

ORDINANCE NO. 1317

AN ORDINANCE REVISING SECTION 1-322 OF THE RALSTON MUNICIPAL CODE TITLED “APPOIANTED OFFICIALS, BUILDING AND SAFETY DIRECTOR” TO PROVIDE THE AUTHORITY THEREOF; TO REPEAL PROVISIONS IN CONFLICT THEREWITH; TO PROVIDE AN EFFECTIVE DATE; AND TO AUTHORIZE THAT SAID ORDINANCE BE PUBLISHED IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF RALSTON, NEBRASKA.

That on the 18th day of October 2022, the Ralston City Council conducted a regularly scheduled public hearing at which it considered revising Chapter 1, section 322, of the Ralston Municipal Code to codify the authority of the office of Building and Safety Director. Upon consideration of such, the Ralston City Council approved the revision of §1-322 so that after passage of this ordinance said section shall read as follows:

§1-322 APPOINTED OFFICIALS; BUILDING AND SAFETY DIRECTOR.

1. The Building and Safety Director is hereby authorized and directed to enforce all the provisions of the Municipal Code pertaining to zoning regulations and building construction, repair and maintenance. For such purpose, he shall have the power of the Municipal Police. The Director may request, and shall receive so far as may be necessary in the discharge of his duties, the assistance and cooperation of other city officials.
2. In accordance with the Director’s duties and upon presentation of proper credentials, the Director or his or her duly authorized representative may enter at all reasonable times, or apply for and execute an inspection warrant pursuant to Nebraska state statutes to enter, any premise, including all structures thereon, to perform any duty imposed upon the Director by the Municipal Code, including all code duly adopted by reference in the Municipal Code.
3. Whenever any building or construction work is being done contrary to the provisions of the Municipal Code, including all codes adopted therein, it shall be the duty of the Director to order the work stopped until authorization is received from the Director to continue the work.
4. When any structure is in a dangerous condition, or any structure or premises is being occupied or used contrary to the provisions of the Municipal Code, including the zoning ordinance therein, it shall be the duty of the Director to order the premises, or any structure or portion thereof in violation, vacated or such used discontinued.
5. The Building and Safety Director or his or her duly authorized representative, acting in good faith and without malice in the discharge of his or her duties, shall not thereby be rendered personally liable and is hereby relieved from all personal liability for any damages that may accrue to persons or property as the result of any act or omission in the discharge of his or her duties. Any suit brought against the Director or his or her duly authorized representative

because of an alleged act or omission performed pursuant to this section shall be defended by the City until final termination of the proceedings.

6. It shall be a violation of the Municipal Code for any person or entity to knowingly disobey any lawful order of the Building and Safety Director issued pursuant to the authority granted in this section.

Any and all Ordinances or portions thereof which are in conflict herewith are hereby repealed.

This Ordinance becomes effective fifteen days after passage by the City Council and Mayor of the City of Ralston, Nebraska, and is directed to be published in pamphlet form by amending the pamphlet form of the Municipal Code of the City of Ralston.

DATED this 18th day of October, 2022.



CITY OF RALSTON, NEBRASKA

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Donald A. Groesser, Mayor

ATTEST:

A handwritten signature in blue ink, appearing to read "Maura Kelly", written over a horizontal line.

Maura Kelly, City Clerk

Approved as to form:—

A handwritten signature in blue ink, appearing to read "Donald F. Ficenec", written over a horizontal line.

Donald F. Ficenec, City Attorney