

ORDINANCE # 08-2014-01

An ordinance of the VILLAGE OF FIRTH, LANCASTER COUNTY, NEBRASKA, adopting the 2009 edition of the *International Building Code*, 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 structures in the Village of Firth, Nebraska; providing for the issuance of permits and collection of fees therefor; REPEALING ALL ORDINANCES IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

The Board of Trustees of the Village of Firth, Nebraska does ordain as follows:

SECTION 1. That a certain document, a copy of which is on file in the Office of the Clerk of the Village of Firth, being marked and designated as the *International Building Code*, 2009 edition, including Appendix Chapters, as published by the International Code Council, be and is hereby adopted as the Building Code of the Village of Firth, in the State of Nebraska 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 occupations and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Building Code on file in the Office of the Village Clerk are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, in any, prescribed in Section 2 of this ordinance.

SECTION 2. The following sections are hereby revised:

FIRTH BUILDING CODE

International Building Code, 2009 Edition.

Firth Code §11.01 Amend to Adopt the International Building Code, 2009 Edition.

| | |
|-----------------------------------|---|
| Section 101.1 | Amended; Citation of Code |
| Section 101.3 | Amended; Intent |
| Section 101.4.3 | Amended to reference the adoption of the Uniform Plumbing Code, 2009 Edition |
| Section 101.4.4 | Deleted; Property maintenance |
| Section 101.4.6 | Deleted; Energy Code |
| Section 103 | Deleted; Department of Building Safety |
| Section 105.1 | Deleted; Permits Required |
| Section 105.2 | Amended; Work exempt from permit |
| Section 105.5 | Keep; Expiration |
| Section 107.1 | Amended; Submittal Documents. |
| Section 109.3 | Deleted; Building Permit Valuations |
| Section 109.3 | Amended; Plan review fees. |
| Section 109.6 | Amended; Fee Refunds. |
| Section 110 | Amended; Heading Inspections and Surveys |
| Section 110.1 | Amended; 110.1 General |
| Section 110.3.3 | Deleted; Lowest Floor Elevation |
| Section 110.3.7 | Deleted; Energy efficiency inspections |
| Section 110.3.11 | Added; Re-inspections. |
| Section 110.7 | Added; Address Identification. |
| Section 111.2 | Amended; Certificate issued. |
| Section 111.5 | Added; Change in use. |
| Section 112 | Deleted; Service Utilities. |
| Section 113 | Deleted; Board of appeals |
| Section 116 | Deleted; Unsafe Structures and equipment |
| Section 305.2 | Amended; Day Care. |
| Section 310.1 | Amended; Residential Group R; R-3 Residential Occupancies. |
| Section 406.1.2 | Amended; Area Increase of Group U Occupancies. |
| Section 406.1.4 | Amended; Private Garage Separation. |
| Section 423.3 | Added; Construction of Storm Shelters. |
| Section 501.2 | Amended; Premises Identification. |
| Section 503.1.4 | Added; Location on Property. |
| Section 503.1.5 | Added; Primary Railroad Lines. |
| Sections 717.2 and 717.2.1 | Amended; Fireblocking; Materials. |
| Section 717.4.2 | Exception 3 Amended; Draftstopping in Attics; Groups R-1 and R-2. |
| Section 903.2.7 | Amended; Group M Sprinkler Requirements. |
| Section 903.2.8 | Exception Added; Group R Sprinkler Requirements. |
| Section 1003.5, | Exception 4 Added; Floor Elevation. |
| Section 1004.1.1 | Amended; Occupancy Load in Areas Without Fixed Seating. |
| Section 1008.1.8.6 | Amended; Delayed Egress Locks. |
| Section 1009.1 | Exception 5 Added; Stairway Width. |
| Section 1009.3 | Exception 4 Amended; Stair Treads and Risers. |
| Section 1009.4.2 | Exception 8 Added; Stair Riser Height and Tread Depth. |

Section 1013.2 Amended; Guard Height.

Section 1014.2.1 Amended; Exit Access, Multiple Tenants.

Chapter 11 Deleted; Accessibility.

Chapter 13 Deleted; Energy Code.

Section 1403.5 & 1403.6 Deleted; Flood Resistance.

Section 1405.4 Amended; Wood Veneers.

Section 1406.3 Amended; Balcony and Similar Projections; Fire Resistance.

Section 1509.6 Added; Outdoor Deck Framing for Roof Top Seating and Assembly Areas.

Section 1510.3 Amended; Recovering vs. Replacement.

Section 1608.2 Amended; Ground Snow Loads.

Section 1612 Deleted; Flood Loads.

Section 1803.4 Deleted; Flood Hazard Areas, Grading and Fill.

Section 1809.5 Amended; Frost Protection.

Section 1807.1.2.1 Deleted; Flood Hazard Areas.

Section 2304.11.5.1 Added; Deck Supporting Structure.

