

CITY OF RUSHVILLE
ORDINANCE NO. 23-810

AN ORDINANCE AMENDING CHAPTER 9, ARTICLE 3, §9-301, UNSAFE BUILDINGS AND SPECIAL ASSESSMENTS AND ESTABLISHING AND ADOPTING §9-302, BUILDING INSPECTOR , AND AN EFFECTIVE DATE

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF RUSHVILLE, NEBRASKA:

Section 1. Chapter 9, Article 3, Section 9-301 UNSAFE BUILDINGS; SPECIAL ASSESSMENTS is hereby amended and shall provide as follows:

§9-301, UNSAFE BUILDINGS; SPECIAL ASSESSMENTS. If any owner of any building or structure fails, neglects or refuses to comply with notice by or on behalf of the Municipality as provided for in the Property Maintenance Code with regard to the repair, rehabilitation, demolition or removal of a building or structure which is unsafe and a public nuisance, the Municipality may proceed with work specified in the notice to the property owner. A statement of the cost of such work shall be transmitted to the Governing Body. The Governing Body may (a) levy the cost as a special assessment against the lot or real estate upon which the building or structure is located and such special assessment shall be a lien on the real estate and shall be collected in the manner provided for special assessments; or (b) collect cost from the owner of the building or structure and enforce collection by civil action in any court of competent jurisdiction, or (c) by any other method as may be proscribed in the Property Maintenance Code for the City of Rushville.

Section 2. Chapter 9, Article 3, Section 9-302 BUILDING INSPECTOR is hereby adopted and shall provide as follows:

§9-302, BUILDING INSPECTOR. The City Council may appoint a building inspector, who, if appointed, shall have the following duties:

A. He or she may assist the Code Official of the Municipality in the inspection, review or assessment of unsafe or dangerous buildings or structures as provided for in the city's Property Maintenance Code;

B. He or she may issue building permits and shall inspect all buildings repaired, altered, built, or moved in the city as often as necessary to insure compliance with all city ordinances and is authorized, upon display of property identification, to enter, inspect, survey, and investigate between the hours of 8:00 a.m. and 5:00 p.m. or at any time if an emergency exists or if requested by the owner or occupant thereof. It shall be unlawful for any person to refuse to allow the building inspector entry into any building or structure where the work of construction, alteration, repair, or relocation is taking place at any reasonable hour as provided for herein for

the purpose of making official inspections. Violations of this provision may be punished by a fine of \$100.00 or may be subject to other proceedings or penalty as may be authorized by law, including equitable action or injunction.

C. He or she shall have the power and authority to order all work stopped on any construction, alteration, or relocation which violates any provisions prescribed in the Municipal Code or Property Maintenance Code of the City of Rushville. He or she shall, at the direction of the City Council, issue permission to continue any construction, alteration, or relocation when the council is satisfied that no provision will be violated. If the stop order is an oral one, it shall be followed by a written stop order within twenty-four hours. The building inspector or his or her agent shall serve such written order;

D. He or she shall have no financial interest in the furnishing of labor, materials, or appliances for the construction, alteration, or maintenance of a building, except where he or she is the owner; and he or she shall not act as an agent for any said dealer or as an agent for the sale, lease, or rental of any real estate;

E. He or she shall keep records of all complaints received, inspection reports, orders, and complaints issued, which shall be available for public inspection;

F. He or she shall report to the City Council as often as may be deemed necessary and shall have such other duties and issue such permits as the council may direct; and

G. Decisions of the building inspector may be appealed to the City Council in the same manner as prescribed in Section 111 of the Property Maintenance Code.


Section 3. Any ordinance, article or section passed and approved prior to the passage, approval and publication or posting of this ordinance and which is in conflict with the revisions made herein are repealed.

Section 4. This ordinance shall take effect and be in full force from and after the passage approval and publication or posting as required by law.

PASSED AND APPROVED this 27th day of November, 2023.



MAYOR

ATTEST:


CITY CLERK