

CHAPTER 7

FIRE REGULATIONS

ARTICLE 3. POISONOUS AND FLAMMABLE GASES

7-301 POISONOUS AND FLAMMABLE GASES. Any person, firm or corporation desiring to store or keep in the Municipality for any period of time any form of poisonous or flammable gas or liquefied petroleum gas in excess of five (5) gallons or add to, enlarge or replace any facility used for the storage of such gases, must register that fact with the Municipal Clerk. The Clerk shall require the name of the gas, the place of the storage and the amount of gas stored. Any present use that is discontinued for a period of sixty (60) days shall not be reviewed without reregistering. Any change in location or ownership of the stored gas shall also necessitate re-registration. (Ref. 17-549 RS Neb.)

7-302 ANHYDROUS AMMONIA. All anhydrous ammonia tanks whether permanently sited or on trailers, shall be prohibited from within the corporate limits of the Village of Madrid, provided that an anhydrous ammonia tank on a trailer may be brought into the Village for a period of time not to exceed 60 minutes.

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FIRE REGULATIONS

ARTICLE 4. EXPLOSIVES

7-401 EXPLOSIVES: STORAGE REGISTRATION. Any person, firm or corporation storing or keeping dynamite, gunpowder, nitroglycerine or other high explosives within the Municipality shall comply with the State Statutes 28-1213 through 28-1239 and shall register such information with the Municipal Clerk within ten (10) days after such explosives are brought into the Municipality. The Clerk shall provide such information to the Municipal Fire Chief and to the Governing Body. Transfer of explosives to another individual within the Municipality shall require the individual receiving the explosives to register the transfer and the new location of the explosives with the Municipal Clerk. Also, moving explosives to a new location by the owner shall require registration of that fact to the Municipal Clerk.

All high explosives including dynamite, gunpowder and nitroglycerine shall be stored in a proper receptacle which shall be closed at all times except when actually in use. Such cement, metal or stone receptacle shall not be located in any room where there is a flame or flammable materials. The area surrounding storage facilities shall be kept clear of rubbish, brush, dry grass or trees for not less than twenty-five (25) feet in all directions. Any other combustible materials shall be kept a distance of not less than fifty (50) feet from outdoor storage facilities. (Ref. 28-1237 RS Neb.)

7-402 EXPLOSIVES: BULLETS. Cartridge, shells and percussion caps shall be kept in their original containers away from flame, flammable materials and high explosives.

7-403 EXPLOSIVES: BLASTING PERMITS. Any person wishing to discharge high explosives within the Municipality must secure a permit from the Governing Body and shall discharge such explosives in conformance with their direction and under their supervision and in no case shall any person perform blasting operations unless operating under the direct supervision of a person in possession of a valid user's permit issued by the State Fire Marshall.

CHAPTER 7

FIRE REGULATIONS

ARTICLE 5: PENAL PROVISION

7-501 VIOLATION PENALTY: Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this Chapter, set forth at full length herein or incorporated by reference shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not more than one hundred (\$100.00) dollars for each offense. A new violation shall be deemed to have been committed every twenty-four (24) hours of such failure to comply.

CHAPTER 8

PUBLIC WAYS AND PROPERTY

ARTICLE 1. MUNICIPAL PROPERTY

8-101 MUNICIPAL PROPERTY; DEFINITIONS. The following definitions shall be applied throughout this Chapter. When no definition is specified, the normal dictionary usage of the work shall apply: Sidewalk Space; Defined. The term "sidewalk space" as used herein shall mean that portion of a street between curb lines and adjacent property lines.

8-102 MUNICIPAL PROPERTY; MAINTENANCE AND CONTROL. The Governing Body shall have the care, supervision and control of all public highways, bridges, streets, alleys, public squares and commons within the Municipality and shall cause the same to be kept open and in repair and free from nuisances. (Ref. 17-567 RS Neb.)

8-103 MUNICIPAL PROPERTY; SALE AND CONVEYANCE. The Municipality shall have the power by ordinance to sell and convey all public squares, streets and alleys but not including land used for park purposes within the Municipality; provided, a petition containing the signatures of three-fourths (3/4) of the property holders of the Municipality has been presented to the Governing Body and a notice of the petition has been published not less than four (4) weeks in each paper of general circulation in the Municipality. (Ref. 17-567 RS Neb.)

