

## TITLE VI PHYSICAL ENVIRONMENT

### CHAPTER 12 BUILDING PERMITS

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**6-12-1 PURPOSE.** The purpose of this Chapter is to provide the City Council notice of the type of structure, the kind of construction, the location of any structure to be erected or added within the corporation, the location of any structure on any specific lot within the corporation and to provide reasonable rules for the erection, reconstruction, altering and repair of all kinds of structures.

**6-12-2 STRUCTURE DEFINED.** Anything constructed or erected with a fixed location on the ground that protrudes above the ground or surface level of a parcel of property. Structures include, but are not limited to, buildings, walls, fences, billboards, aboveground storage tanks, and similar uses.

**6-12-3 PERMIT REQUIRED.** No structure shall be erected, reconstructed, altered or added to without first securing a permit from the City Council.

**6-12-4 APPLICATION.** All requests for a building permit shall be submitted to the City Clerk on forms supplied by the City and accompanied with the appropriate fee for such permit.

**6-12-5 FEES.** There shall be a permit fee for any structure being erected, reconstructed, altered or added on to that will change the footprint. If a permit is rejected the fee shall be returned to the applicant. The fees for a permit shall be established by Resolution set by the city council.

**6-12-6 PLANS REQUIRED.** Plans and specifications of any proposed structure shall be filed with the application for the permit.

**6-12-7 LOCATION OF STRUCTURE.** A complete showing and description of the real estate involved and the location of the structure on the real estate shall be filed with the application. The perimeter of the structure shall be staked prior to submitting an application.

**6-12-8 FRONT YARD REQUIREMENTS.** There shall be a front yard of not less than twenty (20) feet, except as follows:

1. Where a structure is to be erected on a parcel of land that is within one hundred (100) feet of existing structures on both sides, the minimum front yard shall be a line drawn between the closest front corners of the adjacent structures on the two sides, or
2. Where a structure is to be erected on a parcel of land that is one hundred (100) feet of an existing structure on one side only within the same block, such structure may be erected as close to the street as a line drawn from the closest front corner of that structure to a point twenty (20) feet back from the front lot line measured at the center of the lot on which the proposed structure is to be erected.
3. Where lots have a double frontage, the front yard as required herein shall be provided on both streets.

**6-12-9 SIDE YARD REQUIREMENTS.** No building shall be erected closer than five (5) feet to either side lot line, except in the business district where no side yard is required.

**6-12-10 REAR YARD REQUIREMENTS.** There shall be a rear yard provided for each structure of not less than thirty (30) feet or twenty percent (20%) of the depth of the lot, whichever amount is smaller, except in the business district where no rear yard is required.

**6-12-11 SPECIAL REQUIREMENTS FOR RESIDENCES.** Any structure which is to be a residence for living shall meet the following special requirements.

1. A residence shall have a minimum of 1,000 square feet of livable space on the main floor.
2. All residences shall have a permanent perimeter foundation constructed of cement, concrete blocks with mortar or other permanent material approved by the City Council. All foundations shall have footings that extend below the frost line.

**6-12-12 VARIANCES.** The city council may grant a variance to sections 6-12-8, 6-12-9, and 6-12-10 where the setback requirements would cause a hardship on the property owner.

**6-12-13 CURB CUTS.** No curb cut shall be constructed or permitted without first obtaining a building permit.

**6-12-14 AUTHORITY OF CITY COUNCIL.** The City Council shall have full authority to accept or reject any plans and specifications submitted.

**6-12-15 PERMIT ISSUED.** Permits shall be issued by the City Clerk in duplicate, one copy for the applicant and one copy to be retained in the City records.

**6-12-16 LIMITATIONS ON PERMIT.** In the event that construction covered by a permit is not initiated and underway within one year from the date of issuance of a permit, such permit shall be

deemed void and of no effect. All permits shall expire and be void twelve (12) months after issuance by the City Clerk. If construction is not completed a new application and fee must be submitted.

Editor's Note: If this Ordinance is adopted be sure that the provisions of this Ordinance are consistent with the provisions of the Restricted Residence Ordinance if the City has one. Specifically, the set back and permit fee requirements should be reviewed.