Table 2308.8(1) Deleted; Floor Joist Spans for Residential Sleeping Areas.

Section 2410 Added; Window Cleaning Anchorage Systems.

Chapters 27, 28 and 29 Deleted; Electrical, Mechanical, Plumbing Systems

Section 3109 Deleted; Swimming Pool Enclosures and Safety Devices

Section 3202.3.2 Deleted; Windows, balconies, architectural features and mechanical equipment

Section 3202.3.3 Deleted; Encroachments 15 feet or more above grade

Section 3202.5 Added; Ornamental Facing.

Section 3303 Amended; Demolition of Buildings

Section 3306.4 Amended; Construction Fences.

Section 3306.7 Deleted; Covered Walkways.

Appendix C Adopted; Group U - Agricultural Buildings.

Section C105 Added; Snow Load.

Section 101.1 Amended; Citation of Code.

Section 101.1 of the International Building Code is amended to read as follows:

101.1 Citation of code. These regulations shall be known and cited as the “Firth Building Code” and will be referred to herein as “this code.”

Section 101.3 Amended; Intent.

Section 101.3 of the International Building Code is amended to read as follows:

101.3 Intent. The intent of this code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location, and maintenance of all buildings and structures within the village and within one mile of the corporate limits of the village and outside of any other organized city or village, and regulating certain equipment specified herein.

The intent of this code is not to create or otherwise establish or designate any particular case or group of persons who will or should be especially protected or benefited by the terms of this code.

Section 101.4.3 Amended; Plumbing. The provisions of the Uniform Plumbing Code, 2009 Edition, as adopted and amended by the Village of Firth, shall apply to the erection, installation, alteration, repair, relocation, replacement and addition to, use, or maintenance of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system within this jurisdiction

Section 105.2 Amended; Work exempt from a construction permit. Permits shall not be required for the following. Exemptions from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

1. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
2. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
3. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and not over any basement or story below.
4. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
5. Prefabricated swing pools that are less than 24 inches (610 mm) deep
6. Swings and other playground equipment accessory to a one or two-family dwelling.
7. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
8. Shingling and residing.
9. Window and door replacement provided replacement does not affect structural elements of the building.

Section 107.1 Amended; Submittal Documents.

Plans, specifications, legal surveys, engineering calculations, diagrams, soil investigation reports, special inspection and structural observation programs and other data shall constitute the submittal documents and shall be submitted in one or more sets with each application for a permit. When such plans are not prepared by an architect or engineer, the building official may require the applicant submitting such plans or other data to demonstrate that state law does not require that the plans be prepared by a licensed architect or engineer. The building official may require plans, computations, and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such even if not required by state law. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

EXCEPTION: The building official may waive the submission of plans, calculations, construction inspections requirements and other data if it is found that the nature of the work applied for is such that reviewing of plans is not necessary to obtain compliance with this code. .

Section 109.3 Added/Amended Plan review fees. When a plan or other data are required to be submitted by Section 107.1, a plan review fee shall be paid at the rate stated in the Firth Fee Schedule. One additional plan review of corrections made on the original plans after the initial plan review shall be performed at no cost to the applicant; however, where plans require further corrections, are incomplete, or are changed necessitating additional plan review, an additional plan review fee shall be charged at the rate stated in the Fee Schedule.

Section 109.6 Amended; Fee refunds. There shall be no refunds or credits given on permits or applications regulated by this chapter which have expired. A request for refund may be made to the Village Board of Trustees ONLY when the permit holder returns an unused permit prior to the expiration date of the permit. A refund of plan review fee may be requested ONLY when an application for a permit for which such fee has been paid is withdrawn or canceled before any plan reviewing is done.

SECTION 110

INSPECTIONS AND SURVEYS

Section 110.1 General Amended; Inspections and surveys. All construction or work for which a permit is required shall be subject to inspection by the building official and all such construction work shall remain accessible and exposed for inspection purposes until approved by the building official. In addition, certain types of construction shall have continuous inspection as specified in Section 1704.

Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the village. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the village shall not be valid.

A survey of the lot or lots upon which permitted work for additions, alterations, or repairs are being accomplished shall be provided by a duly licensed surveyor of the State of Nebraska before plans and specifications shall be accepted by the building official to verify compliance of the construction or work with building line setback requirements of the Firth Municipal Code. All boundary corners of a lot or lots with permanent survey monuments shall be marked in the field by a duly licensed surveyor of the State of Nebraska.

The monuments set shall be constructed of material capable of being detected by commonly used magnetic locators. These monuments shall consist of an iron pipe or steel rod with a minimal diameter of one-half inch and minimal length of twenty-four inches. A durable cap bearing the registration number of the professional land surveyor responsible for the establishment of the monument shall be affixed securely to the top of each monument.

Said permanent survey monument shall be maintained and readily identifiable during the entire period of the time that the construction work is being accomplished for which a permit is required.