8-104 MUNICIPAL PROPERTY; OBSTRUCTIONS. Trees and shrubs growing upon or near the lot line or upon public ground and interfering with the use or construction of any public improvements shall be deemed as obstruction under this Article. Said trees, shrubs and their roots may be removed by the Municipality at the expense of the owner of the property upon which the tree or shrub is located should the owner fail or neglect after notice to do so. It shall be unlawful for any person, firm or corporation to obstruct or encumber by fences, gates, buildings, structures or otherwise any of the streets, alleys or sidewalks. (Ref. 17-557.01 RS Neb.)

8-105 MUNICIPAL PROPERTY; PERMITTED OBSTRUCTIONS. Persons engaged in the erection, construction, reconstruction, wrecking or repairing of any building or the construction or repair of a sidewalk along any street may occupy the public street space with such building material and equipment as long as is necessary if such persons shall make application to and receive a permit in writing from the Street Commissioner to do so; provided, no permit for the occupancy of the sidewalk space and more than one-third (1/3) of the roadway of the public space adjacent to the real estate on which said building is to be constructed, erected, reconstructed, wrecked or repaired shall be granted; and provided further, a suitable passageway for pedestrians shall be maintained within the public space included in the permit which shall be protected and lighted in the

manner required by the Street Commissioner.

8-106 MUNICIPAL PROPERTY; WEEDS. It is hereby the duty of the Street Commissioner or his duly authorized agent to view and inspect the sidewalk space within the corporate limits for growing weeds during the growing season and if rank and noxious weeds are found growing thereon, he shall notify the owner or occupant thereof to cut down such weeds as close to the ground as can be practicable done and keep the weeds cut thereon in like manner during the growing season for weeds. In the event that the owner of any lot or parcel of land within the Municipality is a nonresident of the Municipality or cannot be found therein, the notice may be given to any person having the care, custody or control of such lot or parcel of land. In the event that there can be found no one within the Municipality to whom notice can be given, it shall be the duty of the Street Commissioner or his agent to post a copy of the notice on the premise and then to cut or cause the weeds thereon to be cut as therein provided and report the cost thereof in writing to the Governing Body. The cost shall then be audited and paid by the Municipality and the amount thereof shall be assessed against the lot or parcel of land as a special tax thereon and shall be collected as are other taxes of the Municipality or may be recovered by civil suit brought by the Municipality against the owner of the parcel of land. In the event the property owner is a nonresident of the county in which the property lies, the Municipality shall before levying any special assessment against that property, send a copy of any notice required by law to be published by means of certified mail, return receipt requested, to the last known address of the nonresident property owner. The last known address shall be that address listed on the current tax rolls at the time such required notice was first published. (Ref. 17-563.01 RS Neb.)

CHAPTER 8

PUBLIC WAYS AND PROPERTY

ARTICLE 2. SIDEWALKS

8-201 SIDEWALKS AND STREETS; OVERHANGING BRANCHES. The owner or occupant of any lot, piece or parcel of ground abutting or adjacent to any sidewalk or street over which there extends the branches of trees shall at all times keep the branches or limbs thereof trimmed to the height of at least eight (8) feet above the surface of said walk and at least fourteen (14) feet above the surface of the street and alleys. Whenever the limbs or branches of any tree or trees extend over sidewalks or streets contrary to the provisions herein so as to interfere with the lighting of the street from street lights or with the convenience of the public using said sidewalk or street, the Governing Body at any regular or special meeting may pass a resolution ordering the owner or occupant to cut or remove said obstructions within five (5) days after having received a copy thereof from the Municipal Utilities Superintendent stating that the Municipality will remove said branches and charge the costs thereof to the owner or occupant as a special assessment for improvements as herein provided if said resolution is not complied with. In the event the property owner is a nonresident of the county in which the property lies, the Municipality shall, before levying any special assessments against the property, send a copy of any notice required by law to be published by means of certified mail, return receipt requested, to the last known address of the nonresident property owner. The last known address shall be that address listed on the current tax rolls at the time such required notice was first published. (Ref. 17-557.01 RS Neb.)

8-202 SIDEWALKS; KEPT CLEAN. It shall be unlawful for the occupant of any lot or lots or the owner of any vacant lot or lots within the corporate limits to allow snow, sleet, mud, ice or other substance to accumulate on the sidewalks or to permit any snow, sleet, ice, mud or other substance to remain upon said sidewalk. (Ref. 17-557 RS Neb.)

8-203 SIDEWALKS; SNOW REMOVAL, PLACEMENT OF SNOW. Residents of the Municipality removing snow from their own property shall be required to place said snow in such a manner as not to block the roadway or sidewalks. In no event shall any resident deposit snow in road ditches in such a manner as to block any culvert to the extent that drainage water through said culvert to the extent that drainage water through said culvert is diverted or impeded. The depositing of snow within five (5) feet of the opening of a culvert shall be considered a violation of this Section without further proof that said culvert has been blocked to an extent whereby water is diverted or impeded.

