

## CHAPTER 170

# BUSINESS DISTRICT BUILDING SAFETY AND REDEVELOPMENT STANDARDS

170.01 Purpose	170.06 Building Permit Exceptions
170.02 Area of Application	170.07 Denial of Permits
170.03 Design and Construction Provisions	170.08 Building Permit Considerations
170.04 Design Specifications	170.09 Time Frame for Compliance
170.05 Buildings Destroyed by Natural and/or Unnatural Causes	170.10 Penalty

**170.01 PURPOSE.** The purpose of this chapter is to institute land use regulations and restrictions to protect the citizens of Columbus Junction and the personal property and real estate and the City and to prevent the construction of buildings which may create personal safety problems due to fire and collapse and the potential for attractive nuisances and rodent and insect accumulation and to promote a continued preservation of property values and business enterprises within a portion of the City and finally to preserve the quality of life for the citizens of the City. The ordinance codified by this chapter was passed due to a recent fire within the downtown business area of Columbus Junction which highlighted the potential threat to the buildings and citizens of the City due to fire, collapse, potential attractive nuisances, and rodents and insects as well as an economic damage to the community and area.

**170.02 AREA OF APPLICATION.** This chapter shall apply to the area of real estate within the City of Columbus Junction that is known as Lots 22 through 42, Lots 43 through 60, Lots 61 through 78, Lots 102, 103, 104, 105, 106, 107, 108 and 109 all of the original Town of Columbus Junction, and Lots 1 through 18 of Garners Addition II of Columbus Junction. Also included a triangular unnumbered strip of land, situated in the City of Columbus Junction and in the Southeast Quarter of the Southwest Quarter of Section 19. Township Seventy-five North, Range Four West of the Fifth P.M., bounded on the east and on the northeast by the former right-of-way of the Chicago, Rock Island and Pacific Railway and on the west and north by Main Street in said City of Columbus Junction, also a tract of land bounded and described as follows: Beginning at the point where the east line of Main Street intersects the north line of Walnut Street in the City of Columbus Junction. This area of real property within the City of Columbus Junction has been chosen because it is the site of numerous brick buildings which were constructed prior to 1910 and are made of brick and are constructed immediately next to or upon adjacent buildings and property. This prescribed area of real estate is part of the area

zoned for general retail district known as C-2, and all of this district is not included, because some of this district is more modern and the buildings are constructed differently and in a different manner.

### **170.03 DESIGN AND CONSTRUCTION PROVISIONS.**

1. No building shall be constructed within the area described in Section 170.02 without receiving a building permit for any development or redevelopment or reconstruction which entails more than a superficial construction.
2. Prior to any construction, reconstruction or rebuilding within the area prescribed within this chapter, the landowner shall complete a building permit application and submit it to the Council to handle said building permit applications.
3. The construction, reconstruction or rebuilding as described above shall only be allowed if the Council approves the application.
4. No building application permit shall be granted by the Council to review said building permit applications if the following design specifications are not met.

**170.04 DESIGN SPECIFICATIONS.** The following design specifications shall be the standards for construction, building, reconstruction, rebuilding or other uses of property in the prescribed area:

1. The superstructure of said building is made from brick.
2. The building walls that provide support for said building are made of brick.
3. No building shall be constructed in which the outside walls are constructed from wood, plaster or sheets of metal.
4. All parking spaces shall be located behind the building and screened from view from the street by the walls of the building.
5. Dumpsters, recycling bins or other trash containers shall be screened from the street view and shall not be visible from public streets and shall not be located on the street right-of-way.
6. Areas of blank walls on the street level frontage of a building shall be minimized and at least 30% of the length of the street level frontage shall be windows or doorways.
7. Stairways between buildings shall be enclosed within the building.

8. All buildings must be constructed as to be directly contacting adjacent buildings and no gap or space may be allowed between adjoining buildings.

9. Any construction, reconstruction or rebuilding shall be constructed so that the front edge of said building is directly in line and even with the front edge of the adjacent buildings so that the sidewalk is one continuous expanse of walkway and is not obstructed or irregular.

**170.05 BUILDINGS DESTROYED BY NATURAL AND/OR UNNATURAL CAUSES.** Any building that is more than 50% destroyed by natural and/or unnatural causes shall be reconstructed to be a usable workable building or shall be demolished and torn down and removed in a manner that does not damage adjacent buildings.

**170.06 BUILDING PERMITS EXCEPTIONS.** Nothing in this chapter shall require a building permit for alteration, repairs or improvements of any existing building or structure which do not change the dimensional outline of the building being so altered, repaired or improved, as long as said changes do not increase the value of the building by more than 25%.

**170.07 DENIAL OF PERMITS.** If the Council denies a building permit for which an application has been submitted, the applicant may appeal to the Board of Adjustment as provided for in Section 165.31 of this Code of Ordinances. Any such appeal shall be administered as provided for in Section 165.31 of this Code of Ordinances.

**170.08 BUILDING PERMIT CONSIDERATIONS.** In reviewing any building permit application or the denial thereof, the Board of Adjustment shall enforce this chapter considering the materials that are proposed to be used in construction, the architectural design of the building, both interior and exterior, and the frontal design and side design and rear design, and the roof design, and shall consider whether all lines of the building are in visual line and physical line with adjacent buildings and shall assure that the building is not likely to create a fire safety problem, an adjacent support safety problem a potential for accumulation of trash, a potential for an accumulation of rodents and insects, a potential attractive nuisance, or any other factor which may be detrimental to the safety of the citizens of the City or may detrimentally affect the financial viability of the prescribed portion of the City.

**170.09 TIME FRAME FOR COMPLIANCE.** There shall be a six (6) month limit for demolition or reconstruction from date of event. A six (6) month extension for due causes may be granted by the Council.

**170.10 PENALTY.** Violators shall be subject to a penalty of \$100 per day for noncompliance of any section of this chapter.

*(Ch. 170 – Ord. 18 – Apr. 01 Supp.)*