It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the village shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

Section 110.3.3 Deleted: Lowest Floor Elevation.

Section 110.3.3 of the International Building Code is hereby deleted. This section will be covered by Firth Municipal Code Chapter 8.

110.3.11 Added; 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. 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.

Section 110.7 Added; Address Identification. All additions, alterations, or repairs for which a permit is required by this code shall be provided with a construction address identification sign. Said identification sign shall be a sign of metal, wood, plastic, or other approved rigid material with permanent identification numbers and letters thereon indicating the legally assigned street or other type address assigned by the building official. Said identification sign shall have numbers and letters of such size and shall be so placed upon the construction site that said sign is readily visible and identifiable from the public street. Said identification sign shall be properly maintained during the entire period of time that the construction or work is being accomplished or maintained.

Section 111.2 Amended; Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the department, the building official shall issue a certificate of occupancy.

Section 111.5 Added; Change in use. Changes in the character or use of a building shall not be made except as specified in Chapter 34, Section 3408 of this code.

Section 112 Deleted; Service Utilities.

Section 305.2 Amended; Day Care.

Section 305.2 of the International Building Code is amended to read as follows:

305.2 Day Care. The use of a building or structure, or portion thereof, for educational, supervision or personal care services for more than twelve children older than 2 1/2 years of age, shall be classified as a Group E occupancy.

Section 310.1 Amended; Residential Group R; R-3 Residential Occupancies.

The R-3 Residential Occupancies of Section 310.1 of the International Building Code are amended to read as follows:

R-3 Residential occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

Buildings that do not contain more than two dwelling units.

Adult facilities that provide accommodations for twelve or fewer persons of any age for less than 24 hours.

Child care facilities that provide accommodations for twelve or fewer persons of any age for less than 24 hours.

Congregate living facilities with 16 or fewer persons.

Adult and child care facilities that are within a single-family home are permitted to comply with the International Residential Code.

Section 406.1.2 Amended; Area Increase of Group U Occupancies.

Section 406.1.2 of the International Building Code is amended to read as follows:

406.1.2 Area increase. Group U occupancies used for the storage of private or pleasure-type motor vehicles where no repair work is completed or fuel is dispensed are permitted to be 3,000 square feet (279 m²) when the following provisions are met:

1. For a mixed occupancy building, the exterior wall and opening protection for the Group U portion of the building shall be as required for the major occupancy of the building. For such a mixed occupancy building, the allowable floor area of the building shall be as permitted for the major occupancy contained therein.

2. For a building containing only a Group U occupancy, the exterior wall shall not be required to have a fire-resistance rating and the area of openings shall not be limited when the fire separation distance is 5 feet (1524 mm) or more.

More than one 900-square-foot Group U occupancy shall be permitted to be in the same building, provided each 900-square-foot area is separated by fire walls complying with Section 705.

Section 406.1.4 Amended; Private Garage Separation.

Section 406.1.4 of the International Building Code is amended to read as follows:

406.1.4 Separation. Separations shall comply with the following:

1. The private garage shall be separated from the dwelling unit and its attic area by means of a minimum 5/8-inch Type X gypsum board applied to the garage side. Garages beneath habitable rooms shall be separated from all habitable rooms above by not less than a 5/8-inch Type X gypsum board or equivalent. Door openings between a private garage and the dwelling unit shall be equipped with either solid wood doors or solid or honeycomb core steel doors not less than 1 3/8 inches (34.9 mm) thick, or doors in compliance with Section 715.4.3. Openings from a private garage directly into a room used for sleeping purposes shall not be permitted.

2. A separation is not required between a Group R-3 and U carport, provided the carport is entirely open on two or more sides and there are not enclosed areas above.

Section 423.3 Added; Construction of Storm Shelters.

Section 423.3 is added to the International Building Code to read as follows:

423.3 Construction of Storm Shelters. Buildings, structures, and parts thereof intended for use as a storm shelter shall be designed and constructed in accordance with the recommendations of the Federal Emergency Management Agency and design standard FEMA 361.

Section 501.2 Amended; Premises Identification.

Section 501.2 of the International Building Code is amended to read as follows:

501.2 Premises identification. Buildings shall have approved address numbers, building numbers or approved building identification. Address numbers shall be a minimum of four (4) inches in height.

Section 503.1.4 Added; Location on Property.

Section 503.1.4 is added to the International Building Code to read as follows:

503.1.4 Location on property. Buildings shall adjoin or have access to a public way or yard on not less than one side. Required yards shall be permanently maintained. For the purpose of this section, the centerline of an adjoining public way shall be considered an adjacent property line. Active primary railroad lines where rail cars cannot be parked for extended periods of time may also be considered as a public way.

Section 503.1.5 Added; Primary Railroad Lines.

Section 503.1.5 is added to the International Building Code to read as follows:

503.1.5 Primary railroad lines. For the purpose of this section, active primary railroad lines where rail cars cannot be parked for extended periods of time may also be considered as a public way.