8-204 SIDEWALKS; MAINTENANCE. Every owner of any lot, lots or piece of land within the corporate limits shall at all times keep and maintain the sidewalk along and contiguous to said lot, lots or pieces of land, as they may be, in good and proper repair and in a condition reasonably safe for travel for all travelers thereon. In the event that the owner or owners of any lot, lots or lands abutting on any street, avenue or part thereof

shall fail to construct or repair any sidewalk in front of his, her or their lot, lots or lands, within the time and in the manner as directed and required herein after having received due notice to do so, they shall be liable for all damages or injury occasioned by reason of the defective or dangerous condition of any sidewalk and the Governing Body shall have power to cause any such sidewalks to be constructed or repaired and assess the costs thereof against such property. In the event the property owner is a nonresident of the county in which the property lies, the Municipality shall, before levying any special assessment against that property, send a copy of any notice required by law to be published by means of certified mail, return receipt requested, to the last known address of the nonresident property owner. The last known address shall be that address listed on the current tax rolls at the time such required notice was first published. (Ref. 17-557.01 RS Neb.)

8-205 SIDEWALKS; REPAIR. The Utilities Superintendent may require sidewalks of the Municipality to be repaired. Notice to the owners of property upon which such sidewalks in disrepair are located shall require within forty-eight (48) hours from issuance of notice said owners to make arrangements to have the sidewalk repaired. Said repairs shall be completed within twenty-one (21) days after issuance of said notice. No special assessment shall be levied against the property unless said owner shall neglect or refuse to repair within the time prescribed and in the event that such owner fails to repair, the Municipality shall cause the repairs to be made and assess the property owner the expense of such repairs. In the event the property owner is a nonresident of the county in which the property lies, the Municipality shall, before levying any special assessment against that property, send a copy of any notice required by law to be published by means of certified mail, return receipt requested, to the last known address of the nonresident property owner. The last known address shall be that address listed on the current tax rolls at the time such required notice was first published. (Ref. 17-522 RS Neb.)

8-206 SIDEWALKS; CONSTRUCTION BY OWNER. Any person desiring to construct or cause to be constructed any sidewalk along the Municipal Right-of-Way shall do so only as herein provided. It shall be unlawful for any person to construct any sidewalk without first having obtained a permit.

Said owner shall make application in writing for a permit and file such application in the office of the Municipal Clerk. The permit shall give a description of the lot or piece of land along which the sidewalk is to be constructed. The Utilities Superintendent shall issue the desired permit unless good cause shall appear why said permit should be denied; provided, if it is desired to construct the sidewalk at any other than the regularly prescribed location, grade or elevation, the Utilities Superintendent shall submit the application to the Governing Body who shall determine whether the permit should be granted or denied. It shall be unlawful for any person to construct or cause to be

constructed said sidewalk at any other location, grade or elevation than so designated by the Municipality. All sidewalks shall be built and constructed on the established grade or elevation and if there is not established grade, then on the grade or elevation indicated by the Utilities Superintendent.

CHAPTER 8

PUBLIC WAYS AND PROPERTY

ARTICLE 3. STREETS

8-301 STREETS; NAMES AND NUMBERS. The Governing Body may at any time, by ordinance, rename any street or provide a name for any new street. Buildings used for residence or business purposes and located along such streets shall retain such numbers as the Governing Body may require. It shall be the duty of the Utilities Superintendent, upon the erection of any new building or buildings, to assign the proper numbers to said building or buildings and give notice to the owner or owners and occupant or occupants of the same.

8-302 STREETS; WIDENING OR OPENING. The Governing Body shall have the power to open or widen any street, alley or lane within the limits of the Municipality to create, open and improve any new street, alley or lane; provided, all damages sustained shall be ascertained in such manner as shall be provided by ordinance. (Ref. 17-558, 17-559, 76-704 through 76-724 RS Neb.)

8-303 STREETS; EXCAVATION. It shall be unlawful for any person to make an excavation in any hard surface street or streets for any purpose whatsoever unless a written permit is issued by the Utilities Superintendent authorizing such excavations.

8-304 STREETS; DRIVING STAKES. It shall be unlawful for any person to drive any peg or stake of any kind into the pavement in any street or alley without first procuring the written consent of the Utilities Superintendent.

8-305 STREETS; MIXING CONCRETE. It shall be unlawful for any person to mix concrete or plastering material directly on the street pavement for any reason whatsoever.

8-306 STREETS; HARMFUL LIQUIDS. It shall be unlawful for any person to place or permit to leak in the gutter of any street waste gasoline, kerosene or high lubrication oils which damage or act as a solvent upon said streets.

8-307 STREETS; CONSTRUCTION NOTICE. The Utilities Superintendent shall notify the owners in fee simple of real estate abutting a street, alley or part thereof which is to be put under contract for paving or repaving. Notice shall also be given to all gas, electric service and telephone companies. Notice shall also be given to all consumers of gas, water and sewer services which will be discontinued during such construction. Said notice shall be published one (1) time in a legal newspaper at least twenty (20) days prior to the beginning of such construction by the party undertaking such construction and said notice shall state at what date connections must be made and excavation completed. All gas, water, sewer and underground connections must be made prior to the paving or

repaving of the street under condition after expiration of such time, permits for excavation will not be issued nor will excavation be allowed until after the completion of the pavement in said street or alley and the formal final acceptance thereof by the proper officials of the Municipality.

8-308 STREETS; MAINTENANCE, GRAVELING. It shall be the duty of the Municipality through the Utilities Superintendent, to keep all streets properly maintained and supplied with adequate gravel or other material in such a manner as to allow for free flowing of traffic throughout the Municipality. It shall be unlawful for any person other than officials of the Municipality to spread gravel or other material on the Municipal streets or to alter the condition of the roadways in any manner other than what would occur during the normal use of said streets and roads.

8-309 STREETS; PLACEMENT OF CULVERTS IN STREET RIGHT-OF-WAY. The Municipality may by resolution require any property owner to place a culvert in the ditch beneath any driveway or access road unto a resident's property. Said culvert shall be located and constructed in a manner specified by the Utilities Superintendent. Any person desiring to place a culvert in the road ditch adjacent to his property shall first request permission to do so and shall agree to construct said culvert in the manner designated by the Utilities Superintendent.

CHAPTER 8

PUBLIC WAYS AND PROPERTY

ARTICLE 4. CURB AND GUTTER

8-401 CURB AND GUTTER; CUTTING CURB. It shall be unlawful for any person to cut into any paving, curb or sidewalk for the purpose of constructing a driveway or any other purpose whatsoever without first having obtained a written permit from the Governing Body therefor. Before any person shall obtain a permit, he shall inform the Municipal Clerk of the place where such cutting is to be done and it shall be the Utilities Superintendent's duty to inspect the place of entry into the paving, sidewalk or curb before the same is cut. When cutting into any paving, it shall be the duty of the party to cut the paving under such rules and regulations as may be prescribed by the Governing Body or the Utilities Superintendent who shall supervise and inspect the materials used and the work done in closing the opening. It shall be discretionary with the Governing Body to order the Utilities Superintendent to do the work of cutting and closing the paving and charge the costs thereof to the party who obtained such permit. The Governing Body may consent to the work of cutting and closing the paving to be done by the party holding such permit.

CHAPTER 8

PUBLIC WAYS AND PROPERTY

ARTICLE 5: PENAL PROVISION

8-501 VIOLATION PENALTY: Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this Chapter, set forth at full length herein or incorporated by reference shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not more than one hundred (\$100.00) dollars for each offense. A new violation shall be deemed to have been committed every twenty-four (24) hours of such failure to comply.

8-502 ABATEMENT OF NUISANCE. Whenever a nuisance exists as defined in this Chapter, the Municipality may proceed by a suit in equity to enjoin and abate the same, in the manner provided by law.

Whenever in any action, it is established that a nuisance exists, the court may together with the fine or penalty imposed, enter an order of abatement as a part of the judgment in the case.
(Ref. 18-1720, 10-1722 RS Neb.)

CHAPTER 9

BUILDING REGULATIONS

ARTICLE 9: PENAL PROVISION

9-901 VIOLATION PENALTY: Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this Chapter, set forth at full length herein or incorporated by reference shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not more than one hundred (\$100.00) dollars for each offense. A new violation shall be deemed to have been committed every twenty-four (24) hours of such failure to comply.

9-902 ABATEMENT OF NUISANCE. Whenever a nuisance exists as defined in this Chapter, the Municipality may proceed by a suit in equity to enjoin and abate the same, in the manner provided by law.

Whenever in any action, it is established that a nuisance exists, the court may together with the fine or penalty imposed, enter an order of abatement as a part of the judgment in the case. (Ref. 18-1720, 10-1722 RS Neb.)

