended by Ordinance No. 9475, effective 04-15-2014

### **§8-8. IBC - Amendment of Section 109; Fees; Plan Review Fee**

Section 109 of the International Building Code is hereby amended by adding the following:

*Fee Refunds.* The building official may authorize refunding of any fee paid hereunder which was erroneously paid or collected.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9365, effective 03-30-2012

### **§8-9. IBC - Amendment of Section 110**

Section 110 of the International Building Code shall be amended to include the following subsection:

Section 110.7. Reinspections.

A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made.

This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, but as controlling the practice of calling for inspections before the job is ready for such inspection or reinspection.

## ORDINANCE NO. 9661 (Cont.)

Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from plans requiring the approval of the building official.

To obtain a reinspection, the applicant shall file an application therefore in writing on a form furnished for that purpose and pay the reinspection fee in accordance with the City of Grand Island Fee Schedule.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

### **§8-9.1. IBC – Amend Section 309 by adding section 309.3 Tenant Separation**

A tenant separation wall complying with section 708 shall be required between any tenant space in all buildings with independent tenants with exits to the exterior.

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9365, effective 03-30-2012

Amended by Ordinance No. 9475, effective 04-15-2014

### **§8-10. IBC - Amendment of Table 602**

Table 602 of the International Building Code is hereby amended by adding thereto the following:

The provisions set forth above for RD-Residential Development Zone as identified in Chapter 36 of the Grand Island City Code shall be determined not from the location of a structure from the property line but from the location of a primary structure to another primary structure located on an adjacent lot. All requirements pertaining to fire resistant walls and window opening protection as set forth in Table No. 602 shall be complied with when such adjacent primary structures are closer than ten feet apart. Distance shall be measured at right angles from the wall of one structure to the closest wall of an adjacent primary structure.

Footnote h. amend 5' to 2'.

Amended by Ordinance No. 8955, effective 3-31-2005

### **§8-11. IBC - Amendment of Section 1030.1 and IRC – Amendment of Section R303& R310**

The following are hereby amended to Section 1030.1 exception 3 of the International Building Code add exceptions:

EXCEPTION: 3. Basements used exclusively for the service of buildings and which do not exceed 300 square feet.

IRC R303.1 add exception #4. Basements shall be provided with glazed areas of not less than 2% of the floor area.

Section R310.1 Exceptions: Basements used only to house mechanical equipment and not exceeding total floor area of 300 square feet.

In existing single family residential occupancies other than apartments, a sleeping room may be added in an existing basement if the following conditions are met:

(1) The sleeping room must have an openable window.

(2) Smoke detectors have been installed in the sleeping room, the furnace room, and in the exitway of the basement.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9365, effective 03-30-2012

### **§8-12. IBC - Amendment of Section 1809.1 and 1809.7**

Section 1809.7 of the International Building Code is hereby amended by adding the following:

#### **Bearing Walls**

Bearing walls shall be supported on masonry or concrete foundations or piles or other approved foundation system which shall be of sufficient size to support all loads. Where a design is not provided herein, the minimum foundation requirements for stud bearing walls shall be as set forth in Table No. 1809.7.



## ORDINANCE NO. 9661 (Cont.)

### EXCEPTIONS:

(1) A one-story wood or metal frame building not used for human occupancy and not over 200 square feet in floor area, may be placed upon a concrete slab of four inch minimum thickness.

(2) Detached accessory buildings not exceeding 625 feet in floor area may use a six-inch wide by eighteen inch deep foundation system with at least twelve inches below grade.

1809.5 Omit 2. Constructing in accordance with ASCE 32.

Omit Exceptions, 1.2.&3.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9365, effective 03-30-2012

### **§8-13. IRC – Amendment to Sections R403 and R404, and Tables R404.1.1(1) & R404.1(2)**

Sections R403 Footings and R404 Foundation Walls of the International Residential Code are hereby amended by adding the following to read as follows:

#### Minimum Footing and Foundation Requirements for Residential Construction

(1) The minimum footing foundation requirement, balanced fill, for a one-story residence shall be six (6) inches in width by thirty-six (36) inches below grade, with two #4 horizontal rebar continuous.

(2) The minimum footing foundation requirement, unbalanced fill, for a one- or two-story frame residence shall be sixteen (16) inches in width by eight (8) inches deep, with two #4 rebar continuous and a minimum eight (8) inch wall of block or concrete.

(3) In addition to the requirements set forth in subparagraphs (1) and (2) above, the following reinforcement requirements for wall foundation must be met:

8" solid concrete from 60" up to 84" unbalanced fill – three #4 horizontal strands, equally spaced throughout height of wall;

8" block - from 48" to 60" unbalanced fill - one #4 rebar vertical, 4' on center to grade height;

8" block - from 60" to 84" unbalanced fill - one #4 rebar vertical, 4' on center to top of foundation.