Sections 717.2 and 717.2.1 Amended; Fireblocking; Materials.

Sections 717.2 and 717.2.1 of the International Building Code are amended to read as follows:

717.2 Fireblocking required. Fireblocking shall be provided to cut off all concealed draft openings (both vertical and horizontal) and to form an effective fire barrier between stories, and between a top story and the roof space. Fireblocking shall be provided in wood-frame construction in the following locations:

1. In concealed spaces of stud walls and partitions, including furred spaces, at the ceiling and floor level and at 10 foot (3048 mm) intervals both vertical and horizontal. Batts or blankets of mineral or glass fiber or other approved non-rigid materials shall be allowed as fireblocking in walls constructed using parallel rows of studs or staggered studs.
2. Fireblocking of cornices of a two-family dwelling is required at the line of dwelling unit separation.

717.2.1 Materials. Fireblocking shall consist of 2-inch (51 mm) nominal lumber, or two thicknesses of 1-inch (25.4 mm) nominal lumber with broken lap joints, or one thickness of 23/32-inch (19.8 mm) wood structural panels with joints backed by 23/32-inch (19.8 mm) wood structural panels or one thickness of 3/4-inch (19.1 mm) particle board with joints backed by 3/4-inch (19.1 mm) particle board, 1/2-inch (12.7 mm) gypsum board, or 1/4-inch (6.4 mm) cement-based millboard. Loose-fill insulation material shall not be used as a fire block unless specifically tested in the form and manner intended for use to demonstrate its ability to remain in place and to retard the spread of fire and hot gases. The integrity of all fireblocks shall be maintained.

Section 717.4.2 Exception 3 Amended; Draftstopping in Attics; Groups R-1

and R-2.

Exception 3 to Section 717.4.2 of the International Building Code is amended to read as follows:

3. In occupancies in Groups R-1 and R-2 that do not exceed four stories in height, the attic space shall be subdivided by draftstops into areas not exceeding 3,000 square feet (279 m²).

Section 903.2.7; Group M Sprinkler Requirements.

Section 903.2.7 of the International Building Code is hereby amended to read as follows:

903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. A Group M fire area exceeds 12,000 square feet (1115m²).
2. A Group M fire area is located more than three stories above grade plane.
3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230m²).

Section 903.2.8 Exception Added; Group R Sprinkler Requirements.

Section 903.2.8 of the International Building Code is amended to read as follows:

[F] 903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception: A sprinkler system is not required when all of the following conditions exist:

- (1) The building is an R-2 apartment occupancy and contains 8 or fewer apartment units

(2) Separation is maintained between living units by means of 1 hour fire partitions creating a complete vertical separation from foundation to roof.

(3) Each living unit has its own separate exit access independent of other living units.

Section 1003.5 Exception 4 Added; Floor Elevation.

Section 1003.5 of the International Building Code is amended by adding Exception 4 to read as follows:

Exception 4. Doors serving building equipment rooms which are not normally occupied.

Section 1004.1.1 Amended; Occupant Load in Areas without Fixed Seating.

Section 1004.1.1 of the International Building Code is amended to read as follows:

1004.1.1 Areas without fixed seating. The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.1.1. For areas without fixed seating, the occupant load shall not be less than that number determined by dividing the floor area under consideration by the occupant per unit of area factor assigned to the occupancy as set forth in Table 1004.1.1. Where an intended use is not listed in Table 1004.1.1, the building official shall establish a use based on a listed use that most nearly resembles the intended use.

Section 1008.1.8.6 Amended; Delayed Egress Locks.

Section 1008.1.8.6 of the International Building Code is amended to read as follows:

1008.1.8.6 Delayed egress locks. Approved, listed, delayed egress locks shall be permitted to be installed on doors serving any occupancy except Group A and H occupancies in buildings which are equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1 or an approved automatic smoke or heat detection system installed in accordance with Section 907, provided that the doors unlock in accordance with Items 1 through 6 below. A building occupant shall not be required to pass through more than one door equipped with a delayed egress lock before entering an exit.

1. The doors unlock upon actuation of the automatic sprinkler system or automatic fire detection system.
2. The doors unlock upon loss of power controlling the lock or lock mechanism
3. The door locks shall have the capability of being unlocked by a signal from the fire command center.

4. The initiation of an irreversible process which will release the latch in not more than 15 seconds when a force of not more than 15 pounds (67 N) is applied for 1 second to the release device. Initiation of the irreversible process shall activate an audible signal in the vicinity of the door. Once the door lock has been released by the application of force to the releasing device, relocking shall be by manual means only.

Exception: Where approved, a delay of not more than 30 seconds is permitted.

5. A sign shall be provided on the door located above and within 12 inches (305 mm) of the release device reading: PUSH UNTIL ALARM SOUNDS. DOOR CAN BE OPENED IN 15 SECONDS.