ORDINANCE # 99-100-1

**AN ORDINANCE AMENDING CHAPTER 9, SECTION 101, GENERAL PROVISIONS:
BUILDING INSPECTOR, POWER AND AUTHORITY.**

**BE IT ORDAINED BY THE CHAIRMAN OF THE VILLAGE BOARD AND THE
VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF MADRID, PERKINS
COUNTY, NEBRASKA.**

**BUILDING REGULATIONS
ARTICLE 1. GENERAL PROVISIONS**

**9 - 101 GENERAL PROVISIONS: BUILDING INSPECTOR, POWER AND
AUTHORITY.** The Building Inspector shall be the Municipal Representative who shall have the
duty of enforcing all building and housing regulations as herein prescribed. He or She shall
inspect all buildings repaired, altered, built or moved in the Municipality as often as necessary to
insure compliance with all Municipal Ordinances. He or she shall have the power and authority to
order all work stopped and any construction, alteration or relocation which violated any
provisions prescribed herein. He or she shall issue permission to continue any construction,
alteration, or relocation when they are satisfied that no provision will be violated. If the stop
order is oral, it will be followed up with a written order. Such a written order can be delivered by
the Building Inspector or any other law enforcement officer with jurisdiction within the
Municipality. In the event there is no qualified person in the community to serve as the Building
Inspector, more than one individual can be appointed to fulfill the various obligations of the
Building Inspector.

9 - 102 GENERAL PROVISIONS: BUILDING INSPECTOR, RIGHT OF ENTRY
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 for the purpose of making official inspections at any reasonable hour.

9 - 103 GENERAL PROVISIONS: BUILDING INSPECTOR BUILDING PERMITS
Any person desiring a building permit to commence or proceed to erect, construct, perform any
structural repair or relocate any building or dwelling or cause the same to be done shall file with
the Governing Body an application therefore in writing on a form to be furnished by the Municipal
Clerk for that purpose. The application so filed with the Governing Body shall be checked and
examined and, if they are found to be in conformity with the requirements of this Chapter and all
other Ordinances applicable thereto, the Governing Body shall authorize the Municipal Clerk to
issue the said applicant a permit upon the payment of the permit fee set by resolution of the
Governing Body. (Ref. 17 - 130 through 17 - 132 RS Neb.)

PASSED AND APPROVED THIS 15 day of November, 1999

ATTEST:

Melene Mahr
Village Clerk

Timothy E. Moore
Chairman Board of Trustees

ORDINANCE # 99-60-2

AN ORDINANCE AMENDING CHAPTER 9, SECTION 201, BUILDING CODE AND TO ALLOW FOR THE VIOLATION PENALTY IN SECTION 201.

BE IT ORDAINED BY THE CHAIRMAN OF THE VILLAGE BOARD AND THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF MADRID, PERKINS COUNTY, NEBRASKA.

ARTICLE 2

BUILDING AND HOUSING CODES

9 - 201 BUILDING CODE: ADOPTION

The current edition of the National Building Code, as recommended by the American Insurance Association, as it now exists or may hereafter be amended, is hereby adopted as and for the Building Code of the Village, and all excavation, construction, alteration, removal or demolition of buildings and structures shall be performed in accordance with its provisions as it may from time to time be amended.

PASSED AND APPROVED THIS 15 day of November, 1999.

Timothy E. Moore
Chairperson Board of Trustees

ATTEST:

Marilyn Mahr
Village Clerk

ORDINANCE # 99 - 00 -3

AN ORDINANCE AMENDING CHAPTER 9, SECTION 301 HOUSING CODE AND TO ALLOW FOR THE VIOLATION PENALTY IN SECTION 301.

BE IT ORDAINED BY THE CHAIRMAN OF THE VILLAGE BOARD AND THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF MADRID, PERKINS COUNTY, NEBRASKA

9 - 301 HOUSING CODE

Housing code; where applicable, establishes minimum standards. Every building used in whole or in part as a home or as a residence of a single family or person, and every building used in whole or in part as a home or a residence of two or more persons or families living in separate apartments, shall conform to the requirements of this Article, irrespective of the class to which the building may have been constructed, altered, repaired or replaced. This article establishes minimum standards for occupancy and does not replace or modify any standards otherwise established for the construction, alteration, repair or replacement of buildings.

9 - 302 HOUSING CODE; REGULATIONS FOR USE AND OCCUPANCY OF DWELLINGS

A. It shall be unlawful for any person to use or occupy any dwelling or dwelling unit, or for any owner to permit any dwelling or dwelling unit to be used or occupied, as a place for human occupancy unless the same complies with the following rules and regulations, and any dwelling or dwelling unit which fails to conform to the following rules and regulations shall be deemed to be a nuisance.

