

## **CHAPTER FIFTEEN**

### **BUILDING CODE**

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## CHAPTER FIFTEEN

### BUILDING CODE

#### 15.0101 Adoption of Code

The erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, uses, height, area and maintenance of buildings or structures in the City shall meet with the provisions of the rules and regulations of the North Dakota State Uniform Building Code and any future updates and amendments to that code, a copy of which is on file with the city auditor. That code is hereby adopted and made a part of this chapter by reference with the exception of the following sections affecting local conditions in the City.

#### 15.102 Permits

No structure of any kind used for residential, commercial or industrial purposes, including Accessories thereto, shall hereafter be built, altered, or moved within a zoned area of Glenburn until a building, alteration, or moving permit has been obtained from City Hall. Such permit shall be valid for six months and must be approved by the City Council. No permit is required for maintenance or repair of existing residences, commercial structures, or accessory structures, which does not alter the strength or plan of said structure or its mechanical installations, but such maintenance or repair shall comply with all requirements of this regulation.

#### 15.103 Fees – amended 3-3-2025 final reading

There will be a ~~five-dollar (\$5.00) fee~~ to a twenty dollar (\$20.00) fee charged for issuance of a permit

#### 15.104 Building Regulations

No building shall exceed two and one-half stories (2 ½) or thirty five (35) feet in height except:

- A. The height regulations prescribed herein shall not apply to television and radio towers, church spires, belfries, monuments, tanks, water and fire towers, chimneys, elevator bulkheads, smokestacks, conveyers, flagpoles, and grain storage elevators.
- B. Public, semi-public or public service buildings, hospitals, institutions or schools, where permitted, may be erected to a height not exceeding 60 feet and churches and temples may be erected to a height not exceeding 75 feet when the required side and rear yards are each increased by one foot for each foot or additional building height above the height regulations for the district in which the building is located.
- C. The limitation on number of stories shall not apply to buildings used exclusively for storage purposes provided such building do not exceed the height in feet permitted in the district in which they are located.

#### 15.0105 Inspections

All structures hereinafter built, altered or moved within the zoned areas of Glenburn are subject to inspection by the City Council or any authorized official appointed by such Council

#### 15.0106 Dangerous Buildings/Nuisances

Dangerous buildings are defined as those which because of their condition are unsafe, unsanitary, or dangerous to the health, morale, or general welfare of the people of this city, or those buildings existing in violation of any provision of the Building Code of the City or any provision of the fire prevention code, or other ordinances of the City. All dangerous buildings are hereby declared to be public nuisances and

shall be repaired, vacated or demolished as directed by City Council or State Health Department or Fire Marshall.

15.0107 Failure to Comply

If the owner, occupant, mortgagee, or lessee fails to comply with the order of the City Council, or fails to appeal to the Court within thirty (30) days as provided herein, the City through its officers and employees shall cause such building or structure to be repaired, vacated or demolished as ordered by the City Council and shall cause the costs of such repair, vacation, or demolition to be charged against the land on which said building existed by special assessment, or a municipal lien, or shall cause said cost of removal to be levied as a special tax against the land upon which said building stands or did stand or to be recovered in a suit at law against the owner.

15.0108 Board of Adjustment Powers and Duties

The City Council shall have all the powers and duties prescribed by law and by this Chapter, which are more particularly specified as follows:

- A. Interpretation. Upon appeal from a decision by an administrative official, to decide any question involving the interpretation of any provision of this chapter.
- B. Variances. To vary or adapt the strict application of any of the requirements of this chapter whereby such strict application would result in practical difficulty or unnecessary hardship that would deprive the owner of the reasonable use of the land or building involved. In granting any variance, the City Council shall prescribe any conditions that it deems to be necessary or desirable.

15.0109 Enforcement

The erection, construction, reconstruction, alteration, repair, conversion or maintenance of any building or structure, or the use of any building, structure or land, in violation of this article, or of any regulation, order, requirement, decision or determination made under authority conferred by this article, shall constitute the maintenance of a public nuisance and any appropriate action or proceeding may be instituted by the City, through any administrative officials, department, board or bureau charged with the enforcement of this article.

**ORDINANCE PERTAINING TO THE ERECTION  
OF FENCES AND THE PLANTING OF VEGETATON ON PROPERTY LINES**

The following conditions shall be met in the construction of fencing or the planting of any trees or shrubs along property lines:

A building permit shall be required for fences so that utility lines can be located and marked before construction begins. All fences shall be of an approved construction material.

- a.) In residential districts, no fence shall be more than eight feet in height in any rear or side yard or eight feet in height in any front yard; provided further that on a corner lot, no fence structure or planting higher than three and one-half feet above the established street grades, which obstructs vision of the intersection, shall be maintained within twenty (20) feet of any street intersection.
- b.) All fences in front or corner yards shall be 13 feet as measured from the curb.
- c.) All fences in rear yards shall be 13 feet form the centerline of the alley or utility easement.
- d.) All side yard fence poles and anchoring materials shall be set in ~~three feet~~ **five feet** on the builders' property unless a written perpetual agreement is secured form the abutting property owner. **Second Reading and accepted date of October 5<sup>th</sup>, 2015**
- e.) In commercial and industrial districts, no fence shall be more than ten feet in height unless specifically granted by the City Council.
- f.) All hedges and shrubs shall be planted too allow for full growth on the side of the owner. Any foliage extending onto abutting property may, be prudently trimmed by the neighbor.
- g.) Fences and fence lines must be kept in a well-maintained condition i.e.: weeds pulled, painted, etc.
- h.) All fences must have a gate accessible to utility meter readers.

Wherever possible, survey markers must be adhered to, if there are no survey points on the property, a current survey will be required.

Persons in violation of this ordinance are subject to a fine of up to one hundred dollars (\$100.00) and the removal or reinstallation of the fence.