6. Emergency lighting shall be provided at the door.

Section 1009.1 Exception 5 Added; Stairway Width.

Section 1009.1 of the International Building Code is amended by adding an Exception 5 to read as follows:

Exception 5. Private stairways serving less than 10 occupants within an individual apartment unit (R2) may be 34 inches in width.

Section 1009.3 Exception 4 Amended; Stair Treads and Risers.

Exception 4 to Section 1009.3 of the International Building Code is amended to read as follows:

Exception 4: In Group R-3 occupancies; within dwelling units in Group R-2 occupancies; and in Group U occupancies that are accessory to a Group R-3 occupancy or accessory to individual dwellings units in Group R-2 occupancies; the maximum riser height shall be 7.75 inches (197 mm); the minimum tread depth shall be 10 inches (254 mm) including nosing; the minimum winder tread depth at the walk line shall be 10 inches including nosing (254 mm); and the minimum winder tread depth shall be 7 inches (152 mm).

Section 1009.4.2 Exception 8 Added; Stair Riser Height and Tread Depth.

Section 1009.4.2 of the International Building Code is amended by adding an Exception 8 to read as follows:

8. Private steps and stairways serving ancillary areas such as mechanical rooms and stairways to unoccupied roofs may be constructed with an eight-inch maximum rise and nine-inch minimum tread depth.

Section 1013.2 Amended; Guard Height.

Section 1013.2 of the International Building Code is amended to read as follows:

1013.2 Height. Guards shall form a protective barrier not less than 42 inches (1067 mm) high, measured vertically above the leading edge of the tread, adjacent walking surface or adjacent seatboard.

Exceptions:

1. Guards shall form a protective barrier not less than 36 inches (1067 mm) high, for occupancies in Group R-3, and within individual dwelling units in occupancies in Group R-2.(Excluding exterior balcony railings)
2. For occupancies in Group R-3, and within individual dwelling units in occupancies in Group R-2, guards whose top rail also serves as a handrail shall have a height not less than 34 inches (864 mm) and not more than 38 inches (965 mm) measured vertically from the leading edge of the stair tread nosing.
3. The height in assembly seating areas shall be in accordance with Section 1025.14.

Section 1014.2.1 Amended; Exit Access, Multiple Tenants.

Section 1014.2.1 of the International Building Code is amended to read as follows:

1014.2.1 Multiple tenants. Where more than one tenant occupies any one floor of a building or structure, each tenant space, dwelling unit and sleeping unit shall be provided with access to the required exits without passing through adjacent tenant spaces, dwelling units and sleeping units.

Chapter 11 Deleted; Accessibility.

Chapter 11 of the International Building Code and all sections thereof are hereby deleted.

Section 1205.1 Amended; Lighting, General.

Chapter 13 Deleted; Energy Code.

Chapter 13 of the International Building Code is hereby deleted.

Sections 1403.5 and 1403.6 Deleted; Flood Resistance.

Sections 1403.5 and 1403.6 of the International Building Code are hereby deleted. This section will be covered by Firth Municipal Code Chapter 8.

Section 1405.4 Amended; Wood Veneers.

Section 1405.4 of the International Building Code is amended to read as follows:

1405.4 Wood veneers. Wood veneers on exterior walls of buildings of Types I, II, III, and IV construction shall be not less than 1-inch (25.4 mm) nominal thickness, 0.438-inch (11.1 mm) exterior hardboard siding or 0.375-inch (9.5 mm) exterior-type wood structural panels or particle-board and shall conform to the following:

1. The veneer does not exceed three stories in height, measured from grade, except where fire-retardant-treated wood is used, the height shall not exceed four stories.
2. The veneer is attached to or furred from a non-combustible backing that is fire-resistance rated as required by other provisions of this code.
3. Where open or spaced wood veneers (without concealed spaces) are used, they shall not project more than 24 inches (610 mm) from the building wall.
4. Any deteriorated or rotting veneer shall be removed prior to installing new veneer. An approved weather barrier shall be installed over the existing wood exterior veneer prior to overlaying with a new veneer product.

Section 1406.3 Amended; Balcony and Similar Projections; Fire Resistance.

Section 1406.3 of the International Building code is amended to read as follows:

1406.3 Balconies and similar projections. Balconies, roof soffits, and similar projections of combustible construction other than fire-retardant-treated wood shall be fire-resistance rated in accordance with Table 601 for floor construction or shall be of Type IV construction in accordance with Section 602.4. The aggregate length shall not exceed 50 percent of the building's perimeter on each floor.

Exceptions:

1. On buildings of Type I and II construction, three stories or less in height, fire-retardant-treated wood shall be permitted for balconies, porches, decks and exterior stairways not used as required exits.

2. Untreated wood is permitted for pickets and rails or similar guardrail devices that are limited to 42 inches (1067 mm) in height.