1. BASEMENT OR CELLAR. The basement or cellar of any dwelling or dwelling unit shall be dry and be kept free from accumulation of dirt, filth, rubbish, garbage, refuse, and similar matter, and free from vermin and rodent infestation.

2. HEATING. Every dwelling and every dwelling unit shall be so constructed, insulated and maintained that it is possible to reach an air temperature of 60* F. Under ordinary minimum winter conditions. The chimney of every dwelling or dwelling unit shall be maintained in good order and repair, and the owner of heating equipment shall maintain it in good order and repair.

3. DAMPNESS. The floors, ceilings, and walls of every dwelling or dwelling unit shall be kept free from excessive dampness.

4. VENTILATION. Every habitable room in a dwelling or dwelling unit shall contain a window or windows opening directly outside to the air, and the total area of such window or windows shall be not less than 5% of the floor area of such room.

5. LIGHTING. Every habitable room shall have an approximately central ceiling electrical outlet or at least two wall or floor outlets, or duplex outlet in the wall or floor.

6. SLEEPING ROOMS. No room shall be use for sleeping purposes unless the ceiling height is at least 7 feet and there are at least 400 cubic feet of air space for each occupant over 6 years of age. No room used for sleeping purposes shall have an area of less than 60 square feet. In sleeping rooms with sloping ceilings, the ceiling height shall be at least 7 feet over at least 50% of the required square feet floor area, and only that portion of the room with a ceiling height of 5 feet or more shall be counted in computing the minimum floor area.

7. **BASEMENT DWELLING UNITS.** The use of basements for dwelling units is prohibited except where 50% of more of the unit is above grade or where occupancy is permitted under Article 1.

8. **OVERCROWDING.** The total area in all habitable rooms in a dwelling or dwelling unit shall be as to provide at least 65 square feet of floor area per person.

9. **WATER SUPPLIES AND SINKS.** In every dwelling or dwelling unit containing one or more rooms there shall be running water connected to the public water service and at least one sink connected to the public sewer or to an approved sewage disposal system.

10. **TOILET FACILITIES.** There shall be at least one toilet for every 10 persons or fractions thereof occupying a dwelling, which toilet shall be within and accessible from within the dwelling; provided that, not more than one toilet shall be required for each dwelling unit. In areas where sanitary sewers are not available, waste disposal facilities shall comply with the requirements of the minimum housing code.

11. **LIGHTING AND VENTILATION OF TOILETS AND BATHROOMS.** Every toilet and every bathroom in a dwelling shall have at least one electric outlet in either the ceiling or wall and shall have adequate ventilation.

12. **RECEPTACLES.** Every dwelling and every dwelling unit shall be provided with such receptacles as may be necessary to contain all dirt, filth, rubbish, garbage, refuse and similar matter. All such receptacles shall be made of a watertight material, shall be provided with tight covers, and shall at all times be maintained in good order and repair.

13. **ENTRANCES.** There shall be for each dwelling unit a separate access to a hallway, landing, stairway or street.

14. **DRAINAGE.** All courts, yards and other areas on the premises of any dwelling unit shall be properly graded and drained.

The Board of Health is authorized to make such additional rules and regulations as shall from time to time be necessary to carry out the purposes of this Article. Such rules and regulations shall become effective when they have been approved by resolution of the Mayor and Village Council and have been filed with the Village Clerk.

9 - 303 HOUSING CODE: REPAIR OF DWELLINGS. Every dwelling and part thereof shall be maintained in good repair by the owner or agent and fit for human occupancy. The roof shall be maintained so as not to leak, and all rain water shall be drained so as not to cause dampness in the walls or ceilings and so as not to cause nuisance to adjacent buildings. All steps, floors, stairways, stairwells, doors, porches, windows, screens, skylights, air shafts, mantle, chimneys, plumbing, toilets, sinks, walls and ceilings shall be kept in good, sound, safe and usable condition.

9 - 304 HOUSING CODE VIOLATIONS, NUISANCE, ORDER TO VACATE.

A. All dwellings, dwelling units, courts, yards and other areas which are in violation of any provision of this Article are declared to be a nuisance.

B. If any occupant or owner violates any provision of this Article the Board of Health shall send a written order to such occupant or owner to abate such nuisance within the time specified in the order.

