

ORDINANCE No. 371

AN ORDINANCE REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF ALL BUILDING OR REQUIREMENT FOR THE PROTECTION OF LIFE, LIMB, HEALTH, PROPERTY, SAFETY AND WELFARE OF THE GENERAL PUBLIC AND THE OWNER AND OCCUPANTS OF BUILDINGS, PROVIDING FOR THE ISSUANCE OF PERMITS AND THE COLLECTION OF FEES THEREFORE, ESTABLISHING FIRE ZONES, REPEALING ORDINANCES IN CONFLICT THEREWITH, AND PROVIDING PENALTIES FOR VIOLATION.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROLLA, NORTH DAKOTA:

Section 1. That certain documents, of which three copies are on file in the office of the City Auditor of the City of Rolla, being marked and designated as "Uniform Building Code, 1994 Edition, Volumes 1,2 and 3, International Conference of Building Officials, be and the same hereby are adopted along with future updates as the building code and mechanical code for the City of Rolla for the regulation of the erection, construction, enlargement, equipment, use, height, area and maintenance of all buildings and/or structures in the City of Rolla and each and all for the regulations; provisions, penalties, conditions and terms of such Uniform Building Code, 1994 Edition, Volumes 1,2, and 3, and Uniform Mechanical Code, 1994 Edition, along with any future updates both published by the International Conference of Building Officials on file in the Office of the City Auditor, are hereby referred to, adopted and made a part of hereof as if fully set out in this ordinance.

Section 12. Building permit fees shall be as follows:

1. The building permit fee for any commercial building or any apartment type structure with three or more apartments shall be \$150.00.
2. The building permit fee for any single dwelling house or duplex shall be \$100.00
3. The building permit fee for any exterior storage shed or patio shall be \$10.00
4. The building permit fee for any fence or other addition to a structure or any garage (whether or not attached) or any other construction shall be \$25.00.

Section 3. Where work for which a permit is required is proceeded with or started prior to obtaining a building permit from the City of Rolla, the fees above specified shall be doubled, but the payment of such doubled fee shall not relieve any person from fully complying with the requirements of the Uniform Building Code in the execution of the work or from any other penalties described in the building code. The building contractor or person hired by the owner to perform the construction work shall be liable for all criminal penalties and all civil penalties provided herein, and provided in said Uniform Building Code,

for the offense of commencing construction without a building permit and for any other offense provided in the Uniform Building Code; and further, if a building contractor or person hired by the owner to perform construction work shall fail to securely post a copy of the building permit on the construction site at commencement of construction, he shall be guilty of an infraction for which the penalty shall not be less than \$25.00 nor more than \$100.00. The owner of any property in the City of Rolla who permits the commencement of any construction on his property without a building permit shall likewise be subject to all civil and criminal penalties provided herein, and provided in said Uniform Building Code.

Section 4. That Ordinance No. 101, 245, 302, and 304 of the City of Rolla and all resolutions adopted pursuant thereto, and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. That the entire incorporated area of the City of Rolla is hereby declared to be and is hereby established as a fire district and said fire district shall be known as designated Fire Zone No. 1, 2, and 3, and each such Zone shall include such territory or portions of said City as illustrated, outlined and designated on a certain map on file in the Office of the City Auditor of the City of Rolla, being marked and designated as "Fire Zone of the City of Rolla," which is hereby adopted as the fire zone map of the City of Rolla for the application of the regulations adopted by this ordinance.

Section 6. Saving Clause. Should any portion of this ordinance be found unconstitutional, the remainder of the ordinance shall not be effected thereby and all portions hereof are declared to have been enacted and in force and effect regardless of any part thereof which may be found unconstitutional.

Section 7. Penalties. Any person violating the provisions of this ordinance shall upon conviction, unless a lesser penalty is specifically prescribed by the codes hereby adopted be punished by a fine of not to exceed \$100.00, or by imprisonment not to exceed 90 days, or by both such fine and imprisonment in the discretion of the Court; the Court to have power to suspend said sentence and to revoke the suspension thereof.

Section 8. Effective date. This ordinance shall be in full force and effect immediately upon its final passage and the publication of its title and penalty clause.

First Reading: June 28, 1995

Second Reading and Passage: August 7, 1995

ATTEST:


Mary Nordmark, City Auditor


Dennis Neameyer, Mayor