3. Balconies and similar projections on buildings of Type III, IV and V construction shall be permitted to be of Type V construction, and shall not be required to have a fire-resistance rating where sprinkler protection is extended to these areas.

4. Where sprinkler protection is extended to the balcony areas, the aggregate length of the balcony on each floor shall not be limited.

Section 1509.6 Added; Outdoor Deck Framing for Roof Top Seating and

Assembly Areas.

Section 1509.6 is added to the International Building Code to read as follows:

1509.6 Outdoor deck framing for roof top seating and assembly areas. Combustible wood framing may be permitted on roof tops of buildings provided that the roof is not located more than 75 feet above the lowest level of fire department vehicle access. In addition to this limitation, the combustibile framing may not exceed four feet in height above the floor or deck level used as a walking surface. Similar structures that exceed 48 inches in height shall be of a type of construction not less in fire-resistance rating than required for the building to which it is attached. Occupied roofs shall be provided with exits as required for stories, regardless of whether roof top construction is enclosed or open to the sky. Any such structure that is covered shall be provided with all fire protection systems required for the building to which it is attached. All such structures intended for human occupancy shall have minimum 42 inch high guard rails regardless of their height above the plane of the roof. Floor deck area shall be limited to one-third total roof area.

Section 1510.3 Amended; Recovering vs. Replacement.

The Section 1510.3 of the International Building Code is amended to read as follows:

1510.3 Recovering vs. replacement. 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, slate, clay, cement or asbestos-cement tile.

3. Before applying new roof sheathing, all old roof covering materials shall be removed and the roof's original sheathing exposed. New roofing materials shall not be installed over existing rotten or deteriorated shingles or sheathing. No more than two layers of shingles may be installed on a roof. Subsequent roofing after two layers of shingles will require the removal of all shingles to the base roof sheathing or structure.

Section 1608.2 Amended; Ground Snow Loads.

1608.2 Ground snow loads. The ground snow loads to be used in determining the design snow loads for roofs are given in ASCE 7 or Figure 1608.2 for the contiguous United States and Table 1608.2 for Alaska. The ground snow load shown in Table 1608.2 for Firth, Nebraska shall be 30 pounds per square foot.

Section 1612 Deleted; Flood Loads.

Section 1612 of the International Building Code and all subsections thereof are hereby deleted. This section will be covered by Firth Municipal Code Chapter 8.

Section 1803.4 Deleted: Flood Hazard Areas, Grading and Fill.

Section 1803.4 of the International Building Code is hereby deleted. This section will be covered by Firth Municipal Code Chapter 8.

Section 1809.5 Amended; Frost Protection.

Section 1809.5 of the International Building Code is amended to read as follows:

1809.5 Frost protection. Foundation walls, piers, and other permanent supports of buildings and structures shall be protected by one or more of the following methods:

- (1) Extending below the frost line of the locality; or
- (2) Erecting on solid rock.

Exception: Free-standing buildings meeting all of the following conditions shall not be required to be protected:

1. Classified in Occupancy Category I, in accordance with Section 1604.5;
2. Area of 600 square feet (56 m²) or less for light-frame construction or 400 square feet (37 m²) or less for other than light-frame construction; and

3. Eave height of 10 feet (3048 mm) or less.

Footings shall not bear on frozen soil unless such condition is of a permanent character.

Section 1807.1.2.1 Deleted; Flood Hazard Areas.

Section 1807.1.2.1 of the International Building Code is hereby deleted. This section will be covered by Firth Municipal Code Chapter 8.

Section 2304.11.5.1 Added; Deck Supporting Structure.

Section 2304.11.5.1 is added to the International Building Code read as follows:

2304.11.5.1 Deck supporting structure. Decks shall be supported by a continuous column and shall not be supported by the deck below.

Table 2308.8(1) Deleted; Floor Joist Spans for Residential Sleeping Areas.

Table 2308.8(1) of the International Building Code is hereby deleted.

Window Cleaning Anchorage Systems.

Section 2410 is added to the Uniform Building Code to read as follows:

SECTION 2410 -- WINDOW CLEANING/EXTERIOR MAINTENANCE ANCHORAGE SYSTEMS.

All buildings where window cleaning or exterior maintenance is performed employing suspended equipment shall be equipped with roof anchorage or other approved devices that will provide for safe use of the equipment in conformance with the provisions of ANSI IWCA I-14.1. Grading and landscaping shall be considered in determining the probability of suspended equipment being necessary.

Chapters 27, 28 and 29 Deleted; Electrical, Mechanical, Plumbing Systems.

Chapters 27, 28, and 29 of the International Building Code and all sections thereof are hereby deleted.

Section 3202.3.3. Deleted; Encroachments 15 Feet or More Above Grade.

Section 3202.3.3 of the International Building Code is hereby deleted.

Section 3202.5 Added; Ornamental Facing.