C. If any such order or the Board of Health is not complied with within the time specified in the order, and the Board of Health finds that the dwelling or dwelling unit is unfit for human occupancy, the Board of Health may order the dwelling or dwelling unit vacated by posting notice on the front of the building. The order shall state that because compliance was not obtained within the period specified in the order, that the dwelling or dwelling unit has been found and is

declared to be unfit for human occupancy, and that human occupancy is prohibited after the date specified. A copy of the order shall be sent to the owners, or agent of the dwelling or dwelling unit, and to the occupant or occupants of the dwelling or dwelling unit.

D. A dwelling or dwelling unit so ordered to be vacated shall not again be occupied until a written statement shall have been secured from the Board of Health that the dwelling or dwelling unit has been made fit for human occupancy.

E. It shall be unlawful for any person, firm or corporation, whether for a consideration or not, to let lease, occupy or permit to be occupied any dwelling or dwelling unit so posted.

9 - 305 HOUSING CODE: VIOLATIONS, PENALTY, ACCESS.

A. The Board of Health is authorized to enforce the provisions of this Article, any rules and regulations adopted pursuant to this Article, and any other City Ordinances which regulate or pertain to human occupancy of dwellings or dwelling units.

B. The Board of Health, in the discharge of its official duties and upon proper identification, shall have the authority to enter any building, structure or premises within its jurisdiction at such times as may be reasonable necessary for the purposes of inspecting any dwelling or dwelling unit to carry out the provisions of this Article and to protect the public health, safety and welfare.

C. Any person violating any provisions of this Article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a minimum fine of \$25.00 and maximum fine of \$100.00; and each day's violation shall constitute a separate offense.

9 - 306 HOUSING CODE; APPEALS, BOARD OF HOUSING APPEALS.

A. The Board of Housing Appeals shall consist of the Mayor, who shall be the chairperson of the Board of Housing Appeals, and the members of the Village Council.

B. Appeals to the Board of Housing Appeals may be taken by any person, firm or corporation aggrieved by any order, requirement, decision or determination of the Board of Health in the enforcement of this Article.

C. Upon the filing of an appeal to the Board of Housing Appeals, the City Clerk shall set a time and place for the hearing of the appeal. Notice shall be given to all owners and occupants of any dwelling or dwelling unit affected by the appeal. The hearing shall be within a reasonable time after the filing of the notice of appeal.

D. The Board of Housing Appeals shall have jurisdiction to hear and decide appeals where it is alleged that there is error in any order, requirement, decision or determination made by the Board of Health in the enforcement of the provisions of this Article.

E. The Board of Housing Appeals may affirm, reverse, affirm in part and reverse in part, or modify the order, requirement, decision or determination appealed from, and may make such other order, requirement, decision, or determination as it deems necessary. The order of the Board of Housing Appeals shall be binding on all owners and occupants of any dwelling or dwelling unit affected by the appeal.

PASSED AND APPROVED THIS 15 day of November, 1999.

Timothy E. Moore
Chairman, Board of Trustees

ATTEST: Marlene Mohr
Village Clerk

ORDINANCE # 99-00-4

AN ORDINANCE AMENDING CHAPTER 9, SECTION 401, PLUMBING CODE AND TO ALLOW FOR THE VIOLATION PENALTY IN SECTION IN 201.

BE IT ORDAINED BY THE CHAIRMAN OF THE VILLAGE BOARD AND THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF MADRID, PERKINS COUNTY, NEBRASKA.

ARTICLE 4. PLUMBING CODE

9 - 401 PLUMBING CODE; ADOPTED OFFICIAL COPIES, OTHER RULES AND REGULATIONS TO PROTECT WATER SUPPLY.

A. The current edition of the Uniform Plumbing Code of the International Association of Plumbing and Mechanical Officials, as it now exists or may hereafter be amended, is hereby adopted as and for the Plumbing Code of the Village, all plumbing installations, alterations or repairs shall be performed in accordance with its provisions as it may from time to time be amended; provided that, Chapter 10, Sections 1004 and 1008 shall read as follows: Building Regulations, Prohibition of LEAD PIPES, SOLDER AND FLUX.

B. There are two copies of the Plumbing Code kept on file at the Office of the Village Clerk for inspection by and use of the public, and shall be marked with words, Village of Madrid, official copy.

C. The Chairperson of the Village Board shall make such other rules and regulations, in furtherance of the purpose of this Article, pertaining to the installation, repair, or alteration of air-conditioning systems, water-treatment equipment and water-operated devices, as are not inconsistent with the specific provisions of the Plumbing Code and as deemed necessary to properly protect the Village water supply.

