

On motion of
the following Ordinance was introduced:

seconded by

ORDINANCE 68-131

AN ORDINANCE PROVIDING FOR FIRE LIMITS, AND REGULATIONS GOVERNING THE CONSTRUCTION, ALTERATION, REMOVAL, DEMOLITION, EQUIPMENT, USE AND OCCUPANCY, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES.

Be it ordained by the

SECTION 1. ADOPTION OF BUILDING CODE.

There is hereby adopted by the City of De Leon for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, that certain building code known as the National Building Code recommended by the National Board of Fire Underwriters, being particularly the 1967 Abbreviated edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended, of which not less than three (3) copies have been and now are filed in the office of the Clerk of the City of De Leon and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures therein contained within the corporate limits of the City of De Leon.

SECTION 2. ESTABLISHMENT OF OFFICE OF BUILDING OFFICIAL.

- (a) The office of building official is hereby created and the executive official in charge shall be known as the building official.
- (b) The building official shall be appointed by the Mayor with the advise and consent of service. He shall not be removed from office except for cause after full opportunity has been given him to be heard on specific charges.
- (c) During temporary absence or disability of the building official, the appointing authority shall designate an acting building official.

SECTION 3. QUALIFICATIONS OF BUILDING OFFICIAL.

He shall be in good health, physically capable of making the necessary examinations and inspections. He shall not have any interest whatever, directly or indirectly, in the sale or manufacture of any material, process or device entering into or used in or in connection with building construction, alterations, removal, and demolition.

SECTION 4. DUTIES OF BUILDING OFFICIAL

- (a) He shall receive applications required by this code, issue permits and furnish the prescribed certificates. He shall examine the premises for which permits have been issued and shall make necessary inspections to see that the provisions of law are complied with and that construction is prosecuted safely. He shall enforce all provisions of the building code. He shall, when requested by proper authority, or when the public interest so requires, make investigations in connection with matters referred to in the building code and render written reports on the same. To enforce compliance with law, to remove illegal or unsafe conditions, to secure the necessary safeguards during construction, or to require adequate exit facilities in buildings and structures, he shall issue such notices or orders as may be necessary.
- (b) Inspections required under the provisions of the building code shall be made by the building official or his duly appointed assistant. The building official may accept reports of inspectors of recognized inspection services, after investigation of their qualifications and reliability. No certificate called for by any provision of the building code shall be issued on such reports unless the same are in writing and certified to by a responsible officer of such service.

SECTION 5. LIABILITY.

Any officer or employee, or member of the Board of Adjustments and Appeals, charged with the enforcement of this code, acting for the City in the discharge of his duties, shall not thereby render himself liable personally, and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of his duties. Any suit brought against any officer or employee because of such act performed by him in the enforcement of any provision of this code shall be defended by the Department of Law until the final termination of the proceedings.

SECTION 6. RIGHT OF ENTRY.

The building official, in the discharge of his official duties, and upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour.

SECTION 7. DEFINITIONS.

- (a) Wherever the work "Municipality" is used in the building code, it shall be held to mean the City of De Leon
- (b) Wherever the term "Corporation Counsel" is used in the building code, it shall be held to mean the Attorney for the City of De Leon

SECTION 8. FIRE LIMITS ESTABLISHED.

The fire limits of the City of De Leon established as follows:

SECTION 9. SAVING CLAUSE.

Nothing in this ordinance or in the building code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance.

SECTION 10. VALIDITY.

The invalidity of any section or provision of this ordinance or of the building code hereby adopted shall not invalidate other sections or provisions thereof.

SECTION 11. INCONSISTENT ORDINANCES REPEALED.

Ordinances or parts thereof in force at the time that this ordinance shall take effect and inconsistent herewith are hereby repealed.

SECTION 12. DATE OF EFFECT.

This ordinance shall take effect after its passage and publication as required by law.

The roll call for adoption of the foregoing Ordinance resulted as follows:

YEAS:

NAYS:

Absent:

Signed:

William P. Hilk
Mayor

Date Passed:

Jan 9, 1968

Attest:

Edna Weaver

(SEAL)