

## **CHAPTER 11: MUNICIPAL PLANNING**

Article

- 1. PLATS**
- 2. PENAL PROVISION**



**§ 11-101 MUNICIPAL PLANNING; SUBDIVISIONS AND ADDITIONS PERMITTED.**

The proprietor or proprietors of any ~~ARTICLE III: PLATS~~ ~~within the~~ ~~corporate~~ ~~limits~~ ~~of~~ ~~the~~ ~~City,~~ or of any land within the area designated as the City's extraterritorial jurisdiction pursuant to section 17-1002 RS Neb., may lay out such land into lots, blocks, streets, avenues, alleys, and other grounds under the name of \_\_\_\_\_ Addition to the City of Stromsburg and may subdivide, plat, or lay out any such land upon conformance to and compliance with the conditions in this code and state law. (Ref. 19-916 RS Neb.) (Amended by Ord. Nos. 315, 1/10/79; 414, 10/11/83; 861, 5/28/02)

**§ 11-102 MUNICIPAL PLANNING; SURVEY AND PLAT.**

(A) The owner or proprietor of any tract or parcel of land who shall subdivide the same into two or more parts for the purpose of laying out any addition to the City or any part thereof, or suburban lots, shall cause a plat of such subdivision, with references to known or permanent monuments, to be made, which shall accurately describe all subdivisions of such tract or parcel of land, numbering the same by progressive numbers, and giving the dimensions and length and breadth thereof, and the breadth and courses of all streets and alleys established therein. (Ref. 17-415 RS Neb.)

(B) The map or plat of land within the corporate limits of the City or of any land within the area designated as the City's extraterritorial jurisdiction pursuant to section 17-1002 RS Neb. shall designate explicitly the land so laid out and particularly describe the lots, blocks, streets, avenues, alleys, and other grounds belonging to such addition. The lots shall be designated by numbers, and streets, avenues, and other grounds, by names or numbers. Such plat shall be acknowledged before some other officer authorized to take the acknowledgments of deeds, and shall contain a dedication of the streets, alleys, and public grounds therein to the use and benefit of the public, and have appended a survey made by some competent surveyor with a certificate attached, certifying that he or she has accurately surveyed such addition and that the lots, blocks, streets, avenues, alleys, parks, commons, and other grounds are well and accurately staked off and marked. When such map or plat is so made out, acknowledged, and certified, and has been approved by the City Council, the same shall be filed and recorded in the office of the Register of Deeds and County Assessor. (Ref. 19-916 RS Neb.) (Amended by Ord. Nos. 390, 8/10/82; 414, 10/11/83; 862, 5/28/02)

**§ 11-103 MUNICIPAL PLANNING; DESIGNATION OF EXTRATERRITORIAL JURISDICTION.**

The territory located within one mile of the corporate limits of the City is hereby designated as the City's extraterritorial jurisdiction for the purpose of exercising the powers and duties granted by sections 17-1002 and 17-1003 RS Neb. with respect to subdivisions and platting and section 19-2402 RS Neb. with respect to extension of water or sanitary sewer service. The boundaries of the territory so designated shall be as shown on the official zoning map, a copy of which is on file and available for public inspection in the office of the City Clerk. (*Ref. 17-1002 RS Neb.*) (*Ord. No. 654, 9/27/94*) (*Amended by Ord. No. 860, 5/28/02*)

**§ 11-104 MUNICIPAL PLANNING; PLANS, PLATS, AND THE LIKE; MUNICIPAL OFFICIALS; DUTY.**

*Moved to Chapter 9: Building Regulations as section 9-112.*

**§ 11-105 MUNICIPAL PLANNING; ZONING REGULATIONS; MANUFACTURED HOMES; STANDARDS.**

(1) A manufactured home may be used as a residential structure in any zone in which residential uses are permitted if such manufactured home bears an appropriate seal which indicates that it was constructed in accordance with the standards of the Uniform Standard Code for Manufactured Homes and Recreational Vehicles, the Nebraska Uniform Standards for Modular Housing Units Act, or the United States Department of Housing and Urban Development.

(2) Manufactured homes permitted pursuant to this section shall be located and installed according to the following standards which are applicable to site-built, single-family dwellings:

- (a) The home shall be located and installed on a permanent perimeter foundation;
- (b) The home shall be installed with permanent utility connections;
- (c) The home shall comply with all setback and lot requirements of the residential zone in which it is located;
- (d) The home shall comply with the minimum square footage requirements of the residential zone in which it is located;

(3) Manufactured homes shall also meet the following standards:

- (a) The home shall have no less than nine hundred (900) square feet of floor area;
  - (b) The home shall no less than an eighteen-foot (18') exterior width;
  - (c) The roof shall be pitched with a minimum vertical rise of two and one-half inches (2 ½") for each twelve inches (12") of horizontal run;
  - (d) The exterior material shall be of a color, material, and scale comparable with those existing in residential site-built, single-family construction;
  - (e) The home shall have a nonreflective roof material which is or simulates asphalt or wood shingles, tile, or rock; and
  - (f) The home shall have wheels, axles, transporting lights, and removable towing apparatus removed.
- (4) Nothing in this section shall be deemed to supersede any valid restrictive covenants of record.

(5) For purposes of this section, manufactured home shall mean (a) a factory-built structure which is to be used as a place for human habitation, which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site, which does not have permanently attached to its body or frame any wheels or axles, and which bears a label certifying that it was build in compliance with National Manufactured Home Construction and Safety Standards, 24 CFR 3280 et seq. promulgated by the United States Department of Housing and Urban Development, or (b) a modular housing unit as defined in section 71-1557 RS Neb., bearing a seal in accordance with the Nebraska Uniform Standards for Modular Housing Units Act. (*Ref. 19-902 RS Neb.*) (*Ord. No. 796, 5/25/99*)

#### **§ 11-106 MUNICIPAL PLANNING; ADDITIONS; INCORPORATION INTO MUNICIPALITY.**

All additions to the City laid out and previously located within the corporate boundaries of the City shall remain a part of the City. All additions laid out adjoining or contiguous to the corporate limits may be included within the corporate limits and become a part of the City for all purposes whatsoever at such time as the addition is approved as provided in section 19-916 RS Neb. If the City Council includes the addition within the corporate limits, the inhabitants of such addition shall be entitled to all the rights and privileges and shall be subject to all the laws, ordinances, rules, and regulations of the City. (*Ref. 19-916 RS Neb.*) (*Ord. No. 863, 5/28/02*)



**§ 11-201 VIOLATION; PENALTY.**

Any person, whether as owner, proprietor, or as the agent, attorney, or representative of any owner or proprietor of land who ~~ARTICLE 2 PENALTY PROVISION~~ and within the corporate limits of the Municipality, or adjoining, and contiguous to the same, except as herein authorized, or who shall sell, transfer, deed or convey, contract, or agree to sell, transfer, or offer for sale any lot, or piece of ground in any addition, or subdivision of three (3), or more parts within said corporate limits, or adjoining, and contiguous thereto, without having first obtained the acceptance, and approval of the plat, or map thereof by the Governing Body, and any person who shall violate, or who shall fail, neglect, or refuse to comply with any of the provisions hereinbefore, as now existing, or as hereafter amended, shall, upon conviction, be fined in any sum not exceeding one hundred (\$100.00) dollars.