9 - 402 PLUMBING CODE Master Plumber: No person shall engaged in the business of plumbing in the Village unless licensed as a master plumber, under the provision of this Article. Additionally, any work done by a company must be under the direct supervision of a master plumber.

9 - 403 PLUMBING VIOLATIONS AND PENALTIES.

A. The Village Enforcement Officer, in the discharge of a required duty within enforcement officer jurisdiction, shall have the authority to enter any building, structure or premises within his or her jurisdiction, at such times as may be reasonably necessary for the purposes of inspecting any plumbing apparatus or to protect health, safety, and welfare.

B. Any person violating any provisions of this Article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a minimum fine of \$25.00 and a maximum fine of \$100.00.

PASSED AND APPROVED THIS 15th **day of** November, 1999.

Timothy E. Moore
Chairman Board of Trustees

ATTEST:

Marlene Mohs
Village Clerk

ORDINANCE # 99-00-5

AN ORDINANCE AMENDING CHAPTER 9, SECTION 501, ELECTRICAL CODE AND TO ALLOW FOR THE VIOLATION PENALTY IN SECTION 501.

BE IT ORDAINED BY THE CHAIRMAN OF THE VILLAGE BOARD AND THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF MADRID, PERKINS COUNTY, NEBRASKA.

ARTICLE 5. ELECTRICAL CODE

9 - 501 ELECTRICAL CODE; ADOPTED. The current edition of the National Electrical Code sponsored by the National Fire Protection Institute, as it now exists or may hereafter be amended, is hereby adopted as and for the Electrical Code of the Village, and all electric installations, alterations or repairs shall be performed in accordance with its provisions as it may from time to time be amended.

9 - 502 ELECTRICAL CODE VIOLATION AND PENALTIES.

A. The Village Enforcement Officer, in the discharge of a required duty within enforcement officer jurisdiction and upon proper identification, shall have the authority to enter any building, structure, or premises within his or her jurisdiction, at such times as may be reasonably necessary for the purposes of inspecting any electrical apparatus or to protect the public health, safety and welfare.

B. Any person violating any provision of this Article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a minimum fine of \$25.00 and a maximum fine of \$100.00.

PASSED AND APPROVED THIS 15 day of November, 1999.

Timothy E. Moore
Chairman Board of Trustees

ATTEST:

Melene Mahr
Village Clerk

ORDINANCE # 99 - 00 - 6

AN ORDINANCE AMENDING CHAPTER 9, SECTION 601, FIRE PREVENTION CODE AND TO ALLOW FOR THE VIOLATION PENALTY IN SECTION 601.

BE IT ORDAINED BY THE CHAIRMAN OF THE VILLAGE BOARD AND THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF MADRID, PERKINS COUNTY, NEBRASKA.

ARTICLE 6. FIRE PREVENTION

9 - 601 FIRE PREVENTION CODE; ADOPTED. The current edition of the Fire Prevention Code, as recommended by the American Insurance Association, as it now exists or may hereafter be amended, is hereby adopted as and for the Fire Prevention Code of the Village, and shall govern and control conditions hazardous to life and property from fire and explosion.

9 - 602 FIRE PREVENTION CODE; ENFORCEMENT. The Fire Prevention Code shall be enforced by the Village Fire Protection District Chief.

9 - 603 FIRE PREVENTION CODE: MODIFICATIONS. The Village Fire Protection District Chief shall have the power to modify any of the provisions in the Fire Prevention Code, when upon application in writing, there are undue difficulties in carrying out the requirements of the law and provided that the spirit of the law is upheld and public safety assured.

9 - 604 FIRE PREVENTION CODE; VIOLATIONS, PENALTIES AND ACCESS.

A. The Fire Chief, in the discharge of a required duty and upon proper identification, shall have the authority to enter any building, structure or premises within his or her jurisdiction, at such times as may be reasonably necessary for the purposes of inspecting such building, structure or premises or to protect the public health, safety and welfare.

B. Any person violating any provision of this Article shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a minimum fine of \$25.00 and a maximum fine of \$100.00; and when not otherwise specified, each 10 days that prohibited conditions are maintained shall constitute a separate offense.

C. This imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and any person violating any provision of this Article shall be required to correct or remedy such violations of defects within a reasonable length of time.

D. The application of any penalty set forth in this Article shall not be held to prevent the enforced removal of the prohibited conditions.

PASSED AND APPROVED THIS 15th day of November, 1999.

Timothy E. Moore
Chairman Board of Trustees

ATTEST:

Marlene Mahr
Village Clerk