

**ORDINANCE NO. 2010-30**

**AN ORDINANCE TO AMEND ARTICLE II BUILDING CODE, SECTIONS 18-41 ADOPTED BY REFERENCE AND 18-44 ENERGY CODE ADOPTED BY REFERENCE; ARTICLE III ELECTRICAL CODE, SECTION 18-81 ADOPTED BY REFERENCE; ARTICLE IV ONE AND TWO FAMILY DWELLING CODE, SECTION 18-151 ADOPTED BY REFERENCE; ARTICLE V PLUMBING CODE, SECTION 18-181 ADOPTED BY REFERENCE; ARTICLE VI UNSAFE BUILDINGS, SECTIONS 18-241 SPECIAL ASSESSMENTS AND 18-242 PROPERTY MAINTENANCE CODE ADOPTED BY REFERENCE; AND ADDING ARTICLE IX HEATING, VENTILATION AND COOLING (HVAC), SECTION 18-351 ADOPTED BY REFERENCE; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.**

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. That Article II Building Code, Section 18-41 of the Wayne Municipal Code is amended to read as follows:

**Sec. 18-41. Adopted by reference.**

To provide certain minimum standards, provisions, and requirements for safe and stable design, methods of construction, and uses of materials in buildings erected, constructed, enlarged, altered, repaired, relocated, and converted, the 2006 International Building Code printed in book or pamphlet form, is incorporated by reference in addition to all amendments ~~or revised editions of the International Building Code~~ thereto as though printed in full in this section insofar as such code does not conflict with the state statutes. One copy of the code adopted in this section is on file at the office of the building inspector and is available for public inspection at any reasonable time. The provisions of the code adopted in this section shall be controlling throughout the city and throughout its zoning jurisdiction. ~~Adopted code edition shall become effective January 1, of the calendar year following code publication.~~

Section 2. That Article II Building Code, Section 18-44 of the Wayne Municipal Code is amended to read as follows:

**Sec. 18-44. Energy code adopted by reference.**

To provide certain minimum standards, provisions, and requirements for safe and stable design, methods of construction, and uses of materials in buildings and dwellings erected, constructed, enlarged, altered, repaired, relocated, and converted, relating to the exterior envelopes and selection of heating, ventilating, and air conditioning, service water

heating, electrical distribution, and illuminating systems and equipment required for the purpose of effective conservation of energy within a building or dwelling, the 2006 International Energy Conservation Code, (IECC), printed in book or pamphlet form, is incorporated by reference in addition to all amendments ~~or revised editions of the International Energy Conservation Code~~ printed in book or pamphlet form, is incorporated by reference as though printed in full in this section insofar as such code does not conflict with the state statutes. One copy of the code adopted in this section is on file in the office of the building inspector and is available for public inspection. The provisions of the code adopted in this section shall be controlling throughout the city and throughout its zoning jurisdiction. ~~Adopted code edition shall become effective January 1, of the calendar year following code publication.~~

Section 3. That Article III Electrical Code, Section 18-81 of the Wayne Municipal Code is amended to read as follows:

**Sec. 18-81. Adopted by reference.**

To provide certain minimum standards, provisions and requirements for all electrical wiring, installation of electrical fixtures, apparatus or electrical appliances for furnishing light, heat or power, or other electrical work introduced into or placed in or upon, or in any way connected on any building or structure, the ~~2005 2008~~ National Electrical Code, printed in book or pamphlet form, is incorporated by reference in addition to all amendments ~~or revised editions of the National Electric Code~~ thereto as though printed in full in this section, insofar as the code does not conflict with the state statutes. One copy of the National Electrical Code is on file in the office of the building inspector and is available for public inspection at any reasonable time. The National Electrical Code shall be controlling throughout the city and throughout its zoning jurisdiction. ~~Adopted code edition shall become effective January 1, of the calendar year following code publication.~~

Section 4. That Article IV International Residential Code for One and Two Family Dwellings, Section 18-151 of the Wayne Municipal Code is amended to read as follows:

**ARTICLE IV.**

**INTERNATIONAL RESIDENTIAL CODE for ONE- AND TWO-FAMILY DWELLINGS**

**Sec. 18-151. Adopted by reference.**

To provide certain minimum standards, provisions, and requirements for safe and stable design, methods of construction, and uses of materials in houses erected, constructed, enlarged, altered, repaired, relocated, and converted, the 2006 International Residential Code for One- and Two-Family Dwellings, printed in book or pamphlet form, is incorporated by reference ~~or revised editions of the International Residential Code for~~

