

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JUNE 17, 2008 AGENDA**

| <b>Subject:</b>   | <b>Type:</b>                              | <b>Submitted By:</b>                           |
|---|---|--|
| AMEND BUILDING CODE –<br>VERTICAL SUPPORTS FOR DECKS &<br>PORCHES | RESOLUTION<br>◆ ORDINANCE<br>RECEIVE/FILE | ANN BIRCH<br>COMMUNITY DEVELOPMENT<br>DIRECTOR |

**SYNOPSIS**

An ordinance has been prepared to correct an inadvertent omission in required vertical support for decks and porches that occurred when Chapter 150, Building Regulations, of the City Code was amended in 2006.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approve.

**BACKGROUND**

On January 3, 2006, the City Council passed Ordinance No. 966 and adopted the 2003 International Building, Mechanical, and Plumbing Codes (I-Codes), as well as the other codes which comprise our building regulations. Certain exceptions and amendments to the I-Codes were included within the ordinance. A requirement for the vertical supports for decks and porches had previously been included within the City Code (Section 11-601). This requirement was inadvertently omitted due to a clerical error in the editing and was not intended to be omitted. In order to correct this oversight, the Chief Building Official is requesting an amendment to require that the vertical supports be wood posts of not less than six inches by six inches in dimension and that the underlying footings meet the foundation specifications of the building code as adopted. This requirement has been consistently enforced as part of the city's building regulations.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND CHAPTER 150 OF THE LA VISTA MUNICIPAL CODE REGARDING BUILDING REGULATIONS BY ADDING A NEW SECTION 150.01 (B) (2) (f) REGARDING THE VERTICAL SUPPORT REQUIREMENTS FOR DECKS AND PORCHES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. New Section 150.01 (B) (2) (f). Section 150.01 (B) (2) (f) of the La Vista Municipal Code is hereby added to read as follows:

“§ 150.01 (B) (2) (f) *Vertical support requirements for decks and porches.* Vertical supports for decks and porches shall be wood posts of not less than six inches (6”) by six inches (6”) in dimension. Underlying footings shall meet the foundation specifications of the building code as adopted.”

SECTION 2. Severability Clause. If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this ordinance and each section, subsection, sentence clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 3. Effective Date. This ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 17<sup>TH</sup> DAY OF JUNE, 2008.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk