

## ORDINANCE 99-3

AN ORDINANCE TO ADOPT VARIOUS TECHNICAL CODES RELATING TO INSPECTION AND ENFORCEMENT OF BUILDING PROVISIONS AS PROVIDED IN SAID CODES WITHIN CHEROKEE VILLAGE, FULTON AND SHARP COUNTIES, ARKANSAS.

BE IT ORDAINED BY THE CHEROKEE VILLAGE CITY COUNCIL THAT:

SECTION 1: WHEREAS, it is the desire of the CHEROKEE VILLAGE CITY COUNCIL to adopt, in all respects, technical codes and any of their updates. WHEREAS the adoption of these codes is done to facilitate proper inspection activities by CHEROKEE VILLAGE, FULTON AND SHARP, COUNTIES, ARKANSAS, relating to construction and to maintenance of buildings within said city and relating to public safety, health and general welfare; WHEREAS, the following codes are hereby adopted by reference as though they were copied fully within:

STANDARD AMUSEMENT DEVICE CODE -1997 EDITION  
STANDARD BUILDING CODE -1997 EDITION  
STANDARD EXISTING BUILDING CODE -1997 EDITION  
STANDARD FIRE PREVENTION CODE - 1997 EDITION  
STANDARD GAS CODE -1997 EDITION ARKANSAS LP GAS CODE  
STANDARD HOUSING CODE -1997 EDITION  
STANDARD SWIMMING POOL CODE -1997 EDITION  
STANDARD UNSAFE BUILDING ABATEMENT CODE -1997 EDITION  
ARKANSAS STATE PLUMBING CODE -1995 EDITION  
ARKANSAS MECHANICAL CODE - 1997 EDITION  
ARKANSAS SEWAGE DISPOSAL SYSTEM ACT-ACT 402-1987 ANNOTATED  
NATIONAL ELECTRICAL CODE -1999 EDITION  
INTERNATIONAL PROPERTY MAINTENANCE CODE -1998

SECTION 2: BE IT FURTHER ORDAINED BY THE CITY COUNCIL that any matters in said codes which are contrary to existing ORDINANCES of CHEROKEE VILLAGE, ARKANSAS, shall prevail.

SECTION 3: BE IT FURTHER ORDAINED that within said codes, when reference is made to the duties of a certain official named therein, that designated official of CHEROKEE VILLAGE, ARKANSAS, who has duties corresponding to those of the named official in said code shall be deemed to be the responsible official insofar as enforcing the provisions of the said code.

SECTION 4: BE IT FURTHER ORDAINED that:

(a) Violation of the provisions of the Cherokee Village Code or failure to comply with any of its requirements shall constitute a misdemeanor. After the expiration date indicated by the notice of violation, any person who violates this ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than thirty (30) days, or both, and in addition shall pay

all costs and expenses involved in this case. After the expiration date indicated by the notice of violation, each day such violation continues shall be considered a separate offense.

(b) The owner or tenant of any building, structure, premises or part thereof, and any architect, builder, contractor, agent, or other person who willfully commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and suffer the penalties herein provided.

(c) Nothing contained in this ordinance shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

#### SECTION 5: SCHEDULE OF FEES

(a) The schedule of fees, charges and expenses shall be posted in the office of the Clerk/Treasurer and may be altered or amended only by the City Council.

(b) No permit shall be issued unless or until such costs, charges, fees or expenses have been paid in full, nor shall any action be taken on proceedings before the Board of Adjustment and/or Planning and Zoning Commission unless or until such charges and fees have been paid in full.

NEW HOME .....	\$ 500.00
PLAN CHECK .....	25.00
MANUFACTURED (MOBILE) HOME .....	300.00
DETACHED GARAGE.....	50.00
CARPORT .....	40.00
ENCLOSE CARPORT (TO A GARAGE)	45.00
ENLARGE GARAGE AND ROOM.....	40.00
ADDITIONAL ROOM.....	75.00
ADD DECK.....	35.00
ADDITION ON DECK.....	25.00
FENCE.....	25.00
GREENHOUSE.....	25.00
STORAGE BUILDING .....	25.00
GAZEBO.....	25.00
SWIMMING POOL .....	50.00
RETAINING WALL.....	30.00
RE-ROOF .....	-0-
NEW SIDING AND/OR WINDOWS.....	-0-
BOAT HOUSE .....	50.00
SEA WALL.....	30.00
BOAT DOCK, 24' .....	35.00
SIGNS.....	25.00
COMMERCIAL BUILDING .....	.11 per sq. ft.

#### SECTION 6: SEVERABILITY

It is the intention of the City Council that this ordinance, and every provision thereof, shall be considered separable, and the validity of any section, clause provision, or part or portion.

SECTION 7: BE IT FURTHER ORDAINED that this ordinance shall take effect and be in force from and after its passage, the public welfare requiring it.

PASSED AND APPROVED BY THE CHEROKEE VILLAGE CITY COUNCIL on the 15<sup>th</sup> day of February, 1999.

APPROVED: *Margaret A. Rouse*

[Redacted Signature]

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Susan E. Maynard, Clerk/Treasurer