#### R403.1.6 Foundation Anchorage.

Maximum anchor-bolt spacing shall be 6 feet on center, there shall be a minimum of two bolts per plate section with one bolt located not more than 12 inches from each end of the plate section. Bolts shall be at least ½ inch in diameter and shall extend a minimum of 7 inches into masonry or concrete.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9365, effective 03-30-2012

### **§8-14. IBC – Amendment of Section 1805 and IRC- Amendment of R406**

Section 1805 of the International Building Code and Section R406 of the International Residential Code is hereby amended by adding thereto the following:

1805.2.2 & 1805.2.2.1 Walls. & Surface preparation of walls, and R406, R406.2, subsurface drainage system shall be included as an alternative to waterproofing. Add Backplaster and Dampproofing

Exterior foundation walls below grade of any building consisting of masonry units having a basement shall be backplastered with one-half inch (1/2") Portland cement and sand mix (1:2 1/2 by volume) or two one-fourth inch (1/4") coats of Type M mortar, and with an approved dampproofing material. Poured concrete foundations shall be coated with dampproofing without back plaster. Alternative dampproofing may be approved by the building official.

#### 1805.4 Delete existing and add Subsurface Drainage Systems

All buildings constructed with basements or floor levels twenty-four (24) inches or more below the elevation of the center line of the adjacent public street shall be provided with a subsurface drainage system. A subsurface drainage system shall consist of the minimum following elements:

(1) Minimum four (4") diameter perforated or scored drain pipe embedded in four inches (4") of coarse gravel installed around the inside of the perimeter footing such that no floor location is greater than ten feet (10') to such drain pipe.

(2) Minimum fifteen inch (15") diameter by thirty inch (30") deep sump pump pit for each one thousand five hundred (1,500) square feet of floor area to be drained.

(3) Minimum two inch (2") diameter weep holes through the footing at eight foot (8') on center intervals with a minimum of four inch (4") of gravel cover on the exterior of the footing.

## ORDINANCE NO. 9661 (Cont.)

(4) Minimum four inch (4") gravel bed under floor slab.

(5) A 3" minimum diameter pipe shall be installed through the floors and into the attic, capped and sealed to facilitate a future soil gas ventilation system.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9365, effective 03-30-2012

Amended by Ordinance No. 9481, effective 04-15-2014

### **§8-15. Amend Chapter 29 section 2901.1 replace reference to International Plumbing code to Uniform Plumbing Code and International Private Sewage Disposal Code to State of Nebraska Title 124.**

**Amend table 2902.1 footnote e. replace the number 15 to 30. Reserved**

Amended by Ordinance No. 8955, effective 03-31-2005

Amended by Ordinance No. 9365, effective 03-30-2012

Amended by Ordinance No. 9475, effective 04-15-2014

### **§8-16. IRC – Amendment of Table R301.2(1) and Table R 301.5**

Section R301.2 of the International Residential Code is hereby amended by adding criteria as set forth in Table

R301.2(1). Ground snow load – 25#

Wind Speed -- 115

Seismic Design Category A, Site Class D.

Weathering --sever

Frost line Depth --36"

Termite -- M/H

Winter Design Temp -- -3

Ice Barrier Underlayment Required – NO

Flood Hazard – Firm

Air Freezing Index -- >1000-2000

Mean Annual Temp – 50 F

Amend Table R301.5 Minimum Uniform Distributed Live Loads – Sleeping Rooms – 40#

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9365, effective 03-30-2012

Amended by Ordinance No. 9475, effective 04-15-2014

### **§8-17. IRC – Amendment of Section R302.1**

Exception #4 within Section R302.1 of the International Residential Code is hereby amended to read as follows:  
Detached garages accessory to a dwelling located within 2 feet of a property line may have roof eaves projections not exceeding 12 inches.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9365, effective 03-30-2012

### **§8-18. IRC. – Amend Section R302.5.1 and R302.13**

Section R302.5.1 Opening protection., delete, equipped with a self-closing device.

Section R302.13 Fire protection of floors, delete entire section.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9162, effective 05-01-2008

Amended by Ordinance No. 9365, effective 03-30-2012

Amended by Ordinance No. 9475, effective 04-15-2014

### **§8-19. IRC – Amendment of Section R311.7.5.1**

Section R311.7.5.1 of the International Residential Code is hereby amended to reflect that the maximum riser height shall be 8 inches.

Amended by Ordinance No. 8955, effective 3-31-2005

Amended by Ordinance No. 9365, effective 03-30-2012

Amended by Ordinance No. 9475, effective 04-15-2014

## ORDINANCE NO. 9661 (Cont.)

### **§8-20. IRC Delete section R313 Automatic Fire Sprinklers.**

Amended by Ordinance No. 9365, effective 03-30-2012

### **§8-20.1. IRC Section R907 Reroof #2. Add or asphalt shingle. #3. Delete**

Amended by Ordinance No. 9475, effective 04-15-2014

### **§8-21. Buildings Having Historical Significance**

Buildings or structures which have been designated by official action of the Grand Island City Council as having special historical or architectural significance may comply with Chapter 12 of the 2015 International Existing Building Code for historic buildings.

Historical buildings shall be buildings which are currently listed on the National Register of Historical Buildings or are at least fifty years old and have one of the following characteristics: is associated with an important person or event which has contributed significantly to history, contains significant architectural or artistic design, or has significant archeological properties.

Amended by Ordinance No. 8955, effective 3-31-2005

### **§8-22. Permits Required; Amendment of IBC Section 105 and IRC Section R105**

Section 105 of the International Building Code and Section R105 of the International Residential Code shall be amended by adding the following:

No person, firm, or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish, equip, use, occupy, or maintain any building or structure in the city, or cause the same to be done without first obtaining a separate building permit for each such building or structure from the Building Department; provided, no permit shall be issued by the Building Department unless and until authorized by resolution of the City Council in any one or more of the following cases:

- (1) Where the real property described in the application for permit does not front upon a dedicated street or public road;
  - (2) Where a subdivision as required by state statutes has not been lawfully approved and recorded with the Register of Deeds.
  - (3) When the City Engineer certifies that surface water drainage is unavailable or inadequate to drain the public street or road abutting upon the real property described in the application for permit.
  - (4) Where the City Engineer certifies that surface water drainage from the real property described in the application for permit will create or add to an impounding of surface water upon a public street or road.
- Amend section R105.2 Work exempt from building permit. Buildings 1. Replace 200 square feet with 120 square feet.

Amended by Ordinance No. 8955, effective 3-31-2005  
Amended by Ordinance No. 9365, effective 03-30-2012

### **§8-23. Temporary Retail Buildings; Restrictions**

No person, firm, or corporation shall erect, construct, equip, use, occupy, or maintain any temporary building or structure in the City or two-mile jurisdiction or cause the same to be done without first obtaining a separate building permit for each such temporary building from the Building Department.

Temporary buildings shall be those buildings built and designed for use no longer than 120 calendar days to facilitate special events or annual sales.

Temporary buildings shall be constructed to support required wind load, adequately anchored, and located no closer than 20 feet to any adjacent structure, or be separated by a two-hour fire wall. Exterior walls shall be one-

## ORDINANCE NO. 9661 (Cont.)

hour fire resistive if less than 20 feet from a property line, and the allowable area shall comply with the adopted building code.

Exiting shall be provided as required for permanent buildings.

Temporary buildings shall not be connected to permanent utilities, e.g., sewer, water, electric, or gas.

Temporary buildings permits shall be limited to one per tract of land, not to exceed 120 days per calendar year. The fee for a temporary building permit shall be in accordance with the City of Grand Island Fee Schedule.

Amended by Ordinance No. 8955, effective 3-31-2005

### **§8-24. Commercial Display Buildings; Definition; Restrictions**

No person, firm, or corporation shall place upon any property, any commercial display building without first obtaining a permit from the Building Department for the placement of such commercial display building(s).

Commercial display buildings shall be those structures which are offered for sale or used as display or inventory. They shall not be used for any other purpose, occupied, or used as storage facilities.

Commercial display buildings shall be constructed to support required wind loads, be adequately anchored, and in all other aspects comply with adopted building and zoning codes.

Commercial display buildings shall not be connected to permanent utilities.

The fee for commercial display buildings shall be in accordance with the City of Grand Island Fee Schedule.

### **§8-25. Barb Wire and Electrified Fences**

It shall be unlawful for any person, partnership, firm, or corporation, either in person or through his or their employees or agents, to erect or cause to be erected or to maintain any barb wire or electrified fence or any barb wire or electrified string along or upon any fence or string as a barrier within the city limits of the City of Grand Island, except that it shall be permissible to string not more than three strands of barb wire or electrified fence upon supports inclined at an angle not greater than sixty degrees with the horizontal plane, when such wires are strung so that they are suspended above and within the privately owned enclosed property, and the bottom strand of such barb wire or electrified fence is not less than six feet above the surface of the ground.

§8-26. Reserved

§8-27. Reserved

§8-28. Reserved

§8-29. Reserved

§8-30. Reserved

§8-31. Reserved

§8-32. Reserved

## **Division 2. Reserved**

§8-33. Reserved

§8-34. Reserved

§8-35. Reserved

§8-36. Reserved

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§8-37. Reserved

§8-38. Reserved

§8-39. Reserved

SECTION 2. Sections 8-1 through 8-5; Sections 8-7; 8-9.2; 8-10; 8-11; 8-12; 8-15 through 8-21 as now existing, and any ordinances or parts of ordinances in conflict herewith are repealed.

SECTION 3. The validity of any section, subsection, sentence, clause, or phrase of the ordinance shall not affect the validity or enforceability of any other section, subsection, sentence, clause, or phrase thereof.

SECTION 4. That this ordinance shall be in force and take effect from and after its passage and publication on January 1, 2018 as provided by law.

Enacted; October 24, 2017

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Jeremy L. Jensen, Mayor

Attest:

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RaNae Edwards, City Clerk