

CHAPTER 40

PROPERTY MAINTENANCE.

- 40-101. International Property Maintenance Code adopted.
40-102. Parking on residential lots.

40-101. International Property Maintenance Code adopted.

International Property Maintenance Code, 2009 Edition, as published by the International Code Council, Inc., is hereby adopted as the minimum Property Maintenance Code of this municipality regulating and governing the conditions and maintenance of all property, buildings and structures; by providing 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 existing structures in the City of Hastings; providing for the issuance of permits and collection of fees therefore. Each and all of the regulations, provisions, penalties, conditions and terms of said International Property Maintenance Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, insofar as such code does not conflict with the Statutes of the State of Nebraska or other specific model codes adopted by the City of Hastings with the additions, insertions, deletions and changes, if any, as prescribed herein. One copy of the International Property Maintenance Code is on file at the office of the Municipal Clerk and is available for public inspection at any reasonable time. The provisions of the International Property Maintenance Code shall be controlling throughout the municipality and throughout its extraterritorial zoning jurisdiction.

The following sections of the International Property Maintenance Code are hereby revised:

Section 101.1. Insert, "City of Hastings ".

Section 102.3. Amend to read, "Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the currently adopted edition of the International Building Code, International Residential Code, International Mechanical Code, City of Hastings Electrical Code, City of Hastings Plumbing Code, City of Hastings Gas Code, and the City of Hastings Zoning Ordinance. Nothing in this code shall be construed to cancel, modify or set aside any provision of the City of Hastings Zoning Ordinance or Hastings City Code."

Section 103.1. Amend to read, "General. The Development Services Department shall oversee the administration of this code. The Building Inspector shall be the executive official in charge thereof and shall hereinafter be referred to as the code official."

Section 103.2 thru 103.3. Delete entirely.

Section 103-5. Amend to read, "Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be in accordance with the annual fee resolution adopted by the Hastings City Council."

Section 104.2. Add to subsection, "Rules and procedures developed under this subsection shall be approved by the Hastings City Council prior to enactment."

Section 111.2. Amend to read, "Board of Appeals. In order to hear and decide appeals of orders or determinations made by the building official relative to the application and interpretation of this code, all appeals and requests for interpretation shall be directed to the Board of Appeals in accordance with Chapter 28, Article VI, of the Hastings City Code."

Section 111.2.1 thru 111.2.5. Delete entirely.

Section 111.3 thru 111.8. Delete entirely.

Section 304.14. Amend to read, "Insect screens. "Every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas, or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25mm) and every swing door shall have a self-closing device in good working condition.

Exception: Screen doors shall not be required where other approved means, such as air curtains or insect repellent fans, are employed."

Hastings City Code

Section 602.3. Amend to read, "Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming units, dormitory or guestrooms on terms, either express or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68 degrees F (20 degrees C) in all habitable rooms, bathrooms and toilet rooms.

Exception: When the outdoor temperature is below the winter design temperature of -3F (-19C), maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity."

Section 602.4. Amend to read, "Occupiable work spaces. "Indoor occupiable work spaces shall be supplied with heat to maintain a temperature of 68 degrees F (20 degrees C) during the period the spaces are occupied.

Exceptions:

(1) Processing, storage and operation areas that require cooling or special temperature conditions.

(2) Areas in which persons are primarily engaged in vigorous physical activities."
(Ord. No. 3878-10/2002, 4126-6/2007 and 4249-3/2010)

40-102. Parking on residential lots.

(1) It shall be unlawful for any person to allow a vehicle or trailer to be parked within the front yard of a residential lot, unless said vehicle or trailer is parked on a driveway.

(2) It shall be unlawful for any person to allow a vehicle or trailer to be parked within the street-side side yard of residential lot, unless said vehicle or trailer is parked on a driveway.

(3) It shall be unlawful for any person to construct a parking pad or parking area in the front yard of a residential lot.

(4) Parking pads and parking areas in the front yards of residential lots, that were in place prior to June 30, 2006, may continue to be used for parking.

(5) For purposes of this section, the following definitions shall apply:

(a) "driveway" shall be defined as a private, solid concrete or asphalt roadway or as a flat surface, solidly constructed of brick, concrete block or pavers, gravel or crushed rock, so as to create a surface that does not collect and hold water, and does not allow vegetation to grow on or through the parking surface. The surface may be slightly sloped so as to allow water to run off of the surface, which serves the garage or the rear or side yard of the property or provides access from one point of public right of way to another point of public right of way.

(b) "front yard" shall be defined as the open space extending across the full width of the residence between the front lot line and the nearest line of the residence.

(c) "parking pad or parking area" shall be defined as a concrete or asphalt area other than a driveway.

(d) "street-side side yard" shall be defined as the yard between the side of the residence and the street right of way, and extending entirely from the front lot line to the rear lot line of the residence.

(e) "trailer" shall be defined as a wheeled cart, wagon or platform, designed to be towed behind a vehicle as defined above.

(f) "vehicle" shall be defined as every self-propelled land vehicle, passenger vehicle, watercraft, motor home and camper, except self-propelled chairs used by persons who are disabled and electric personal assistive mobility devices.

(g) "residential lot" shall be any lot used primarily for residential purposes, even if said lot or structures on said lot or structures on said lot have commercial or industrial uses.
(Ord. No. 3921-5/2004 and 4091-10/2006)

Property Maintenance