Section 3202.5 of the International Building Code is amended to read as follows:

3202.5 Ornamental facing. Ornamental facing may be attached to an existing building provided such building has been in existence for more than ten years. Such ornamental facing may extend not more than 8 inches (203 mm) beyond the lot line on any village street, sidewalk, or other public ground where such building is so located that it cannot be refaced without such occupancy of public property; provided such occupancy is not prohibited by state or federal regulations; and provided further such ornamental facing shall not be less than 9 feet (2743 mm) in the clear above the sidewalk, street level, or finish grade immediately below. Ornamental facing may be added to existing buildings provided it not extend more than 2 inches (52mm) beyond the lot line on the public ground to the finish grade.

Section 3303 Amended; Demolition of Buildings.

Section 3303 of the International Building Code is amended to read as follows:

SECTION 3303 -- DEMOLITION OF BUILDINGS

3303.1 Purpose. The purpose of this section is to regulate and provide minimum standards for the demolition of buildings.

3303.2 Definition. For the purpose of this section, the word "demolish" is defined as follows: Demolish shall mean and include the razing, tearing down, or removal of all or part of a building; the removal of the outer facing of a building but leaving a skeleton or structural frame; or the removal of an upper story or stories of a building. Demolish shall also include "deconstruction" which is the whole or partial disassembly of structures for the purposes of reusing salvaged building materials.

3303.3 Demolition permit.

3303.3.1 Permit required. No person shall demolish or remove a building, or part thereof, without first having obtained a permit therefor from the building official.

3303.3.1 Application for permit. To obtain a demolition permit the applicant shall first file an application therefor in writing on a form furnished by the building official. Such application shall set forth a statement of the facts necessary to fully describe the building, its use, its legal description, and

address. Provisions shall be made by the applicant for the proper abandonment of all utilities as required by this code before a demolition permit may be issued. Applications for demolition permits shall expire 180 days after the application date.

3303.4 Advisory note; safety requirements. All demolition work should be performed in conformance with "Safety Requirements for Demolition," ANSI A10.6-1990 as published by American National Standards Institute, Inc.

3303.5 Liability insurance. Whenever any building which is to be demolished has been used, or is being used, for any occupancy group except detached one- or two-family occupancies, the person applying for the demolition permit shall, as a part of the application, be required to:

1. At all times maintain public liability insurance coverage for all claims arising out of all work in the Village of Firth and within one mile of the corporate limits thereof done by or under the supervision of the demolition contractor under the provisions of this code. Such insurance shall be in the form of a commercial or comprehensive general liability policy, or an acceptable substitute policy form as permitted by the Village Attorney, with a minimum combined single limit of \$500,000.00 aggregate for any one occurrence on any job for which a permit is required under this code, provided the Village of Firth shall be named an additional insured thereunder. The coverages required herein shall be subject to review and approval by the Village Attorney for conformance with the provisions of this section.

2. At all times keep on file with the building official a current certificate of insurance signed by a qualified agent of an insurance company licensed to do business in the State of Nebraska and approved by the Village Attorney for conformance with the provisions of this section evidencing the existence of valid and effective policies of insurance naming the village as an additional insured for the coverage required by subsection 1 of this section, the limits of each policy, the policy number, the name of the insurer, the effective date and expiration date of each policy, the deductibles or self-insurance retainers of each policy, and a copy of an endorsement placed on each policy requiring thirty days notice by mail to the building official before the insurer may cancel the policy for any reason, and upon request of the building official or the Village Attorney, a copy of any endorsements placed on such policies or the declarations page of such policies. Any termination, reduction, or lapse of such insurance shall automatically terminate the privilege of the demolition contractor to be issued permits under the provisions of this code, unless other insurance meeting the requirements of this section is provided and in full force and effect at the time of such termination or cancellation.

Where the building official determines that the proposed demolition of a building involves a greater risk than normal, the building official may require a certificate evidencing liability coverage in excess of the minimum sum stated above.

3303.6 Permit fees. A fee for each demolition permit shall be paid to the building official as set forth in Firth Fee Schedule.

Where work for which a permit is required by this chapter is commenced prior to obtaining said permit, the fees above specified shall be doubled. The payment of such double fee shall not relieve any person from fully complying with the requirements of this chapter in the execution of the work or from any other penalties prescribed herein.

The applicant shall apply and pay for any street use permit, any permit for parking meters which shall be out of use during the demolition. Fee refunds shall be in accordance with Section 109.6.

3303.7 Utility disconnection. All water and sanitary sewer services shall be disconnected and sealed and said disconnects shall be inspected and approved by the Firth Utility Superintendent.

3303.8 Completion of demolition work. All demolition work, including the removal of the foundation, must start within 30 days and must be completed within 60 days from the date of the demolition permit issuance. Upon completion of the demolition work, the applicant shall clean the premises of all debris, request an inspection of the premises and then fill all excavations and grade the area with top soil or other material approved by the building official.