~~One and Two Family Dwellings~~ as though printed in full in this section insofar as such code does not conflict with the state statutes. One copy of the code adopted in this section is on file at the office of the building inspector and is available for public inspection. The provisions of the code adopted in this section shall be controlling throughout the city and throughout its zoning jurisdiction. ~~Adopted code edition shall become effective January 1, of the calendar year following code publication.~~

Section 5. That Article V Plumbing Code, Section 18-181 of the Wayne Municipal Code is amended to read as follows:

**Sec. 18-181. Adopted by reference.**

To provide certain minimum standards, provisions, and requirements for safe and stable installation, methods of connection, and uses of materials in the installation of plumbing the 2006 International Plumbing Code, published in book or pamphlet form, is incorporated by reference in addition to all amendments ~~or revised editions of the International Plumbing Code~~ thereto as though printed in full in this section insofar as such code does not conflict with the state statutes. One copy of the code adopted in this section is on file at the office of the building inspector and is available for public inspection at any reasonable time. The provisions of the code adopted in this section shall be controlling throughout the city and throughout its zoning jurisdiction. ~~Adopted code edition shall become effective January 1, of the calendar year following code publication.~~

Section 6. That Article VI Unsafe Buildings, Section 18-241 of the Wayne Municipal Code is amended to read as follows:

**Sec. 18-241. Special assessments.**

If any owner of any building or structure fails, neglects, or refuses to comply with notice by or on behalf of the City to repair, rehabilitate, or demolish and remove a building or structure which is unsafe, or a public nuisance, or is in violation of the 2006 International Property Maintenance Code as adopted by Wayne Municipal Code, Sec. 18-242, the City may proceed with the work specified in the notice to the property owner. A statement of the cost of such work shall be transmitted to the Council. The Council may levy the cost as a special assessment against the lot or real estate upon which the building or structure is located; which special assessment shall be a lien on the real estate and shall be collected in the manner provided for special assessments; or collect the cost from the owner of the building or structure and enforce the collection by civil action in any court of competent jurisdiction. ~~Adopted code edition shall become effective January 1, of the calendar year following code publication.~~

Section 7. That Article VI Unsafe Buildings, Section 18-242 of the Wayne Municipal Code is amended to read as follows:

**Sec. 18-242. Property maintenance code adopted by reference.**

To provide 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, the 2006 International Property Maintenance Code, printed in book or pamphlet form is incorporated by reference in addition to all amendments ~~or revised editions of the International Property Maintenance Code~~ thereto as though printed in full in this section insofar as such code does not conflict with the state statutes. One copy of the code adopted in this section is on file at the office of the building inspector and is available for public inspection at any reasonable time. The provisions of the code adopted in this section shall be controlling throughout the city and throughout its zoning jurisdiction. ~~Adopted code edition shall become effective January 1, of the calendar year following code publication.~~

Section 8. That Article IX Heating, Ventilation, and Cooling (HVAC) be added to read as follows:

ARTICLE IX. HEATING, VENTILATION, AND COOLING (HVAC)\*

Sec. 18-351. Adopted by reference.

To provide certain minimum standards, provisions, and requirements for safe and stable installation, methods of connection, and uses of materials in the installation of HVAC equipment, the 2006 International Mechanical Code, published in book or pamphlet form, is incorporated by reference in addition to all amendments ~~or revised editions of the International Mechanical Code~~ thereto as though printed in full in this section insofar as such code does not conflict with the state statutes. One copy of the code adopted in this section is on file at the office of the building inspector and is available for public inspection at any reasonable time. The provisions of the code adopted in this section shall be controlling throughout the city and throughout its zoning jurisdiction. ~~Adopted code edition shall become effective January 1, of the calendar year following code publication.~~

The provisions of this article relating to HVAC Installers shall not apply to any public utility company

Section 9. That the original Sections and all ordinances or parts of ordinances in conflict herewith are hereby amended and repealed.

Section 10. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law. This ordinance may be published in pamphlet form as authorized by law.

PASSED AND APPROVED this 21<sup>st</sup> day of December, 2010.

THE CITY OF WAYNE, NEBRASKA,

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk