

CHAPTER 1349
Underground Shelters

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CROSS REFERENCES

Barricades and warning lights - see GEN. OFF. 521.03

Drainage and grade establishment - see BLDG. Ch. 1337

1349.01 EMERGENCY PURPOSE ONLY; ACCESSORY USE.

The construction of underground shelters in private property in the City is hereby authorized as a permitted use, such use being specifically restricted, however, to the sole purpose of an emergency shelter, when and in the event of a threatened or actual nuclear bomb attack, hurricane or other like occurrence of force which endangers human life.

Such underground shelter shall only be permitted as an accessory to an existing home, apartment, store or other building on the premises in which it is to be constructed.

(Ord. 186-57. Passed 9-23-57.)

1349.02 PERMIT REQUIRED; BUILDING CODE TO APPLY.

Before constructing any underground shelter, a permit to do so must first be obtained from the Building Commissioner. All construction work is to be under his supervision and inspection.

The provisions of the Building Code shall apply to such construction insofar as the same are applicable thereto.

(Ord. 186-57. Passed 9-23-57.)

1349.03 APPROVAL OF PLANS; COMPLIANCE WITH FEDERAL RECOMMENDATIONS.

No permit to construct an underground shelter shall be issued until the Building Commissioner has approved the plans and specifications for such structure and has determined that the same comply and conform in all respects to one of the types of underground shelters recommended by the Federal Department of Defense, Office of Civil and Defense Mobilization.

(Ord. 185-62. Passed 11-12-62.)

1349.04 LOCATION RESTRICTED TO ZONING.

The location of an underground shelter on a lot or parcel of land shall be restricted to that area on which, according to the provisions of the Zoning Ordinance, a main or accessory building could be erected on such lot or parcel of land. (Ord. 186-57. Passed 9-23-57.)

1349.05 DEBRIS REMOVAL AND GROUND SURFACE RESTORATION.

Upon completion of such underground shelter, the permittee shall remove all building debris from the premises and restore the surface of the ground which has been disturbed or altered to its original condition immediately prior to the commencement of the construction, except as to any change of grade of the land made necessary in completing such shelter, or the parts of such shelter which extend above the ground surface. (Ord. 186-57. Passed 9-23-57.)

1349.06 INSPECTION; SANITARY CONDITION REQUIRED.

Any underground shelter, as provided for herein, shall at all reasonable times be subject to the inspection and supervision of the Chiefs of the Police and Fire Divisions, as well as the Building Commissioner, and shall always be kept in a clean and sanitary condition. (Ord. 186-57. Passed 9-23-57.)

1349.07 USE FOR EMERGENCY ONLY.

No underground shelter shall be used for any purpose other than that of an emergency shelter to protect life during a threatened or actual emergency of the nature and kind as set forth in Section 1349.01, to wit: nuclear attack, hurricane or other like occurrence of force which endangers human life. Such shelter shall at all times be kept in good repair and the interior thereof free and clear of all articles of personal property except such as are intended for use while occupied as an emergency shelter. (Ord. 186-57. Passed 9-23-57.)

1349.08 RIGHT OF REVOCATION BY COUNCIL.

In granting permission to construct any underground shelter as herein provided, the City Council expressly reserves the right to revoke, by future legislation, such permission and order the removal of any and all of such shelters should the protection which it affords be no longer needed, or should other and more effective means of protection have been devised and are available for public use. (Ord. 186-57. Passed 9-23-57.)

1349.99 PENALTY.

Whoever violates any provision of this Chapter shall be guilty of a minor misdemeanor for the first offense. Whoever violates any provision of this Chapter shall be guilty of a fourth degree misdemeanor for the second offense or subsequent offenses. (Ord. 7-82. Passed 2-8-82.)