3303.9 Building official may stop demolition. The building official shall have the authority to stop the demolition or removal of any building or structure or part thereof, when the same is being done in a reckless or careless manner, or in violation of the provisions of this chapter or any other ordinances of the village. When such work is stopped by order of the building official, it shall not be resumed without approval of the building official.

A demolition permit may be revoked by the building official at any time upon a violation of the terms thereof, or upon a violation of any provision of this chapter or any other ordinance of the village.

3303.10 Securing the demolition site. All demolition sites shall be secured at all times during the demolition process.

3303.11 Expiration. All demolition permits shall expire after 60 days from issuance. The building official may allow an extension of 30 days due to extenuating circumstances. Demolition must be completed in accordance with 3303.8.

Section 3306.2 Amended; Walkways.

Section 3306.2 of the International Building Code is amended to read as follows:

3306.2 Walkways. A walkway shall be provided for pedestrian travel in front of every construction and demolition site unless the applicable governing authority authorizes the sidewalk to be fenced or closed. Walkways shall be of sufficient width to accommodate the pedestrian traffic, but in no case shall they be less than 4 feet (1219 mm) in width. Walkways shall be provided with a durable walking surface and shall be designed to be accessible in accordance with Nebraska Accessibility Guidelines.

Section 3306.4 Amended; Construction Fences.

Section 3306.4 of the International Building Code is amended to read as follows:

3306.4 Construction fences. Construction fences shall be at least 4 feet (1219 mm) in height and shall be securely anchored at each end and every 15 feet (4572 mm) of length. The largest opening in the fence shall be such that a 6-inch (152 mm) sphere may not pass through it. The fence shall be erected a distance from the building equal to the height of the building or as otherwise approved by the building official. For the purposes of this section, construction fences shall also mean construction railings.

Section 3306.7 Deleted; Covered Walkways.

Section 3306.7 of the International Building Code is hereby deleted.

Appendix C Adopted; Group U - Agricultural Buildings.

Appendix C of the International Building Code is hereby adopted.

Section C105 Added; Snow Load.

Section C105 is added to Appendix C to read as follows:

C105 Roof snow load. Agricultural buildings located in the TA zoning district as regulated by the Firth Zoning Regulations shall be designed for a minimum of 20# roof snow load.

3. Where the existing roof has two or more applications of any type of roof covering.
Exception: The application of new protective coating over existing spray polyurethane foam roofing systems shall be permitted without tear-off of existing roof covering.

Section R1003.11 Deleted; Masonry Chimneys; Flue Lining (Material).

Section R1003.11 of the International Residential Code is hereby deleted.

Section R1003.11.2 Deleted; Flue Linings for Specific Appliances.

Section R1003.11.2 of the International Residential Code is hereby deleted.

Section R1003.11.3 Deleted; Gas Appliances.

Section R1003.11.3 of the International Residential Code is hereby deleted.

Section R1003.11.4 Amended; Pellet Fuel-Burning Appliances.

Section R1003.11.4 of the International Residential Code is amended to read as follows:

R1003.11.4 Pellet fuel-burning appliances. Flue lining and vent systems for use in masonry chimneys with pellet fuel-burning appliances shall be limited to the following:

1. Flue lining systems complying with Section R1003.11.1.
2. Pellet vents listed for installation within masonry chimneys. (See Section R1003.11.6 for marking.)

Section R1003.11.5 Deleted. Oil-fired Appliances.

Section R1003.11.5 of the International Residential Code is hereby deleted.

Section R1003.14 Deleted; Flue Area (Appliance).

Section R1003.14 of the International Residential Code is hereby deleted.

Section R1004.4 Deleted; Unvented Gas Log Heaters.

Section R1004.4 of the International Residential Code is hereby deleted.

Chapter 11 Deleted; Energy Code.

Chapter 11 of the International Residential Code is hereby deleted.

Chapters 19 through 22 and 24 through 42 of the International Residential Code Deleted.

Chapters 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, and 42 of the International Residential Code are hereby deleted.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Trustees of the Village of Firth hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentence, clauses and phrases be declared unconstitutional.

SECTION 5: That notion in this ordinance or in the Building Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 6: That the Village Clerk is hereby ordered and directed to cause this ordinance to be posted and have available for public viewing in the Village Office.

SECTION 7: That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect 28 days from and after the date of its final passage and adoption (September 2, 2014.)

Dated this **5th** day of **August, 2014**

VILLAGE OF FIRTH

By David L. Hobelman

Chairman of the Board

ATTEST:

Jill A. Hoefler

Village Clerk

CERTIFICATION

I, Jill Hoefler, clerk of the Village of Firth, Nebraska, hereby certify that the foregoing is a true and complete copy of **Ordinance #08-2014-01** of said village, passed by the Village Board this **5th** day of **August, 2014**.

Jill A. Hoefler

Village Clerk

(SEAL)